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**Кафедра английского языка гуманитарных факультетов**

**ENGLISH**  
**for Law Students**

**Teachers' Book**

**Английский язык для**  
**студентов-правоведов**

**Методическое пособие для преподавателей**

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English for Law Students. Teacher's Book является составной частью учебно-методического комплекса по английскому языку, обеспечивающего профессионально ориентированное обучение студентов-юристов. В пособии содержатся комментарии к использованию материалов базового учебного пособия, ключи к упражнениям, транскрипты аудиотекстов.

Предназначено для преподавателей, обучающих студентов юридических специальностей.

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## ПРЕДИСЛОВИЕ

В пособии *English for Law students: Teacher's Book* содержатся методические рекомендации для преподавателей по работе с базовым учебным пособием по курсу профессионально-ориентированного обучения английскому языку студентов-правоведов. Этой книгой завершается учебно-методический комплекс по предмету «Иностранный язык» на юридическом факультете, в состав которого также входят ранее изданные практикум для самостоятельной работы студентов и терминологический словарь.

Помимо методического комментария по оптимизации работы со спецтекстами в пособие включены ключи к выполняемым упражнениям, а также транскрипты аудиотекстов.

Поскольку все 9 разделов базового учебного пособия имеют четко структурированный характер, то и подача материала в *Teacher's Book* унифицирована и носит циклический характер, что присуще методической литературе. Так, каждый раздел начинается с формулировки целей обучения, далее следует описание учебного материала составных частей раздела – чтения, говорения, аудирования, письма, что отражает основную методическую концепцию, положенную в основу создания учебного пособия *English for Law Students: Teacher's Book* взаимосвязанное обучение всем четырем видам речевой деятельности.

Авторы пособия полагают, что разработанные методические рекомендации обеспечат глубокое и всестороннее усвоение учебного материала для достижения главной цели обучения в неязыковом вузе: эффективно использовать иностранный язык как средство межкультурного и профессионального общения.

# INTRODUCTION

*English for Law Students* is reading, speaking, listening, writing and translating course for learners majoring in Law. Declaring integrated skills to be crucial for ESP (English for Specific Purposes) the authors compiled the textbook in such a way so as to provide the learners with an opportunity to recycle key components, of the learning material – legal concepts and law terms as well as grammatical structures used in a special context.

The objectives of the course can be defined as follows:

- to present learners with legal concepts and terms of basic branches of the science of Law;
- to develop different reading skills on the basis of law related texts;
- to equip Ss with analytical, synthetic, critical skills while digesting information on the learners' speciality;
- to provide learners with an opportunity to be exposed to a whole range of law settings and situations to practice expressing opinions on problem areas of jurisprudence, making comparisons of foreign and home legal issues;
- to provide listening practice in each topic under discussion;
- to raise cultural awareness of the studied problem areas;
- to assimilate grammar structures used in a special context.

The Teacher's Book contains guidance on using the material of the textbook, keys to exercises, tapescripts of listening tasks. Since all the Units of the textbook are of identical structure the authors give thorough comments on the first Unit trying to avoid further annoying repetition of certain explanations.

Thus, each Unit of the textbook contains the following sections united by one global topic: *reading* (with extensive follow-up work), *speaking*, *listening*, *grammar*.

Approach to reading.

Reading section is composed of five interrelated authentic texts (A, B, C, D, E) each designed for a specific reading strategy.

The texts marked by letter "A" are designed for intensive reading, that is for detailed and thorough comprehension of the information provided for in the text. Texts A are supplied with numerous vocabulary and speech exercises. Since in the textbook vocabulary items are introduced in context through the texts it is up to Ss to compile the topical vocabulary of each Unit. The set of suggested exercises helps Ss store, remember, consolidate and extend their vocabulary. Discussion block of exercises is aimed at checking reading comprehension skills, skills in translating special texts from English into Russian and V.V., stimulating discussion activities.

Texts B are designed for scanning where Ss are supposed to grasp the main idea of the text, the main points discussed. When scanning Ss concentrate on finding a particular answer, some specific information. The texts are accompanied by multiple choice exercises, comprehension and discussion activities, filling in the charts based on the content of the texts.

