

МІНІСТЕРСТВО ВНУТРІШНІХ СПРАВ УКРАЇНИ  
ХАРКІВСЬКИЙ НАЦІОНАЛЬНИЙ УНІВЕРСИТЕТ ВНУТРІШНІХ СПРАВ  
ФАКУЛЬТЕТ № 1  
Кафедра іноземних мов

Филипська В.І.

# English

**for Masters in Law Enforcement Activity**

**НАВЧАЛЬНИЙ ПОСІБНИК**

**для здобувачів**

**другого (магістерського) рівня вищої освіти**

**за спеціальністю 262 Правоохоронна діяльність**

Харків – 2020

УДК 811.111(075)  
ББК 81.2Англ-9  
Ф51

*Рекомендовано до друку Вченою радою Харківського  
національного університету внутрішніх справ  
(протокол № від 00.00.2020 р.).*

**Рецензенти:**

**Н.С.Скрипник** – доцент кафедри іноземних мов Харківського національного автомобільно-дорожнього університету, кандидат педагогічних наук.

**О.М.Гончарук** – доцент кафедри іноземних мов Харківського національного університету внутрішніх справ, кандидат філологічних наук, доцент.

**Ф51**

**Филипська В.І.**

English for Masters in Law Enforcement Activity. Навчальний посібник для здобувачів другого (магістерського) рівня вищої освіти за спеціальністю 262 Правоохоронна діяльність – Х. : ХНУВС, 2020. – 126 с.

Пропонований посібник складено відповідно до Програми навчальної дисципліни «Іноземна мова за професійним спрямуванням». Посібник має на меті підготувати майбутніх фахівців у галузі правоохоронної діяльності до застосування англійської мови у професійній сфері. Посібник містить тексти для читання, термінологічну лексику, вправи на засвоєння лексики, завдання на відтворення усного мовлення, курс граматики та ряд вправ на закріплення граматики.

Для здобувачів другого (магістерського) рівня вищої освіти за спеціальністю 262 Правоохоронна діяльність.

УДК 811.111(075)  
ББК 81.2Англ-9

© В.І.Филипська, 2020

## **3MICT**

<b>BCTYII .....</b>	<b>4</b>
<b>UNIT 1. POLICE. ADMINISTRATIVE LAW</b>	
<b>Verb Tenses: active and passive voice .....</b>	<b>6</b>
<b>UNIT 2. CONSTITUTIONAL LAW. COURTS</b>	
<b>Modal Verbs. Direct/Indirect Speech. Sequence of Tenses.....</b>	<b>34</b>
<b>UNIT 3. CRIMINAL LAW AND PROCEDURE</b>	
<b>Participle. Infinitive .....</b>	<b>55</b>
<b>UNIT 4. CIVIL LAW AND PROCEDURE</b>	
<b>Gerund.....</b>	<b>73</b>
<b>50 TEST tASKS FOR EXAM PREPARATION.....</b>	<b>90</b>
<b>SUPPLEMENTARY TEXTS AND TASKS ABOUT THE BRITISH AND US POLICE.....</b>	<b>100</b>
<b>APPENDIXES</b>	
<b>Appendix A. Rules of Criminal Procedure.....</b>	<b>115</b>
<b>Appendix B. Speaking phrases.....</b>	<b>119</b>
<b>Appendix C. Irregular verbs.....</b>	<b>124</b>
<b>BIBLIOGRAPHY.....</b>	<b>126</b>

## ВСТУП

Навчальний посібник “English for Masters in Law Enforcement Activity” призначений для студентів/курсантів вищих навчальних закладів денної/заочної форми навчання (майбутніх магістрів з правоохоронної діяльності), а також для широкого кола осіб, що використовують англійську мову в своїй практичній діяльності у сфері правоохоронної діяльності, юриспруденції та права.

Метою посібника є:

- забезпечення цілісного і послідовного засвоєння англійської лексики та фахової термінології;
- формування вмінь та навичок професійного спілкування;
- розвиток навичок та вмінь самостійного вирішення проблем при іншомовному спілкуванні за допомогою різного типу вправ з тематики діяльності в правоохоронній сфері.

За своєю структурою посібник є серією з 4 розділів, організованих за тематичним принципом. Окремими розділами автором подається підсумковий тест для контролю знань з курсу та додаткові тексти і завдання до них, передбачені програмою. У додатку подано текст для читання до теми 3, список неправильних дієслів та фрази-кліше для спілкування.

Кожний розділ (Unit) – це самостійний комплекс, що має уніфіковану структуру та містить систему вправ і контрольних завдань, які забезпечують методичне підґрунтя й для самостійного навчання. Розділ складається з 5 практикумів: Vocabulary in practice, Reading, Speaking, Grammar in use, Translating/Writing. Лексичний практикум містить список активної лексики та завдання на запам'ятовування лексики. Розділ з читання містить тексти для читання та проблемні дотекстові та післятекстові завдання до них. Фахові тексти охоплюють історію виникнення та розвитку поліцейської системи у Великій Британії та у Сполучених Штатах Америки, судоустрій в Україні та в англomовних країнах, окремі галузі права, а саме: адміністративне, конституційне, кримінальне та цивільне право. Відібрані тексти мають за мету також розвиток загального світогляду студента/курсанта, формування знань з проблем фахового напрямку майбутніх фахівців правоохоронної сфери. Усний практикум має на меті відтворити вже засвоєну лексику в усному діалогічному та монологічному мовленні, у вирішенні професійних ситуацій. Граматичний практикум складається з теоретичного та практичного матеріалу. Теорію подано описово та в таблицях, що сприятиме кращому орієнтуванню та засвоєнню матеріалів. Граматичні вправи різного типу складності спрямовано на відтворення граматичного явища. Навчальний посібник містить вправи на письмовий переклад та написання матеріалів за фахом. На початку розділів є вислови відомих людей за тематикою розділів з метою введення в іншомовну атмосферу, для розвитку навичок говоріння та формування критичного мислення у студентів/курсантів.

Тематика і характер навчальних матеріалів, запропонованих у посібнику, забезпечують формування у студентів професійного словника, а

також навичків читання і мовлення в рамках правової та правоохоронної діяльності.

Викладачеві пропонується організація різних форм роботи під час заняття (парна, індивідуальна, робота у великих і малих групах) та використання інтерактивної, ігрової та проблемної технологій навчання. Викладач має самостійно вирішувати в якій послідовності подавати матеріал у межах кожного розділу. Автором пропонується велика кількість текстів, граматичних вправ, проблемних завдань для того, щоб викладач мав можливість вибору матеріалу як для практичних занять, так і для самостійної роботи студентів/курсантів.

Посібник також буде корисним всім студентам/курсантам під час систематизації граматичного матеріалу за темою «Дієслово». Його можна використовувати як для групових, так і для індивідуальних занять.

## ТЕМА № 1. «Поліція». «Адміністративне право»

Лексична тема: Історія Британської поліції. Адміністративне право

Граматична тема: Система часів дієслова.

### UNIT 1. POLICE. ADMINISTRATIVE LAW

#### WARMING-UP

#### What do you think about the quotes:

1. *A Police officer must make a decision in seconds that judges and lawyers will fight over for years.*
2. *Greater love has no one than this, that someone lay down his life for his friends.*
3. *“Police officers may drive black and white cars, however what goes on in their job is a lot of grey”. - Arik Matson.*
4. *“The police are not here to create disorder, they're here to preserve disorder”. - Richard J. Daley.*

#### VOCABULARY IN PRACTICE

##### 1. Read and translate these words into Ukrainian (word-building).

To suspect—suspicion—suspicious – suspiciously – suspected.

To maintain – maintenance.

Legal – illegal.

To encourage – to discourage.

Useful – usefulness.

To assist – assistance.

To detect – detection.

To enforce – enforcement.

To destruct – destruction.

To disturb – disturbance.

##### 2. Solve Vocabulary Quiz.

1. The opposite of guilty is ...

(jail/arrest/wanted/innocent)

2. An intruder is a person who enters a house or ... (an intruder/an investigator/a cop/an officer) business illegally.

3. Some misdemeanors are punishable by paying a ...

(cell/fine/patrol/radar) .

4. The person a police officer works closest beside every day is his ...

(offender/partner/convict/perpetrator)

5. Dealing drugs behind a restaurant is an example of a ...

(pickpocket/back-up/street crime/ custody)

6. When a man commits a felony he gets taken into police ...

(custody/gangs/squad)

7. Another word for a thief is ...  
(detective/baton/robber/gang)
8. In order to prevent a criminal from running, police use ...  
(headquarters/handcuffs/perpetrators/fingerprints)
9. One of the first things detectives do at a crime scene is check for ...  
(fines/fingerprints/felonies/cruisers)
10. Another word for prison is ...  
(court/station/jail)

## 2. Study the following.

<b>To call upon</b>	<b>to call on</b>	<b>to call in    to call up</b>
обвинувачення <i>on indictment</i> – за обвинуваченням; <i>to bring in an indictment against smb.</i> – висувати обвинувачення <i>bill of indictment</i> – обвинувальний акт	1)обвинувачувати; висувати обвинувачення; 2)віддавати до суду (за - for) <i>to indict smb. for murder</i> – обвинувачувати когось у вбивстві	що підлягає розгляду в суді; підсудний <i>indictable offence</i> – злочин, який підлягає розгляду в суді відповідно до обвинувального акту

## 3. Make up word-combinations from the words or complete the word-combinations. These words are in italics in the texts bellow.

detection	виявлення
to maintain law and order	зберігати правопорядок
to enforce the laws	забезпечувати виконання законів
repression of crime	придушення злочинів
to set up a force	створити силову структуру
a permanent police force	постійна силова структура
to suspect	підозрювати
to turn out	виявитися
to warn	попереджувати
spies and informers	шпіони та інформатори
destruction	знищення, розрушення
disturbance	порушення
in charge of	під керівництвом
to embrace	прийняти
prevention	запобігання
a rank	звання
to deserve	заслужити
to possess	володіти
to hinder	перешкоджати
local police authorities	місцеві органи поліції
to restrain	стримувати

an official	посадова особа
to entry	входити
to abuse	зловживати
superintendents	комісари
to exaggerate	перебільшувати
to gain	отримати
to discourage	перешкоджати
force means	засоби
tact and persuasion	почуття такту і переконання
to determine	визначити
to restrict	обмежувати
on the beat	на чергуванні, на вулиці
to carry out	виконувати
occasional	випадковий
a petty offence	дрібне правопорушення
to oblige	заставляти
bold	сміливий, рішучий
to hesitate	коливатися, сумніватися
a suitable crib	відповідний будинок (хата)
to crack	зламати
to put the principle into practice	запроваджувати принцип
suspiciously	підозріло
a smash-and-grab raid	пограбування
to extend	розширювати
to keep a lookout for	слідкувати за
a provision	положення
to do in any emergency	робити щось у надзвичайній ситуації
to impose	використовувати
to come across	стикатися
a bustle	суєта
a gun	пістолет
a shotgun	рушниця, дробовик
a hunting rifle	рушниця для охоти
to own	володіти
a firearm	вогнепальна зброя
to go into action	ввести в дію

## READING

### 1. Before you read, discuss the problem questions.

1. Is it really a good thing to have a police force at all?
2. What features of character are absolutely necessary for successful work of a policeman?



3. Each policeman is individually responsible for his actions. How do you understand this statement?
4. Do you think it is ridiculous for the police to be unarmed or is it a good idea?
5. What are your ideas on improvement of the police work?
6. Would you like to be a police officer? Why? Why not?
7. What is the public attitude to the police in Ukraine? What is your attitude?
8. Have you got any ideas on how the work of the police can be improved?
9. What steps are necessary to increase the percentage of successful *detections*?

**2. Read the text 1, see vocabulary from ex. 3 above for the italicized words, translate the text and do tasks.**

### **TEXT 1. Police in Great Britain**

#### **History of the Police in Great Britain**

Police are a judicial and executive system, and an organized civil force for *maintaining law and order and enforcing the laws*. There are traces to be found in every organized society of some system of rules for the *maintenance* at peace and order. At the same time, a system of police in the special modern sense of the term did not exist in ancient times.

In England, from the time of the Saxon kings, there had existed an organisation of a partially voluntary character for *the repression of crime* and arrest of criminals, and the maintenance of good order. Before 1829, there were no police anywhere in Britain. In that year, the Prime Minister, Robert Peel, *set up a force* in London; they were often called Bobbies, and the nickname is still occasionally used today. (Bobby is the familiar form of the name Robert.) There was considerable resistance to the idea of *a permanent police force*, rather than groups of citizens brought together to deal with particular problems. The early 19th century was a time of political unrest in Britain as elsewhere in Europe, and workers *suspected* (rightly, as it *turned out*) that the police would be used against them. A writer named J.P. Smith *warned* in 1812 that the police would mean: "... a system of tyranny; an organised army of *spies and informers*, for the *destruction* of all public liberty, and the *disturbance* of all private happiness."

The Metropolitan Police Force dates from 1829. Its office is *New Scotland Yard*; near the Houses of Parliament. London is divided into four *districts in charge of* chief constables. Under the latter are the *superintendents*, most of them in charge of divisions embracing from 500 to 1.000 men.

#### **Task 1. Answer the following questions.**

1. Who set up a force in London? How were they called?
2. Why was there considerable resistance to the idea of a permanent police force in the early 19th century?

#### **The organization**

Each police force in Great Britain is divided into two main *branches*:

- Uniform police,

- Criminal Investigation Department (CID).

These two branches carry out different aspects of the same work – the *prevention and detection* of crime. The *organisation* within each police force is shown below: divisions, subdivisions, police stations.

The *ranks* of the police forces are as follows: Chief Constable; Assistant Chief Constable; Chief Superintendent; Superintendent; Chief Inspector; Inspector; Sergeant; Constable.

It has been rightly said that people get the government they *deserve*; it is equally true that people get the police force they deserve. The British *possess* one of the best police forces in the world.

The police in Britain enjoy a unique advantage over the police of almost every other country in the world: they are helped, not *hindered*, by the public they serve. The reason for this is that the British public respect and trust their policemen. In Britain, the basic conception is that the police are civilians whose job is to protect and to help their fellow-citizens.

A number of important *principles* follow. First the police are not servants of the Crown that is, of the Government. The police forces of England are administered not from Whitehall but by their own *local police authorities*. The policeman can and should protect his fellow-citizens against criminals as well as against the Government or any other authority if the Government or that authority acts illegally. The policeman will *restrain an official* of a Government Department from making an illegal *entry* into a private house. His duty is simply to see that the law is kept. Then, partly because of their civilian status and partly as a safeguard against the possible *abuse* of their power, the police are unarmed. It is almost impossible to *exaggerate* the good, which Britain has *gained* from insistence on this principle. The fact that the policeman is *discouraged* from using *force means* that he must do his work by *tact and persuasion*. Blustering or shouting only makes a British crowd laugh or jeer, and the policeman learns that good humour is essential if he is to do his work well. Finally, each policeman is individually responsible for his actions, and his powers must be clearly defined and limited. Neither principle needs much explanation. If each policeman did not have individual responsibility, it would mean that the police would be a paramilitary organisation of a sort known only too well in totalitarian countries. For the same reason, their powers of arrest, of search, and of questioning the public must be *determined and restricted*. The usefulness of the police depends on the ability of the constable *on the beat* or in the patrol car. It is to him that the citizen in trouble first turns, and it is on his efficiency that the prevention of crime and the arrest of criminals primarily depends. The policeman is an independent agent, and though there are of course occasions when two or more policemen work together, for the most part he does his work alone.

### **Task 1. Find synonyms of the following words and expressions in the text.**

- a person;
- to fulfil the investigation of a crime;
- common people;

- the main idea;
- restricted.

## **Task 2. Answer the questions.**

1. What two different aspects of the same work do the uniform police and detectives *carry out*?
2. What is the organisation within each police force?
3. Why are the British police considered to be one of the best?
4. Each policeman is individually responsible for his actions. How do you understand this?
5. What is the main task of the uniform police?
6. What features of character are absolutely necessary for a successful work of a policeman?
7. British policemen are unarmed. What do you think of this? Is it advantage or disadvantage?

### **The chief task of the uniform branch**

The prevention of crime is the main task of *the uniform police*. Towards the end of 1948, when the shortage of policemen was acute, the chief constable of a county force decided to close down one of his village police stations and to cover the area normally patrolled on foot by the village constable by *occasional* visits of a police car instead. He chose this particular village for the experiment because for some years it had been quite free from crime and, superficially at least, it seemed to be an unnecessary extravagance of manpower to have a policeman stationed there. During the next three months the village suffered from what was almost an epidemic of crime. There was one *petty offence* after another, and the calls for police help were so frequent that the chief constable was *obliged* to restore a resident constable in the village. The amount of crime decreased at once, and before long the village regained its former peace.

Few experiments could have shown more clearly how effectively the mere presence of a constable could prevent crime. It is an established fact that thieves are seldom stopped from stealing by the thought of the punishment. The sight of a constable on patrol, on the other hand, will make the *boldest* of criminals *hesitate* and will drive away altogether the casual thief, the man who simply looks around for *a suitable crib to crack*. The prevention of crime, in fact, depends fundamentally on the visible presence of a uniformed policeman. The principle is accepted in every police force throughout the country, and the method used for *putting the principle into practice* is the 'beat' system.

## **Task 1. Answer the following questions.**

1. What experiment was made in one of the villages of Great Britain?
2. What did the experiment result in?
3. What fundamental principle of crime prevention does this experiment demonstrate?

## **The profession of a constable**

*The profession of a constable* must be able:

- 1) to stop and question anyone who is acting *suspiciously*;
- 2) to deal with anything from a road accident *to a smash-and-grab raid*;
- 3) to help or to advise any citizen who needs or asks for assistance;
- 4) to control a crowd — which can gather surprisingly quickly;
- 5) to stop a runaway thief, to keep order in a busy street;
- 6) to give first aid to someone taken suddenly ill etc.

The beat is the smallest division of a police area. It is patrolled or ‘worked’ by a single constable, and it varies in size from a group of villages which might be visited only once a day to a few blocks of shops, banks, and offices which a constable can cover from end to end in thirty minutes. Each constable is personally responsible for his beat. In country districts his responsibility *extends* throughout the twenty-four hours, but in towns he is normally responsible only during the eight hours which he spends on duty. Wherever possible, the constable works his beat on foot – at a traditional speed of 2,5 miles per hour. He is expected to make a mental note of every thing that is happening while he goes his rounds, and in particular *to keep a lookout for*, and, if he thinks it necessary, to investigate, anything out of the ordinary. He stops and questions anyone who is acting suspiciously or who he thinks may be in possession of stolen goods or carrying housebreaking instruments. From time to time he reports back to his police station by telephone at certain prearranged ‘points’. He is not allowed to leave his beat without some very good reason, though most police forces now make some *provision* to enable him to get a light meal during the course of his duty. Working a one-man beat is often dull, but it is the basis of every chief constable’s plans for the prevention of crime. The success of the system depends entirely on the ability and keenness of the constable on the beat. He can, of course, call up his headquarters for help or instructions when he needs them, but like the officer-of-the-watch in a ship, he must have a reasonably clear idea of what *to do in any emergency* which might arise. He is expected to be able to deal with anything from a road accident to a smash-and-grab raid and to do so within the limitations, which the law *imposes* on him. And he is expected to be ready and willing to help or to advise any citizen who needs or asks for assistance.

The sort of work, which a policeman *comes across* on his beat, varies with the locality. The main difference is between town and country beats. In towns there is all the *bustle* of commercial life – the crowds, the heavy traffic, the busy shops, and the numerous petty criminals which such activities always attract. The constable on a town beat might be called upon to control a crowd which can gather surprisingly quickly, to stop a runaway thief, to keep order in a busy street, or to give first aid to someone taken suddenly ill.

### **Task 1. Agree or disagree with the following statements.**

1. The beat is the smallest division of a police area.
2. The beat is usually patrolled by a group of two or three constables.
3. The constable works six hours a day.

4. Wherever possible the constable patrols his beat in a police car.
5. The constable makes a mental note of everything that is happening on his beat.
6. Every five minutes the constable reports back to his police station by telephone.
7. The constable is allowed to leave his beat if he wants to buy something to eat.
8. The constable can call up his headquarters for help or instructions.
9. The constable must have a reasonably clear idea of what to do in an emergency.
10. The constable can search and arrest any suspected person.

### **Police without guns.**

One of the first things that visitors to Britain notice is that the police are unarmed. Britain is one of the few countries in the world (Norway and New Zealand are others) where the police do not normally carry guns. Most people in Britain, including the police, are happy with this. They feel that if the police were armed, criminals too would always carry guns, and the cycle of violence would increase.

A comparison is often made with the USA, where the rate of murder by *firearms* is almost ten times the UK rate. It would be fairer to look at a country like Belgium, where the police are armed but the murder rate is not much higher than in Britain. The trouble with comparisons with the USA is that it is a very different sort of society. Above all, there are 250 million handguns in the USA, whereas in Britain it is *illegal to own a handgun*; you can keep *a shotgun or a hunting rifle*, but even for these it is quite difficult to get a licence.

Actually the first impression of an unarmed police service is not quite accurate. Some officers do have guns, but they do not patrol the streets with them. There are a number of police cars known as Armed Response Vehicles (ARVs), which contain guns locked in boxes. These are called in when necessary. In London, for example, there are 12 such ARVs, and they *go into action* about 25 times per day.

**Task 1. Do you know the difference between a gun, a handgun, a shotgun, a firearm a hunting rifle or a pistol? If necessary consult a dictionary.**

**Task 2. Agree or disagree with the following statements.**

1. In Britain it is allowed to own a handgun.
2. If you want to keep a shotgun or a hunting rifle you should get a licence. It is very easy to get one in Great Britain.
3. Britain is one of the few countries in the world (Norway and New Zealand are others) where the police do not normally carry guns.
4. The rate of murder by firearms in the USA is almost two times the UK rate.
5. In Belgium, where the police are armed, the murder rate is not much higher than in Britain.
6. Police cars known as Armed Response Vehicles (ARVs) contain guns locked in boxes.
7. In London, for example, there are 120 such ARVs, and they go into action

about 250 times per day.

### **3. Choose the right answer or answers.**

#### **Test yourself**

1. Policeman can be called:
  - a) Constable;
  - b) cop;
  - c) Bill;
  - d) Bobby.
2. Which one of the following crimes known to the police in England and Wales involves the greatest total value of property stolen?
  - a) burglary;
  - b) theft of motor vehicles;
  - c) theft from another person;
  - d) shop-lifting;
  - e) theft by an employee.
3. Crime prevention is most effective
  - a) when there is a partnership between the police and the public;
  - b) when common people help the police;
  - c) when common people refuse to help the police.
4. The smallest division of the police force is
  - a) a police station;
  - b) a subdivision;
  - c) a division;
  - d) a beat.
5. Each Constable is personally responsible for his beat.
  - a) true;
  - b) false.
6. The job of the traffic wardens in Great Britain is
  - a) to control offences like speeding, careless driving, drunken driving;
  - b) to fine drivers for the wrong parking;
  - c) to make sure that drivers obey parking regulations.
7. In towns a Constable works
  - a) 10 hours a day;
  - b) 6 hours a day;
  - c) 8 hours a day.
8. A Constable can
  - a) make mental notes of everything that is happening on his beat;
  - b) leave his beat without any good reason;
  - c) stop and question anyone who is acting suspiciously;
  - d) call up his headquarters for help or instructions if necessary.
9. Each police car is manned by a driver and an observer where
  - a) only observer is a trained policeman;

- b) both are fully trained policemen;
- c) driver is not a policeman at all.

10. The observer of a patrol car

- a) reports his position by radio to the information room;
- b) keeps in touch with the ordinary beat constables;
- c) searches and arrests anyone who is acting suspiciously.

11. A person of this profession must be able:

- to stop a runaway thief;
- to keep order in a busy street;
- to give first aid to someone taken suddenly ill;
- to control a crowd;
- to help and advise any citizen who needs or asks for assistance;
- to deal with a road accident etc.

Name his occupation.

12. The house of a suspect can be searched by a policeman

- a) with a warrant from a magistrate;
- b) with the permission of the owner but without a warrant from a magistrate;
- c) without a warrant from a magistrate and without the permission of the owner.

13. What fundamental principles govern the Police of Britain?

- a) each policeman is individually responsible for his actions;
- b) each policeman can do what he likes, because the law is always on his side;
- c) it is the law that regulates every policeman's powers.

14. The Police of Britain

- a) are helped by the public;
- b) are hindered by the public;
- c) are indifferently treated by the public.

15. Sir Robert Peel established the first Police force in London in

- a) 1892;
- b) 1829;
- c) 1898.

16. Your image of a policeman in Great Britain is of someone

- a) quick – tempered and somewhat threatening;
- b) rather slow, very solid and good-humoured;
- d) indifferent to the public.

17. The Police in Great Britain are

- a) a civil organisation, which job is to protect and help its fellow-citizens;
- b) a military organisation, which job is to protect and help its fellow-citizens;
- c) the servants of the Government;
- d) the servants of the Crown.

18. The Police in Great Britain are unarmed. It means that they

- a) must use non-violent methods of controlling a crowd: tact, persuasion, good – humour;
- b) needn't use force because British crowds are always tolerant and law – abiding;
- c) are afraid to use force against the public in order not to kill someone.

19. Who wears a uniform?

- a) a detective;
  - b) a policeman on his beat;
  - c) a traffic warden;
  - d) a Constable.
20. Who does the citizen in trouble first turn to?
- a) a detective;
  - b) a policeman in the patrol car;
  - c) a policeman on his beat;
  - d) a Constable.
21. The policeman in Great Britain usually works
- a) in a squad under an officer;
  - b) in groups of two or three;
  - c) as an independent agent.
22. The lowest rank of a policeman is
- a) a Superintendent;
  - b) an Inspector;
  - c) a Constable.
23. The best safeguard against the danger of a police state in Great Britain is the fact that
- a) the British police are under the state control;
  - b) the British police are controlled by the Queen;
  - c) the British police are split up into a number of separate, autonomous police forces which are not under state control;
  - d) there is no national police force in Great Britain.
24. The headquarters of the Metropolitan (London) Police is
- a) New Scotland Yard;
  - b) 10. Downing Street;
  - c) Buckingham Palace.
25. Coordination in the work of the Police Forces is achieved by
- a) personal contacts between the policemen concerned;
  - b) certain services which Scotland Yard provides for all Police Forces of the country;
  - c) the activities of the Prime Minister;
  - d) a complicated communication system.
26. Arrange the ranks of the Police Forces from the bottom (the lowest rank) to the top (the highest rank).
- a) Constable;
  - b) Chief Inspector;
  - c) Inspector;
  - d) Assistant Chief Constable;
  - e) Sergeant;
  - f) Superintendent;
  - g) Chief Constable;
  - h) Chief Superintendent.
27. A policeman is



- a) allowed to belong to a trade union;
  - b) neither allowed to belong to a trade union nor to a political party;
  - c) allowed to belong to any political party.
28. Weekly statistics in Uniform Police are kept in order to show
- a) how many and what sort of crimes are committed in each division of the Police Force;
  - b) whether the preventive measures have succeeded or not;
  - c) the work of the Police to common people and journalists.
29. Criminals are stopped from committing crimes by
- a) the thought of the punishment;
  - b) the presence of a Constable on beat;
  - c) the sight of a patrol car.
30. The prevention of crimes, in fact, depends fundamentally on
- a) the visible presence of a uniformed police;
  - b) the work of journalists lighting out the work of the police;
  - c) severe punishment of criminals;
  - d) professional work of both detectives and uniform policemen.
31. Uniform policeman
- a) patrols his beat;
  - b) keeps his papers up to date;
  - c) investigates crimes;
  - d) helps citizens if they are in trouble.
32. What is a common complaint among Constables in Great Britain today?
- a) they are not well paid;
  - b) their work is becoming more monotonous;
  - c) they only report the crime but not detect it.
33. What admires tourists in London Police?
- a) the police uniform;
  - b) the cheerful ease with which they control crowds;
  - c) their resourcefulness, tact and sense of humour.
34. What is negative about police work?
- a) leaves are short;
  - b) their work is rather well paid;
  - c) some citizens refuse to help the police;
  - d) their work is dangerous because policemen can be killed.
35. What features of character are absolutely necessary for police work?
- a) tact, delicacy and good – humoured tolerance;
  - b) exceptional strength of character and remarkable courage;
  - c) nervousness.
36. Policewomen are used
- a) in all types of police work;
  - b) in police work especially with women and children;
  - c) only on administrative duties.
37. What sides of police work are best left in feminine hands?
- a) taking statements from women and children in sexual cases;

- b) escorting women and children from hospital and in custody;
  - c) detective work;
  - d) searching and attending female prisoners.
38. Juvenile delinquency is a problem of
- a) a police rather than a society;
  - b) a society rather than a police;
  - c) unhappy families.
39. The best results in police work are obtained
- a) from policemen working separately;
  - b) from policewomen working separately;
  - c) from both working together.
40. What can be regarded as an illegal entry into a private house?
- a) when a house is searched without a warrant from a magistrate;
  - b) when a house is searched with a permission of a house owner;
  - c) when a house is searched without a warrant from a magistrate and without a permission of a house owner.
41. What offences can be regarded as serious for a policeman?
- a) abuse of power;
  - b) corruption (taking bribes);
  - c) being late for work.
42. What is absolutely necessary for a successful work of a detective?
- a) a close acquaintance with the criminals in his district;
  - b) a constant work with informers;
  - c) a quick-tempered character.
43. Why do the police sometimes conceal evidence?
- a) they want to show results;
  - b) they don't care when the wrong people suffer;
  - c) they are indifferent when innocent people suffer.
44. You are far more likely to be stopped by the police in the street of Great Britain if you are
- a) a young white man;
  - b) a young black man;
  - c) a young white girl;
  - d) a young black girl.
45. The police are unarmed in
- a) many countries of the world;
  - b) Norway, New Zealand and Great Britain;
  - c) three European countries.
46. In the USA the rate of murder by firearms is
- a) ten times of the United Kingdom;
  - b) five times of the United Kingdom;
  - c) two times of the United Kingdom.
47. In what country must you get a license if you want to keep a shotgun (a hunting gun)?
- a) the USA;

- b) Great Britain;
  - c) Ukraine.
48. Armed Response Vehicles (A.R.Vs.) are
- a) police cars which contain guns locked in boxes;
  - b) police boats which contain guns locked in boxes;
  - c) police helicopters which contain guns locked in boxes.
49. How can the police prevent young offenders from going on to more serious crime?
- a) they must send young offenders to prison;
  - b) they must break up gangs of young offenders before any serious crime is committed;
  - c) they must treat even minor crimes very seriously.
50. If people feel safer they
- a) sit in their houses day and night;
  - b) are afraid to go out especially in the evening or night;
  - c) go out more.
51. If you see something suspicious you will
- a) not interfere;
  - b) be indifferent;
  - c) phone the police to inform them.
52. In Great Britain
- a) there is a national police force;
  - b) there is no national police force;
  - c) the national police force is being organised at present.
53. Why do you think various police forces in Great Britain call in Scotland Yard to help them in serious cases?
- a) because local police are too idle to carry out detection themselves;
  - b) because Scotland Yard has well equipped laboratories and departments which help to obtain evidence of the guilt or innocence of a suspected person;
  - c) because Scotland Yard has specialists with a great practical experience of criminal detection.
54. Scotland Yard
- a) always interferes the work of other police forces;
  - b) interferes the work of other police forces if necessary;
  - c) never interferes the work of other police forces unless specially asked to do so.
55. Petty crime is a
- a) serious crime;
  - b) not serious crime;
  - c) minor crime.

#### **4. Read the text 2, translate it and do tasks.**

##### **TEXT 2. Administrative Law**

Administrative law is closely connected with constitutional law but it deals

with the legal forms of concrete executive and administrative activity of a government and ministries. Administrative Law is the body of law created by administrative agencies in the form of rules, regulations, etc. to carry out regulatory powers and duties of such agencies. It regulates international trade, taxation, environment protection, manufacturing.

Businesses must deal with an ever increasing number of administrative rules and decisions on both the state and federal level. Administrative agencies have been referred to as the fourth branch of government because they are policy-making bodies which incorporate facets of the three branches of government: the legislative, executive, and judicial. Administrative agencies act like the executive branch of government in that they carry out the law. They also may take on the function of courts by adjudicating matters within their area of regulation.

The need for administrative agencies results from our society becoming increasingly complex. Specialized bodies possessing expertise can deal with problems which general legislative branches are not equipped to handle.

Administrative agencies act like legislatures when they properly promulgate rules which must be followed. For example, in the USA the Securities and Exchange Commission is an administrative agency established by Congress in 1934. It promulgated rule 10b-5 which prohibits the use of insider information. Rules have the force and effect of law.

Because agencies are not elected, but rather the heads are appointed (independent agency heads for fixed terms and executive branch agencies at the pleasure of the executive) their actions must be subject to review.

The executive may control the agencies through appointments, and indirectly through the budget process. The courts are charged with reviewing agency action. The reviewing court will also set aside agency actions that are arbitrary or capricious or not supported by substantial evidence.

Administrative agencies on the federal level are governed by the Administrative Procedure Act (APA). Many states have similar laws (APAs) outlining how state agencies are to function when they are deciding cases or issuing regulations. The APAs generally prohibit ex parte communications and provide for an impartial hearing officer or administrative law judge who hears the case and makes findings of fact and legal conclusions. Rule-making procedures generally require notice so that interested parties may participate. The regulations must be published to be effective.

In recent years government agencies and personnel have become more vulnerable to lawsuits. The doctrine of sovereign immunity, which historically shielded government agencies from liability, has been eliminated for numerous federal and state activities and continues to erode.

**Task1. Find in the text the English equivalents for the words below. Compose your own sentences to show that you understand the meaning of the words above.**

Орган державної влади; комісія; гілка влади; бюджетний процес; закон; слухання; посылатися на; виносити (судове) рішення у справі; процедура;

сукупність правових норм; нормативний акт.

**Task 2. Agree or disagree with the following statements.**

1. Administrative agencies are non-professional bodies, that's why their provisions are subject to review.
2. The number of administrative agencies and decisions continues to increase.
3. Administrative agencies are the fourth branch of government.
4. Agencies may take on the functions of courts by adjudicating any matters in administrative law.
5. Administrative agencies have been regarded as the fourth branch of government because their authority includes some functions of legislative, executive and judicial branches of government.
6. The executive may control administrative agencies through appointments of all their personnel.

**Task 3. Put 10 different questions on the text and give your own answers to them.**

**SPEAKING**

**1. One of the important powers of the police, which has caused much difficulty and controversy, is the power to question or interview persons suspected of crime. Make up dialogues between a policeman and a witness. You need to get information from a person or people and summarize what they have said. The following questions and expressions can be useful (see appendix B).**

**POLICE INTERACTING WITH PEOPLE**

**Getting information**

Could I start by asking you when ,  
why, how the problem began?  
And what happened then?  
What did you do then?  
How did the other party react to  
this?  
Could you explain why...?

**Getting the client to refocus**

Let me take you back to ...

**Checking and clarifying**

Are you suggesting that...?  
So, if I understand you correctly...  
Could you explain what you mean  
by ...?

**Expressing an opinion**

As I see it...  
Our best option would be to ...

**Questions police ask witnesses:**

- Did you see what she was wearing?
- Did he have a weapon?
- Was the gun loaded?
- What kind of car was the thief driving?
- I will need to get a statement from you.
- How long ago did this happen?

- If you think of anything else, please notify us.

### **Description of a suspect:**

- He was wearing sunglasses.
- He had a mustache.
- He had a beard.
- She was dressed in black.
- She had a baseball cap on.
- She was wearing gloves.
- Hair: short, long, shoulder length, curly, straight, spiky, brown, blond, black, red, in a ponytail
- Body: skinny, fat, chubby, medium build, muscular, tall, short, average height.

### **2. Discuss the following situations.**

1. What would you do if you had an accident on a road but it wasn't your fault? Describe your rights and responsibilities as "a victim"; legal procedure in accordance with Ukrainian legislation.
2. What would you do if a police officer asked you to go to the police station without explaining the reasons? Describe your rights and responsibilities as "a victim"; legal procedure in accordance with Ukrainian legislation.

### **3. Speak about police work and use the following expressions from the text 1.**

to maintain law and order  
 to arrest criminals  
 to prevent and detect crimes  
 to protect and to help citizens  
 to do work by tact and persuasion  
 to have powers of arrest, search, and of questioning the public  
 to stop and question anyone who is acting suspiciously  
 to patrol in a police car  
 to deal with anything from a road accident to a smash-and-grab raid  
 to help or to advise any citizen who needs or asks for assistance  
 to keep a lookout for  
 to investigate

### **4. Ask questions to get the following answers.**

1. The patrol function is fundamental to law enforcement. 2. The ever present force of officers in uniform and armed, on call 24 hours a day, is policing. 3. The patrol officer is the generalist of law enforcement. 4. The typical patrol officer today covers a beat in a marked, radioequipped patrol car. 5. In recent years some new experiments have been done to measure the effectiveness of foot patrol. 6. Occasionally officers use motorcycles or small motorbikes. 7. In some communities, officers patrol waterfronts and parks with dogs. 8. Some police agencies have miniature navies for river and harbor patrols. 9. Patrol officers represent the full authority of police power. 10. Patrol, in all forms, has three

primary purposes. 11. Sometimes patrolling officers may spend most of their on duty time responding to calls. 12. The pattern followed during any particular police patrol depends on a variety of factors. 13. Patrol patterns are broken when unusual circumstances are observed. 14. The dispatcher patrol officer relationship is central to policing.

**5. Work in two groups A and B. Discuss the following problem questions. Group A is supposed to give arguments for, Group B — arguments against. Brainstorm as many arguments for and against as you can in five minutes. The group that will sound more articulate and convincing in presenting stronger arguments will win the competition.**

- (1) Do you think that citizens are to be aware of the laws which affect their lives?
- (2) Do you believe that the mere presence of the police deters people from committing offences?

## LAUGHS AND SMILES

**6. Read the following jokes. Try to retell them.**

1.

A dangerous criminal had escaped, so the police issued the usual photographs: left profile, front view and the right profile. A few days later they received the following telegram from one detective: —Have captured the fellow on the left, and the fellow in the middle, and I'm going soon to get the fellow on the right as well.

2.

**Barrister (speaking to a witness):** I want you to tell only the truth, for everything is of importance. How far were you standing from the place of the accident?

**Witness (without a moment's hesitation):** Just four yards, two feet and six inches.

**Barrister (slightly taken aback):** I'd like you to tell me how you managed to be so exact.

**Witness:** Well, I expected some fool to put me this question and I thought if fit to measure the distance.

## GRAMMAR IN USE

**1. Study and learn rules.**

### Систематизація часів дієслова: активний стан

В англійській мові дієслова вживаються в активному стані і пасивному.

Якщо підметом речення є суб'єкт дії, то дієслово-присудок вживається в активному стані:

My brother wrote this letter yesterday. — Мій брат написав цього листа вчора.

Якщо підметом речення є об'єкт дії, то дієслово-присудок вживається в пасивному стані:

This letter was written yesterday. — Цей лист був написаний учора.

### Систематизація часів дієслова: активний стан

	Present	Past	Future
<b>Indefinite</b>	<p><b>I, you, we, they + Verb</b>  <b>He, she, it + Verbs (do/does)</b></p> <p>1) Дія є повторюваною, відбувається завжди, постійно, часто або інколи:  <i>always, often, usually, sometimes</i></p> <p>2) Дія підпорядкована розкладу (початок фільмів, відправлення транспорту)</p> <p>3) Закони природи або дії, яка відбувається незалежно від волі людини</p>	<p><b>+ Verbed</b>  <b>+ VerbII форма (did)</b></p> <p>1) Дія відбулася і завершилася у минулому:  <i>last night, yesterday, the day before yesterday, then, when, in 2007, How long ago ...?, three days ago</i></p> <p>2) Декілька послідовних дій відбулися у минулому</p>	<p><b>will + Verb</b></p> <p>Дія є прогнозом, передбаченнями щодо майбутнього:  <i>tomorrow, next year, in a week</i></p>
<b>Continuous</b>	<p><b>is + Verbing</b>  <b>are + Verbing</b>  <b>am + Verbing</b></p> <p>1) Дія відбувається в момент мовлення:  <i>now, at this moment</i></p> <p>2) Дія стосується запланованого майбутнього</p>	<p><b>was + Verbing</b>  <b>were + Verbing</b></p> <p>Дія відбувалася у визначений час у минулому:  <i>at 5 o'clock, while, when, all morning, from 5 till 6 o'clock, the whole day</i></p>	<p><b>will be + Verbing</b></p> <p>Тривала дія, що відбуватиметься в певний момент в майбутньому:  <i>at 7 o'clock tomorrow</i></p>
<b>Perfect</b>	<p><b>have + Verbed/III форма</b></p> <p>Дія відбулася до моменту</p>	<p><b>had + Verbed/III форма</b></p> <p>Дія завершилася до певного моменту в</p>	<p><b>will have + Verbed/III форма</b></p> <p>Майбутня дія, яка закінчиться до</p>



	мовлення, завершилася і є її результат у теперішньому часі: <i>For, already, yet, always, just, ever, never, so far, today, this week, how long, lately, recently</i>	минулому: <i>by 5 o'clock, by that time</i>	певного моменту або до початку іншої дії в майбутньому: <i>by tomorrow morning</i>
<b>Perfect Continuous</b>	<b>have been + Verbing has been + Verbing</b>  Дія почалася в минулому і все ще відбувається в момент мовлення: <i>for 2 hours, since 2018</i>	<b>had been + Verbing</b>  Тривала дія, яка почалася до певного моменту в минулому і або продовжувалася в цей момент, або закінчилася безпосередньо перед ним	—

### Систематизація часів дієслова: пасивний стан

Якщо підметом речення є об'єкт дії, то дієслово-присудок вживається в пасивному стані:

This letter **was written** yesterday. - Цей лист був написаний учора.

Where **was** this book **published**? - Де була видана ця книжка?

He **is not sent** there. - Його туди не посилають.

The bridge **has not been built** yet. - Міст ще не збудовано.

### Систематизація часів дієслова: пасивний стан

	<b>Present</b>	<b>Past</b>	<b>Future</b>
<b>Indefinite</b>	<b>is + Verbed / IIIф. are + Verbed / IIIф. am + Verbed / IIIф.</b> <i>always, often, usually, sometimes</i>	<b>was + Verbed / IIIф were + Verbed / IIIф</b>  <i>last night, yesterday, the day before yesterday, then, when, in 2007, How long ago ...?, three days ago</i>	<b>will be + Verbed / IIIф</b>  <i>tomorrow, next year, in a week</i>

<b>Continuous</b>	<b>is being + Verbed / I</b> II ф. <b>are</b> <b>being + Verbed /</b> III ф. <b>am being</b> + Verbed / III ф. <i>now,</i> <i>at this moment</i>	<b>was being + Verbed</b> / III ф <b>were being + Verbed</b> / III ф <i>at 5 o'clock, while,</i> <i>when, all morning,</i> <i>from 5 till 6 o'clock,</i> <i>the whole day</i>	не вживається
<b>Perfect</b>	<b>have been +</b> Verbed / III форма <i>for, already, yet,</i> <i>always, just, ever,</i> <i>never, so far,</i> <i>today, this week,</i> <i>how long, lately,</i> <i>recently</i>	<b>had been +</b> Verbed / III форма <i>by 5 o'clock,</i> <i>by that time</i>	<b>will have been +</b> Verbed / III форма <i>by tomorrow</i> <i>morning</i>

Часові форми групи Perfect Continuous у пасивному стані не вживаються.

## 2. Translate sentences and explain rules of using them.

### The Present Indefinite Tense

1. We **take** the bus to work every morning. 2. They **don't live** in Lviv. 3. Where **do** you **work**? 4. The sun **sets** in the west. 5. It rarely **rains** in the desert. 6. The plane from Brussels **arrives** at 8:30. 7. The train **leaves** at 4 o'clock. 8. The film **starts** at seven o'clock. 9. The play **doesn't finish** in half an hour.

### The Past Indefinite Tense

1. They **went** camping by the lake last month. 2. They **had** a great time. 3. We **wrote** a test yesterday. 4. The test **was not** very difficult. 5. First he **read** the message, then he **called** his boss. 6. **Did** she **watch** TV yesterday? 7. **Were** they in London last month? 8. He **didn't go** to the cinema last week.

### The Future Indefinite Tense

1. She **will spend** her holidays in the country. 2. I **will open** the door for you. 3. The journey **will take** two hours. 4. He'll **be** 15 next year. 5. **Will** they **be** busy in the evening? 6. How long **will** the journey **take**? 7. They **will not go** with us. 8. I **won't be** late. 9. The weather **will not be** fine on Friday. 10. They **will not swim** tomorrow. 11. We **will go** on an excursion **if** it *doesn't rain*.

### The Present Continuous Tense

1. He **is moving** into his new house next week. 2. I **am flying** to London in two hours. 3. She **isn't standing** at the window at the moment. 4. They **are not speaking** on the telephone now. 5. **Are** you **learning** the rule now?

### The Past Continuous Tense

1. He **was walking** down the street when he ran into an old friend. 2. At seven o'clock yesterday evening they **were having** dinner. 3. I **was not reading** a book at 6 o'clock yesterday. 4. **Were** they **writing** a test at this time yesterday?

#### **The Future Continuous Tense**

1. He **will not be swimming** at this time tomorrow. 2. **Will** we **be working** from 5 till 7 tomorrow? 3. This time next week we **will be cruising** round the islands. 4. **Will** you **be going** out later? – Yes. Why? – Could you get me a sandwich, please?

#### **The Present Perfect Tense**

1. She **has** just **washed** her hair. 2. They **have** **lost** their keys. 3. I **have not spent** all my money. 4. The Tailors **have** **bought** a sailing boat. 5. We **have** **seen** this film. 6. She **has** **been** to London three times. 7. He **has** **told** us nothing about it. 8. **Have** you ever **eaten** caviar? 9. He **has** never **flown** a jet liner. 10. She **has** **taken** fifteen pictures today. 11. He **has** **read** three books this week.

#### **The Past Perfect Tense**

1. She **had** **finished** work when she met her friends for coffee. 2. He **had not done** his homework by 6 o'clock yesterday. 3. **Had** she **translated** the article by that time?

#### **The Future Perfect Tense**

1. **Will** the film **have** already **started** by the time we get to the cinema? 2. They **will have** **finished** their meeting by four o'clock this afternoon. 3. She **will not have delivered** all the newspapers by 8 o'clock.

#### **The Present Perfect Continuous Tense**

1. His father **has** **been** **working** at this plant for twenty years. 2. I've **been** **waiting** here for half an hour. 3. For the past six months I've **been** **waiting** for only one thing. 4. What **have** you **been** **doing** since you left the mine? 5. Since when **have** you **been** **working** here?

#### **The Past Perfect Continuous Tense**

1. I explained that I **had** **not** **been** **looking** for it for the last two hours. 2. Keri was angry. She **had** **been** **waiting** for Jim since three o'clock. 3. There sat her father. The newspaper he **had** **been** **reading** had dropped on the carpet.

### **3. Open the brackets using Present, Past, Future Indefinite; Present, Past Continuous.**

1. Look at these children: they (to skate) very well. 2. You (to skate) last Sunday? – Yes, we (to skate) the whole day last Sunday. We (to skate) again next Sunday. 3. My brother can skate very well. He (to skate) every Sunday. 4. What you (to do) now? – I (to wash) the dishes. 5. What you (to do) at 3 o'clock yesterday? – I (to have) dinner. 6. You (to have) dinner now? 7. Where your brother (to work)? – He (to work) at an institute. 8. Your grandmother (to sleep) when you (to come) home yesterday? 9. What your brother (to do) tomorrow? 10. I (not to go) to the shop yesterday. I (to go) to the shop tomorrow. 11. Where Kate (to go) when you (to meet) her yesterday? 12. Every day the boss (to enter) the office at 9 o'clock. 13. Yesterday the boss (to enter) the office at half past nine. 14. When the secretary (to come) tomorrow? 15. At 6 o'clock yesterday we (to listen) to a very interesting

lecture. 16. When I (to enter) the office, the secretary (to type) some letters. 20. My friend (to ring) me up at 8 o'clock yesterday.

#### **4. Replace the infinitives in brackets by the required tenses.**

1. The telegram (to arrive) five minutes after you (to leave) the house. 2. It (to rain) hard last night. 3. He (to leave) Kyiv? – No, he is still in Kyiv. 4. He (to be) in hospital for ten days. 5. The goods (to arrive) yesterday. 6. I (to buy) this book in London. 7. They (to discuss) the important problem since 5 o'clock. 8. We (to speak) to him the other day. 9. She (to bring) us some interesting books. 10. He is not here, he (to go out). 11. They (to receive) our telegram last week. 12. We (to have) no news from him since he (to leave) home. 13. I cannot give you a definite answer as I not (to discuss) the matter with manager. 14. This delegation (to visit) our Academy some days ago.

#### **5. Use the appropriate form of the verb (Past Perfect or Past Simple).**

1. They (had finished/ finished) the examination when the chief expert asked for the results. 2. By the time the train reached the city, he (had received/ received) 5 calls informing him of robbery from the bank. 3. When we came into the room, the last meeting of the Supreme Court (had already finished/ already finished). 4. He (had accepted/ accepted) any possible penalty when the officer started to tell him of his rights. 5. We (had already passed/ passed) through the Red channel when the Immigration officer asked us to return. 6. They (entered/ had entered) the UK and got permission to stay a stated length of time.

#### **6. Put the verbs in brackets into the correct form (Future Indefinite or Future Perfect).**

1. He (to receive) the judicial decision by tomorrow. 2. He (to receive) the judicial decision tomorrow. 3. They (to inform) him of the penalty by noon. 4. They (to inform) him of the penalty at 12. 5. You (to meet) the accused in court tomorrow. 6. You (to meet) the accused in court by the beginning of the hearing. 7. You (to take) your examination in Criminal Procedure next week. 8. By the 20<sup>th</sup> of January you (to pass) your examination in Criminal Procedure, I hope.

#### **7. Put the verbs in brackets into the correct form (Present Perfect Continuous and Past Perfect Continuous).**

1. The solicitor (to write) letters to his clients since early morning. 2. I (to wait) for the lawyer since ten o'clock at night. 3. The jurors (to be + to discuss) the evidence. They (to consider) the verdict for three hours already. 4. He explained us that they (to investigate) the case of robbery for 6 months. 5. The eye-witness (to speak) for 5 minutes when the judge of the Coroner's court stopped him.

#### **8. Transform sentences from active into passive voice.**

1. We **wrote** a test yesterday. 2. First he **read** the message. 3. **Did** she **watch** TV yesterday? 4. She **will spend** her holidays in the country. 5. I **will open** the door for you. 6. **Are** you **learning** the rule now? 7. I **was not reading** a book at 6 o'clock

yesterday. 8. **Were** they **writing** a test at this time yesterday? 9. You got me a sandwich. 10. She **has** just **washed** her hair. 11. She **has not picked** a lot of apples. 12. They **have lost** their keys. 13. I **have not spent** all my money. 14. The Tailors **have bought** a sailing boat. 15. We **have seen** this film. 16. **Have** you ever **eaten** caviar? 17. He **has** never **flown** a jet liner. 18. She **has taken** fifteen pictures today. 19. He **has read** three books this week. 20. She **had finished** work when she met her friends for coffee. 21. He **had not done** his homework by 6 o'clock yesterday. 22. **Had** she **translated** the article by that time? 23. **Will** the film **have** already **started** by the time we get to the cinema? 24. They **will have finished** their meeting by four o'clock this afternoon. 25. She **will not have delivered** all the newspapers by 8 o'clock.

### 9. Choose the correct variant.

1. This criminal \_\_\_\_\_ in prison since his twenty.  
a) is b) has been c) have been
2. Look! This man \_\_\_\_\_ her bag.  
a) is stealing b) steals c) has stolen
3. The witness \_\_\_\_\_ a face of a robber, so it can help to find the offender.  
a) see b) has seen c) has saw
4. The judge \_\_\_\_\_ a decision and we are ready to listen to it.  
a) is making b) makes c) has made
5. He is busy, he \_\_\_\_\_ his rights.  
a) is reading b) has read c) reads
6. Each officer \_\_\_\_\_ articles of law.  
a) is knowing b) knows c) has known
7. A captain and his partner \_\_\_\_\_ this case for three years.  
a) has been investigating b) are investigating c) have been investigating
8. The prison \_\_\_\_\_ now.  
a) isn't built b) isn't being built c) isn't building
9. We are arresting a man, who \_\_\_\_\_ from the prison.  
a) has escaped b) escapes c) is escaping
10. The lawyer \_\_\_\_\_ innocence of the suspect now.  
a) proves b) is proving c) has proved
11. The police officers always \_\_\_\_\_ crimes.  
a) prevents b) prevent c) has been preventing
12. The cadet \_\_\_\_\_ young.  
a) be b) am c) is
13. The judge \_\_\_\_\_ just \_\_\_\_\_ an innocent woman.  
a) has been sentencing b) has sentenced c) sentences
14. Inspectors \_\_\_\_\_ their documents at the moment.  
a) has checked b) check c) are checking
15. Victim's application \_\_\_\_\_ too long.  
a) am b) are c) is
16. The witness \_\_\_\_\_ that the crime has been committed at the shop.  
a) state b) have stated c) states

17. The policeman \_\_\_\_\_ with criminals for many years.  
a) has been combating b) combats c) is combating
18. "Please sir, can I have some more food?" \_\_\_\_\_ Oliver.  
a) told b) said c) tell
19. He insisted that I \_\_\_\_\_ breakfast.  
a) had missed b) missed c) miss
20. Alan asked the doctor \_\_\_\_\_ lose weight.  
a) how could he b) how he can c) how he could
21. He offered \_\_\_\_\_ me some delicious meals.  
a) cooked b) to cook c) cook
22. The doctor didn't suggest \_\_\_\_\_ pizza.  
a) ordering b) ordered c) had ordered
23. The officer informed us that all pills \_\_\_\_\_.  
a) were still being checked b) is still being checked c) still checked
24. The policeman ordered the driver \_\_\_\_\_ of his car.  
a) step out b) to step out c) stepping out
25. The policeman explained that it \_\_\_\_\_ illegal to sell cigarettes to children.  
a) been b) is c) was
26. An old man protested that he \_\_\_\_\_ junk food.  
a) had eaten b) was eaten c) ate
27. Christine complained that she \_\_\_\_\_ a cold.  
a) caught b) catch c) to catch
28. Katy asked \_\_\_\_\_ they would be able to visit the gym the following year.  
a) if b) of c) unless
29. He promised that they \_\_\_\_\_ the following night.  
a) would have a rest b) will have a rest c) had a rest
30. He denied \_\_\_\_\_ the truth.  
a) tell b) said c) telling
31. That man accused me of acting as if \_\_\_\_\_ guilty.  
a) I am b) I were c) I had
32. The policeman \_\_\_\_\_ whether I saw a wrongdoer.  
a) wondered b) told c) said
33. We \_\_\_\_\_ how we could avoid stressful situations.  
a) wonder b) asked c) ask
34. My client was not at any time made aware of the true financial circumstances of your client's company when he \_\_\_\_\_ the contract.  
a) signs b) signed c) sign
35. As a police officer, I was very upset when my motorbike \_\_\_\_\_ from outside my house last month.  
a) will be taken b) is taken c) was taken
36. Felonies \_\_\_\_\_ serious or grave crimes.  
a) are considered b) considered c) consider
37. Sometimes crimes \_\_\_\_\_ as mala in se (moral evil) or mala prohibita (crimes prohibited by law).  
a) labeled c) are labeled b) label

38. The burglar \_\_\_\_\_ community service now.  
a) is doing b) did c) does
39. The mugger \_\_\_\_\_ to court.  
a) caught and taken b) caught and took c) was caught and taken
40. Last week at 5 p.m. this man \_\_\_\_\_ a knife to threaten shop staff.  
a) uses b) was using c) used
41. They \_\_\_\_\_ that house burglary for two years by 2017.  
a) will investigate b) will have been investigated c) will have investigated
42. The lawyer \_\_\_\_\_ all the documents at 6:00.  
a) will check b) will be checking c) will be checked
43. \_\_\_\_\_ you ever \_\_\_\_\_ for speeding?  
a) Have... been fined b) Did ... fine c) Were... been fined
44. \_\_\_\_\_ the plane \_\_\_\_\_ with radar?  
a) Will... locate b) Does... locate c) Was... located
45. The rights of the individual \_\_\_\_\_.  
a) will not preserve b) will not be preserving c) will not be preserved

### 10. Put the verb in brackets into the correct tense form.

1. Law enforcement officials will report violations of those laws, codes and sets of principles which (protect) and (promote) human rights.
2. Provide in-service training to ensure that all police officials (understand) fully their legal powers and the legal rights of citizens.
3. No one may be subjected to a heavier penalty than that which was applicable at the time the offence (commit).
4. If the penalty for an offence (reduce) by law subsequent to a commission of the offence, the offender must benefit from the lighter penalty.
5. Children will be treated in a manner which (promote) their sense of dignity and worth; which (facilitate) their reintegration into society; which (reflect) the best interests of the child; and which (take) into account the needs of a person of that age.

### 11. Translate the following sentences into English.

#### THE ACTIVE VOICE

1. Він не працює у прокуратурі, він – студент.
2. Необхідна інформація включала імена, деталі подорожі та номер кредитної картки.
3. Я отримала дозвіл залишитися в країні 12 місяців.
4. Дивись! Підозрюваний вибігає з магазину і кричить щось.
5. Вони складали вступний іспит протягом двох годин.
6. Через годину я буду працювати в Інтернеті, я хочу знайти потрібний документ у правовій інформаційній базі.
7. Він працює над цією справою вже три тижні.
8. Поліція знайшла та піймала злочинців ще до сходу сонця.
9. Президент обіцяє, що рівень особистого життя, а саме освіта та охорона здоров'я поліпшиться до початку наступної декади.
10. Що ви робите після занять?
11. Коли ви подасте документи на візу?
12. Лист від адвокатів надійшов саме тоді, коли вона готувала сніданок.
13. Невідомий чоловік з бородою тримає гаманець у руці.
14. Я йшла через зелений коридор

митниці. 15. Сержант Рівз вже зателефонував і розповів мені про справу. 16. Адвокат підозрюваного готує документи для розгляду в суді вже протягом двох тижнів.

### THE PASSIVE VOICE

1. Вашу інформацію щодо вини депутата зараз перевіряють. 2. Відомого злочинця нарешті заарештували. 3. Будинок учора обшукували цілий день, але нічого не знайшли. 4. Вони будуть покарані. 5. Прокурор повідомив, що суд розглядав справу про крадіжку протягом місяця. 6. Її вже визнали винною у трьох інших крадіжках магазинів. 7. Зараз беруть інтерв'ю у Прем'єр-міністра України. 8. Якщо іміграційний службовець запідозрить щось, вас попросять відкрити багаж для інспекції. 9. Його буде засуджено на п'ять років ув'язнення. 10. Як давно Ви вивчаєте право? – Я вивчала право протягом 4 років в університеті. Загалом я займаюся правом майже 10 років і працюю помічником адвоката. 11. Жертву вже прооперували, вона прийшла до тями і хоче дати свідчення. 12. Справу зараз слухають у суді. 13. До початку наступного року велику кількість законів буде змінено. 14. Судове рішення вже буде оголошено, коли ти прийдеш.

### THE ACTIVE AND PASSIVE VOICE

1. Кожному повнолітньому у нашій країні гарантується право голосувати. 2. Де ти працюєш? Де працює твій батько? 3. Він тримає підозрюваного та веде його до дільниці. 4. Він хоче стати слідчим. 5. Спікер вже закінчив доповідь з системи покарання в Україні, коли вона підійшла до дверей залу. 6. За підозрюваним доглядатимуть. 7. Коли я прийшла до посольства, я заповнила спеціальну форму. 8. Її не звинувачують у вбивстві. 9. Його знайдуть та допитають? 10. Ви отримаєте дозвіл на перебування у країні на 6 місяців. 11. Слідчий нарешті надав речові докази. 12. Речі підозрюваного вже доставлено, їх відправляють експертам. Необхідні свідчення про злочинця вже отримано, фоторобот складено і розіслано до всіх відділків поліції, відбитки з бокала знято, свідків допитано. 13. Вони слухали доповідь з історії поліції, коли декан зайшов в аудиторію. 14. Детектив займається розслідуванням цього складного злочину три тижні. 15. Чому їх арештовують? Вони невинні.