Texts C are for skimming reading. This technique is used to acquire a general overview of the text, to extract the necessary information. Follow-up exercises help Ss focus on the specific strategies of this type of reading.

Texts D are aimed at developing Ss' critical reading. They contain additional information on the topic under discussion. T should equip Ss with skills of drawing conclusions, making judgments, making comparisons especially what concerns foreign and native legal issues.

Texts E are examples of the so-called "gapped text" where gaps are to be filled in with suggested words (sort of a cloze test).

Besides, each Unit contains from 3 to 5 texts for supplementary reading designed for advanced learners which greatly enlarge the information area of the Unit. They can be used with various strategies to individualize both class and out-of-class activities.

Approach to speaking.

Speaking section contains examples of authentic dialogues and a polylogue on the topic of the Unit. Follow-up tasks enable Ss develop oral speech activities: reproduce dialogues in the form of monologues, participate in conversations using correct speech clichés, express opinions, judgments, agreement/disagreement, etc. Polylogues are designed to raise cultural awareness of the issues in question, focus on specific features of foreign and native legal systems.

Approach to listening.

Listening section contains two types of discourse: an authentic dialogue and a monologue which further enlarge information provided for in the Unit and recycle topical vocabulary.

Recordings are produced at a normal speed, Ss are not expected to catch every single word they hear and will probably need to hear the recording twice or even three times. The texts are supplied with pretext, text and after text exercises and tapecripts for the teacher to comprehend the subtlest details of the recorded information. Pretext exercises help Ss overcome language difficulties, serve as lead-in to recording, discover connections with the previous material of the Unit; text exercises give practice in listening skills (predicting, identifying relevant information, supporting details, filling in gaps, note taking, etc.); after text exercises range from filling in charts, answering questions to critical writing tasks. The system of exercises equips Ss

with listening comprehension skills and raises Ss' cultural awareness of law related problems.

Approach to grammar.

The syllabus of grammar section is to cover the main problem areas of English grammar providing Ss with an opportunity to focus on the grammar phenomena in the authentic legal context. Numerous exercises reflect the whole range of structural transformations, structure's identification and their Russian-English or English-Russian translation. Keys to this section are detailed and also contain suggested answers, if necessary.

Approach to writing.

There is no separate writing section in the textbook, but in each Unit one can find certain written tasks designed either for class or out-of-class activities. The key objectives of writing tasks are consolidation of the active vocabulary, increasing confidence in the use of special terms, further development of language skills. Since the authors find written tasks time-consuming they leave critical writing exercises (argumentation essays, compositions, reports, etc.) to supplementary guided self-study textbook.

The following abbreviations are used in the present Teacher's Book:

HW – homework

L1 – native language

S(s) – student(s)

T – teacher

Good luck to you and your students!

# UNIT I

## Agents of the Law

### Objectives:

- be able to define the basic terms of the “Legal Profession” semantic field;
- be able to use correctly the topical vocabulary of the Unit while speaking and writing about legal profession;
- develop reading skills;
- be able to discuss, analyse, comprehend, summarize the fundamental ideas of the topic in question;
- master the basics of translation from English into Russian and v.v. of the issues discussed;
- raise cultural awareness of the notion of the legal profession in Britain and the USA in comparison with that in your home country;
- develop grammar skills on the use of English Tenses in the Active Voice in a special context.

### Material

Unit “Agents of the Law” contains material for Reading, Speaking, Listening Comprehension, Grammar Section.

**Reading material** is represented by five interrelated texts (A, B, C, D, E) dealing with the problem of lawyers’ work in the British and American legal systems. Each text is designed for a certain type of reading strategy. Here one will also find three additional texts for supplementary reading: Text 1. *Organization of the Legal Profession*. Text 2. *The Legal Profession Today. Fusion?* Text 3. *The American Legal Profession*. The texts enlarge information provided for in the Unit and are designed for advanced learners.

**Text A** “Legal Profession” is an example of an academic text dealing with the unique division of British lawyers into two branches – solicitors and barristers, their professional associations and functions. Special Ss’ attention should be drawn to the historical background of the problem under discussion. The text is aimed at practicing intensive reading, therefore T should explain to Ss that the text is for thorough comprehension of the total meaning and the details therefore it is supplied with numerous vocabulary and speech exercises.