### TRANSLATING / WRITING

#### **1. Complete the following sentences by translating the words and expressions in brackets.**

1. It seems reasonable that the visible (присутність поліції) will deter some (потенційних порушників закону).
2. It is also evident that (кількість і види злочинів) that can be so deterred are limited.
3. Many of the (злочинів) most feared by the public, like (вбивство та розбійний напад), are customarily committed indoors, out of the sight of roving patrols.
4. Common street crimes (розбій, торгівля наркотиками, зґвалтування і навіть вбивства) – do not occur in equal distribution throughout a community.



5. In most instances of aggressive preventive patrol, the police (зупиняє, опитує та проводить обшук) the individuals.
6. Citizens have (забезпечене конституцією право) to be freed from (невмотивованих обшуків та вилучень) and aggressive patrol tactics (порушує) this right.
7. Although the police do not deny the extralegal nature of aggressive patrolling, they often (виправдовують) its use (на підставі) that there are no alternatives.

## **2.Translate the following sentences into English.**

1. Адміністративне право є однією з найголовніших галузей права в Україні.
2. Одним із найсерйозніших злочинів у виконавчій гілці влади вважається корупція, у зв'язку з цим нещодавно було прийнято Закон України „Про корупцію”.
3. Акти адміністративних органів державної влади мають меншу силу порівняно із законами України і можуть застосовуватися лише в частині, що не суперечить останнім.
4. Державна влада в Україні здійснюється на засадах її поділу на законодавчу, виконавчу і судову.

## **3.Write questions for the following situations.**

1. Questioning a witness.
2. Asking for identification (ID) and information.
3. Helping a tourist.
4. Questioning a foreigner.

## ТЕМА № 2. «Конституційне право». «Суди»

**Лексична тема:** Історія появи конституційного права. Порівняння судової системи України, США і Британії.

**Граматична тема:** Модальні дієслова. Пряма і непряма мова. Узгодження часів англійської мови.

## UNIT 2. CONSTITUTIONAL LAW. COURTS

### WARMING-UP

#### What do you think about the quotes:

1. “*The judge answers questions of law; the jury answers questions of fact*”. - Latin saying.
2. “*...the Constitution will endure as a vital charter of human liberty as long as there are those with the courage to defend it, the vision to interpret it, and the fidelity to live by it*”. - William J. Brennan Jr., Supreme Court Justice.
3. “*The court generally moves in small steps rather than in one giant step*”. - Ruth Bader Ginsburg.
4. “*The court is like a palace of marble; it's composed of people very hard and very polished*”. - Jean De La Bruyere.

### VOCABULARY IN PRACTICE

#### 1. Study groups of words. Make up several sentences for each group. Find these words in the texts bellow.

<b>Kinds of legal papers</b>	<i>a law</i> – закон <i>a bill</i> - законопроект <i>an act</i> – акт <i>an article</i> – стаття <i>a provisison</i> – положення <i>a convention</i> – конвенція <i>norms</i> – норми <i>a rule</i> – правило <i>an order</i> - наказ <i>a statute</i> – статут <i>a charter</i> - устав <i>a court judgement</i> – рішення суду <i>a treaty</i> – договір <i>an application</i> – заява, ходотайство
<b>The structure of legal papers</b>	<i>a chapter</i> – розділ <i>a paragraph</i> – параграф <i>a point</i> - пункт
<b>What to do</b>	<i>to hear</i> – слухати

<b>with legal papers?</b>	<i>to review</i> - переглянути <i>to adopt</i> - прийняти <i>to appellate</i> - апелювати <i>to make</i> - створити <i>to examine</i> - розглянути <i>to cancel</i> – відмінити <i>to dismiss</i> – відхилити <i>to amend</i> – внести поправки <i>to approve</i> – затвердити <i>to ratify</i> - ратифікувати <i>to sign</i> – підписати <i>to promulgate</i> – оприлюднити <i>to announce</i> – оголосити <i>to derive</i> – отримати <i>to comply</i> - дотримуватись
<b>Meeting of people</b>	<i>a chamber</i> – палата <i>a collegium</i> – колегіум <i>a council</i> – рада <i>a presidium</i> – президіум <i>a plenary</i> – пленарне засідання <i>a commission</i> – комісія <i>an authority</i> – орган, адміністрація, повноваження <i>an entity</i> – орган, структура <i>a session</i> - сесія
<b>What to do with an employee?</b>	<i>to appoint</i> – призначити <i>to reappoint</i> – призначити повторно <i>to dismiss</i> – звільнити <i>to fill a vacant position</i> – зайняти вакантну посаду <i>to vest authorities</i> – наділити повноваженнями <i>to designate</i> – уповноважити, призначити
<b>Voting</b>	<i>ayes</i> – за <i>nays</i> – проти <i>abstentions</i> - утримались
<b>Linking phrases</b>	<i>regarding</i> – відносно ..., що стосується ... <i>corresponding</i> – відповідний <i>under the ...</i> – в рамках ... <i>according to the ...</i> – відповідно до ... <i>in accordance with ...</i> – у відповідності з ...
<b>Adjectives and adverbs</b>	<i>simultaneously</i> – одночасно <i>ultimate</i> – остаточний <i>crucial</i> – вирішальний
<b>Presence of a document</b>	<i>currently in force</i> – нині діючий <i>to take force</i> – вступити в силу <i>to loose force</i> – втратити силу

**2. Write antonyms for the following words and word-combinations.**

to take force

to designate

to dismiss

to adopt

to appoint

ayes

**3. Write a synonym or a short explanation for each of the following words. Use the dictionary if you need it.**

Constitutional law, convention, statutory law, authority, constitution, application, crucial, civil liberties, bill of rights, Universal Declaration of Human Rights.

**4. Find in the text 1 the English equivalents for the words below. Compose your own sentences to show that you understand the meaning of the words.**

Галузь права, визначати, юридичні особи, закон ґрунтований на судовій практиці, стосунки влади, наділяти остаточними повноваженнями, рівні урядового співіснування, громадянські свободи, мати намір гарантувати, зобов'язаний.

## READING

**1. Before you read, test your knowledge of Constitution.**

### Constitution Quiz

1. When was the Constitution of Ukraine adopted?
2. Where was the Constitution of Ukraine ratified?
3. When is the public holiday Constitution Day celebrated?
4. What main authorities does Constitutional law regulate the competencies of?
5. How many chapters is the Constitution of Ukraine divided into?
6. What is Constitutional Law?

Find right answers in the texts bellow and check yourself.

**2. Read the text 1, translate it and do the task.**

### TEXT 1. Constitutional Law

Constitutional law is the body of law which defines the relationship of different entities within a state, namely, the executive, the legislature, and the judiciary.

Not all nation states have codified constitutions, though all such states have a *jus commune*, or law of the land, that may consist of a variety of imperative and consensual rules. These may include customary law, conventions, statutory law, judge-made law or international rules and norms.

Constitutional laws may often be considered second order rulemaking or rules about making rules to exercise power. It governs the relationships between

the judiciary, the legislature and the executive with the bodies under its authority. One of the key tasks of constitutions within this context is to indicate hierarchies and relationships of power. For example, in a unitary state, the constitution will vest ultimate authority in one central administration and legislature, and judiciary, though there is often a delegation of power or authority to local or municipal authorities. When a constitution establishes a federal state, it will identify the several levels of government coexisting with exclusive or shared areas of jurisdiction over lawmaking, application and enforcement.

Human rights or civil liberties form a crucial part of a country's constitution and govern the rights of the individual against the state. Most jurisdictions, like the United States and France, have a codified constitution, with a bill of rights. A recent example is the Charter of Fundamental Rights of the European Union which was intended to be included in the Treaty establishing a Constitution for Europe that failed to be ratified. Perhaps the most important example is the Universal Declaration of Human Rights under the UN Charter. These are intended to ensure basic political, social and economic standards that a nation state, or intergovernmental body is obliged to provide to its citizens but many do include its governments. Constitutional law regulates the basic principles of state structure and management in Ukraine, the competencies of main authorities including Verkhovna Rada, the President, the Cabinet of Ministers, other central authorities and the judiciary.

Constitutional law frames the constitution and the structure of Ukraine. It regulates the powers of democratic institutions, the organization of elections and the division of power between central and local government. Only the Constitutional Court of Ukraine is allowed to determine the constitutionality of laws created by the legislature.

### **Task 1. Agree or disagree with the following statements.**

1. Constitutional law governs the relationships between the judiciary, the legislature and the executive with the bodies under its authority.
2. All nation states have codified constitutions.
3. One of the main tasks of constitutions is to indicate hierarchies and relationships of power.
4. Civil liberties form a crucial part of a country's constitution and govern the rights of the individual against the state.
5. Only the Supreme Court of Ukraine is allowed to determine the constitutionality of laws created by the legislature.

### **3. Read, translate the following text and do the task.**

#### **TEXT 2. CONSTITUTION OF UKRAINE**

The Constitution of Ukraine is the nation's fundamental law. The constitution was adopted and ratified at the 5th session of the Verkhovna Rada (parliament) of Ukraine on 28 June 1996.

Other laws and other normative legal acts of Ukraine must conform to the

constitution. The right to amend the constitution through a special legislative procedure is vested exclusively with the parliament. The only body that may interpret the constitution and determine whether legislation conforms to it is the Constitutional Court of Ukraine.

Since 1996 the public holiday Constitution Day is celebrated 28 June.

The first constitution since independence was adopted during an overnight parliamentary session of June 27-June 28, 1996, un-officially known as "the constitutional night of 1996." However, according to a ruling of the Constitutional Court of Ukraine, the constitution took force at the moment when the results of the parliamentary vote were announced on June 28, 1996 at approx. 9 a.m. Kiev local time.

The Constitution of Ukraine is divided into 15 chapters. In accordance with Chapter XIII: Ukraine's Constitution can only be amended with the consent of no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine. In addition amendments to Chapter I — "General Principles," Chapter III — "Elections. Referendum," and Chapter XIII — "Introducing Amendments to the ayes Constitution of Ukraine," can only be amended by the parliament of Ukraine on the condition that it is also approved by an All-Ukrainian referendum designated by the President of Ukraine.

On December 8, 2004, the parliament passed Law No. 2222-IV amending the constitution. The law was approved with a 90 percent majority (402 ayes, 21 nays, and 19 abstentions; 300 ayes required for passage) simultaneously with other legislative measures aimed at resolving the 2004 presidential election crisis. It was signed almost immediately in the parliamentary chamber by the outgoing President Leonid Kuchma and promulgated on the same day.

The 2004 constitutional amendments were passed in the Parliament only with limited consultation and discussion between political forces, in the context of the Orange Revolution. They attracted therefore criticism from several internal (Ukrainian political parties) and external bodies (the Council of Europe, the European Parliament and the Venice Commission).

The amendments took force unconditionally on January 1, 2006. The remaining amendments took force on May 25, 2006, when the new parliament assembled after the 2006 elections.

On October 1, 2010, the Constitutional Court of Ukraine overturned the 2004 amendments, considering them unconstitutional. The Court had started to consider the case on the political reform in 2004 under a motion from 252 coalition lawmakers regarding the constitutionality of this reform of July 14, 2010. The 2010 nullification decision was highly controversial.

**Task 1. Put 10 different questions on the text and give your own answers to them.**

**4. Complete the following texts with the words using them in the appropriate form.**

### **TEXT 3. The Constitutional Law in the United Kingdom**

*Document, constitution, debate, source of law, Parliament, principles, uncodified.*

The constitution of the United Kingdom is the set of laws and \_\_\_\_\_ under which the United Kingdom is governed.

Unlike many other nations, the UK has no single constitutional \_\_\_\_\_. This is sometimes expressed by stating that it has an \_\_\_\_\_ or "unwritten" constitution. Much of the British \_\_\_\_\_ is embodied in written documents, within statutes, court judgments and treaties. The constitution has other unwritten sources, including parliamentary constitutional conventions and royal prerogatives.

Historically, "No Act of Parliament can be unconstitutional, for the law of the land knows not the word or the idea." Since the Glorious Revolution, the bedrock of the British constitution has traditionally been the doctrine of parliamentary sovereignty, according to which the statutes passed by Parliament are the UK's supreme and final \_\_\_\_\_. It follows that \_\_\_\_\_ can change the constitution simply by passing new Acts of Parliament.

There is some \_\_\_\_\_ about whether this principle remains valid, particularly in light of the UK's membership in the European Union.

### **TEXT 4. Constitution of the USA**

*The nation, passed, powers, amendments, powerless, judiciary, the citizen.*

The American Constitution is based on the doctrine of the separation of powers between the executive, legislature and \_\_\_\_\_.

The respective government institutions — The Presidency, Congress and The Courts — were given limited and specific \_\_\_\_\_; and a series of checks and balances, whereby each branch of government has certain authority over the others, were also included to make sure these powers were not abused. Government power was further limited by means of a dual system of government, in which the federal government was only given the powers and responsibilities to deal with problems facing \_\_\_\_\_ as a whole (foreign affairs, trade, control of the army and navy, etc).

The remaining responsibilities and duties of government were reserved to the individual state governments. Article V allowed for \_\_\_\_\_ to be made to the Constitution. The Constitution finally ratified by all thirteen states in 1791 already contained ten amendments, collectively known as the Bill of Rights, to protect \_\_\_\_\_ against possible tyranny by the federal government. So far only twenty-six amendments have been made to the Constitution.

The President now proposes a full legislative programme to Congress, although the President, the Cabinet and staff are not, and cannot be, members of Congress. This means that the various bills must be introduced into Congress by their members. The President is consequently completely \_\_\_\_\_ when faced

by an uncooperative Congress. Given also the difficulties in ensuring that the laws \_\_\_\_\_are effectively implemented by the federal bureaucracy, it has been said that the President's only real power is the power to persuade.

### **3. Read, translate the following text and do the tasks.**

#### **TEXT 5. COURTS OF UKRAINE**

Article 125 of the Constitution of Ukraine stipulates the structure of the courts of general jurisdiction based on the principles of territoriality and specialization. While the principle of territoriality reflects the administrative territorial division of the country and is a traditional one, the principle of specialization is comparatively new in the court system of Ukraine. It foresees the creation in future of specialized courts in different spheres of justice (criminal, civil, administrative, financial and other) together with the corresponding superior courts.

The judicial system of Ukraine consists of four levels of courts of general jurisdiction, as follows:

Local courts of general jurisdiction (combining criminal and civil jurisdiction) consisting of:

- district, urban district and town courts;
- regional courts;
- city courts in Kiev and Sevastopol;
- administrative local courts. Courts of Appeal, consisting of:
  - appellate court of the Autonomous Republic of Crimea;
  - regional appellate courts;
  - appellate courts of the cities of Kiev and Sevastopol;
  - appellate court of the Ukrainian Navy;
  - regional military appellate courts;
  - economic appellate courts (known also as arbitration courts);
  - administrative appellate courts.

The Appellate Court of Ukraine (currently not existed) High courts with specialized jurisdiction:

The High Administrative Court of Ukraine, covering administrative cases;

The High Arbitration Court of Ukraine, covering economic and commercial cases:

The Supreme Court, covering all cases.

The Constitutional Court of Ukraine is the sole body of constitutional jurisdiction in Ukraine. The Constitutional Court of Ukraine decides on issues of conformity of laws and other legal acts with the Constitution of Ukraine and provides the official interpretation of the Constitution of Ukraine and the laws of Ukraine.

The Court initiated its activity on October 18, 1996. The first Court ruling was made on May 13, 1997. The authority of the Constitutional Court is derived from Ukraine's Constitution – Chapter XII.

The Court:

- on the appeal of the President, no less than 45 members of the parliament, the



Supreme Court of Ukraine, the Ombudsman, or the Crimean parliament, assesses the constitutionality of:

- laws and other legal acts of the parliament;
- acts of the President;
- acts of the Cabinet;
- officially interprets the Constitution and laws of Ukraine;
- on the appeal of the President or the Cabinet, provides opinions on the conformity with the Constitution of international treaties;
- on the appeal of the parliament, provides an opinion on the observance of the procedure of impeachment of the President;
- provides an opinion on the compliance of a bill on introducing amendments to the Constitution with the restrictions imposed by the Constitution.

The Court's rulings are mandatory for execution in Ukraine, are final and cannot be appealed. Laws and other legal acts, or their separate provisions, that are unconstitutional, lose legal force.

The Court is composed of 18 judges, appointed in equal shares by the President, the parliament, and the Congress of Judges.

A judge must be a citizen of Ukraine and must have:

- the age of forty;
- a higher legal education and professional experience of no less than 10 years;
- resided in Ukraine for the last twenty years;
- command of the state language.

Judges are appointed for nine years without the right of reappointment. The President and parliament are required to fill a vacant position within one month and the Congress of judges has three months to do so. The Chairman of the Court is elected by secret ballot for a single three-year term from and by the members of the Court.

## **LOCAL COURTS**

Local courts of general jurisdiction hear criminal and civil cases as well as cases on administrative offences.

Local commercial courts hear cases connected with commercial relations as well as other cases attributed by the legislation currently in force to their jurisdiction.

Local administrative courts hear cases connected with the sphere of state administration and local self-government (cases of administrative jurisdiction) except for cases of administrative jurisdiction in the military sphere, which are taken to military courts.

## **COURTS OF APPEAL, THE APPELLATE COURT OF UKRAINE**

The courts of appeal are appellate courts in regions, cities of Kiev and Sevastopol, military courts of appeals of regions and the Navy, Court of Appeals of Ukraine. In case of necessity regional courts of appeal can be substituted by general courts of appeal with territorial jurisdiction in several regions.

On August, 20th, 2001, the President of Ukraine signed a Decree "On

network and quantitative structure of judges at courts of appeal”, according to which the courts of appeals are created within the Supreme Court of the Autonomous Republic of Crimea, regional, Kyiv and Sevastopol city courts.

The courts of appeal shall:

- examine appeals according to judicial procedures currently in force;
- examine in the first instance cases as stipulated by the legislation currently in force (except for commercial courts of appeal);
- account and analyze forensic statistics, research and summarize court practices;
- provide consultations to local courts regarding application of the legislation currently in force.

The Court of Appeals of Ukraine also has the authority to examine appeals within its jurisdiction according to the active judicial procedures.

### **HIGH COURTS WITH SPECIALIZED JURISDICTION**

The highest bodies of the system of specialized courts are:

- the High Arbitration Court of Ukraine,
- the High Administrative Court of Ukraine,
- the High specialized court of Ukraine for Civil and criminal cases.

There are four chambers in the High Arbitration Court:

- to review of bankruptcy cases;
- to hear cases between entities
- to hear cases arising from tax and other relations involving government regulation of business entities;
- to review of cases involving the protection of the rights to intellectual property.

Administrative cases are disposed by a single judge in court of first instance as a rule, but complex cases, or, if a side in the cause solicits the judge, there to be three judges in composition of the court.

Administrative cases which are under the jurisdiction of the High Administrative Court of Ukraine as first-instance administrative court are to be disposed by the chamber composed of not less than five judges. Review of the judicial award in administrative procedure of appeal instance is to be made by the chamber composed of three judges and of cassation instance – by the chamber composed of not less than five judges.

In 2010 the Parliament of Ukraine Rada has adopted the Law of Ukraine "On the Judicial System and Status of Judges". According to this law the High specialized court of Ukraine for Civil and criminal cases is supposed to be the appellate court to review cases under the general jurisdiction.

### **THE SUPREME COURT OF UKRAINE**

According to the Article 125 of the Constitution of Ukraine, the Supreme Court of Ukraine is the highest judicial body of general jurisdiction. It administers justice and ensures equal application of law by all general courts of Ukraine.

According to second part of Article 47 of the Law of Ukraine “On Court System”, the Superior Court of Ukraine shall:

- examine cassations regarding decisions made by general courts in cases within its jurisdiction according to the active legislation; examine second cassations in all other cases heard at the courts of general jurisdiction; in cases stipulated by the

legislation in action – examine other cases under special circumstances; – provide consultations to courts of lower level regarding application of the legislation currently in force based on the generalization and analysis of forensic statistics; if necessary, cancel the corresponding interpretations by the Plenary of the highest specialized court;

– address the Constitutional Court of Ukraine in case courts of general jurisdiction have uncertainties regarding the constitutionality of laws and other legal acts in force as well as regarding official interpretation of the Constitution of Ukraine and other legislation;

– account and analyze forensic statistics, research and summarize court practices, acquaint with the practice of application of legislation currently in force;

– make decisions within its authority regarding issues connected with international agreements of Ukraine; represent general courts of Ukraine in relations with foreign courts.

According to the legislation in force the Supreme Court of Ukraine comprises the following structure:

– Judicial Chamber on civil cases;

– Judicial Chamber on criminal cases;

– Judicial Chamber on administrative cases;

– Judicial Chamber on economic cases;

– Military Collegium;

– Presidium, Plenary;

– Council of Judges of Ukraine.

The Chairman of the Supreme Court of Ukraine is appointed and dismissed at the Plenary by means of secret ballot.

**Task 1. Find in the text the English equivalents for the words below.**

Судова система; апеляції; територіальний принцип; розглядати справи; суд загальної юрисдикції; вищий суд або Верховний Суд; таємне голосування; адміністративна справа; повноваження; рішення; захист.

**Task 2. Put 10 different questions on the text and give your own answers to them.**

**Task 3. Agree or disagree with the following statements.**

1. The judicial system of Ukraine consists of three levels of courts of general jurisdiction.

2. Local courts of general jurisdiction hear criminal and civil cases as well as cases on administrative offences.

3. The Constitutional Court of Ukraine is the highest legal body in the system of general jurisdiction courts.

4. In Ukraine judicial proceedings are carried out only by the Constitutional Court of Ukraine.

5. The Supreme Court of Ukraine hears cases appealed from the courts of general jurisdiction as well as cases with newly obtained evidence.

6. The Superior Court of Ukraine represents general courts of Ukraine in relations with foreign courts.

**4. Read, translate the following text and do the task.**

**TEXT 6. COURTS OF THE UNITED KINGDOM**

The Courts of the United Kingdom are separated into three separate jurisdictions as the United Kingdom does not have a single, unified judicial system, serving England and Wales, Scotland and Northern Ireland. The most common type of law court in England and Wales is the magistrates' court. There are 700 magistrates' courts and about 30,000 magistrates.

More serious criminal cases then go to the Crown Court, which has 90 branches in different towns and cities. Civil cases (for example, divorce or bankruptcy cases) are dealt with in County courts.

Appeals are heard by higher courts. For example, appeals from magistrates' courts are heard in the Crown Court, unless they are appeals on points of law. High Court has three 'division'. These are the: Family Division which deals with non-criminal cases to do with domestic law; Chancery Division which deals with business and property law; and, Queens Bench Division which deals with other civil law cases including those of slander and breach of contract.

The highest court of appeal in England and Wales is the House of Lords. (Scotland has its own High Court in Edinburgh, which hears all appeals from Scottish courts.) Certain cases may be referred to the European Court of Justice in Luxembourg. In addition, individuals have made the British Government change its practices in a number of areas as a result of petitions to the European Court of Human Rights.

The legal system also includes juvenile courts (which deal with offenders under seventeen) and coroners' courts (which investigate violent, sudden or unnatural deaths). There are administrative tribunals which make quick, cheap and fair decisions with much less formality.

Tribunals deal with professional standards, disputes between individuals, and disputes between individuals and government departments (for example, over taxation).

The Constitutional Reform Act 2005 created a new Supreme Court of the United Kingdom to take over the judicial functions of the House of Lords and devolution cases from the Judicial Committee of the Privy Council. The Supreme Court began work in 2009, and serves as the highest court of appeal in England and Wales and in Northern Ireland, and for civil cases in Scotland. The High Court of Justiciary will remain the court of last resort in Scotland for criminal cases.

The legal system of Northern Ireland is in many respects similar to that of England and Wales. It has its own court system: the superior courts are the Court of Appeal, the High court and the Crown court, which together comprise the Supreme Court of Judicature.

The principles and procedures of the Scottish legal system (particularly in civil law) differ in many points from those of England and Wales. Criminal cases are tried in district court, sheriff courts and the Court of Session. The main civil

courts are the sheriff courts and the Court of Session. District courts are staffed and administered by the district and island local authorities.

**Task 1. Agree or disagree with the following statements.**

1. The Courts of the United Kingdom are not separated into separate jurisdictions as the United Kingdom has a unified judicial system
2. The House of Lords is currently the most senior UK Court where appeals against the decision of lower courts in both criminal and civil cases are decided
3. In 2009, a new Supreme Court took on responsibility as the UK's highest court of appeal.
4. Crown courts deal with any criminal cases not dealt with in the Magistrates Courts.
5. The courts of the lowest level are County Courts which deal with the majority of cases.

**5. Read, translate the following text and do the task.**

**TEXT 7. COURTS OF THE USA**

In the United States each state is served by the separate court systems, state and federal. Both systems are organized into three basic levels of courts – trial courts, intermediate courts of appeal and a high court, or Supreme Court. The state courts are concerned essentially with cases arising under state law, and the federal courts with cases arising under federal law.

In all state court systems, there are two types of judicial functions: trials and appeals. A trial court has original jurisdiction; that is, the power to determine the facts of the case and apply the law to them. An appellate (or appeals) court hears appeals from the trial court and thus has appellate jurisdiction. While all states have a supreme court, an appellate court of last resort, the majority of states also have an intermediate court of appeals which handles most of the appeals from the trial courts.

The federal system also consists of three levels – district courts (trial); intermediate court of appeals (circuit court of appeals); and Supreme Court (U.S. Supreme Court). The jurisdiction of federal courts is set out in the Constitution.

The Supreme Court is the highest judicial organ of the USA and the Supreme Court Building is in Washington. The Supreme Court consists of the Chief Justice of the US and eight Associate Justices.

They are all appointed by the President and approved by the Senate. The Supreme Court has the right to declare unconstitutional any law passed by Congress or any order issued by the President. This right of veto is widely used to block the passage of any progressive bills. The USA is divided into eleven judicial circuits and each one is served with a

Federal Court of Appeals. As a rule the Court of Appeals sits with three judges on the bench. There are about 94 district courts in different parts of the US. The district courts are the lowest ones in the Federal court system. Most of the criminal and civil cases are tried by these courts, so this is a place where litigation begins. The district court is the only

Federal court where trials are held, juries are used, and witnesses are called. There are about two hundred district judges in the USA. Cases tried in the district court may be appealed in one of the eleven Courts of appeal and in the Supreme Court. The main job of courts of appeal is to review cases appealed from trial courts to determine if the law was correctly interpreted and applied. The decision of the Supreme Court is final.

The state courts are organized in a system that looks like the system of Federal Courts with a Supreme Court at the top. In most of the states the lowest courts are the magistrates, or police courts.

**Task 1. Agree or disagree with the following statements.**

1. Beneath the Supreme Court, Congress has created two distinct types of federal courts: 1) constitutional courts and 2) special courts.
2. The constitutional courts are the federal courts that Congress has formed to exercise “the judicial power of the United States”. They are sometimes called the “regular courts”. Together with the Supreme Court, they now include: the Courts of Appeals, the District Courts, and the Court of International Trade.
3. The special courts have been created by Congress to hear cases arising out of certain of the expressed powers given to Congress. They hear a much narrower range of cases than those, which may come before the constitutional courts.
4. The special courts are sometimes called the “legislative courts”. Today, they include the Court of Military Appeals, the Claims Court, the Tax Court, the various territorial courts, and the courts of the District of Columbia.
5. The Supreme Court of the United States is the only court which was not specifically created by the Constitution.

**SPEAKING**

**1. Work in two groups in accordance with the statement which you think is the closest to the truth:**

- (1) Western legal concepts should be filtered through Ukrainian political cultures, history, traditions.
- (2) In the law making process our legal experts can merely copy laws of other countries as their models have stood the test of time.

**Brainstorm as many arguments for and against as you can in five minutes. Discuss your ideas with your classmates. The group that will sound more articulate and convincing in presenting stronger arguments will win the competition.**

**2. Work in pairs. Use the information from the texts above to compare the three Constitutions (the American Constitution, the British Constitution and the Constitution of Ukraine) and find common things and differences. Talk about your ideas with other members of the class.**

**3. Make a presentation on one of the following topics.**

1. An overview of Ukraine's Constitution.
2. Legal aspect of human rights in Ukraine.
3. Constitution of Ukraine, the USA and the UK: comparative characteristic.

## LAUGHS AND SMILES

### 4. Read the following jokes. Try to retell them.

1.

—I warn you, said the judge, —that demonstrations of any kind are prohibited in the courtroom; therefore whoever shouts —Long live! Hurrah! or —Down with! will be sent outsider. As soon as the accused heard this, he began to shout: —Hurra! Down with! Hurra! Down with!

2.

- Sir, do you swear this is not your signature? – asked the lawyer.
- Yes.
- Is it not your handwriting?
- No.
- You take your solemn oath —that this writing does not resemble yours a single particular?
- Yes.
- How can you be certain? – demanded the lawyer.
- I cannot write, - smiled the man.

3.

—Have you anything to say for yourself before I pass the sentence?– the judge said to the pickpocket.

—What good have you ever done for mankind?

—Well, Your Honour said the accused.

—I've kept four detectives working regularly and I've helped several reporters, prison guards, and you keep your jobs.

## GRAMMAR IN USE

### 1. Study and learn rules.

#### МОДАЛЬНІ ДІЄСЛОВА / MODAL VERBS

Модальне дієслово can	
теперішній час:	can
минулий час:	could
майбутній час:	will be able to
переклад:	МОГТИ, ВМІТИ
виражає:	
фізичну або розумову здатність, уміння або можливість	<p>I <b>can</b> read French.  <i>Я можу читати французькою мовою.</i></p> <p>I <b>couldn't</b> solve the problem  <i>Я не зміг розв'язати задачі.</i></p>

виконати дію	Perhaps this young man <b>will be able to</b> help you. <i>Можливо, цей молодий чоловік зможе допомогти вам.</i>
дозвіл або заборону	You <b>can</b> use dictionaries. <i>Можете користуватися словниками.</i> <b>Can I</b> come in? <i>Можна увійти?</i>
сумнів, здивування, невіру (у питальних і заперечних реченнях)	<b>Can</b> she be working now? <i>Невже вона зараз працює?</i> He <b>can't</b> be waiting for us now. <i>Не може бути, щоб він зараз чекав на вас.</i>
<b>Модальне дієслово may</b>	
теперішній час:	may
минулий час:	might
переклад:	може, можна
виражає:	
припущення	She <b>may</b> come back. <i>Може, вона повернеться.</i>
можливість виконати дію	You <b>may</b> go there by train. <i>Ви можете поїхати туди поїздом.</i>
дозвіл, ввічливе прохання	<b>May</b> I use your phone? - No, you <b>must not</b> . <i>Можна скористатися вашим телефоном? – Ні, не можна.</i> <b>Might</b> I speak a word to you? <i>Дозвольте звернутися до вас.</i>
докір, осуд (лише might)	You <b>might</b> be more attentive. <i>Ти міг би бути уважнішим.</i>
<b>Модальне дієслово must</b>	
теперішній час:	must
переклад:	повинен, треба, мушу
виражає:	
обов'язок	To catch the train I <b>must</b> get up at six. <i>Щоб потрапити на поїзд, я мушу встати о 6 годині.</i>
заборону (у заперечних реченнях)	You <b>must not</b> talk aloud in the reading-hall. <i>У читальному залі не дозволяється голосно розмовляти.</i>
наказ	Tomorrow you <b>must</b> come at eight. <i>Завтра ви повинні прийти о восьмій годині.</i>
<b>Модальні дієслова should/ought to</b>	
теперішній час:	should/ought to
переклад:	слід, треба
виражає:	



пораду	You <b>ought to go</b> to the movies more. <i>Вам слід більше ходити в кіно.</i> Kate is in hospital. You <b>should</b> visit her. <i>Катя у лікарні. Ви б відвідали її.</i>
подив з питальним словом why	Why <b>should</b> I feel guilty about it? <i>Чому я маю почувати себе винним у цьому?</i>
<b>Модальне дієслово have to/has to</b>	
теперішній час:	have to/has to
минулий час:	had to
майбутній час:	will have to
переклад:	треба, приходитьсь, маю, повинен
виражає:	
необхідність, обов'язок	You <b>don't have to go</b> in. <i>Вам не обов'язково заходити.</i> You <b>did not have to</b> think about it. <i>Вам не треба було думати про це.</i> You <b>will have to</b> go home now. <i>Вам доведеться зараз піти.</i> <b>Will I have to</b> sell most of my things? <i>Я буду змушений продати всі мої речі?</i>
<b>Модальне дієслово be to</b>	
теперішній час:	is to / are to / am to
минулий час	was to / were to
переклад:	маю, треба, повинен
виражає:	
обов'язок, що впливає з попередньої домовленості, плану, розкладу, графіка	We <b>were to</b> work two hours every morning. <i>Ми мали працювати дві години кожного ранку.</i>
наказ, інструкцію	You <b>are not to</b> come here any more. <i>Більше сюди не приходьте,</i>
<b>Модальне дієслово need</b>	
теперішній час:	need
переклад:	необхідно, потребує, треба
виражає:	
необхідність	You <b>need not</b> trouble about that at all. <i>Вам зовсім не треба турбуватися про це.</i>
<b>Модальне дієслово dare</b>	
теперішній час:	dare
переклад:	сміти, наважуватись
виражає:	
сміливість або	How <b>dare</b> you say it?

зухвальство (у питальних та заперечних реченнях)	<i>Як ви смієте казати це?</i> For a while he <b>dared not</b> move. <i>Деякий час він не наважувався поворухнутися.</i>
---	--

## 2. Translate the following sentences, paying attention to the modal verbs and their equivalents.

1. An American criminal justice system has to enforce the laws to protect individuals and the community. 2. After the commission of the crime the police must investigate the case and find who did it. 3. They can arrest the suspect, inform of his constitutional rights and «book» when the police enter the arrest in their records. 4. If the offence is minor, bail may be set. 5. The suspect will be able to be released from custody if the bail is set. 6. The accused will not be allowed to be present or to defend himself before the grand jury. 7. The accused is advised of the pleas he might enter not guilty, guilty, or «no contest». 8. A «no contest» plea is one in which the accused cannot dispute the facts but he can argue that the facts do not support a criminal charge. 9. At the trial the prosecuting attorney is to present those facts and witnesses which establish the guilt of the accused beyond a reasonable doubt. 10. If he is unable to do this, the charges against the accused will be dismissed. 11. The prosecutor, acting on behalf of the state must prove the guilt. 12. The accused does not have to prove his innocence since he or she is assumed to be innocent until proved guilty. 13. The accused may be represented by an attorney whose job is to present facts that support the defendant's version of the events. 14. Depending upon the nature of the offence, the judge may fine or sentence the offender to prison. He may also suspend a jail sentence and place the offender on probation. 15. The offender may obtain an early release by being granted parole by the state parole board.

## 3. Find modal verbs and explain their using.

1. During his first meeting with the subject, the investigator should introduce himself by producing his credentials and explaining the reason for the visit. 2. Being as an interviewer the investigator should train himself to judge the other person and his traits. 3. The investigator has to avoid being offensive in any way to a witness. 4. No investigator should ever promise a witness any reward or compensation for his testimony. 5. Questions as to the prior or current marital life, criminal background, poverty or contagious diseases of the witnesses may seem to them unwarranted intrusions. 6. The confidence of the witness should be gained. 7. The witness should be convinced that the investigator should be regarded as a doctor, a clergyman or a lawyer. 8. The investigator must take every effort to interview the witness alone. 9. All that the witness has to say about an event he has just observed should merit the attention of an investigator. 10. When an investigator is about to interview a witness who is an unknown quantity and whose testimony may be very material it is often wise to learn something about the person to be interviewed before the contact is actually made. 11. Sometimes it is wise for the investigator to fortify himself with documentary information about a witness he

is to interview. 12. The witness should have the undivided attention of the investigator if the latter is to attain the undivided confidence of the witness.

#### 4. Choose the correct variant.

1. Jack has got a headache. He \_\_\_\_\_ sleep well recently.  
a) can't b) couldn't have c) hasn't been able to
2. You \_\_\_\_\_ pay the fine. We have already done it.  
a) needn't b) mustn't c) can't
3. I'm sorry you didn't inform me about his rank deprivation. You \_\_\_\_\_ tell me about such things next time.  
a) must b) should c) need to
4. You \_\_\_\_\_ smoke in jail.  
a) would b) can't c) must not
5. We have got life imprisonment. We \_\_\_\_\_ live our "previous life".  
a) can't b) needn't c) must
6. Lawyers \_\_\_\_\_ learn a lot of laws by heart.  
a) may b) should c) must
7. Some years ago he \_\_\_\_\_ imagine his son to be arrested.  
a) cannot b) could not c) should not
8. You \_\_\_\_\_ stop cheating.  
a) must b) may c) ought
9. The escape was great. You should \_\_\_\_\_ about it.  
a) know b) have known c) knew
10. You \_\_\_\_\_ solve this problem in the court.  
a) ought b) allowed c) can
11. You \_\_\_\_\_ to have visited your brother – prisoner, but you didn't.  
a) should b) ought c) can
12. I \_\_\_\_\_ to do that.  
a) had b) would c) might
13. You \_\_\_\_\_ do everything you want.  
a) ought b) able to c) may
14. I'm not sure but he \_\_\_\_\_ be wrong  
a) must b) should c) may
15. The prisoner \_\_\_\_\_ talk to his family last Friday.  
a) was allowed to b) allowed to c) was allow

#### 5. Study and learn rules.

##### Узгодження часів дієслова / SEQUENCE OF TENSES Пряма / непряма мова / DIRECT / INDIRECT SPEECH

В українській мові дієслово-присудок підрядного додаткового речення може вживатись у будь-якому часі (теперішньому, минулому чи майбутньому), залежно від змісту. В англійській мові це можливо лише тоді, коли дієслово-присудок головного речення виражає дію стосовно теперішнього або майбутнього часу:

He **understands** that he

Він розуміє, що допустив по-

**has made** a mistake.

милку.

Якщо ж присудок головного речення в англійській мові виражений дієсловом в одному з минулих часів або в Present Perfect, що виражає дію, яка відбулась у минулому, то в підрядному додатковому реченні дієслово-присудок, як правило, має бути в одному з минулих часів або в майбутньому з точки зору минулого (Future-in-the-Past). Тобто дія підрядного речення узгоджується з дією головного речення:

He **understood** that he  
**had made** a mistake.

Він розумів, що допустив по-  
милку.

Запам'ятайте правила узгодження часів дієслова в підрядному реченні:

1) Present – Past:

~~I thought you **have left** England.~~—

I thought you **had left** England. - Я думав, що ви залишили Англію. (в підрядному реченні потрібно писати Present Perfect, але замість нього за правилами узгодження часів вживаємо Past Perfect)

2) Past Indefinite (worked) – Past Perfect (had worked):

We asked him if anything **had happened**. - Ми запитали його, чи не трапилось чогось.

3) Past Continuous (was working) - Past Perfect Continuous (had been working):

4) Past Perfect (have worked) - Past Perfect (had worked)

5) Future (will work) - Future –in-the-Past (would work):

**You have said you would come.** - Ти казав, що прийдеш.

## 6.Paraphrase the following using Reported speech.

1. "Give me a cup of tea, please", said the captain to a cadet.
2. "Don't drink too much alcohol", said the lieutenant to an old man.
3. "Don't make so much noise at night", said the police officer to a musician.
4. "Don't smoke in public", said the major.
5. "Get up early and do mourning exercises", advised the doctor.
6. "Don't eat for several days", my doctor told me.
7. Nick's father said to him: "Please, pass me a cigarette".
8. "Stay back!" – ordered the police.
9. "Don't sell alcohol to children", – the policeman told the shop assistant.

## 7.Change the following sentences from indirect into direct speech.

1. He went up to the policeman and asked him if he knew what time was. 2. She asked him where he had been. 3. They tell me they know all peculiarities of this case. 3. The lawyer said he had finished his work by 5 o'clock. 4. The jurors promised they would have given the verdict of guilty by Monday. 5. The law student explained that he had been preparing for his Criminal Law exam for 2 days.

## 8.Put the verbs in brackets into the correct form.

1. The judge said that they (to interview) the witness as soon as possible. 2. They

believed the lawyer (to carry out) his duty honesty. 3. It was announced that the delegation (to arrive) on time. 4. He said he (to pass) his exam in Administrative law. 5. The public was informed that the defendant (to be+ to find) guilty and (to be+ to imprison) in accordance with the law.

### **9. Translate the following sentences into English.**

1. Нам повідомили, що вердикт все ще обговорюється присяжними. 2. Вони хотіли запитати скільки справ розглядається суддею щомісячно. 3. Йому було цікаво дізнатися про те, що смертну кару у Великобританії було скасовано у 1969 році. 4. Вона прочитала, що обвинувальний акт у кримінальному провадженні стосовно цього злочину буде направлено до суду для розгляду по суті. 5. Прокурор розповів присяжним засідателям, як містер Браун скоїв злочин.

## **TRASLATING / WRITING**

### **1. Translate the articles 29 and 55 of the Constitution of Ukraine into English.**

**Стаття 29.** Кожна людина має право на свободу та особисту недоторканність.

Ніхто не може бути заарештований або триматися під вартою інакше як за вмотивованим рішенням суду і тільки на підставах та в порядку, встановлених законом.

У разі нагальної необхідності запобігти злочинові чи його перепинити уповноважені на те законом органи можуть застосувати тримання особи під вартою як тимчасовий запобіжний захід, обґрунтованість якого протягом сімдесяти двох годин має бути перевірена судом. Затримана особа негайно звільняється, якщо протягом сімдесяти двох годин з моменту затримання їй не вручено вмотивованого рішення суду про тримання під вартою.

Кожному заарештованому чи затриманому має бути невідкладно повідомлено про мотиви арешту чи затримання, роз'яснено його права та надано можливість з моменту затримання захищати себе особисто та користуватися правничою допомогою захисника.

Кожний затриманий має право у будь-який час оскаржити в суді своє затримання.

Про арешт або затримання людини має бути негайно повідомлено родичів заарештованого чи затриманого.

**Стаття 55.** Права і свободи людини і громадянина захищаються судом.

Кожному гарантується право на оскарження в суді рішень, дій чи бездіяльності органів державної влади, органів місцевого самоврядування, посадових і службових осіб.

Кожен має право звертатися за захистом своїх прав до Уповноваженого Верховної Ради України з прав людини.

Кожному гарантується право звернутись із конституційною скаргою до Конституційного Суду України з підстав, установлених цією Конституцією, та у порядку, визначеному законом.

Кожен має право після використання всіх національних засобів юридичного захисту звертатися за захистом своїх прав і свобод до відповідних міжнародних судових установ чи до відповідних органів міжнародних організацій, членом або учасником яких є Україна.

Кожен має право будь-якими не забороненими законом засобами захищати свої права і свободи від порушень і протиправних посягань.

## **2. Write a review of two articles from the Constitution of Ukraine.**

### Useful Phrases for Reviews

As mentioned above, ...

The present paper breaks new ground in the discussion of.. .

by presenting analysis of.. .

This article, as the title suggests, ...

This article is a detailed examination of.. .

This article makes a significant contribution to our understanding of.. .

This short and most useful point consists of ... on ...

This article contains paragraphs about...

### ТЕМА № 3. «Кримінальне право». «Кримінальний процес»

**Лексична тема:** Поняття кримінального права, завдання, функції та принципи кримінального права. Судовий процес і розгляд справ. Означення права та порівняння покарань за злочини в різних країнах.

**Граматична тема:** Інфінітив. Форми та функції. Дієприкметник. Форми та функції. Дієприкметникові звороти.

## Topic 3. CRIMINAL LAW AND PROCEDURE

### WARMING-UP

**What do you think about the quotes:**

1. *“Fear follows crime and is its punishment”.*
2. *“Criminals do not die by the hands of the law. They die by the hands of other men”.* - Bernard Shaw.
3. *“Criminal justice is what happens after a complicated series of events has gone bad. It is the end result of failure - the failure of a group of people that sometimes includes, but is never limited to, the accused person”.* - Paul Delano Butler.

### VOCABULARY IN PRACTICE

#### 1. Read the text carefully and correct spelling mistakes in the text.

Corporal punishment, the infliction of fysical pain upon a person's body as panishment for a crim or infraction. Corporal panishments include flogging, beating, branding, mutilation, blinding, and the use of the stock and pillory. In a broad sense, the term also denotes the physical disciplining of children in the schools and at home.

Early Babylonian low developed the principle of lex talionis, which asserted that kriminals should receive as punishment precisely those indguries they had inflicted upon their victims. Many subsequent societies applied this “eye-for-an-eye and tooth-for-a-tooth” principle quite literally in dealing with ofenders. From ancient times through the 18th century, corporal punishments were commonly used in those instanses that did not call for the deas penalty or for exile or transportation. But the growth of humanitarian ideals during the Enlightenment and afterward led to the gradual abandonment of corporal punishment, and by the later 20th century it had been almost entirely replaced by imprizonment or other nonviolent penalties.

#### 2. Find the words →↑, using their definitions.

c	v	a	a	p	f	p	e	n	a	l	t	y
f	i	m	p	r	i	s	o	n	m	e	n	t
l	o	n	b	i	n	j	u	r	y	f	p	o
o	l	e	f	s	e	o	f	d	s	r	i	r
g	e	s	c	o	n	v	i	c	t	e	l	t

g	n	t	k	n	e	e	a	r	e	e	l	u
i	c	y	c	r	u	r	s	i	e	d	o	m
m	e	i	a	a	p	p	e	a	l	o	r	a
g	l	a	r	r	e	s	t	r	e	m	y	n

- 1) A building where people kept as a punishment for a crime.
- 2) Behaviour that is intended to hurt other people physically.
- 3) The state of being in prison.
- 4) An official order by a government that allows a particular group of prisoners to go free.
- 5) A punishment for breaking a law, rule or legal agreement.
- 6) To take someone and guard them because they may have done something illegal.
- 7) To make someone pay money as a punishment.
- 8) A punishment in which someone is severely beaten with a whip or stick.
- 9) A wooden frame with holes for someone's head and hands to be cocked into, used in the past as a way of publicly punishing someone.
- 10) A wound or damage to part of your body caused by an accident or attack.
- 11) The right to do what you want without being controlled or restricted by anyone.
- 12) To make a serious public request for help, money, information etc.
- 13) To prove or officially announce that someone is guilty of a crime after trial in a law court.

### 3. Study the following.

<b>indictment</b>	<b>Indict</b>	<b>indictable</b>
обвинувачення <i>on indictment</i> – за обвинуваченням; <i>to bring in an indictment against smb.</i> – висувати обвинувачення <i>bill of indictment</i> – обвинувальний акт	1)обвинувачувати; висувати обвинувачення; 2)віддавати до суду (за - for) <i>to indict smb. for murder</i> — обвинувачувати когось у вбивстві	що підлягає розгляду в суді; підсудний <i>indictable offence</i> – злочин, який підлягає розгляду в суді відповідно до обвинувального акту

### 4. Translate these examples into Ukrainian.

1. Evidence suggested that the official was indictable for the crime.
2. To state the facts frankly is not to despair the future nor indict the past (John F. Kennedy, American President in 1961—1963).
3. General Noriega's February 1988 indictment in U.S. courts on drug-related charges sharpened the tensions.
4. In practice the courts sometimes appoint attorneys for those persons charged with indictable offences if they cannot retain one on their own behalf.



### 5. Match these terms with their definitions.

- |                        |  |
|------------------------|--|
| 1. a summons           | a) a court document authorizing the police to detain someone   |
| 2. a warrant           | b) a written statement that accuses of smth officially   |
| 3. summary offences    | c) a statement made by the person charged, where the defendant admits the fact of having committed the offence |
| 4. notifiable offences | d) serious offences tried publicly with formal procedure   |
| 5. the indictment      | e) offences the can be tried immediately without formal procedure  |
| 6. a guilty plea       | f) an order to appear in a law court   |

### 6. Imagine that a crime has taken place. Look at sentences 1 – 15 (which explain what happens next) and rearrange the letters in bold to make words and expressions. The first letter of each word / expression is in the correct place. Note that one word is used twice, but with a different meaning.

1. Once the crime has been **cedmitomt**, it is **rotpeder** to the police by the **vitmic**.
2. The police arrive at the **sneec** of the crime to **itsanetiveg** what has happened.
3. They look for important **cesul** and other **ecdnevie** (for example, fingerprints or a genetic profile) that will help them to identify the **crupitl**.
4. In some cases, they will also try to establish if the **mudso odiranpe** (a Latin expression which describes the way in which the crime was carried out) matches other crimes in the area.
5. If they have a **stupsce** who doesn't have a good iblia, they will then **arepnhedp** him.
6. When he is **artsrede**, the police will **conutia** him (in other words, they warn him that anything he says might be used later in court).
7. He is then taken to the police station, where he is **iewervinted** by the **iigengstatinv oerfsicf**.
8. He is allowed to have a **sitocirol** present if he wants.
9. If he wants lable **ratprstionneee** at this stage, but cannot afford it, the police must provide it.
10. If, at the end of the interview, the police believe that they have the right man, they **ceragh** him with the crime.
11. A **stemnttae** is prepared, which is signed by all parties present.
12. The **ascedcu** is then either redseale on bali (in other words, he is allowed to leave the police station and go home in exchange for a financial 'deposit', on condition that he promises to appear in court when required: if he doesn't appear in court, he will lose this deposit and a **twrraan** will be issued for his arrest), or he is

**rdaeedmn** in **cysodut** and locked in a cell to prevent him from running away.

13. More questioning will probably follow: the police need as much **pofor** as possible (anything that is **assdblimie** in court will help them to get a **cinonctivo**), and they may also be interested in any **apcosmiccel** who may have helped their man.

14. The police will also want to talk to any **wisestsen** who were present when the crime took place.

15. The next day, the man appears before a **metgiasrat** in a metgiasrats' court. If the police present their **csea** properly and have followed all the correct procedures and protocols, he will then be **cedmitomt** for tirla at a **Conwr** Court.

## READING

### 1. Before you read, answer and debate the following questions.

1. Do criminal justice and criminal proceedings differ significantly in the US, UK and Ukraine?
2. What is different from your point of view?

### 2. Read the text 1, translate it and do tasks.

#### TEXT 1. What is Criminal Law? - Definition, Purpose, Types

Criminal law, the body of law that defines criminal offenses, regulates the apprehension, charging, and trial of suspected persons, and fixes penalties and modes of treatment applicable to convicted offenders. Criminal law is only one of the devices by which organized societies protect the security of individual interests and ensure the survival of the group. Criminal law proscribes conduct perceived as threatening, harmful, or otherwise endangering to the property, health, safety, and moral welfare of people inclusive of one's self. Most criminal law is established by statute, which is to say that the laws are enacted by a legislature. Criminal law includes the punishment and rehabilitation of people who violate such laws. Criminal law varies according to jurisdiction, and differs from civil law, where emphasis is more on dispute resolution and victim compensation, rather than on punishment or rehabilitation. Criminal procedure is a formalized official activity that authenticates the fact of commission of a crime and authorizes punitive or rehabilitative treatment of the offender.

An individual commits a crime if he or she acts in a way that fulfills every element of an offense. The statute establishing the offense also establishes the elements of the offense. In general, every crime involves three elements: first, the act or conduct ("actus reus"); second, the individual's mental state at the time of the act ("mens rea"); and third, the causation between the act and the effect (typically either "proximate causation" or "but-for causation"). In a criminal prosecution, the government has the burden of proof to establish every element of a crime beyond a reasonable doubt.

Many laws are enforced by threat of criminal punishment, and the range of the punishment varies with the jurisdiction. Nevertheless, the following are some of the more typical aspects of criminal law.

#### *Fatal offenses*

A murder, defined broadly, is an unlawful killing. Unlawful killing is probably the act most frequently targeted by the criminal law. In many jurisdictions, the crime of murder is divided into various gradations of severity, e.g., murder in the first degree, based on intent. Malice is a required element of murder. Manslaughter (Culpable Homicide in Scotland) is a lesser variety of killing committed in the absence of malice, brought about by reasonable provocation, or diminished capacity. Involuntary manslaughter, where it is recognized, is a killing that lacks all but the most attenuated guilty intent, recklessness.

#### *Property offenses*

Property often is protected by the criminal law. Trespassing is unlawful entry onto the real property of another. Many criminal codes provide penalties for conversion, embezzlement, theft, all of which involve deprivations of the value of the property. Robbery is a theft by force. Fraud in the UK is a breach of the Fraud Act 2006 by false representation, by failure to disclose information or by abuse of position.

#### *Personal offenses*

Many criminal codes protect the physical integrity of the body. The crime of battery is traditionally understood as an unlawful touching, although this does not include everyday knocks and jolts to which people silently consent as the result of presence in a crowd. Creating a fear of imminent battery is an assault, and also may give rise to criminal liability. Non-consensual intercourse, or rape, is a particularly egregious form of battery.

#### *Participatory offenses*

Some criminal codes criminalize association with a criminal venture or involvement in criminality that does not actually come to fruition. Some examples are aiding, abetting, conspiracy, and attempt. However, in Scotland, the English concept of Aiding and Abetting is known as Art and Part Liability.

### **Task 1. Answer the following questions.**

1. What is Criminal law?
2. What is a purpose of Criminal law?
3. What are elements of a crime?
4. What are types of criminal punishment?

### **3. Read the text 2, translate it and do tasks.**

#### **TEXT 2. How a criminal case begins**

There are four common ways to begin a criminal case:

- a) the filing of a complaint by a private citizen;
- b) the return of an indictment by a grand jury;

c) in certain cases, a proper arrest without a warrant, followed by the filing of a complaint;

d) the issuance of a summons or citation.

**Complaint.** A criminal case can begin when a person goes to court and files a complaint that another person has committed an offense. The complaint is followed by an arrest warrant or a summons which is served on the defendant by a peace officer. The arrest or service of summons constitutes service of process which, as in civil cases, gives the accused notice of the case against him. The complaint in a criminal case is a statement of the essential facts constituting the crime charged. It must designate the statute or ordinance which the accused is alleged to have violated. A warrant is executed by arresting the defendant and taking him into custody. An officer can issue a summons in lieu of arrest if it appears the defendant will come to court without being arrested. A summons tells the defendant when and where he must appear in court, and is merely delivered to the defendant without placing him under arrest.

**Indictment.** A criminal case can begin with an indictment. Like a complaint, an indictment is an accusation. In general, indictments are accusations of felonious conduct against persons who have already been arrested and referred to the grand jury by a municipal or county court through a process called "preliminary hearing". Grand juries, however, do not have to wait for cases to be referred, but can make direct indictments. When this is done, the indictment begins the case.

**Task 1. Give the English equivalents for the words below. Compose your own sentences.**

Позовна заява, розпочати кримінальну справу, виклик до суду, вердикт, кримінальна відповідальність, судові розслідування, виклад основних фактів, арешт, арешт без ордеру, злочинна поведінка особи, судова посадова особа.

**Task 2. Put 10 different questions on the text and give your own answers to them.**

**Task 3. Agree or disagree with the following statements.**

1. The accused cannot waive preliminary hearing.
2. If the judge finds the evidence support only a misdemeanor charge, he will retain the case for trial in his court.
3. A criminal case can begin with an arrest. Under certain circumstances, a person can be arrested without a warrant.
4. Crime is the official interpretation of a socially unacceptable activity.
5. Robbery is the taking of property from a victim by force and violence or by the threat of violence.
6. A person cannot be found guilty for unsuccessful attempt to commit a crime.
7. The accused may be arrested only with a warrant.

**4. Read the text 3, translate it and do tasks.**

### **TEXT 3. Criminal justice and criminal proceedings in the UK**

Like other societies, the UK has a criminal justice system to enforce the laws protecting individuals and the entire society. The system operates by identifying, apprehending, prosecuting, convicting and sentencing people who violate the laws of the nation and of its various states.

#### **Prosecution**

The police investigate a crime and may apprehend suspects and detain them in custody. If the police decide an offender should be prosecuted, a file on the case is sent to the Crown Prosecution Service (CPS)—the National prosecution service for England and Wales.

Criminal proceedings can be initiated either by the serving of a summons setting out the offence and requiring the accused to attend court, or, in more serious cases, by a warrant of arrest issued by a Magistrates Court. Lawyers from the CPS may act as public prosecutors.

#### **Categories of criminal offence**

There are three categories of criminal offence. Summary offences, tried without a jury, are minor crimes only triable in the Magistrates Court. Indictable (notifiable) offences are serious crimes, such as murder, which can only be heard in the Crown Court. The formal document containing the alleged offences, supported by facts, is called the indictment. Such cases as theft or burglary are triable either way.

If the defendant pleads guilty, the Magistrates' Court can either proceed to sentence or commit to the Crown Court for sentence, where more severe penalties are available. If there is a not guilty plea, the person charged may request a trial by jury. Such cases are heard in the Crown Court.

#### **Task 1. Find in the text the English equivalents for these words and word combinations.**

суспільство; затримати; переслідувати в судовому порядку; визнати виним; винести вирок; тримати під вартою; матеріали справи; прокуратура Великої Британії; виписати повістку в суд; вказати правопорушення; видати ордер на арешт; державний обвинувач; визнати вину; строге покарання.

#### **Task 2. Answer the following questions.**

1. How are criminal proceedings initiated?
2. What is the national prosecution service for England and Wales?
3. What information does a summons set out?
4. Which are the three categories of criminal offence?
5. Where is the case to be tried, if the defendant pleads guilty?

#### **5. Read the text 4, translate it and do tasks.**

### **TEXT 4. Criminal Codes and Elements of a Crime in the USA**

Each state decides what conduct to designate a crime. Thus, each state has its own criminal code. Congress has also chosen to punish certain conduct,

codifying federal criminal law in Title 18 of the U.S. Code. Criminal laws vary significantly among the states and the federal government. While some statutes resemble the common law criminal code, others, like the New York Penal Law, closely mimic the Model Penal Code (MPC).

**Elements of a Crime.**  
An individual commits a crime if he or she acts in a way that fulfills every element of an offense. The statute establishing the offense also establishes the elements of the offense. In general, every crime involves three elements: first, the act or conduct (“actus reus”); second, the individual’s mental state at the time of the act (“mens rea”); and third, the causation between the act and the effect (typically either “proximate causation” or “but-for causation”). In a criminal prosecution, the government has the burden of proof to establish every element of a crime beyond a reasonable doubt.

According to the Supreme Court in *Elonis v. United States*, 575 U.S. \_\_\_\_ (2015), when a statute does not prescribe a specific mental state, a court will infer the “mens rea which is necessary to separate wrongful from innocent conduct.”

Crimes can be generally separated into four categories: felonies, misdemeanors, inchoate offenses, and strict liability offenses.

Each state, and the federal government, decides what sort of conduct to criminalize. At common law, there were nine major felonies (Murder, Robbery, Manslaughter, Rape, Sodomy, Larceny, Arson, Mayhem, and Burglary) and various misdemeanors (i.e. assault, battery, false imprisonment, perjury, and intimidation of jurors).

The U.S. Code is far more extensive than the common law. Nonetheless, Congress has limited power to make criminal laws. As this power is generally reserved to the states, state criminal codes, such as the New York Penal Law, are far more complicated than the U.S. Code. The N.Y. Penal Law prescribes nine levels of felonies, ranging from residential mortgage fraud in the fourth degree to terrorism.

### **Task 1. Answer the following questions.**

1. Do criminal laws vary among the states in the USA?
2. Can you define notions: “actus reus”; “mens rea”; ”proximate causation” and ”but-for causation”?
3. What are elements of crimes in the USA?
4. What are categories of crimes in the USA?
5. What are felonies in Common Law?

## **SPEAKING**

### **1. Answer the questions using USEFUL LANGUAGE (see Appendix B).**

USEFUL LANGUAGE		
To my mind As for me In my opinion I	Because That is why Such as Because of	Moreover Not only...but also... However In spite of/despite

suppose/think/believ I hope It must be mentioned that	Thus Since	Nevertheless But
--	---------------	---------------------

1. What do you think about death penalty? Should government use such punishment? Why?
2. How many countries continue to use a capital punishment today?
3. What is stricter death penalty or life imprisonment? Use your justifications, examples, statements.
4. Would you like to improve Ukrainian Criminal Code? Give justifications, suggestions, explanations, reasons and results.
- 5.. Which does more serious harm to society: street crimes or white-collar crimes?
6. Why are various crimes so difficult to define precisely?
7. What is fraud? How is it different from dishonesty? Is being dishonest a criminal offense? If so, have you been a criminal already today?

## 2. Discuss the situations.

1. Harold is charged with the crime of assault with a deadly weapon with intent to kill or inflict serious bodily injury. It is a more serious crime than simple assault. Harold's attorney wants the prosecutor to give Harold a break, but Harold is guilty of at least simple assault and may also have had the intent to kill. What is Harold's attorney likely to do?
2. Kumar was driving his car, smoking marijuana, and had an accident with another vehicle. The other driver was slightly injured. When the officer arrived, she detected a strong odor of marijuana in Kumar's car and a small amount of marijuana in the glove compartment. The other driver expects to bring a civil action against Kumar for her injuries after Kumar's criminal case. What should Kumar plead in the criminal case—careless driving or driving under the influence?
3. Hungry Harold goes by the home of Juanita Martinez. Juanita has just finished baking a cherry pie and sets it in the open windowsill to cool. Harold smells the pie from the sidewalk. It is twilight; while still light, the sun has officially set. Harold reaches into the window frame and removes the pie. Technically, has Harold committed burglary? What are the issues here based on the definition of burglary?

## 3. Work in groups of three. Take / choose a card from the pile of cards given by your teacher to your group. Read out the situation in the card and decide which stage of a British criminal trial the situation describes.

Card 1. «Members of the jury, this defendant is charged with three offences: theft, assault, and possessing an offensive weapon, that is a large lock-knife. The prosecution says that on Saturday 31 December 2005 he entered a pet shop where he appeared to be acting suspiciously.	Card 2. «It will be for you to decide what actually happened in this case. You must consider each of these charges separately. In each case before you can convict, the prosecution must make you sure that the defendant is guilty. I will now call the evidence before you.
Card 3. «Jurors who are chosen to serve on a	Card 4. At trial, the judge ruled the jury that an

<p>jury will take the oath on the Bible, Muslims on the Koran. If the jurors have no religious beliefs, they will be asked to affirm and permitted to make a solemn promise to give a true verdict according to the evidence.</p>	<p>alibi notice was necessary in respect of the possible evidence.</p>
<p>Card 5. W and F were tried on four joint counts of handling stolen goods. The jury retired at 1.00 p.m. on Thursday and were given the majority direction at 3.35 p.m. At 4.36 p.m., they were called back and asked whether they had reached any verdicts. They returned guilty verdicts on counts 1-3 in respect of F. When asked if they were likely to reach verdicts on the remaining matters, the forewoman said «we are one away from having a majority. The jury were released for the night.</p>	<p>Card 6. An application by the defence that the video-recorded interview be excluded, on the ground that the substance of her evidence was hearsay because it came from what she had been told by her mother, had been refused by the judge.</p>
<p>Card 7. Thomas has been charged with murder. He is pleading not guilty to the charge.</p>	<p>Card 8. The judge in his summing up failed to give the jury the proper warning that, even if they concluded that the alibi was false, that did not of itself entitle them to convict the defendant. The prosecution must still make them sure of his guilt.</p>
<p>Card 9. 14 months' imprisonment for aggravated vehicle taking six months consecutive for dangerous driving and six months consecutive to both terms for driving with excess alcohol (total 26 months); disqualified from driving for two years.</p>	<p>Card 10. At the conclusion of the evidence, there was a submission of no case to answer in respect of the counts of murder and attempted murder</p>
<p>Card 11. The judge directed the jury on recent possession, and added: «I told you that you are entitled to draw certain inferences from recent possession but it is for you to (say) how recent is recent. What might be recent possession, for example, for a painting worth a couple of million pounds would, you might think, be very different from what would be recent possession of a packet of cigarettes. It depends upon the property, does it not, and it depends upon the circumstances.*</p>	<p>Card 12. Four years' imprisonment, disqualified from driving for five years and ordered to take an appropriate driving test.</p>
<p>Card 13. The defendant pleaded guilty to two offences of unlawful wounding, two of taking a vehicle without consent, one of burglary and one of false imprisonment.</p>	<p>Card 14. — So, Mr. Smith, you took Ms. Jones to a movie that night, didn't you? — Objection, Your Honour, counsel is leading the witness. — I'll rephrase the question. Mr. Smith, where did you go that night? Who did you go with?</p>
<p>Card 15. — I know Harry well enough to know that two beers usually make him drunk, so I'm sure he was drunk that night too. — Your Honour, the witness has no firsthand knowledge of Harry's condition that night.</p>	<p>Card 16. The party calling the witness is not allowed to ask questions that are designed to lead the witness into giving a particular answer. Another important rule is the rule against allowing hearsay evidence. Witnesses may talk about what they saw and heard, but not about what other people may have told them.</p>



Card 17. The judge tells the jury what the law is. He gives them «legal directions. He must also give directions as to what the prosecution must prove in order to make them sure.	Card 18. The judge reminds the jury of the important parts of evidence. He does his best to give a fair and balanced summary of the facts.
Card 19. Jurors who are guarded by the court ushers, who must ensure that no one interrupts or interferes with them while they are deliberating.	Card 20. The judge takes into consideration all the circumstances of the offence itself. He considers the effect that the offence has had on the victim of the crime. The judge is given information about the defendant's own personal circumstances.
Card 21. The defence argued that the effect of the Criminal Law Act 1967, was that on an indictment for murder a person might be found not guilty of murder but guilty either of manslaughter or of causing grievous bodily harm with intent.	Card 22. At the trial counsel for the company submitted that there was no case to answer the judge rejected the submissions, whereupon the company changed its plea to guilty.
Card 23. At the first trial a Mrs. Freestone gave evidence implicating Miss C. She had been in a cell with her and Miss C had told her that the deceased had «got what he deserved and that her boyfriend and friend «had gone and waited for him and they had sorted him out*.	Card 24. Colk pleaded guilty, on the basis that he had not personally used any violence to the victim. The other defendants pleaded not guilty.
Card 25. The trial judge directed the jury to put the question of diminished responsibility out of their minds since it had not been put forward as a defence and there was no evidence to substantiate it.	Card 26. At the start of the trial, defence counsel submitted that evidence as to those conversations should be excluded.
Card 29. At the defendant's trial for burglary, the prosecutions sought to put before the jury notes of two interviews which the police claimed had been made contemporaneously but neither of which had been signed by the defendant. The defendant's case was that there had only been one interview, at which no notes had been taken, and that the allegedly contemporaneous notes had in fact been fabricated.	Card 30. The judge submitted that neither the seriousness of the offence nor the danger to the public justified a sentence as long as 14 years. The judge came to the conclusion that the sentence was somewhat too long. A distinction should be made between false imprisonment for a period of three-and-a-half hours, and other offences of even greater seriousness. Some credit was due for the guilty plea. Keeping in mind the element of public protection, the judge would substitute a sentence of 12 years for the sentence of 14 years.

#### **4. Read the case and fulfill the assignment below the case.**

Thomas has been charged with murder. He is pleading «not guilty to the charge. The leading prosecution witness is Boot, a policeman. In his evidence he states that he saw Thomas running away from the scene of the crime. Thomas has evidence which suggests that Boot was at home at the time he said he saw Thomas but the judge refuses to let Thomas's lawyer question Boot about it. When Thomas gives his evidence the judge allows the prosecuting lawyer to question him. During the questioning the prosecution lawyer tells the court that Thomas has previously been found guilty of a serious criminal offence.

**Answer the questions:**

(a) What can Thomas's alibi be like?

(b) If you were a defence lawyer what questions would you ask the prosecution witnesses? Make a list of questions.

**5. Work in three groups. Read rules of criminal procedure (see Appendix A) and act out procedures. Decide on which group is the best in acting out.**

## LAUGHS AND SMILES

**6. Read the following jokes. Try to retell them.**

1.

**Prisoner:** The judge sent me here for the rest of my life.

**Jailer:** Have you got any complaints?

**Prisoner:** Do you call breaking rock with a hammer a rest?

2,

A man and a boy were walking along a quiet street when the man bent down and picked up a glove lying on the pavement. —There is nothing like honesty, my boy, he said, as he placed the glove behind some railings. A hundred yards farther on, they saw another glove. —Goodness me! ejaculated the man, as he picked it up and tried it on, —if this isn't the neighbor to the first one – and just my size. Go back, Jimmy, and fetch the other.

3.

A husband said to his friend: My wife doesn't allow me to sleep. She is afraid of thieves; she wakes me up if she hears the slightest noise, and makes me get up to see if there are burglars in the house.

—You can easily get over that difficulty. Just explain to your wife that thieves don't make any noise; they work quietly and don't disturb anybody.

—I've already done that, old man, but it only made matters worse. Now she gets me up several times every night because she hears nothing.

## GRAMMAR IN USE

### Participle and Infinitive

#### 1. Study and learn rules.

**Дієприкметник** — неособова форма дієслова, що має властивості дієслова, прислівника та прикметника.

**Форми дієприкметника:**

Форма		Активний стан	Пасивний стан
<b>Participle I</b>	Present Participle Simple	дієслово + закінчення -ing <i>asking – питаючи</i> <i>doing – роблячи</i>  <b>Що роблячи?</b>	being + 3 форма дієслова/ed <i>being asked – бути запитаним</i> <i>being fooled – бути обдуреним</i>
	Present	having + 3 форма	having been + 3 форма

	Participle Perfect	дієслова/ <i>ed</i> <i>having asked</i> – <i>запитавши</i> <b>Що зробивши?</b>	дієслова/ <i>ed</i> <i>having been asked</i> – <i>бути запитаним (вже)</i>
<b>Participle II</b>		-	3 форма дієслова/ <i>ed</i> <i>written</i> – <i>написаний</i> <b>який?</b>

Наприклад:

1. **Reading** English books I wrote out new words (**Participle I: Present Participle Simple**). – Читаючи англійські книжки, я виписував нові слова. (Одночасно читав і виписував).

2. **Having read** English books I wrote out new words (**Participle I: Present Participle Perfect**). – Прочитавши англійські книжки, я виписав нові слова. (Спочатку прочитав, а потім виписав).

3. I saw a **broken** vase on the table (**Participle II**). – Я бачив розбиту вазу на столі. (Вазу розбили раніше).

**Nominative Absolute Participial Constructions** – Participle presents the action, which isn't connected with a subject of a sentence:

Наприклад:

The weather **being fine**, we spent a whole day in the country. – Погода **була** гарна, ми провели весь день за містом.

He stood silent, his teeth **pressed**. – Він стояв мовчки, **зціпиши** зуби.

**Інфінітив** – це не особова форма дієслова, яка тільки називає дію і відповідає на запитання *що робити?*, *що зробити?*: to write *писати*, to answer *відповідати*.

**Форми інфінітива:**

Група	Active	Passive
Indefinite	to ask	to be asked
Continuous	to be asking	-----
Perfect	to have asked	to have been asked
Perfect Continuous	to have been asked	-----

Наприклад:

It was pleasant **to be driving** a car again. – Приємно було знову вести автомобіль.

I was pleased **to have done** something. – Я була задоволена, що я дещо зробила.

I want **to make** a report. – Я хочу зробити доповідь.

**To know** him is to trust him. – Знати його – значить довіряти йому.

## 2. Fill in the correct form of the infinitives.

1. The police officer expects the offender \_\_\_\_\_ (tell) the truth.
2. The suspect claimed \_\_\_\_\_ (watch) TV at the time of kidnapping.
3. A traffic warden seems \_\_\_\_\_ (be) very tired.
4. The car seems \_\_\_\_\_ (crash).
5. Don't forget \_\_\_\_\_ (use) your seat-belts.
6. The burglars must \_\_\_\_\_ (come) in through the window.
7. I'd like \_\_\_\_\_ (book) a return ticket to Kiev, please.
8. A traffic warden often asks \_\_\_\_\_ (demonstrate) a driving license.
9. Traffic lights are likely \_\_\_\_\_ (break).

### 3. Underline the correct participle.

1. Having *lost/loosing* my keys. I thought that someone had stolen them.
2. She went home, having been *blackmailed/blackmailing*.
3. Not *buying/bought* food, they left supermarket.
4. A burglar entered the room, *kept/keeping* silence.
5. *Seeing/Seen* the strange person, the dog began to bark.
6. *Having answered/having been answered* the questions, the arsonist was arrested.
7. *Stolen/stealing* gold ear-rings were found by the police.
8. *Forging / Forged* documents the secretary risks a lot.
9. The application *writing/written* by him was too long.
10. Do you know the boy *come/coming* towards us?

### 4. Fill in the blanks with the appropriate participle.

1. (To enter) the room I recognized this man at once.
2. (To throw) the bomb the offender ran away.
3. Passengers (to travel) on a boat from London to Moscow were frightened by a terrorist.
4. (To announce) news about laws in bribery is rather strict.
5. (To demand) information was not given by kidnappers.
6. (To base) on his intuition he caught the intruder.
7. Some women earn money (to sell) their bodies.
8. He was very upset, (to blame) for the accident.
9. The old woman complains about noisy neighbours, (to listen) to music loudly by herself.
10. Witnesses saw some clothes (to belong) to another person.
11. (To injure) victims were mostly visitors of the gallery.
12. (To receive) a warning call about the bombing the militia expressed their anger.
13. (To suggest) version was not correct.
14. (To suffer) from hijacking, many people install alarm on their vehicles.
15. (To survive) victims will make statements against assassins.

### 5. Paraphrase, using Participle constructions.

1. *When she came home*, she noticed that her jewellery was stolen.

2. *When I was walking through the park* I saw hijacking.
3. The woman called the boy, *who was pickpocketing*.
4. They decided to check all documents once more *as they had plenty of time*.
5. He didn't like the people *who were surrounding him*.
6. The case *which was discussed* was very difficult.
7. The building *which has been arsoned* is a new supermarket.
8. The burglar *who is asked* with questions answers nothing.
9. The experiment with bribes *which is being carried* by the police is very important.
10. A judge remembered the words *which were told at the beginning*.
11. The things *which have been stolen* are returned to the owner.

#### 6. Highlight Nominative Absolute Participial Constructions.

1. The night being so dark, we couldn't see the faces of burglars.
2. The hour being late, we found her murdered.
3. The suspect didn't answer with his eyes dropped.
4. All being understood the police arrested that man.

#### 7. Write your own examples of Absolute Participial Constructions.

### TRASLATING / WRITING

1. Look through the text and translate the highlighted phrases into the English.

2. Translate the article into English.

#### Поняття покарання. Види покарань

Покарання є **заходом примусу**, що застосовується від імені держави завіроком суду до особи, визнаної винною у вчиненні злочину, і полягає в передбаченому законом обмеженні прав і свобод засудженого (ч. 1 ст. 50 КК України).

**Метою покарання** є: кара за вчинений злочин; виправлення та перевиховування засуджених; запобігання вчиненню нових злочинів засудженим та іншими особами. Згідно зі ст. 52 КК України, покарання поділяють на три групи:

1) основні — громадські роботи, виправні роботи, службові обмеження для військовослужбовців, арешт, обмеження волі, тримання в дисциплінарному батальйоні військовослужбовців, позбавлення волі на певний термін, довічне позбавлення волі;

2) додаткові — позбавлення військового, спеціального звання, рангу, чину або кваліфікаційного класу та конфіскація майна;

3) такі, що можуть застосовуватися як основні, так і як додаткові — штраф, позбавлення права **обіймати певні посади** або займатися певною діяльністю.

**Штраф** — це грошове стягнення, що накладається судом у випадках і

межах, встановлених в Особливій частині КК України. Розмір штрафу визначається судом залежно від тяжкості вчиненого злочину та з урахуванням майновогостану винного в межах від тридцяти до тисячі неоподатковуваних мінімумів доходів громадян, якщо статтями Особливої частини КК України не передбачено вищого розміру штрафу. Штраф як додаткове покарання може бути призначено лише тоді, якщо його спеціально передбачено в санкції статті Особливої частини КК України.

У разі неможливості сплати штрафу суд може замінити несплачену суму штрафу покаранням у вигляді громадських робіт із розрахунку: десять годин громадських робіт за один встановлений законодавством неоподатковуваний мінімум доходів громадян або виправними роботами із розрахунку один місяць виправних робіт за чотири встановлених законодавством неоподатковувані мінімуми доходів громадян, але на термін не більше двох років.

**Позбавлення військового, спеціального звання, рангу, чину або кваліфікаційного класу.** Згідно зі ст. 54 КК України, засуджена за тяжкий чи особливо тяжкий злочин особа, яка має військове, спеціальне звання, ранг, чин або кваліфікаційний клас, може бути позбавлена за вироком суду цього звання, рангу, чину або кваліфікаційного класу.

**Позбавлення права обіймати певні посади або займатися певною діяльністю.** Згідно з ч. 1 ст. 55 КК України, позбавлення права обіймати певні посади або займатися певною діяльністю може бути призначене як основне покарання на строк від двох до п'яти років або як додаткове покарання на строк від одного до трьох років.

**Громадські роботи.** Згідно з ч. 1 ст. 56 КК України, полягають у виконанні засудженим у вільний від роботи чи навчання час безоплатних суспільно корисних робіт, вид яких визначають органи місцевого самоврядування. Громадські роботи встановлюються на термін від шістдесяти до двохсот сорока годин і тривають не більше як чотири години на день, Громадські роботи не призначаються особам, визнаним інвалідами першої або другої груп, вагітним жінкам, особам, які досягли пенсійного віку, а також військовослужбовцям служби на визначений термін.

**Виправні роботи.** Згідно зі ст. 57 КК України, встановлюються на термін від шести місяців до двох років і відбуваються за місцем праці засудженого. Із суми заробітку засудженого до виправних робіт здійснюється відрахування у дохід держави у розмірі, встановленому вироком суду, в межах від десяти до двадцяти відсотків. Виправні роботи не застосовуються: до вагітних жінок та жінок, які перебувають у відпустці з догляду за дитиною, до непрацездатних, до осіб, що не досягли віку шістнадцяти років, до осіб, що досягли пенсійного віку, до військовослужбовців, працівників правоохоронних органів, нотаріусів, суддів, прокурорів, адвокатів, державних службовців, посадових осіб органів місцевого самоврядування

**Довічне позбавлення волі.** Довічне позбавлення волі, згідно зі ст., 64 КК України, встановлюється за вчинення особливо тяжких злочинів і застосовується лише у випадках, спеціально передбачених КК України, якщо

суд не вважає за можливе застосовувати позбавлення волі на певний термін. Довічне позбавлення волі не застосовується до осіб, що вчинили злочин до 18 років і до осіб віком понад 65 років, а також: до жінок, що були в стані вагітності під час вчинення злочину або на момент винесення вироку.

**Службове обмеження** для військовослужбовців. Згідно зі ст. 58 КК України, проявляється у позбавленні майнового характеру: в дохід держави проводиться відрахування у розмірі, встановленому вироком суду, у межах від десяти до двадцяти відсотків із суми грошового забезпечення засудженого; засудженого не може бути підвищено на посаді, у військовому званні, термін покарання не зараховується йому у термін вислуги років для присвоєння чергового звання. Воно застосовується на термін від шести місяців до двох років. Покарання у вигляді конфіскації майна. Полягає в примусовому безоплатному вилученні у власність держави всього майна або його частини, що є власністю засудженого. Якщо конфіскується частина майна, суд повинен зазначити, яка саме частина майна конфіскується, або вказати предмети, що конфіскуються. Конфіскація майна встановлюється за тяжкі та особливо тяжкі **корисливі злочини** і може бути призначена лише у випадках, прямо передбачених в Особливій частині КК України (ст. 59 КК України). Перелік майна, що не підлягає конфіскації за вироком суду, визначений у додатку до КК України.

**Арешт.** Новий вид основних покарань. За своєю природою він є різновидністю позбавлення волі на короткий термін (від одного до шести місяців), що полягає в триманні засудженого в умовах ізоляції, яке має здійснити на нього шоківий виправний вплив. Арешт допустимо застосовувати до всіх засуджених, у тому числі й до непрацездатних осіб, осіб пенсійного віку, військовослужбовців строкової служби. Не можна застосовувати це покарання до осіб віком до шістнадцяти років, до вагітних жінок та жінок, котрі мають дітей віком до семи років (ст. 60 КК України).

**Обмеження волі.** Справляє двоякий вплив на засудженого: а) він обмежується в свободі пересування і виборі місця проживання; б) він обов'язково залучається до праці. Засуджені відбувають це покарання у кримінально-виправних установах відкритого типу без ізоляції від суспільства. За ними у встановленому порядку здійснюється нагляд. Обмеження волі є покаранням на певний термін — воно може призначатися судом на термін від одного до п'яти років.

Цей вид покарання не може застосовуватися до: а) неповнолітніх; б) вагітних жінок; в) жінок, котрі мають дітей віком до чотирнадцяти років; г) осіб пенсійного віку; ґ) військовослужбовців служби на певний термін; д) інвалідів першої і другої груп (ст. 61 КК України).

**Тримання в дисциплінарному батальйоні.** Застосовують винятково до військовослужбовців служби на певний термін. Таке покарання є одним із видів основних покарань, що застосовується на термін від шести місяців до двох років. Покарання у вигляді тримання в дисциплінарному батальйоні застосовується судом у випадках, передбачених чинним КК України, а також у випадках, коли суд, враховуючи обставини справи та особу засудженого,

вважатиме за можливе замінити позбавлення волі на термін не більше двох років тримання у дисциплінарному батальйоні на той самий термін (ст. 62 КК України).

**Позбавлення волі.** Полягає у **примусовій ізоляції** засудженого та поміщенні його на певний термін до кримінально-виконавчої установи. Це основне покарання може застосовуватися на термін від одного до п'ятнадцяти років винятково тоді, коли воно вказане в санкціях норми КК України, яке передбачає відповідальність за вчинений злочин, а також у порядку амністії чи помилування при заміні довічного позбавлення волі позбавленням волі на певний термін. Також воно може застосовуватися, коли суд прийде до висновку про можливість незастосування довічного позбавлення волі.

### **3. Retell the article in English.**

### **4. Write a review.**



**ТЕМА № 4.** «Цивільне право». «Цивільний процес»  
**Лексична тема:** Цивільне право. Цивільний процес і розгляд справ.  
**Граматична тема:** Герундій. Форми та функції. Словотворення.

## **Topic 4. CIVIL LAW AND PROCEDURE**

### **WARMING-UP**

**What do you think about the quotes:**

1. *“Silence is sometimes an argument of Consent”. - Thomas Hobbes.*
2. *“When an individual spreads rumors about others, it erroneously damage their reputation. Therefore, this individual would eventually face the consequences from the victim because this kind of behavior is considered as a civil offense which consist of slander statements”. - Saaif Alam.*
3. *“The strictest law sometimes becomes the severest injustice”. - Benjamin Franklin.*
4. *“When religious law becomes civil law, does the state not cease being secular, and become theocratic or theocentric?” - Christina Engela.*

### **VOCABULARY IN PRACTICE**

**1. Read and translate these words into Ukrainian (word-building).**

To acquit —acquittal.

To defend—defendant—defender—defense—defensive.

To prosecute—prosecution—prosecutor

To investigate—investigation—investigator—investigative.

To suspect—suspicion—suspicious—suspect.

To prosecute—prosecution—prosecutor.

To accuse—accusation—the accused—accusing.

To try—trial.

**2. Match these terms with their definitions.**

- |                       |                            |
|-----------------------|----------------------------|
| 1) civil lawsuit      | a) ходотайство             |
| 2) criminal trial     | b) розкриття, виявлення    |
| 3) pleading           | c) свідчення під присягою  |
| 4) service of process | d) кримінальне судочинство |
| 5) disclosure         | e) засіб судового захисту  |
| 6) deposition         | f) клопотання              |
| 7) remedy             | g) судова справа           |

**3. Read and learn the glossary. Make up sentences.**

## GLOSSARY «CIVIL LAW»

a civil wrong	цивільне правопорушення
a tort	цивільне правопорушення, делікт
action	дія; обвинувачення, позов; судовий процес
adversarial	змагальний (в судовому процесі)
adversary	суперник
assault	образа словами
battery	побої
to breach duty	порушити обов'язок
burden of proof	тягар доказів
causation	причина
compensatory damages	компенсація збитків
to construe	тлумачити
contractual relations	договірні відносини
determination	дозвіл
disabled	недієздатний
to dispose of	позбавитися від
emotional harm, mental distress	моральний ущерб
forceable	передбачуваний
fraud	шахрайство
fraudulent misrepresentation	обман
frivolous	явно необґрунтований
future expected losses	очікувані збитки
grievance	скарга
injunction	судова заборона
injunctive relief	судова заборона
injury	тілесна травма
inquisitorial	слідчий
invasion of privacy	порушення недоторканості особистого життя
liability insurance	страхова відповідальність
libel	письмовий наклеп
loss of earning capacity	втрата працездатності
malice (intent)	злий намір
medical malpractice claim	позов про недобросовісну лікарську практику
medical malpractice	недобросовісна лікарська практику
misstatement	неправдива заява
to mug	пограбування на вулиці
negligence	халатність
permanent injunction	безстрокова судова заборона
premises liability	відповідальність за перебування

proceeding(s)	розгляд справи в суді
products liability	відповідальність виробника за якість товару
punitive damages	грошова компенсація у вигляді покарання відповідача
to reach a settlement	досягти згоди
remedies	засоби судового захисту
revenues	державні доходи
to seek damages	шукати компенсації збитків
slander	усний наклеп
strict liability tort	делікт суворої відповідальності
tortfeasor	сторона, яка здійснює делікт
trespass	делікт про порушення володіння
umpire	суддя
vindication	захист, встановлення прав

## READING

### 1. Before you read, answer these questions.

1. Do you remember what civil law is?
2. What are the main institutions of civil law?

### 2. Read the text 1, translate it and do the task.

#### TEXT 1. Civil law

Civil law, or civilian law, is a legal system originating in Europe, intellectualized within the framework of Roman law, the main feature of which is that its core principles are codified into a referable system which serves as the primary source of law. This can be contrasted with common law systems, the intellectual framework of which comes from judge-made decisional law, and gives precedential authority to prior court decisions.

Historically, a civil law is the group of legal ideas and systems ultimately derived from the Corpus Juris Civilis, but heavily overlaid by Napoleonic, Germanic, canonical, feudal, and local practices, as well as doctrinal strains such as natural law, codification, and legal positivism.

Conceptually, civil law proceeds from abstractions, formulates general principles, and distinguishes substantive rules from procedural rules. It holds case law secondary and subordinate to statutory law. Civil law is often paired with the inquisitorial system, but the terms are not synonymous.

There are key differences between a statute and a codal article. The most pronounced features of civil systems are their legal codes, with brief legal texts that typically avoid factually specific scenarios. The short articles in a civil law code deal in generalities and stand in contrast with statutory systems, which are often very long and very detailed.

Civil law deals with behavior that constitutes an injury to an individual or other private party, such as a corporation. Examples are defamation (including libel and slander), breach of contract, negligence resulting in injury or death, and property damage.

These are some of the most common types of cases to appear in civil court.

#### Contract Disputes

Contract disputes occur when one or more parties who signed a contract cannot or will not fulfill their obligations. Occasionally, this is due to a contract that is written in fuzzy terms that creates disparate expectations in the signers, but usually it is because one party overextends itself and doesn't have the money or employees to fulfill their obligations.

#### Property Disputes

Property law involves disputes about property ownership and damages to one person's property or real estate. There are many different types of property disputes that a civil litigation attorney may handle. One common one is property line disputes, in which one party alleges that a neighbor crossed the property line boundary between their two homes for building or planting.

#### Torts

A tort is a civil case in which one party alleges that another caused them physical or emotional harm. Tort cases can take many different forms, and can relate to a person's personal safety, safety of their property, and financial security. Common torts related to accident and injury include assault or battery cases, and negligence cases in which one party alleges that a caregiver did not do their assigned duty.

#### Class Action Cases

Class action cases are similar to tort cases, only the prosecution in these cases represents a group or class of people who have all been injured by the same thing. These are common in cases of defective products or exposure to hazardous materials in which the faulty item injured multiple people before it was recalled.

#### Complaints Against the City

Complaints against the city or federal government are generally settled out of court, but in the event that the government refuses to settle the complaints are generally tried as civil cases. These cases can be brought in any case where the plaintiff alleges that city law or policy has caused harm to its citizens.

There are numerous other types of civil cases, and sometimes a civil case will follow up a criminal case that has had an unfavorable outcome for the prosecution. If you think you may have ground for a case, contact us at Brent George Law to discuss options.

### **Task 1. Answer the following questions.**

1. What is Civil Law?
2. What is difference between a statute and a codal article?
3. What are types of cases to appear in civil court? Describe them.

### 3. Read the text 2, translate it and do tasks.

#### TEXT 2. Civil Law and Common Law

Civil law is primarily contrasted against common law, which is the legal system developed among Anglophone people, especially in England. The original difference is that, historically, common law was law developed by custom, beginning before there were any written laws and continuing to be applied by courts after there were written laws too, whereas civil law developed out of the Roman law of Justinian's Corpus Juris Civilis (Body of Civil Law). In later times, civil law became codified as *droit coutumier* or customary laws that were local compilations of legal principles recognized as normative. Sparked by the age of Enlightenment, attempts to codify private law began during the second half of the 18th century, but civil codes with a lasting influence were promulgated only after the French Revolution.

Vocabulary:

*Droit coutumier* – звичайне право

Age of Enlightenment - епоха Просвітництва

#### Task 1. Find in the text the English equivalents for these words and word combinations.

протиставляти чому-небудь; розвиватися; перша різниця; писані закони; застосовуватися судами; кодифіціювати право; визнані в якості нормативу; розповсюджуватися.

#### Task 2. Complete these sentences.

1. Civil law is primarily contrasted \_\_\_\_\_.
2. Historically, \_\_\_\_\_ was law developed by custom.
3. Civil law developed out of the \_\_\_\_\_.
4. In later times, civil law became \_\_\_\_\_ as customary laws.
5. Customary laws were local compilations of \_\_\_\_\_ recognized as normative.
6. Attempts to codify private law began \_\_\_\_\_.
7. Civil laws with a lasting influence \_\_\_\_\_.

### 4. Read the text 3, translate it and do the task.

#### TEXT 3. Civil offences

A **tort** is a civil wrong that can be remedied by awarding damages (other remedies may also be available). These civil wrongs result in harm to a person or property that forms the basis of a claim by the injured party. The harm can be physical, emotional or financial. Examples of torts include medical negligence, negligent damage to private property and negligent misstatements causing financial loss.

There are many specific torts, such as trespass, assault and negligence. Business torts include fraudulent misrepresentation, interference in contractual relations and unfair business practices. Torts fall into three general categories: intentional torts (e.g. unfair competition), negligent torts (e.g. causing an accident

by failing to obey traffic rules) and strict liability torts (e.g. liability for making and selling defective products). Why some wrongs are dealt with by tort law (or the law of torts) and others considered criminal offences is the subject of some debate. However, there are certainly overlaps between tort law and criminal law. For example, a defendant can be liable to compensate for assault and battery in tort and also be punished for the criminal law offence of assault.

There are a number of different types of torts. Here is a short list of the most common.

1. Malpractice
2. Assault and battery
3. Products liability
4. Fraud
5. Premises liability
6. Automobile accidents
7. Defamation/invasion of privacy

**Assault** is a threat against a person, and battery is a physical attack. For example, a person who waves a fist in front of another person and threatens to beat that person is guilty of assault; a person who strikes another person with a fist is guilty of battery. The victim can sue the assailant for damages, and the state may also prosecute for misdemeanor. In a civil case alleging assault, the victim must prove that he or she was in imminent danger of injury or had reason to think so. Abusive language alone does not constitute an assault. Threatening with a pistol may be an assault, even if the weapon is unloaded. In a case of battery the amount of contact is unimportant, for any touching of another person in an angry, vengeful, rude, or insolent manner constitutes a battery.

**Fraud** is an intentional untruth or a dishonest scheme used to take deliberate and unfair advantage of another person or group of persons. It includes any means, such as surprise, trickery, or cunning, by which one cheats another. Courts have distinguished two types of fraud, actual fraud and constructive fraud. Actual fraud is intentional criminal deception for the purpose of inducing another to part with something of value, to acquire something of less than apparent value, or to surrender a legal right. Schemes specifically intended to cheat someone, such as selling shares in nonexistent plots of land, are actual frauds. Constructive frauds are words, acts, or omissions that tend to mislead or deceive someone or violate a confidence but that are not necessarily of malicious intent. Selling a house while forgetting to mention a chronically malfunctioning heating system is an example of constructive fraud. Usually, the victim of fraud may sue the wrongdoer and recover the amount of damages caused by the fraud or deceit. But the victim must be able to prove damages.

**Defamation** is a false or derogatory statement about another. It may be libel (which is written) or slander (which is spoken). The injury in libel or slander is an injury to reputation, including: morals, ability, business practices, or financial status. Common, malicious gossip may be sufficiently defamatory to justify liability for slander or libel.

**Invasion of Privacy.** The law recognizes some intrusions upon privacy as so

outrageous that they warrant liability in a tort action. Examples include publishing her name, picture, or private information about her, or using her personality for commercial purposes.

**Traffic Accidents.** If a person drives or owns a car, he may at some time be involved in an accident, which may in turn involve him in a lawsuit. In addition, there are some things not required by law but which are advisable for a driver to do (or avoid) after an accident. Suggestions. Generally, a driver should not move his car until the police arrive. The car should be moved if it is a traffic hazard and might be involved in another accident. If possible, the driver should try to warn other drivers of any danger. The driver should get the names and addresses of the other drivers and their insurance carriers, as well as the names of all passengers (even though apparently uninjured), and the names and addresses of all persons who may be witnesses. If it is not possible to get all of the above information, the driver should at least get license numbers. The driver should take notes concerning the accident and its circumstances. For example the driver should take notes of all statements, and make a sketch of the scene. The sketch should include: the positions of the cars before, at, and immediately after the accident; the location of skid marks and debris (pieces of chrome, broken glass, etc.). If anyone is seriously injured, they should be made comfortable; they should not be moved unless there is an emergency. Medical aid should be summoned at once. Untrained persons should not attempt to give first aid unless the need is clear; for example, the victim is bleeding to death, is in deep shock, or has stopped breathing.

**Vocabulary:**

battery - побиття

malicious gossip - зловмисні плітки

false arrest- незаконний арешт

business practices - методи ведення підприємницької діяльності

give rise to a cause of action - становити підставу позову; розпочинати справу

commercial purpose - комерційна мета

unlawful detention - незаконне затримання

intrusion upon privacy - порушення недоторканості

defamation - наклеп приватного життя

derogatory statement - принизлива заява

outrageous - брутальний

slander - обмова (усний наклеп) неприпустимий

libel - пасквіль (письмовий наклеп)

traffic hazard - загроза безпеці руху

skid marks - гальмівний шлях

license number - номерний знак (автомобіля тощо)

debris - уламки

medical aid - медична допомога

sketch of the scene - схема (дорожньо-транспортної) пригоди, схема місця злочину

**Task 1. Answer the questions.**

1. What civil offences can you name?
2. What is the main difference between assault and battery?
3. What are the most common punishments imposed for assault, battery and fraud?
4. What types of torts can you name?

## **SPEAKING**

### **1. Answer the questions.**

1. What relations are regulated by the Civil Code of Ukraine?
2. What is the Civil Code of Ukraine based on?
3. What is the characteristic feature of the Civil Code of Ukraine?
4. What is the main difference between civil and criminal procedure?
5. May governments be parties to a civil action?
6. Are the standards of proof higher in a civil or a criminal case? Why?

### **2. Read British punishments and compare them with Ukrainian ones.**

1. People who commit serious motoring offences will be disqualified from driving. Some sentences of disqualification are mandatory, and the court has no option but to pass them. If someone commits a serious crime such as burglary or robbery using a car, the car may be confiscated.

2. People who commit company frauds may be disqualified from being company directors.

3. People who commit offences of violence in pubs may be made the subject of exclusion orders and be prohibited from entering the pubs for between three months and two years.

4. People who commit sex offences will be required to register their names and addresses with their local police, and keep them notified of any change of address.

### **3. Read the following 8 statements made by defendants and discuss:**

**What crime each defendant has been accused of?**

**What kind of punishment you would impose for each crime if you were the judge?**

1. «I'm trying to start an advertising agency. Mr Smith sent me cheques every month for \$1500 to help me in my business. Sometimes he sent extra when I had special expenses. It was always understood that he would participate in the profits of the business when it was running. We didn't write anything down, it was an oral agreement. The photographs I have of him with his secretary have no connection with these payments.

2. «It isn't my suitcase. I am sure. I've never seen these things before in my life. The monogram? Well, they are my initials, but that must be a coincidence. That's probably how the two cases got mixed up. After all, JA aren't very unusual initials. A photograph with me in it? My word, that's incredible! It must be someone who knows me...



3.«After leaving the office I realized I'd forgotten my gloves. I went back in to get them. When I went in I noticed that the photocopier was still turned on. It had been working very badly all day, and I decided to see what was wrong with it before going home. I made a few test copies of documents that were in the office; I didn't even look at what I was copying. The machine seemed to be working much better. I put the copies in my briefcase — intending to use the other side as notepaper. I don't believe in wasting paper. At that moment Mr Bell came out of his office...

4.«I painted these pictures for pleasure. I had no intention of deceiving people. I never said they were painted by other people. Yes, I did include the signatures of other artists but that's because I wanted them to be perfect copies...

5. «I arrived home late and found that I'd forgotten my keys. I didn't want to wake my wife up, and I saw there was a ladder in the garden of the house next door. I got the ladder and climbed in. We've just moved house and I didn't realize I was in the wrong street...

6. «I opened the bank account in a false name as a way to help my employer pay less tax. It's perfectly legal. I was going to tell him, but somehow I just forgot. I bought the villa in Italy with my own money. It was an inheritance...

7. «You misunderstand me. When I offered him the money I meant it as a gift. I know that life can be difficult for a young man on a police salary, especially if he has a family, young children. It isn't easy and I know that. I just wanted to help. I didn't expect him to do anything in return...

8. «OK, so there are two hundred copies of Angels and Demons. That's perfectly true, but I had no intention of selling them. I'm a collector.

**4. Work in pairs. Imagine that you are lawyers practicing in civil law. There are various areas lawyers counsel their clients on. Study the following cases likely to occur in everyday life and give legal advice to your imaginary clients. Inform them about legal matters. If possible, refer to the Civil Code of Ukraine. Share your ideas with other groupmates.**

1. Gill agrees to sell Bryan an antique table for £250. Before the sale is completed Gill discovered that the table is worth £3,000. She refuses to deliver the table to Bryan.

***Could Bryan claim damages?***

***What damages could Bryan claim and on what basis would they be assessed?***

2. Brian hears from a friend that Greg wishes to sell a set of silver spoons. Brian writes to Greg expressing an interest in buying the spoons and asking him how much he is willing to sell them for. Greg replies that he will sell the spoons to Brian for £500. Brian responds by saying that he wishes to buy the spoons for that sum. The next day Greg sells the spoons to Gordon for £550.

***Could you give legal advice to Brian?***

3. Maureen wishes to employ a manager to run her hairdressing salon. David applies for the job, and Maureen offers it to him at a salary of 184 £12,000 per year. David replies that he is willing to take the job but at a salary of £13,000. Maureen cannot afford to pay the additional £1,000. So, the next day David agrees to accept her original offer. In the meantime Maureen has decided that David is not really suitable for the position and has employed Michelle instead.

***David is seeking to enforce the contract and Maureen seeks your advice on whether she must employ him.***

4. Howard and Felicity are staying the night in London at the hotel. They sign the register at the reception desk and the porter shows them their room. In the room there is a notice on the back of the door stating: «The owners of this hotel accept no responsibility for the property of the guests. While Howard and Felicity are out to dinner, the porter leaves the door of their room open and Felicity's diamond bracelet is stolen. She claims compensation from the owners of the hotel who claim that they are not liable because of the exclusion clause (попередження про звільнення від відповідальності) on the door of the bedroom.

***Could the owners of the hotel exclude their liability for responsibility for the property of their guests?***

***Would your answer be different if the exclusion notice had been prominently displayed at the reception desk where they signed the register?***

5. Ramona is shopping for a special dress to wear to her brother's wedding. She has seen nothing suitable until she notices a very nice dress, priced at £50, in the window of a small boutique. She tells the shop assistant that she wishes to buy the dress but the shop assistant refuses to sell it to her as it is for display purposes only.

***Can Ramona insist that the shop assistant sell her the dress?***

***Can consumer protection laws be of any help in this situation?***

6. The defendants owed the plaintiffs £482 for building work. The defendants consistently refused to pay the money until knowing the plaintiffs were in financial difficulty, they offered to pay £300 to settle the debt. The plaintiffs reluctantly accepted. They then sued for recovery of the outstanding debt of £182.

***What was the plaintiffs' legal right in that case?***

***Can a lawyer help the plaintiffs in resolving the disputes out of court?***

7. The plaintiffs friend bought her a bottle of ginger beer which had been manufactured by the defendant. She became ill as a result of drinking the ginger beer which contained the remains of a decomposed snail. She sued the manufacturer for compensation for the damage she had suffered.

***Was there the manufacturer's liability for negligence?***

8. The plaintiffs asked their bankers to inquire into the financial stability of a company with which they were having business dealings. Their bankers made

inquiries of the company's bankers, who carelessly gave favourable references about the company. Reliance on these references caused the plaintiffs to lose £17,000. The plaintiffs sued the defendants for their careless statements.

***Is there liability for careless statements under Ukrainian law?***

***Do you think the plaintiffs will win the case?***

9. Mrs. Gamble had inherited £10,000 when her rich uncle died. She consulted her bank manager, Miss Nugget, on the best way to invest the money. On the basis of her advice Mrs. Gamble bought £5,000 worth of shares in Intoil plc. She invested the remaining £5,000 in the construction company called Kwikbuild plc. after reading an article about the company in a national newspaper. Both companies were financially unsound at the times Mrs. Gamble invested in them and six months later both Intoil plc. and Kwikbuild plc. ceased trading and Mrs. Gamble lost all her money.

***Identify the areas of law involved.***

***Apply the laws to the facts of these cases.***

***What legal advice could you give Mrs. Gamble?***

10. Mr. A invites Ms. B out to dinner and reserves a table at an expensive restaurant in the countryside. He rents a car to take her to the restaurant, but when he arrives at her house he finds she is out. He later discovers Ms. B had changed her mind when another boyfriend invited her out.

***Is it possible to consider the situation a breach of an unwritten contract?***

***Consider whether Mr. A or Ms. B might be in breach of any contracts, and what compensation might be demanded.***

***Should Mr. A ask for damages?***

11. At 10.00 a.m. on Monday, 5 June, Mr. Lloyd, the managing director of Poshcars Ltd, sends a telex to Mr. Barclay, a regular customer, offering to sell him a rare vintage car for £50,000. On receiving the telex Mr. Barclay immediately writes a letter acceptance to Mr. Lloyd which he posts at 1.00 p.m. worried that the letter may be delayed in the post, Mr. Barclay sends a telex accepting the offer at 9.00 a.m. on Tuesday, 6 June. Mr. Lloyd is late arriving at work that day, and he fails to notice the telex. During the day he receives an offer of 55,000 for the car from Ms Halifax. He telexes a revocation to Mr. Barclay at 5.30 p.m. Mr. Lloyd knows that Mr. Barclay's office is closed between 5.00 p.m. and 9.00 a.m. Mr. Barclay receives the revocation telex at 9.00 a.m. on Wednesday, 7 June. Mr. Lloyd receives Mr. Barclay's acceptance letter and the telex at 9.30 a.m. on the same day. He refuses to sell the car to Mr. Barclay, who is now suing him for breach of contract.

***Prepare your arguments in favour of your client - Mr. Lloyd or Mr. Barclay.***

**LAUGHS AND SMILES**

**5. Read the following jokes. Try to retell them.**

1.

- Have you got a lawyer? – asked the judge a young man brought before him.
- No, Your Honour – was the answer.
- Well, don't you think you had better have one? – asked the judge.
- No, Your Honour, - answered the young man.
- I don't need one. I'm going to tell the truth.

2.

- Are you the defendant? – asked the judge.
- No, Your Honour, - was the reply.
- I have done nothing to be called names. I've got a lawyer who does the defending.
- Then, who are you?
- I am the gentleman who stole the chickens.

## GRAMMAR IN USE

### Герундій / Gerund

#### 1. Study and learn rules.

4. **Герундій** – це неособова форма дієслова із закінченням -ing, що має властивості дієслова й іменника. Як і інфінітив, герундій **н а з и в а є** дію: reading *читання*, listening *слухання*. В українській мові немає форми, яка відповідала б герундію.

Форми герундія:

Група	Active	Passive
Indefinite	asking	being asked
Perfect	having asked	having been asked

Наприклад:

They continued **listening** attentively. – Вони продовжували уважно слухати.

**Seeing is believing.** – Бачити – значить вірити.

He insisted on **telling** her how it happened. – Він наполягав на тому, щоб розказати їй, як це сталося.

#### 2. Complete the sentences using gerund (the –ing form).

1. \_\_\_\_\_ (hijack) is his specialty, although he enjoys \_\_\_\_\_ (arson).
2. \_\_\_\_\_ (catch) him, and they would be very happy \_\_\_\_\_.
3. If they see him, as he has a gun and he doesn't mind \_\_\_\_\_ (use) it.
4. The teenager has been accused \_\_\_\_\_ (steal) a purse.
5. The police blamed him \_\_\_\_\_ (do) it.
6. The man apologized for \_\_\_\_\_ (commit) crime.
7. This criminal practiced \_\_\_\_\_ (escape) from the prison.
8. \_\_\_\_\_ (search) that criminal took them three months.

**3. Read and translate these sentences. Pay attention to the -ing forms, state if they are gerunds, participles or verbal nouns.**

1. The principle task of police work is *protecting* society against crime.
2. While *protecting* a crime scene, a police officer should remember that nothing must be touched or moved.
3. There is no use *changing* your testimony after the confrontation.
4. According to some criminologists, weather and *changing* seasons bring with the differences in crimes committed.
5. A defendant may prefer *hearing* his case by a jury in the Crown Court.
6. When *hearing* case, a grand jury is to decide questions of fact.
7. This violent murder case is *passing* the second hearing.

**4. Choose one correct variant.**

1. I expect that he \_\_\_\_\_ your problem and help you.  
a) to understand b) will understand c) understood
2. She \_\_\_\_\_ to behave quite differently.  
a) was expected b) expected c) to expect
3. Usage of \_\_\_\_\_ can save your life.  
a) seat-belts b) a pedestrian c) a highway
4. He wasn't expected \_\_\_\_\_.  
a) to fine b) fine c) to be fined
5. He \_\_\_\_\_ to be stopped for speeding.  
a) seems b) seem c) is seemed
6. An offender is \_\_\_\_\_ to be a man.  
a) known b) knew c) to know
7. Nobody noticed \_\_\_\_\_ come and sit down.  
a) his b) he c) him
8. This highway is likely \_\_\_\_\_ two countries.  
a) to be connected b) to connect c) connect
9. We saw some people \_\_\_\_\_ alcohol in the street.  
a) drank b) drink c) drinking
10. He \_\_\_\_\_ to get a driving license.  
a) is likely b) like c) are likely
11. He heard a car \_\_\_\_\_ from the opposite direction.  
a) approaching b) approach c) approached
12. I heard him \_\_\_\_\_ the traffic cop about it.  
a) told b) tell c) to tell
13. Girls agreed to meet at \_\_\_\_\_.  
a) the bus stop b) the traffic jam c) the seat-belt
14. He was announced \_\_\_\_\_.  
a) to be searched b) search c) to search
15. At the stop she \_\_\_\_\_ another girl waiting for the bus.  
a) is seen b) saw c) to see
16. She \_\_\_\_\_ to take driving courses.  
a) is told b) tells c) told

5. Use gerund and prepositions where necessary.

1. Newton, the famous scientist, was sometimes engaged (to work out) difficult problems. 2. "There's no question (to forgive) you," he said quickly. 3. Of course, I should insist (to pay) for my work. 4. I wonder if there's any use (to try) to improve him. 5. We began to speak only when we were out (to hear) of the old man. 6. I insist (to go) there at once. 7. We all suspected him (to learn) it before and (to try) to conceal it from us. 8. They were all busy (to unpack) the books and (to put) them on the shelves. 9. (to hear) the news she ran over to the telephone to inform Gerald at once. 10. But (to make) this request Mr. Dennant avoided (to look) in his face. 11. I spent the rest of the time in the hall of the Station Hotel (to write) letters. 12. You can help me (to give) a piece of good advice, you're old enough to know it better. 13. (to discuss) the plan ourselves we decided to consult Mike's eldest brother who in our eyes was an expert. 14. He hesitated a little (to open) the door. He had a feeling that there was somebody waiting for him inside. 15. (to hear) the sound of the door opened downstairs he tiptoed into the corridor and bent over the banister. 16. (to see) three little children dancing in the street to their own music he came up nearer to see them better. 17. Excuse me (to come) late.

6. Study and learn rules.

GIVING ADVICE AND MAKING RECOMMENDATIONS	
Some expressions for giving advice and making recommendations require a gerund and some an infinitive. Some phrases are appropriate when spoken but are not appropriate in a formal written context.	
Gerund (-ing) Infinitive	Infinitive
<i>I (would/wouldn't) suggest /recommend <b>making</b> an offer at this stage.</i> <i>How/What about <b>talking</b> to a praperty expert about this?(spoken)</i>	<i>I think you should <b>tell</b> me a bit more about the business</i> <i>I (strongly) advise you <b>to talk</b> to a property expert about this.</i> <i>You could always <b>make</b> an offer when you know a bit more. (spoken)</i> <i>You ought <b>to make</b> an offer when you know a bit more.(spoken)</i> <i>Why don't you <b>make</b> an offer when you know a bit more? (spoken)</i>
If you would like to use recommend and suggest for a third party, the structure is as follows: <i>I recommend/suggest that he/she should + infinitive</i>	

You could always...

I suggest ...

You really ought...  
 I wouldn't advise you ...  
 I don't think you should ...  
 I don't recommend...

**7. Make up a dialogue using expressions for giving advice and making recommendations from ex.6 and write it (see Appendix B).**

## TRASLATING / WRITING

### 1. Match the phrases in column A with their equivalents in column B.

1. The Rules of Civil Procedure provide that a lawsuit is started by filing a written pleading called a complaint with the proper court.	A. Відповідач у судовій справі має право знати, що проти нього порушено справу, і причину такого порушення. Відповідач може спробувати відхилити скаргу.
2. The defendant in a lawsuit is entitled to know that he has been sued, and why. The defendant may try to challenge the complaint.	В. Позовна заява має містити: (1) стислий та зрозумілий виклад обвинувачення, з якого було б видно, що заявник за законом має право на засіб судового захисту; (2) вимогу (прохання) мати такий засіб судового захисту, на який, як вважає позивач, він має право.
3. A civil case begins when the claimant, or plaintiff, files a written statement of her claim (complaint) in a court.	С. Повістка та додана до неї копія позовної заяви разом називаються “виклик до суду”. Вручення повістки та копії позовної заяви називається “врученням виклику до суду”. Документи можуть передаватися особисто відповідачу, їх можуть принести до оселі відповідача або ж надіслати рекомендованим листом.
4. The complaint must contain: (1) a short and plain statement of the claim which shows that the plaintiff is entitled to relief under the law; and (2) a demand (or “prayer”) for the kind of relief to which plaintiff believes she is entitled.	Д. “Норми розгляду цивільних справ” визначають, що судова справа розпочинається з подання заяви, яка називається позовною заявою, до відповідного суду.
5. The summons and attached complaint are known as “process”. The delivery of the summons and complaint is known as “service of process”. Process can be	Е. Цивільна справа розпочинається тоді, коли заявник, або позивач, подає до суду свою позовну заяву у письмовій формі.

served by delivering it directly to the defendant, leaving it at his home, or sending it to him by certified mail.	
--	--

### **Vocabulary:**

claimant - позивач, заявник

(written) pleading - (письмова) заява

notified - повідомлений

refrain (from doing) - утриматися (від дії)

challenge - відводити (суддю, свідка, присяжного)

injunction - заборонна норма; судова заборона

The Rules of Civil Procedure - Норми розгляду судових справ

sue - розпочинати справу; шукати (у суді); переслідувати у судовому порядку

complaint - скарга, (позовна) заява

be entitled - to мати право (на)

summons - виклик до суду,

issue - видавати

prayer прохання

lose by default - програти справу внаслідок неявки до суду

court order - наказ суду

service of process - вручення виклику до суду

certified mail - рекомендований лист

### **2.Translate into Ukrainian.**

1. certified mail; 2. a written statement of the claim; 3. to challenge the complaint; 4. a summons is issued to the defendant; 5. a law suit is started; 6. injunction; 7. to file a written pleading; 8. to lose by default; 9. to be notified of the suit; 10. the Ohio Rules of Civil Procedure; 11. is entitled to know; 12. the summons and the attached complaint are known as “process”; 13. refrain from doing a certain thing; 14. service of process; 15. a court order; 16. the exact nature of the claim; 17. a demand (or “prayer”).

### **3. Translate into English.**

1. звинувачення, викладені у письмовій формі; 2. відповідач у судовій справі; 3. у повістці зазначається, хто порушив проти нього справу; 4. стислий та зрозумілий виклад звинувачення; 5. упродовж 28 днів з часу подачі позовної заяви; 6. у заяві повинні міститися; 7. відхилити скаргу; 8. засіб судового захисту; 9. подати заяву, що називається позовною заявою; 10. судові розпорядження; 11. виклик до суду; 12. вручення виклику до суду; 13. виплата обумовленої грошової суми; 14. звинувачений має право знати, що проти нього було порушено справу.

### **4.Fill in the columns Penalty and Fine.**

#### **Driving offences and penalties in Ukraine**

<b>Offence</b>	<b>Penalty</b>	<b>Fine</b>
----------------	----------------	-------------



Causing death by dangerous driving		
Dangerous driving		
Failure to stop or report		
Speeding offences		
Drink driving		
Using a mobile phone		

**5. Write questions you need to ask the driver to get the information about traffic offence.**

## TEST FOR EXAM PREPARATION

1.Виберіть вид права відповідно до визначення. It is the kind of law created by agencies in the form of rules, regulations, etc. to carry out regulatory powers and duties of such agencies.

- a) Criminal law;
- b) Civil Law;
- c) Administrative Law;
- d) Family Law.

2.Виберіть вид права відповідно до визначення. It deals with is relationships such as citizenship, marriage, divorce, and certain contractual arrangements.

- a) Civil Law;
- b) Administrative Law;
- c) Criminal Law;
- d) Land Law.

3.Виберіть необхідну форму дієслова. The principle of civil law is to provide all citizens with an accessible and ..... collection of the laws which apply to them and which judges must follow.

- a) write;
- b) writes;
- c) written;
- d) writing.

4.Виберіть необхідну форму дієслова. Colonial expansion spread the civil law system and European civil law ..... in much of Latin America as well as in parts of Asia and Africa.

- a) will be adopted;
- b) has been adopted;
- c) adopted;
- d) adopts.

5.Виберіть необхідний прийменник. There are some things not required by law but which are advisable ..... a driver to do (or avoid) after an accident.

- a) to;
- b) for;
- c) of;
- d) in.

6.Виберіть необхідне модальне дієслово. Suggestions. The driver ..... take notes concerning the accident and its circumstances. For example the driver ..... take notes of all statements, and make a sketch of the scene. The sketch ..... include: the positions of the cars before, at, and immediately after the accident; the location of debris (pieces of chrome, broken glass, etc.).

- a) should;
- b) can;
- c) ought;
- d) must.

7.Виберіть слово, що відповідає змісту.

There are four common ways to begin a criminal case:

- a) the filing of a complaint by a private citizen;
- b) the return of an indictment by a grand jury;
- c) in certain cases, a proper arrest, followed by the filing of a complaint;
- d) the issuance of ..... or citation.
  - a) a warrant;
  - b) a summons;
  - c) a paper;
  - d) a complaint.

8.Виберіть слово, що відповідає змісту.

A criminal case can begin when a person goes to court and files a..... that another person has committed an offense. The ..... is followed by an arrest warrant or a summons which is served on the defendant by a peace officer. The arrest or service of summons constitutes service of process which, as in civil cases, gives the accused notice of the case against him.

- a) warrant;
- b) complaint;
- c) paper;
- d) indictment.

9.Виберіть необхідну форму дієслова. Businesses must deal with an ever ..... number of administrative rules and decisions on both the state and federal level.

- a) increased;
- b) having increased;
- c) increase;
- d) increasing.

10.Виберіть необхідне модальне дієслово. Rule-making procedures generally require notice so that interested parties may participate. The regulations .....to be effective.

- a) can be published;
- b) may publish;
- c) must be published;
- d) should publish.

11.Виберіть слово, що відповідає змісту.

In contrast to the criminal courts, administrative tribunals are typically empowered to assess various ..... , such as forfeiture of licenses for the violation of a

statutory or administrative regulation.

- a) rules;
- b) penalties;
- c) regulations;
- d) fines

12.Виберіть слово, що відповідає змісту.

..... are a judicial and executive system, and an organized civil force for maintaining law and order and enforcing the laws. There are traces to be found in every organized society of some system of rules for the maintenance at peace and order. At the same time, a system at .....in the special modern sense of the term did not exist in ancient times.

- a) Courts;
- b) Tribunals;
- c) A government;
- d) Police.

13.Дайте відповідь на запитання після тексту. Britain is one of the few countries in the world (Norway and New Zealand are others) where the police do not normally carry guns. Most people in Britain, including the police, are happy with this. They feel that if the police were armed, criminals too would always carry guns, and the cycle of violence would increase. What is unusual about police in the UK?

- a) One of the first things that visitors to Britain notice is that the police are unarmed;
- b) One of the first things that is unusual about police in the UK is that the police are armed;
- c) The police do not often carry guns;
- d) The police do not always carry guns.

14.Виберіть необхідну форму дієслова. Law enforcement officials will report violations of those laws, codes and sets of principles which .....human rights.

- a) are protected and promoted;
- b) protect and promote;
- c) protected and promoted;
- d) will protect and promote.

15.Виберіть необхідну форму дієслова. No one may be subjected to a heavier penalty than that which was applicable at the time the offence .....

- a) committed;
- b) was committed;
- c) has committed;
- d) had committed.

16.Виберіть необхідну форму дієслова. If the penalty for an offence ..... by

law subsequent to a commission of the offence, the offender must benefit from the lighter penalty.

- a) reduces;
- b) reduced;
- c) is reduced;
- d) would reduce.

17.Виберіть необхідну форму дієслова. This criminal ..... in prison since his twenty.

- a) has been;
- b) have been;
- c) was;
- d) is.

18.Виберіть необхідну форму дієслова. The witness ..... a face of a robber, so it can help to find the offender.

- a) has seen;
- b) have seen;
- c) was seeing;
- d) was seen.

19.Виберіть необхідну форму дієслова. A captain and his partner ..... this case for three years.

- a) are investigating;
- b) have been investigating;
- c) had been investigating;
- d) investigated.

20.Виберіть необхідну форму дієслова. We are arresting a man, who ..... from the prison.

- a) was escaping;
- b) has escaped;
- c) escapes;
- d) had escaped.

21.Виберіть необхідну форму дієслова. The officer informed us that all pills ..... .

- a) still checked;
- b) are still being checked;
- c) are still checking;
- d) were still being checked.

22.Виберіть необхідну форму дієслова. The policeman explained that it ..... illegal to sell cigarettes to children.

- a) is;

- b) was;
- c) has been;
- d) is being.

23.Виберіть необхідну форму дієслова. As a police officer, I was very upset when my motorbike ..... from outside my house last month.

- a) will be taken;
- b) is taken;
- c) was taken;
- d) took.

24.Виберіть необхідну форму дієслова. They ..... that house burglary by 2022.

- a) will investigate;
- b) will have investigated;
- c) will have been investigated;
- d) will be investigating.

25.Виберіть необхідну форму дієслова. .... you ever ..... for speeding?

- a) Do... be fined;
- b) Have... been fined;
- c) Did ... fine;
- d) Were... been fined.

26.Виберіть необхідну форму дієслова. .... documents the secretary risks a lot.

- a) Forging;
- b) Forged;
- c) To Forge;
- d) To be forged.

27.Виберіть необхідну форму дієслова. .... gold ear-rings were found by the police.

- a) Stolen;
- b) To steal;
- c) Steal;
- d) Stealing.

28.Виберіть необхідну форму дієслова. She went home, .....

- a) having been blackmailing;
- b) having been blackmailed;
- c) having blackmailed;
- d) have been blackmailed.

29.Виберіть необхідну форму дієслова. The ..... building is a new supermarket.

- a) arson;
- b) arsoning;
- c) to arson;
- d) arsoned.

30.Виберіть необхідну форму дієслова. All ..... the police arrested that man.

- a) to be understood;
- b) being understood;
- c) being to understand;
- d) be understood.

31.Виберіть необхідну форму дієслова. While ..... a crime scene, a police officer should remember that nothing must be touched or moved.{

- a) protected;
- b) to protect;
- c) protect;
- d) protecting.

32.В якій лінії словотворення не допущено помилку?

- a) To defend—defendant—defender—defence—defencive;
- b) To prosecute—prosecution—prosecutor;
- c) To investigate—investigation—investigator—investigatives;
- d) To suspect—suspicion—suspicious—suspect.

33.Виберіть слово, що відповідає змісту. A ..... is a civil wrong that can be remedied by awarding damages (other remedies may also be available). These civil wrongs result in harm to a person or property that forms the basis of a claim by the injured party. The harm can be physical, emotional or financial. Examples of .....s include medical negligence, negligent damage to private property and negligent misstatements causing financial loss. There are many specific .....s, such as trespass, assault and negligence.

- a) case;
- b) offence;
- c) tort;
- d) crime.

34.В якій лінії допущено помилку? There are a number of different types of torts.

- a) Fraud, premises liability, automobile accidents, defamation;
- b) Malpractice, assault, battery, products liability;
- c) Invasion of privacy, premises liability, products liability, malpractice;
- d) Automobile accidents, manslaughter, battery, fraud.

35.Виберіть слово, що відповідає змісту.

The ..... of the police forces in Britain are as follows: Chief Constable; Assistant

Chief Constable; Chief Superintendent; Superintendent; Chief Inspector; Inspector; Sergeant; Constable.

- a) professions;
- b) ranks;
- c) officials;
- d) jobs.

36.Виберіть необхідну форму дієслова. This criminal practiced in ..... from the prison. {

- a) escaped;
- b) escape;
- c) to escape;
- d) escaping.

37.Виберіть необхідну форму дієслова. You can help me in giving a piece of good advice, you're old enough ..... it better.

- a) knew;
- b) to know;
- c) knowing;
- d) have known.

38.Виберіть необхідну форму дієслова. You ..... to have visited your brother – prisoner, but you didn't.

- a) should;
- b) can;
- c) ought;
- d) may.

39.Дайте відповідь на запитання: Which are the categories of criminal offence in the UK?

- a) alleged offences and notifiable offences;
- b) summary offences and alleged offences;
- c) summary offences, indictable offences, notifiable offences;
- d) summary offences and indictable offences.

40.Виберіть вірне ствердження:

- a) Unlawful killing is probably the act most frequently targeted by the civil law;
- b) Criminal law defines criminal offenses, regulates the apprehension, charging, and trial of suspected persons, and fixes penalties and modes of treatment applicable to convicted offenders;
- c) Manslaughter (Culpable Homicide in Scotland) is a lesser variety of killing committed in the presence of malice, brought about by reasonable provocation, or diminished capacity;
- d) The crime of battery is traditionally understood as an lawful touching,



although this does not include everyday knocks and jolts to which people silently consent as the result of presence in a crowd.

41. Виберіть визначення до поняття «the indictment».

- a) a statement made by the person charged, where the defendant admits the fact of having committed the offence;
- b) serious offences tried publicly with formal procedure;
- c) a written statement that accuses of smth officially;
- d) an order to appear in a law court.

42. Дайте відповідь на запитання: What are the most common types of cases to appear in civil court?

- a) contract disputes, assault, drunk driving, burglary, disputes about property ownership, complaints against the city or federal government,;
- b) contract disputes, disputes about property ownership, murder, torts, class action cases;
- c) robbery, torts, complaints against the city or federal government, class action cases;
- d) contract disputes, disputes about property ownership, torts, complaints against the city or federal government, class action cases.

43. Дайте відповідь на запитання: What are indictable offences in criminal proceedings in the UK?

- a) notifiable offences;
- b) summary offences;
- c) minor offences;
- d) petty crimes.

44. Дайте відповідь на запитання після тексту. It is an intentional untruth or a dishonest scheme used to take deliberate and unfair advantage of another person or group of persons. It includes any means, such as surprise, trickery, or cunning, by which one cheats another. Courts have distinguished two types of it, actual and constructive. Actual one is intentional criminal deception for the purpose of inducing another to part with something of value, to acquire something of less than apparent value, or to surrender a legal right. Schemes specifically intended to cheat someone, such as selling shares in nonexistent plots of land, are actual ones. Constructive ones are words, acts, or omissions that tend to mislead or deceive someone or violate a confidence but that are not necessarily of malicious intent. Selling a house while forgetting to mention a chronically malfunctioning heating system is an example of constructive one. Usually, the victim of it may sue the wrongdoer and recover the amount of damages caused by the fraud or deceit. But the victim must be able to prove damages. What offence is this text about?

- a) burglary;
- b) assault;
- c) fraud;

d) premises liability.

45. Дайте відповідь на запитання після тексту. It is a threat against a person, and battery is a physical attack. For example, a person who waves a fist in front of another person and threatens to beat that person is guilty of it; a person who strikes another person with a fist is guilty of battery. The victim can sue for damages, and the state may also prosecute for misdemeanor. The victim must prove that he or she was in imminent danger of injury or had reason to think so. Abusive language alone does not constitute it. Threatening with a pistol may be it, even if the weapon is unloaded. In a case of battery the amount of contact is unimportant, for any touching of another person in an angry, vengeful, rude, or insolent manner constitutes a battery. What offence is this text about?

- a) robbery;
- b) assault;
- c) burglary;
- d) fraud.

46. Виберіть слова, що відповідають змісту. Criminal proceedings can be initiated ..... by the serving of a summons setting out the offence and requiring the accused to attend court, ....., in more serious cases, by a warrant of arrest issued by a Magistrates Court. Lawyers from the CPS may act as public prosecutors.

- a) neither ... nor;
- b) either ... or;
- c) between ... and;
- d) or ... and.

47. Виберіть необхідну форму дієслова. The profession of a constable in the UK ..... be able: to stop and question anyone who is acting suspiciously; to deal with anything from a road accident to a smash-and-grab raid; to help or to advise any citizen who needs or asks for assistance; to control a crowd — which can gather surprisingly quickly; to stop a runaway thief, to keep order in a busy street; to give first aid to someone taken suddenly ill etc.

- a) must;
- b) can;
- c) could;
- d) should.

48. Виберіть необхідну форму дієслова. The police ..... a crime and may apprehend suspects and detain them in custody.

- a) investigates;
- b) investigate;
- c) is investigating;
- d) has investigated.

49.Виберіть необхідну форму дієслова. In Britain the prevention of crime, in fact, depends fundamentally on the visible presence of a uniformed policeman. The principle is accepted in every police force throughout the country, and the method ..... for putting the principle into practice is the 'beat' system.

- a) is used;
- b) uses;
- c) is using
- d) used.

50.Виберіть необхідне модальне дієслова. Perhaps this young man ..... help you today.

- a) should;
- b) could;
- c) can;
- d) will be able to.

## **SUPPLEMENTARY TEXTS AND TASKS ABOUT THE BRITISH AND US POLICE**

### **TEXT 1**

#### **A BRIEF HISTORY OF THE BRITISH POLICE**

In early times Britain was invaded by the Anglo-Saxons who brought with them their own customs and laws to protect their people and property. According to AngloSaxon custom if someone broke the law it was not just a crime against the victim, but a crime against the whole community.

The Anglo-Saxons kings expected their people to keep good order and this they called keeping the peace. It was also the duty of every citizen to see that the law was not broken, and if it was, to catch the offenders. All the males in the community between the ages of 12 and 60 were responsible for this duty. They were organized in group of about ten families and each group was called a tithing [—десятина] and their leader was known as a tithingman. Each member of the group was responsible for the good behavior of the others. If one committed a crime, the others had to catch him and bring him before a court. If they failed to do so, they were all punished. In a way the tithingman was the very earliest of policeman because it was his duty to see that the king's peace was kept. If anyone saw a crime, they raised a hue and cry and all men then had to join in the chase to catch the criminal in order to bring them before the court.

In 1285 a law laid down rules which made the citizen of every walled town—watch the town continually all night, from the sun setting to the sun rising. Any stranger was to be put under arrest and handed over to the constable in the morning. It was the constable's duty to organize night watchmen in turns to carry out these duties.

In 1361, An Act of Parliament made it law for each county to appoint three or four worthy men to arrest, restrain and chastise offenders and rioters. These men were to be known as justices of the peace which still exist today in Magistrates Courts.

In Tudor and Stuart Times the constable was still not given any pay or uniform. He was an ordinary citizen chosen to do a special job. The duties he performed were not popular and were increasing. Not only did he have to catch those who committed crimes but carry out punishments as well.

In 1663, the City of London began to employ paid watchmen to guard the streets at night. They carried a bell, a lantern and a rattle and were armed with a staff.

In 1748 London was a very dangerous place to live. London needed a more permanent and efficient force than the local constables. A large foot patrol in plain clothes was organized. They were armed with cutlass and truncheon and worked in the inner London area and for about 5 miles along the roads of the suburbs.

In 1856, the government made a law that every county, as well as the towns, must provide a police force. Inspectors of constabulary were appointed to make sure that бунтівник gave them a grant of money to help run their force.

**Task I. Answer the questions.**

1. What was the result of Britain occupation by the Anglo-Saxons? 2. Were the Anglo-Saxons kings careful to their citizens? 3. What measures have they provided to prevent and chastise offenders? 4. What munitions have the watchmen had? 5. What is the history of appealing the Magistrates Court? 6. What were the inspectors of constabulary appointed for?

**Task II. Make a list of peculiarities in the development of the Police Force.****Task III. Put the missing words in the sentences:**

(a) foot, (b) stranger, (c) customs, (d) plain, (e) laws, (f) watchmen, (g) arrest, (h) property, (i) tithingman, (j) the duty, (k) tithing

1. Anglo-Saxons brought with them their own ... and ... to protect their people and ... . 2. It was also the ... of every citizen to see that the law was not broken. 3. The leader of a ... was known as a ... . 4. Any ... was to be put under ... and handed over to the constable in the morning. 5. The City of London began to employ paid ... to guard the streets at night. 6. A large ... patrol in ... clothes was organized.

**TEXT 2****THE METROPOLITAN POLICE**

The Metropolitan Police was founded in 1829 by Sir Robert Peel and it can be regarded as the first modern police force. Its headquarters was moved in 1890 to new buildings erected on the Thames Embankment, which became known as New Scotland Yard.

In 1967 the present headquarters, a modern 20-storey building situated near the Houses of Parliament, was opened. The Metropolitan Police, and other forces that were set up in the United Kingdom (UK) in the wake of its success, was directed to crime prevention as its main objective. It was guided by the belief that it could only function effectively with the consent and cooperation of the public. The Metropolitan Police has been famous around the world for many years. The Criminal Investigation Department (CID) is known for its extensive investigative techniques and activities; it is frequently called in to help local police in solving murder cases. Its fingerprint division was the prototype for similar systems used by the United States Federal Bureau of Investigation (FBI) and by many other modern police forces.

In addition, the Metropolitan Police maintains a criminal records office, forensic laboratories, a detective-training school, a criminal intelligence department, an antiterrorist unit, and fraud and drug squads. Besides its work in crime detection, Scotland Yard directs all metropolitan police activities, including traffic control. Many authors have used Scotland Yard as a background for their mystery stories; among the most popular are the works of Sir Arthur Conan Doyle.

**Task I. Answer the questions.**

1. When was the Metropolitan Police founded? 2. Where is its headquarters situated? 3. What is the main Police forces' objective? 4. Which way does the Police contact with the public? 5. What is CID known for? 6. What departments are there in the Metropolitan Police? 7. Is there a traffic department in the Metropolitan Police? 8. Whose name in literature is closely connected with the Metropolitan Police? Why? What his stories have you read?

**Task II. Find in the text the Ukrainian equivalents for the following.**

Бути заснованим, переїхати, возводити, 20-ти поверхова будівля, успіх, віра, співпраця, у всьому світі, технології та діяльність по розслідуванню, школа підготовки детективів, загін по розслідуванню шахрайства, включати, таємнича історія.

**TEXT 3**  
**SPECIAL ESCORT GROUP**

The Special Escort Group of the Metropolitan Police was first formed in November 1952 in preparation for the visit of Marshal Tito, President of Yugoslavia in March 1953. The Group was again used to escort Her Majesty the Queen during her Coronation in June of the same year. In March 1956, the Group was reformed for the visit of the Soviet Leaders and has been used regularly since then to provide protocol and security escorts for visiting Heads of State and other ceremonial events. Since then the responsibilities of the Group have been expanded to include escorting members of the Royal Family and all aspects of security movements, for example the escorting of high-risk prisoners and high value loads, although this type of escort is usually carried out in motor cars. The Special Escort group is made up of officers selected from the ranks of London's Traffic Patrol. The members of the Group are all required to be advanced motor-cyclists and car drivers, having attended courses of instruction at the world famous Hendon Police Driving School. They are also trained in the use of firearms and anti-terrorist ambush techniques. After many years of success in this role, the Special Escort Group became so well known that it was receiving requests from the public for displays of its skill.

The idea of the Precision Team, composed of members of the SEG, was developed and came to fruition in 1959. Since its formation, the Metropolitan Police Motor Cycle Precision Team has been seen by countless numbers of visitors to outdoor shows, ranging from school fetes to county and international shows. The machines used are BMW K100 cc solo motor cycles. Each officer is responsible for the appearance of his machine, which is equipped for normal Traffic Patrol and escort duties and fitted with road tyres. The display is not one of trick-riding but is a disciplined team effort, an essential requirement of escort duties. The object of such demonstration is to emphasise the control a motor cyclist should be able to exercise over his machine, and the manner in which a powerful motor cycle can be ridden at varying speeds in a confined area. From the beginning, a balance has been struck between entertaining the public and providing a demonstration of the skill required to carry out Ceremonial Escorts. With this in

mind, the Group has developed a programme aimed at the motor cycling public, in the hope of influencing them to become better riders. The Group's role in providing escorts for Royalty and VIP visitors to this country, demands the same extremely high degree of skill in motor-cycle control, bearing in mind the traffic congestion often found in and around London. Their primary aim is to provide a smooth, punctual and, above all, safe journey.

**Task I. Answer the following questions.**

1. When was the SEG first formed? 2. Since what time has been the Group regularly used? 3. What are the responsibilities of the Group? 4. What requirements should the members of the Group meet? 5. What is the Precision Team? When did the idea of it come to fruition? 6. What is the object of outdoor shows?

**Task II. Match points of the plan with the right paragraphs of the text.**

- a) The members of the SEG.
- b) The object of outdoor shows.
- c) Outdoor shows.
- d) The formation of the SEG.
- e) The primary aim of the SEG.
- f) The idea of the Precision Team.
- g) The responsibilities of the SEG.

## **TEXT 4**

### **DOG SECTION**

In 1946 the Metropolitan Police decided to look seriously at the possibility of using dogs for police work. By the end of that year there were six Labradors on the strength of the Service.

These dogs and their handlers were given a thorough training course and then they were sent to work in Central London. They proved highly successful, especially in such areas as Hyde Park, and as a result it was decided to use dogs throughout the Metropolitan Police District.

Today there are over 300 operational dogs working in London. The most popular dog for police work is the German Shepherd, commonly known as the Alsatian. Labradors and Spaniels are also used and are particularly effective in the field of narcotics and explosives detection. Since 1960 the Metropolitan Police has been breeding many of its own dogs.

During whelping the bitches and their puppies are cared for in the modern breeding block at the Dog Training Establishment at Keston in Kent. Some of the adult dogs are either gifts or bought from the public. The main qualities required of a police dog are that it should be of a fine physique and good temperament. These dogs are originally kept at Keston for a period of one to three weeks to assess their health and working capabilities.

When a puppy is two months old it is allocated to a handler and goes to live at his or her home. This stage is very important as trust and affection form the basis of a good working relationship. The puppy returns with its handler to the training establishment every month for a check up.

When the puppy is nine months old it returns to Keston for a week's training in basic obedience and nose work. When the dog is a year old it spends twelve to fourteen weeks in training. It is taught to track a ground scent, to search different types of terrain such as open country, woodland and buildings for criminals and property and to give tongue, or 'speak', as soon as it finds what it has been seeking. It is also taught to chase and hold criminals, but it is trained not to bite them indiscriminately. After this initial course a dog starts work on Division, but with its handler it is required to attend frequent refresher courses at one of the five continuation training centres.

Dog handlers work the same shift system as other officers in the Uniform Branch. They are on patrol for seven hours and the remaining hour is allowed for feeding, grooming and exercising the animal. The real value of a dog is as a deterrent and to detect crime. But of course the type of beat that they patrol varies according to the district in which they serve.

With the introduction of personal radio and their specially equipped vans, dog handlers have become increasingly mobile, which has added to their operational efficiency. In addition to searching, chasing and tracking, dogs are also used for recovering stolen property which has been abandoned and for finding missing persons.

**Task I. Answer the following questions.**

1. What were the first dogs used by the Metropolitan Police?
2. How many operational dogs are working in London today?
3. Where are police puppies cared?
4. What is the role of a handler in dog training?
5. What duties do police dogs perform?

**Task II. Enumerate all the functions of the police dogs mentioned in the text.**

*e.g. Police dogs detect narcotics and explosives.*

## **TEXT 5**

### **POLICING FROM THE AIR**

Helicopters are part of the Air Support Unit of the Metropolitan Police. The Unit is based at Lippitts Hill in open country near Epping Forest and the facilities there include a hangar, a control room overlooking the landing pad, workshops, service bays and stores. From this base, the helicopters, with a maximum speed of 150 knots, can be over anywhere in the Metropolitan Police Area within 15 minutes flying time.

The basic flying pattern for the helicopter is to carry out a fixed number of routine patrols (about 1 ½ hrs), Monday to Friday. During the evening, after rush-



hours and at weekends the helicopters are available on an 'as required' basis. In an emergency, a helicopter can be in the air at very short notice - any time of the day or night.

The list of police operations in which the helicopters may be called upon for help is endless. Crowd control, traffic control, searching and pursuing and any situation in which observation from the air is of special value are all part of the helicopters' workload.

A typical day's operations recently include going to the scene of an armed robbery in South London, observing the build-up of a traffic jam on a main road into North London and a search for a stolen lorry in an area of parkland, golf course and market gardens. In a typical month, the Air Support Unit will take part in 450 assignments of all kinds.

The Metropolitan Police helicopters of the Air Support Unit are observation and communication platforms in the sky and their equipment for these jobs must be the best available. Each helicopter can be quickly fitted with the "Heli-Tele" air-to-ground colour television system. With this, colour TV film of anything happening on the ground can be relayed back to Scotland Yard (via a mobile receiver station if necessary) and the film taken can be recorded for later viewing.

Radio Communications between air and ground cover all Metropolitan Police Channels, Air Traffic Control at Battersea and Heathrow and all UK aeronautical channels. The helicopter pilots are civilians from Bristow Helicopters. The observers (there are normally two in each aircraft) are experienced Metropolitan Police officers who have been specially trained for this job.

**Task I. These phrases summarise the main idea of each paragraph of the text. Match each phrase with the correct paragraph.**

- a) police operations of the helicopters
- b) staff
- c) routine patrols
- d) facilities of the Air Support Unit
- e) helicopters equipment

**Task II. Find a word or phrase in the text that has a similar meaning.**

- 1. a type of aircraft without wings capable of moving horizontally and vertically  
h .....
- 2. opportunity or equipment for doing something  
f .....
- 3. headquarters  
b .....
- 4. regular course or procedure, unvarying performance of certain acts  
r .....
- 5. time(s) each day when traffic is heaviest  
r ..... h .....
- 6. traffic at a standstill because of roadwork, an accident, etc

t ..... j.....

7. person not in the armed services or police force

c .....

## **TEXT 6**

### **THAMES DIVISION**

In the 1790's the West India Company of Merchantmen decided to form their own river patrol to protect their cargoes against looting and pilfering which were rife at the time. From this small beginning the idea of a river police was developed.

The first Marine Police Office was opened in 1798 on the site of the present Divisional Headquarters of Thames Division at Wapping. This consisted of a judicial department as well as a police department and was under the control of a resident Magistrate. In 1839 the Police Office was made part of the 10 year old Metropolitan Police and the judicial department became the Thames Police Court. In the early days, the police officers carried out their work in rowing boats and sailing craft but in 1910 motor boats were introduced.

Today duty boats constantly patrol the river 24 hours a day, together with launches used by senior officers both for ordinary duty and ceremonial occasions. Apart from carrying gear required by Statutory and Port Regulations, the boats are also equipped with drags, lifebuoys, buoyant cushions, salvage gear and first aid equipment including a stretcher and a resuscitator.

Thames Division covers 54 miles of river from Dartford Creek to Staines Bridge and is served by three police stations. All the officers are volunteers drawn from every other Branch and Division in the Force. Numbers of them have served with the Royal or Merchant Navies. All officers can swim, have a high standard of first aid and are required to pass an examination in the management of boats and navigation. The beat and patrol systems which operate on the river are similar to those on land and have the same broad function to perform. This is the protection of life and property of all those connected with the river, whether they work there in the wharfs, live there or spend their leisure time on pleasure craft. In addition, Thames Division also has responsibility for dealing with vessels in collision, fires on ships, barges or wharfs, the salvage of property which has come adrift and the securing of drifting barges.

Wapping is also the headquarters of the famous Underwater Search Unit - the police frogmen. The Unit consists of nine divers with an Inspector in charge. The Unit operates throughout the Metropolitan Police District and is used to search rivers, flooded gravel pits and quarries, ponds, canals and waterways to recover missing persons, stolen property and weapons and other articles used in crime.

#### **Task I. Answer the following questions.**

1. When was the idea of a river police developed?
2. What did the first Marine Police Office consist of ?
3. What are the today duty boats equipped with?
4. What are the basic requirements to the officers of Thames Division?

5. What are similarities and differences in the duties of river police officers and those on land?
6. What is the Underwater Search Unit famous for?

**Task III. Find in the text the synonyms to the following words.**

- a) to plunder – to l.....
- b) formal – c.....
- c) to steal – to p.....
- d) role – f .....
- e) thought, suggestion – i.....
- f) customary, usual – r .....
- g) to guard, to protect – to p.....
- h) pier – w .....
- i) long boat – l.....
- j) diver – f.....

## **TEXT 7**

### **A BRIEF HISTORY OF THE US POLICE**

The first local police department established in the United States was the Boston Police Department in 1838, followed by the New York City Police Department in 1844. Early on, police were not respected by the community, as corruption was rampant. In the late 19th and early 20th century, there were few specialized units in police departments. The advent of the police car, two-way radio, and telephone in the early 20th century transformed policing into a reactive strategy that focused on responding to calls for service.

In the 1920s, led by Berkeley, California police chief, August Vollmer, police began to professionalize, adopt new technologies, and place emphasis on training. With this transformation, police command and control became more centralized. O.W. Wilson, a student of Vollmer, helped reduce corruption and introduce professionalism in Wichita, Kansas, and later in the Chicago Police Department. Strategies employed by O.W. Wilson included rotating officers from community to community to reduce their vulnerability to corruption, establishing of a nonpartisan police board to help govern the police force, a strict merit system for promotions within the department, and an aggressive, recruiting drive with higher police salaries to attract professionally qualified officers. Despite such reforms, police agencies were led by highly autocratic leaders, and there remained a lack of respect between police and the community. During the professionalism era of policing, law enforcement agencies concentrated on dealing with felonies and other serious crime. Following urban unrest in the 1960s, police placed more emphasis on community relations, and enacted reforms such as increased diversity in hiring.

The Kansas City Preventive Patrol study in the 1970s found the reactive approach to policing to be ineffective. In the 1990s, many law enforcement agencies began to adopt community policing strategies, and others adopted problem-oriented policing. In the 1990s, CompStat was developed by the New

York Police Department as an information-based system for tracking and mapping crime patterns and trends, and holding police accountable for dealing with crime problems. CompStat, and other forms of information-led policing, have since been replicated in police departments across the United States and around the world. California municipalities were among the first to hire women as officers. The first female police officer was Alice Stebbins Wells, who was hired by the Los Angeles Police Department in 1910. The LAPD also hired the first African-American police officer, Georgia Ann Robinson, in 1916. The first female deputy sheriff, Margaret Q. Adams, was hired by the Los Angeles County Sheriff's Department in 1912.

**Task I. Answer the following questions.**

1. Where in the USA was the first local police department established?
2. Why weren't police respected by the community?
3. What transformed policing into a reactive strategy?
4. Under whose direction did police begin to professionalize, adopt new technologies, and place emphasis on training?
5. What did strategies employed by O.W. Wilson include? Were they crowned with success?
6. What strategies did many law enforcement agencies begin to adopt in the 1990s?
7. What was CompStat developed for?
8. What municipalities were among the first to hire women as officers?

**Task VII. Mark these statements as T (true) or F (false).**

1. The United States inherited law enforcement from Great Britain.
2. Most officers in colonial America received a salary.
3. The first local police department established in the United States was the Chicago Police Department in 1838.
4. The second one was the New York City Police Department established in 1844.
5. Police were respected by the community, as corruption was rampant.
6. O.W. Wilson helped raise corruption and introduce professionalism in Kansas.
7. An aggressive, recruiting drive with higher police salaries was introduced to attract professionally qualified officers.
8. During the professionalism era of policing, law enforcement agencies concentrated on dealing with misdemeanours.
9. CompStat is an information-based system for tracking and mapping crime patterns and trends.
10. California municipalities were among the last to hire women as officers.

**TEXT 8**

**FEDERAL POLICE**

The police forces in the USA as for their jurisdictions are divided into Federal and State police.

Federal police fall into two broad categories: investigative agencies and uniformed security police agencies. Both types operate at the highest level and are endowed with police or quasi-police roles, both may maintain a small component of the other.

The investigative agencies have nationwide jurisdiction for enforcement of federal law, while the uniformed agencies have limited territorial jurisdictions. The FBI has the most general investigative powers, while the other federal agencies are highly specialized.

All federal agencies are limited by the U.S. Code to investigating only matters that are explicitly within the power of the federal government. However, federal investigative powers have become very broad in practice. At a crime or disaster scene affecting large numbers of people, multiple jurisdictions, or broad geographic areas, many police agencies may be involved by mutual aid agreements. Usually the highest local agency having jurisdiction, or the highest federal law enforcement agency (if federal law was involved) will take command in such complex situations. The federal government is prohibited from exercising general police powers due to restrictions in the constitution, due to the fact that the United States is organized as a union of sovereign states, which each retain their police, military and domestic law-making powers.

For example, the State's National Guard is the state's military. The constitution gives the federal government the power to deal with foreign affairs and interstate affairs (affairs between the states). For policing, this means that if a domestic crime such as murder is committed in a state and the fugitive does not flee the state, the federal government has no jurisdiction.

However, once the fugitive crosses a state line he violates the federal law of interstate flight and is subject to federal jurisdiction, at which time the FBI may become involved.

Investigative agencies, for example: - Federal Bureau of Investigation (FBI) - Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) - Drug Enforcement Administration (DEA) - Naval Criminal Investigation Service (NCIS) - United States Army Criminal Investigation Division (CID) - Coast Guard Investigative Service (CGIS) - Immigration and Customs Enforcement (ICE) - Central Intelligence Agency (CIA).

Uniformed security police agencies, for example: - United States Marshals Service (USMS) - United States Capitol Police (USCP) - United States Park Police (USPP) - United States Mint Police (USMP) - United States Customs Service (USCS) - United States Border Patrol (USBP) - United States Coast Guard (USCG) - Federal Protective Service (FPS) - United States Secret Service Uniformed Division (USSSUD) - United States Supreme Court Police Department (USSCPD) - United States Federal Reserve Police (USFRP) - United States Veterans Affairs Police Department (USVAPD) - United States National Park Service Rangers (USNPSR).

### **Task I. Answer the following questions.**

1. What is the principle of the US police forces division?

2. What are the federal police categories?
3. What jurisdiction do the investigative agencies have?
4. What is the jurisdiction of the uniformed agencies?
5. What US police agency has the most general investigative powers?
6. What document limits the matters of all federal agencies? Is it steadily in practice?
7. When do different agencies interact?
8. Is it allowed and legal for the federal government to exercise police powers?
9. What powers does every sovereign state retain?
10. When does the fugitive become the subject of federal jurisdiction?

**Task II. Find in the text the English equivalents for the following words and expressions.**

зовнішні питання; виконувати роль, яка межує з функціями поліції; згідно сфери повноважень; можна залучати; безсумнівно у владі; взаємна угода; діяти на вищому рівні; перетинати кордон штату; місце злочину; бути розділеним; внутрішні законотворчі повноваження; заборонено виконання; юрисдикція, яка розповсюджена на територію всієї країни; складні випадки; найзагальніші повноваження.

## **TEXT 9**

### **FEDERAL BUREAU OF INVESTIGATION**

The Federal Bureau of Investigation (FBI) is the primary investigative arm of the United States Department of Justice (DOJ), serving as both a federal criminal investigative body and a domestic intelligence agency. At present, the FBI has investigative jurisdiction over violations of more than 200 categories of federal crimes, making the FBI the de-facto lead law enforcement agency of the United States government. The motto of the bureau is "Fidelity, Bravery, Integrity".

The mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners.

Currently, the FBI's top investigative priorities are: - protect the USA from terrorist attack; - protect the USA against foreign intelligence operations and espionage; - protect the USA against cyber-based attacks and high-technology crimes; - combat public corruption at all levels; - protect civil rights; - combat transnational/national criminal organizations and enterprises; - combat major white-collar crime; - combat significant violent crime; - support federal, state, local and international partners; and - upgrade technology for successful performance of the FBI's mission.

The FBI will strive for excellence in all aspects of its missions. In pursuing these missions and vision, the FBI and its employees will be true to, and exemplify, the following core values: - rigorous obedience to the Constitution of the United States; - respect for the dignity of all those they protect; - compassion; -

fairness; - uncompromising personal integrity and institutional integrity; - accountability by accepting responsibility for actions and decisions and the consequences of actions and decisions; - leadership, both personal and professional.

The FBI is headquartered at the J. Edgar Hoover Building in Washington, D.C., with 56 field offices in major cities across the United States. The FBI also maintains over 400 resident agencies across the United States, as well as over 50 legal attachés at United Criminal Justice Information Services Major units: Behavioral Analysis Unit (BAU) Critical Incident Response Group (CIRG) Counterterrorism Division (CTD) Law Enforcement Bulletin Unit (LEBU) Hostage Rescue Team (HRT) Joint Terrorism Task Force (JTTF) National Security Branch (NSB) States embassies and consulates.

The FBI Laboratory serves as the primary lab for most DNA, biological, and physical work. Public tours of FBI headquarters ran through the FBI laboratory workspace before the move to the J. Edgar Hoover Building. The services of the FBI Laboratory are used by many state, local, and international agencies free of charge. The lab also maintains a second lab at the FBI Academy. The FBI Academy, located in Quantico, Virginia, is home to the communications and computer laboratory the FBI utilizes. It is also where new agents are sent for training to become FBI Special Agents. Going through the twentyone week course is required for every Special Agent. It was first opened for use in 1972 on 385 acres (1.6 km<sup>2</sup>) of woodland. The Academy also serves as a classroom for state and local law enforcement agencies who are invited onto the premiere law enforcement training center. The Criminal Justice Information Services (CJIS) Division is located in Clarksburg, West Virginia.

It is the youngest division of the FBI only being formed in 1991 and opening in 1995. The complex itself is the length of three football fields. Its purpose is to provide a main repository for information. Many state and local agencies use these systems as a source for their own investigations and contribute to the database using secure communications.

FBI provides these tools of sophisticated identification and information services to local, state, federal, and international law enforcement agencies. On July 3, 2007, the FBI had a total of 30,646 employees. That includes 12,444 special agents and 18,202 support professionals such as intelligence analysts, language specialists, scientists, information technology specialists, and other professionals. In fiscal year 2007, the FBI total budget was approximately \$6.04 billion, including \$318 million in program increases for counterterrorism, surveillance, information technology, forensics, training, and information sharing programs.

### **Task I. Answer the following questions.**

1. What is the Federal Bureau of Investigation (FBI)?
2. Over what does the FBI investigative jurisdiction extend?
3. What is the bureau's motto?
4. What is the mission of the FBI?
5. What are the FBI's top investigative priorities?

6. Where is the FBI headquartered?
7. What does the FBI Laboratory serve as?
8. Where are new agents trained?
9. What is the youngest division of the FBI?
10. What is its purpose?

**Task II. Match the points of the plan with the right paragraphs of the text.**

- a) The FBI budget.
- b) The FBI Divisions.
- c) General information.
- d) The FBI location.
- e) The missions and priorities of the FBI.
- f) The core values.
- g) The FBI employees.

### **TEXT 10**

**Before reading the text about FBI specialists decide whether the following statements are true (T) or false (F). Then read the text to check whether you were right.**

- \_\_\_ 1. The FBI employees are divided into two groups: Special Agents and Professional Support.
- \_\_\_ 2. Only Special Agents must qualify for a top-secret security clearance before they can begin their service. \_\_\_
3. The FBI makes a final decision to hire an individual immediately after the first interview.
- \_\_\_ 4. Some positions within the FBI also require a medical examination.
- \_\_\_ 5. To be an FBI Special Agent, an individual must be at least 16.
- \_\_\_ 6. Today, the FBI seeks applicants with expertise in languages, computers, and the sciences.
- \_\_\_ 7. Once chosen, applicants must complete an intensive, seventeen-week training program at the FBI Academy in Washington, DC.
- \_\_\_ 8. The FBI's investigative programs include counterterrorism, informant development and counterintelligence.
- \_\_\_ 9. Professional Support employees are not generally required to pass a written entrance exam or have a medical examination.
- \_\_\_ 10. The mandatory retirement age for most Professional Support employees is

### **FBI Special Agents and Employees**

The FBI hires its own employees through recruitment efforts by the field offices and a centralized hiring system at Headquarters.

Due to the FBI's responsibilities in criminal law enforcement and in the Intelligence Community, all FBI employees, whether they are Special Agents or Professional Support, must qualify for a top-secret security clearance before they can begin their service. This qualification includes an extensive background



investigation. The FBI does not make a final decision to hire an individual until all the information gathered during the background investigation is assessed. Once hired, all FBI employees must maintain their eligibility for a top-secret security clearance, undergo a limited background check every five years, and submit to random drug tests throughout their careers.

Some positions within the FBI also require a medical examination, and some require employees to sign an agreement stating their willingness to be assigned anywhere in the world. Special Agents FBI Special Agents are specially trained personnel, chosen from an extensive pool of applicants because they possess specific areas of expertise.

To be an FBI Special Agent, an individual must: - be a United States citizen; - be at least 23 and not yet have reached his or her 37th birthday on appointment; - have at least a bachelor's degree from an accredited, four-year resident program at a college or university; pass a written examination; - complete several in-person interviews; - pass a comprehensive medical examination, including vision and hearing tests.

Applicants with these qualifications will be chosen if they have specific experience or expertise needed by the FBI. The criteria (backgrounds in law enforcement, law, or accounting) changes over time according to the FBI's current priorities. Today, the FBI not only seeks applicants with these backgrounds, but also with expertise in languages, computers, and the sciences. Once chosen, applicants must complete an intensive, seventeen-week training program at the FBI Academy in Quantico, Virginia.

This training program teaches new Special Agents the basic skills they will need to conduct effective investigations in all the FBI's investigative programs, such as:

- counterterrorism;
- ethics, with practical law enforcement applications;
- computer intrusions and fraud;
- communications and interviewing;
- informant development;
- evidence collection and handling;
- equal opportunity employment and cultural sensitivity;
- counterintelligence;
- computer search and seizure;
- human behavior;
- communications and interviewing;
- constitutional criminal procedure;
- physical fitness and defensive tactics;
- firearms; - practical problems.

Professional Support employees work alongside and in support of Special Agents. Some Professional Support positions require only that an applicant be 16 years old and possess a high school diploma or GED; many others require college degrees, or even advanced degrees, and specific work experience.

All Professional Support employees must complete the same application and go through the same background investigation process as Special Agents, but are not generally required to pass a written entrance exam or have a medical examination. There is no mandatory retirement age for most Professional Support employees.

**Task I. Fill in the table below.**

	Entry requirements	Training	Security clearance
Special Agents			
Professional Support Employees			

**Task II. Using the table give a 2 min. summary of the text.**

## APPENDIXES

### Appendix A

#### Rules of Criminal Procedure

##### **Procedure 1. Introduction of Documents or Physical Evidence:**

Sometimes the parties wish to offer as evidence letters, affidavits, contracts, or other documents, or even physical evidence such as a murder weapon, broken consumer goods, etc. Special procedures must be followed before these items can be used in trial.

##### ***Step 1. Introducing the Item for Identification***

(a) An attorney says to the judge, «Your Honour, I wish to have this (letter, document, item) marked for identification as (Plaintiffs Exhibit A, Defence's Exhibit A, etc.).

(b) The attorney takes the item to the clerk, who marks it appropriately.

(c) The attorney shows the item to the opposing counsel.

(d) The attorney shows the item to the witness and says, «Do you recognize this item marked as Plaintiffs Exhibit A?

*Witness : Yes.*

*Attorney : Can you, please, identify this item?*

*Witness : This is a letter I wrote to John Doe on September 1. (Or witness gives other appropriate identification.)*

(e) The attorney may then proceed to ask the witness question about the document or item.

##### ***Step 2. Moving the Document or Item into Evidence.***

If the attorney wishes the judge or the jury to consider the document or item itself as part of the evidence and not just as testimony about it, the attorney must ask to move the item into evidence at the end of the witness examination. The attorney proceeds as follows:

(a) The attorney says, «Your Honour, I offer this (document / item) into evidence as Plaintiff's Exhibit A, and ask that the court admits it.

(b) Opposing counsel may look into the evidence and make objections at this time.

(c) The judge rules on whether the item may be admitted into evidence.

##### **Procedure 2. Impeachment On cross-examination,**

an attorney wants to show that the witness should not be believed. This is best accomplished through a process called «impeachment, which may use one of the following tactics:

(1) asking questions about prior conduct of the witness that makes the witness\* truthful-ness doubtful (e.g., «Isn't it true that you once lost a job because you falsified expense reports?);

(2) asking about evidence of certain types of criminal convictions (e.g., «You were convicted of shoplifting, weren't you?);

or (3) showing that the witness has contradicted a prior statement, particularly one made by the witness in an affidavit. Witness statements in the Mock Trials Materials are considered to be affidavits. In order to impeach the witness by

comparing information in the affidavit to the witness testimony, attorneys should use this procedure:

***Step 1. Repeat the statement the witness made on direct or cross-examination that contradicts the affidavit.***

*Example: Now, Mrs. Burke, on direct examination you were out of town on the night in question, didn't you? (Witness responds, «Yes.»)*

***Step 2. Introduce the affidavit for identification***, using the procedure described in Procedure 1.

***Step 3. Ask the witness to read from his or her affidavit the part that contradicts the statement made on direct examination.***

*Example: All right, Mrs. Burke, will you read paragraph three? (Witness reads, «Harry and I decide to stay in town and go to the theatre.»)*

***Step 4. Dramatize the conflict in the statements.*** (Remember, the point of this line of questioning is to demonstrate the contradiction in the statements, not to determine whether Mrs. Burke was in town or out of town.)

*Example:*

— *So, Mrs. Burke, you testified that you were out of town on the night in question, didn't you?*

— *Yes.*

— *Yet, in your affidavit you said you were in town, didn't you?*

— *Yes.*

### **Procedure 3. Qualifying an Expert.**

Only a witness who is qualified as an expert may give an opinion as to scientific, technical, or other specialized knowledge in the area of his/her expertise. (Note: A lay witness may give an opinion about something related to one's common experience (see Rule 6).) Expert cannot give opinions on the ultimate issue of the case. Before an expert gives his/her expert opinion on a matter, the lawyer must first qualify the expert. First, the lawyer must lay a foundation that shows the expert is qualified to testify on issues related to that expert's field of expertise. To lay a foundation, the lawyer asks the expert to describe factors such as schooling, professional training, work experience and books he/she has written that make a person an expert regarding a particular field. Second, once the witness has testified about his/her qualifications, the lawyer asks the judge to qualify the witness as an expert in a particular field.

***Example:***

The wife of Harold Hart is suing Dr. Smith and General Hospital for malpractice. She claims they did not treat Mr. Hart for an obvious heart attack when he was brought to the hospital. Mrs. Hart's lawyer is examining expert witness, Dr. Jones:

Q: Dr. Jones, what is your occupation?

A: I am a heart surgeon. I am Chief of Staff at the Howard University Medical Center.

Q: What medical school did you attend?

A: I graduated from Georgetown Medical School in 1978.

Q: Where did you do your internship?

A:I did a two year internship in cardiology at John Hopkins University from 1978—1980.

Q: Did you afterwards specialize in any particular field of medicine?

A:Yes, I specialized in heart attack treatment and heart surgery.

Q: Have you published any articles or books?

A:I wrote a chapter in a medical text on heart surgery procedures after heart attacks.

Q:Describe the chapter.

A:I set out the steps for identifying heart attacks and doing open heart surgery.

Q:What professional licenses do you have?

A:I am certified by the D.C. Board of Medical Examiners to practice medicine in D.C.

Attorney № 1: Your Honour, I ask that Dr. Jones be qualified as an expert in the field of medicine.

Judge: Any objection?

Attorney № 2: We object. No foundation has been laid regarding Dr. Jones's ability to render an opinion as to all fields of medicine.

Judge: Objection sustained. Dr. Jones expertise seems to be limited to certain areas of medicine.

Attorney № 1: Thank you, your Honour. We ask that Dr. Jones be qualified as an expert in the field of heart surgery.

Judge: Any objection?

Attorney № 2: No, your Honour.

Judge: Let the record reflect that Dr. Jones is qualified to testify as, an expert in the field of heart surgery. Once qualified, an expert may give opinions relating only to the expert's area of expertise. That is, an expert cannot give an opinion in an area outside his/her expertise.

***Example:***

(Dr. Jones has been qualified as an expert on heart surgery.)

Q:Dr. Jones, what is your opinion as to Mr. Hart's cause of death?

A: The patient suffered a massive heart attack caused by clogged arteries.

Q:Dr. Jones, in your opinion was the patient also suffering from a rare lung disease transmitted through contact with the North American mongoose as the defence contends?

***Objection:***

Judge: The witness is testifying outside her area of expertise. Sustained. Please, confine your opinion to matters related to care and treatment of the heart.

Q: Dr. Jones, in your opinion, how should the patient's doctors have treated him?

A: They should have recognized that the patient was having a heart attack based on his chest pains, purple face, difficulty breathing, and numbness in his left arm. They should have given him the proper medication and treated him in the emergency room right away. Who was at fault in this matter? Dr. Smith and General Hospital were definitely negligent.

***Objection:***

The witness is testifying to the ultimate issue of the case, which is whether Dr. Smith and General Hospital are liable for malpractice. That is a question of fact for the judge (or jury, when the case is tried before a jury) to decide.

Judge: Sustained.

## SPEAKING PHRASES

Stating an opinion	
I really think (that) ...	Я дійсно думаю, що ... .
I strongly believe (that) ...	Я точно впевнений у тому, що ... .
I'm sure (that) ...	Я впевнений, що ... .
In my opinion ...	На мою думку, ... .
What I think is (that) ...	Я вважаю, що ... .
I feel (that) ...	Я вважаю, що ... .
Hmm, I'm not sure, but ...	Я не впевнений, але ... .
I'm of (in) two minds, but ...	Я не знаю, що вирішити, але ... .
I can't make up my mind, but ...	Я не можу вирішити, але ... .
I'm keeping an open mind for the ...	Я ще не вирішив питання щодо ... .
Debating a point. Reasoning and arguing	
I (strongly) agree with ...	Я повністю погоджуюсь з ... .
I (strongly) disagree with ...	Я рішуче не погоджуюсь з ... .
I think it's reasonable to believe that ...	Я думаю, що є всі підстави вважати, що ... .
I don't think it's reasonable to believe that... .	Я не думаю, що є всі підстави вважати, що ... .
I am totally opposed to ...	Я категорично не погоджуюсь ... .
On the one hand	З однієї сторони, ... .
On the other hand	З іншої сторони, ... .
However	Однак, ... .
Furthermore	Крім того, ... .
In addition	До того ж, ... .
Nevertheless	Незважаючи на це, ... .
Now that we've considered it	Зараз, коли ми обговорили це, ... .
If that's the way you think	Якщо Ви так вважаєте, ... .
If that's the way you feel about it	Якщо Ви так відноситеся до цього, ...
All right, you win.	Ну, що ж, Ви праві.
Understanding — misunderstanding — paraphrasing	
I see	Розумію
I got you	Я зрозумів Вас
I didn't (quite) get you	Я Вас не (зовсім) зрозумів Вас
Did I get you right?	Я правильно Вас зрозумів?
What do you mean by saying that.?	Що Ви маєте на увазі, говорячи, що
Is that the idea?	Ви це хочете сказати?
Let's clear it up.	Давайте внесемо ясність.
In other words.	Іншими словами
To put it another way.	Якщо сказати по іншому, ... .

She means/meant that.	Вона має на увазі, що ...
He wants/wanted to say that.	Він хотів сказати, що ...
She is/was trying to say that.	Вона намагається сказати, що ...
<b>Making oneself understood</b>	
You got me wrong	Ви неправильно мене зрозуміли.
You didn't (quite) get me.	Ви не зовсім правильно мене зрозуміли.
That's not the point.	Справа не в цьому.
I mean to say that.	Я хочу сказати, що ...
The point is that.	Справа в тому, що ...
I'm coming to that.	Я зараз скажу про це.
Are you following me?	Ви слідкуєте за ходом моїх думок?
<b>Starting — resuming — winding up a talk</b>	
Speaking of.	Говорячи про ...
To begin with.	Перш за все, ...
We are getting away from the subject.	Ми відходимо від теми.
That's beside the point.	Те не відноситься до справи.
Get to the point.	Говоріть по суті.
Keep to the point.	Говоріть по суті.
Don't go into details.	Не вдавайтеся в подробиці.
In short.	Коротше говорячи, ...
To sum it up.	Підсумовуючи це, ...
That's all there is to it.	Ось і все, що можна було сказати з цього питання.
<b>Being emphatic</b>	
Much to my surprise (disappointment) .	Я дуже вражений (розчарований).
Fortunately, ...	На щастя, ...
Unfortunately, ...	Мені шкода, що ...
Frankly (speaking).	Чесно кажучи, ...
Strange enough.	Дивно, що ...
Funny enough.	Смішно, що ...
To make things worse.	І те, що погіршує справу, є те, що ...
On top of all that.	Нарешті
Evidently...	Очевидно ...
Most probably.	Наймовірніше
... , to put it mildly ... ,	..., м'яко кажучи, ...
... all the more reason why ...	..., тим більше причин для того, щоб
<b>Try to sound more convincing by adding</b>	
Take it from me	Повірте мені.
Upon my word.	Чесне слово.
I assure you.	Я завіряю Вас.
<b>If your partner is not logical, you say</b>	
It doesn't follow from what you	Це не слідує з того, що Ви сказали.



said.	
I t doesn't make sense.	Це не має сенсу.
I t doesn't prove a thing.	Це нічого не доводить.
I t isn't true to fact.	Це не відповідає дійсності.
You are repeating yourself.	Ви повторюєтесь.
What has it got to do with the problem?	Яке це має значення до обговорюваної теми?
<b>If your partner ignores facts, you say</b>	
Let's take facts.	Давайте розглянемо факти.
Let's stick to facts.	Давайте дотримуватись фактів.
There is no getting away from the fact that.	Не можна не приймати до уваги той факт, що ... .
You should take into consideration the fact that.	Ви повинні прийняти до уваги той факт, що ... .
I proceed from the fact that.	Я виходжу з того, що ... .
You can't deny that.	Ви не можете не прийняти той факт, що ... .
The fact that.	Той факт, що ... .
... let alone ...	... і не кажучи вже про ...
Actually.	Насправді ...
In fact.	По факту ...
That won't get us anywhere.	Це нас ні до чого не приведе.
You are carrying i t too far.	Ви занадто далеко зайшли.
<b>Expressing agreement</b>	
Right you are . / Y ou have a point here.	Ви праві.
That's right.	Так, це повністю вірно.
There is something in what you say.	У тому, що Ви кажете, є доля правди.
It stands to reason.	Ясно.
I quite agree with you here.	Я з Вами повністю погоджуюсь.
As you say.	Нехай буде по-вашому.
<b>Expressing some Disagreement</b>	
I understand what you're saying but.	Ваш хід думок зрозумілий, але ... .
You have a point, but.	У Вашому висловлюванні є сенс, але.
That's an interesting idea, but.	Цікава ідея, але ... .
I see what you mean, but.	Я розумію, що ви маєте на увазі, але.
Yes, I see, but.	Так, я розумію, але.
Well , that might be true, but.	Можливо, це і правильно, але ... .
<b>Interrupting politely to ask questions</b>	
I'm sorry to interrupt you. What did you say?	Вибачте, що перебиваю. Що Ви сказали?
Umm, excuse me. Do you mean.?	Вибачте, Ви маєте на увазі ... ?
Sorry, could you repeat that?	Не могли б Ви повторити?
Wait a minute. I didn't catch that.	Одну хвилинку. Я не вловив хід

	думок.
Sorry, what was that?	Вибачте, що Ви сказали?
I didn't hear you. What was that?	Я не почув Вас. Що Ви сказали?
<b>Hesitating in response to a question</b>	
I need a moment to think about that.	Мені потрібно подумати.
I'm not sure.	Я не впевнений.
Let me think a minute.	Дайте подумати хвилину.
Umm, that's a good question.	Хороше запитання.
Well, let me see.	Дайте подумати.
<b>Prioritizing ideas</b>	
First and foremost, ...	На першому місці та перш за все, ... .
Our top priority is...	Найважливіше - це ... .
Above all, ...	Перш за все, ... .
But also important is ...	Важливим є також те, що ... .
Another consideration is ...	Інша думка в тому, що ... .
Aside from that, ...	Крім цього, ... .
Least important is.	Найменш важливим є ... .
Of least concern is.	Найменше значення має ... .
Last but not least.	Останній, але не менш важливий.
<b>Asking problem questions</b>	
What is the reason for ... ?	У чому причина ... ?
What are the consequences of ... ?	Які наслідки ... ?
How can you account for the fact that?	Як Ви можете пояснити те, що ... ?
How does it happen that ... ?	Як так виходить, що ... ?
What are the ways of ... ?	Які способи ... ?
How is it connected with ... ?	Як це пов'язано з ... ?
What is the relation between ... and ?	Який зв'язок між ... і ... ?
What is your point of view on ... ?	Яка Ваша думка щодо ... ?
<b>Continuing after an interruption</b>	
Going back to what I was saying, ...	Повертаючись до того, про що я говорив ... .
As I was saying, ...	Як я говорив ... .
To go back to my last point, ...	Повертаючись до останнього, ... .
<b>Requesting information</b>	
I wonder if you could help me to understand ... ?	Не могли б Ви допомогти мені зрозуміти ... ?
Would you mind clarifying ... ?	Роз'ясніть, будь-ласка, ... .
Can you give me an example?	Наведіть, будь-ласка, приклад .
<b>Expressing Reservations (обмовка) About Another Speaker's Opinion</b>	
Possibly, but ...	Можливо, але ... .
That may be true, but you have to see the bigger picture.	Можливо, це і вірно, але слід дивитися на це ширше.
Yes, but you can look at it another way,	Так, але можна подивитися з іншої

too.	сторони.
Yes, but that's only one side of the problem.	Так, але це лише одна сторона проблеми.
<b>Keeping your turn</b>	
Sorry, could I please just finish my point?	Дозвольте мені закінчити мою думку.
Sorry, but if you could wait for a second, I'm just about to finish my point.	Лише одну хвилину, я закінчу свою думку.
<b>Logical connectors</b>	
Thus	Таким чином, ...
That's why	Ось чому ...
As a result	У результаті ...
Consequently	З цього виходить ...
Therefore	Ось чому ...
As a matter of fact	Насправді, ...
Indeed	В дійсності ...
In fact	Насправді, ...
However	Однак, ...
Still	Все ще
<b>Sequence markers</b>	
In most cases	У більшості випадків
On the whole	У цілому
For the most part	В основному
In general	Взагалі
Naturally	Як і треба було очікувати
Clearly	Очевидно, без сумніву
Obviously	Звичайно
Expectedly	Очікувано, природньо
In brief	В декількох словах
In addition	До того ж
Moreover	Більш того
Besides	Крім того
What's more	Більш того

*Irregular verbs*

I ФОРМА	II ФОРМА	III ФОРМА	ПЕРЕКЛАД
1. arise	arose	arisen	підійматися
2. be	was , were	been	бути
3. bear	bore	bom	народжувати
4. become	became	become	зробитися,
5. begin	began	begun	починати (ся)
6. bend	bent	bent	гнути
7. bind	bound	bound	зв'язувати
8. bite	bit	bitten	кусати (ся)
9. bleed	bled	bled	сходити кров'ю
10. blow	blew	blown	дути
11. break	broke	broken	ламати (ся)
12. breed	bred	bred	виховувати
13. bring	brought	brought	приносити
14. build	built	built	будувати
15. burn	burnt	burnt	горіти, палити
16. buy	bought	bought	купувати
17. cast	cast	cast	кидати
18. catch	caught	caught	ловити,
19. choose	chose	chosen	вибирати,
20. come	came	come	приходити
21. cost	cost	cost	кошувати
22. cut	cut	cut	рзати
23. dig	dug	dug	рити, копати
24. do	did	done	робити
25. draw	drew	drawn	тягти; малювати
26. dream	dreamt	dreamt	мріяти, бачити
27. drink	drank	drunk	пити
28. drive	drove	driven	вести, гнати
29. eat	ate	eaten	їсти
30. fall	fell	fallen	падати
31. feed	fed	fed	годувати
32. feel	felt	felt	почувати (себе)
33. fight [	fought	fought	боротися, битися

34. find	found	found	знаходити
35. flee	fled	fled	тікати;
36. fly	flew	flown	лігати
37. forget	forgot	forgotten	забувати
38. get	got	got	одержувати;
39. give	gave	given	давати
40. go	went	gone	іти, ходити
41. grow	grew	grown	рости, ставати
42. hang	hung	hung	вішати, висіти
43. have	had	had	мати
44. hear	heard	heard	чути
45. hide	hid	hidden	ховати
46. hold	held	held	тримати
47. keep	kept	kept	тримати,
48. know	knew	known	знати
49. lead	led	led	вести
50. learn	learnt	learnt	вчити (ся)
51. leave	left	left	залишати
52. lend	lent	lent	позичати
53. let	let	let	дозволяти,
54. light	lit	lit	запалювати,
55. lose	lost	lost	губити,
56. make	made	made	робити
57. mean	meant	meant	значити
58. meet	met	met	зустрічати
59. put	put	put	класти
60. read	read	read	читати
61. ride	rode	ridden	їздити верхи
62. rise	rose	risen	підніматися
63. run	ran	run	бігти
64. say	said	said	сказати
65. see	saw	seen	бачити
66. sell	sold	sold	продавати
67. send	sent	sent	посилати

## BIBLIOGRAPHY

- 1.Артамонова Л.С. English for Professional Communication i n Law. Problem Solving: учеб. пособие для студентов вузов, обучающихся я по специальности «Юриспруденция» / [авт.-сост. Л.С. Артамонов а и др.] ; под ред. Л.С. Артамоновой. — М. : ЮНИТИ-ДАНА , 2012. — 247 с.
- 2.Артемяева О. А., Лицманенко Т. Н. Uniform Police. Полиция и порядок: Учебное пособие по английскому языку для студентов юридических специальностей. Тамбов: Изд-во Тамб. гос. техн. ун-та, 2002. 184 с.
- 3.Бахов І.С. English for Post-Graduate Students. Англійська мова для аспірантів та здобувачів : навч. посіб. для студ. вищ. навч. закл. — К. : Персонал, 2008. — 276 с.
- 4.Большой англо-русский словарь: в 2-х т. Ок. 160 000 слов. / Авт. Ю.Д. Апресян, И.Р. Гальперин, Р.С. Гинзбург и др. Под общ. Рук. И.Р. Гальперина и Э.М. Медниковой. — 4-е изд., испр., с дополнением. — М.: Рус.яз., 1987. — 889 с.
- 5.Верба Л.Г., Верба Г.В. Граматика сучасної англійської мови. Довідник. — К. : Логос, 2006 — 342 с.
- 6.Горшенева И.А. Английский для юристов: учебник для студентов юридических вузов, обучающихся по специальности «Юриспруденция» / И.А. Горшенева [и др.; под ред. И.А. Горшеневой. — 2-е изд., перераб. и доп. — М.: ЮНИТИ-ДАНА, 2010. — 423 с.
- 7.Драмарецька Л.Б., Усенко О.Б. Поліція Великобританії та США. Практикум з англійської мови для курсантів, слухачів, адюнктів, студентів вищих навчальних закладів МВС. — К.: НАВС, 2017. — 88с.
8. Ильина Л.Ю. Английский для юристов: учебник. М.: Изд-во Проспект. 2012. — 295 с.
- 9.Кузьменко А.О. English for law enforcement: [Навчально-методичний посібник] - Дніпропетровськ:Середняк Т. К., 2015, — 183 с.
- 10.Мюллер, В. К. Новый англо-русский словарь / В. К. Мюллер. - М.: Просвещение, 2002. - 824 с.
- 11.Радіус О.А. 360 Exercises for Mastering English Grammar: Навчальний посібник. — Одеса : ОНАЗ, 2011. — 215 с.
12. Рибіна Н.В., Кошіль Н.Є., Собчук Л.В. Англійська мова для юристів: навч. посіб. / Н.В. Рибіна, Н.Є. Кошіль, Л.В. Собчук. — Тернопіль: Видавництво ТНЕУ 220 с.—«Економічна думка», 2015.
13. Сімонок В.П. Посібник з англійської мови для студентів-юристів / В. П. Сімонок, Т. І. Костюченко, Т. В. Олійник, Т. М. Фоменко, Л. О. Шишкіна ; За заг. ред. проф. В. П. Сімонок. — Х.: Право, 2005. — 264 с.
- 14.Филипська В.І. English for Masters in Psychology. Навчальний посібник для здобувачів другого (магістерського) рівня вищої освіти за спеціальністю 053 Психологія (практичний психолог)— Х. : ХНУВС, 2019. — 70 с.

- 15.Черноватий Л. М., Карабан В. І., Іванко Ю. П., Ліпко І. П. Переклад англомовної юридичної літератури. Навчальний посібник. – 3-є видання., виправлене і доповнене. – Вінниця: Нова Книга, 2006. – 656 с.
16. Frost A. English for Legal Professionals Oxford University Press, 2009. – 97 с.
- 17.Hornby A.S. with Cowie A.P. Oxford Advanced Learner's Dictionary of Current English. Vol . 1, 2. M., OUP, 1982.
- 18.Oxford Dictionary of Law. Sixth Edition. Edited by Martin El.A. Jonathan Law. OUP, 2006.

Електронні ресурси:

- 1.<https://www.britannica.com/>
2. [https://www.law.cornell.edu/wex/criminal\\_law](https://www.law.cornell.edu/wex/criminal_law)
3. <https://www.wikipedia.org/>

Навчальне видання

**Филипська Віта Іванівна**

**ENGLISH FOR MASTERS IN LAW ENFORCEMENT ACTIVITY**

Навчальний посібник  
для здобувачів другого (магістерського) рівня вищої освіти  
за спеціальністю 262 Правоохоронна діяльність