**Word study** exercises focus on the Topical vocabulary of the Unit. They range from a) training pronunciation of the internationalisms used in the text and proper names (Ex. 1, 2) where the T should draw Ss' attention to the fact that these words are often mispronounced in speech; b) studying derivatives (Ex. 3) where the most frequent derivational models are introduced; c) paring most common collocations (Ex. 4); d) giving definitions to basic terms (Ex. 5), e) matching English word-combinations to their Russian equivalents (Ex. 6) to study how the lexemes are used in the text. Finally, a Russian translation is given to consolidate the acquired vocabulary skills (Ex. 7).

**Keys:**

**Ex. 2.**

(agent)	(concept)
trainer	training
practitioner	practice
defender	defence
advocate	advocacy
specialist	specialization
conveyancer	conveyancing
applicant	application
accuser	accusation
interpreter	interpretation

**Ex. 3.** (*Suggested answers.*)

senior barrister, vocational course, law degree, extreme formalities, accused person, professional advocate, necessary exam, civil action, day-to-day documents, variety of matters, personal interview, general practitioner, career structure, legal advice.

**Ex. 4.** (*Suggested answers.*)

to appoint a senior barrister, to proceed to a vocational course, to obtain a law degree, to pass necessary exams, to plan a civil action; to prepare day-to-day documents, to deal with variety of matters, to have a personal interview, to be a general practitioner, to separate career structures, to seek legal advice, to defend accused person, to keep with extreme formalities, to prosecute in a civil action.

**Ex. 5.** (*Suggested answers.*)

legal problem, general practitioner, criminal case, civil action, matrimonial matters, petty crimes, vocational course, senior barrister, successful practice,

important case, junior council, governing body, personal interview, professional advocate.

**Ex. 6.**

- |              |             |               |
|--------------|-------------|---------------|
| 1. barrister | 5. case     | 9. conveyance |
| 2. solicitor | 6. law      | 10. client    |
| 3. legal     | 7. lawyer   | 11. judge     |
| 4. court     | 8. advocate |               |

**Ex. 7.** 1. i; 2. c; 3. h; 4. d; 5. g; 6. e; 7. k; 8. m; 9. n; 10. f; 11. b; 12. a; 13. l; 14. j; 15. s; 16. o; 17. p; 18. q; 19. r; 20. t.

**Ex. 8.**

- |                            |  |
|----------------------------|--|
| 1. unique, two, separate   | 8. The Queen's Counsel; the most important |
| 2. solicitors, a barrister | 9. increasing                              |
| 3. a civil, the lowest     | 10. solicitors, legal executives           |
| 4. Law Society             | 11. own, separate                          |
| 5. to regard, an advocate  | 12. solicitor, interview                   |
| 6. interpretation          | 13. wigs and gowns                         |
| 7. chosen, senior          | 14. of one of the four Inns of Court       |

**Ex. 9.** 1. i; 2. f; 3. h; 4. j; 5. d; 6. g; 7. e; 8. k; 9. l; 10. m; 11. n; 12. o; 13. p; 14. q; 15. a; 16. b; 17. c.

**Ex. 10.** (*Suggested answers.*)

1. A barrister and solicitor have the same education. Thereafter they split. Solicitors take a one year course called the Legal Practice Course (LPC) and then must undertake two years *apprenticeship with a solicitor*, called "*the training contract*" (but still widely referred to as "article" by older members of the profession). At this stage young solicitors are paid salaries and are referred to as trainee solicitors.

2. No one is let loose on clients unsupervised until training complete. At the end of the "articles", the student becomes a solicitor and is "*admitted to the roll*". The 'roll' is a list of people qualified to be a solicitor. It is kept on behalf of the 'Master of the Rolls' whose main job is being the head of the Court of Appeal of England and Wales.

3. **The Academic Stage.** For a would-be-barrister "the academic stage" usually consists of either a law degree or a degree in another subject supplemented by a one-year '*conversion course*'. This could take the form of the Common

Professional Examination (CPE) or a diploma in law. During the academic stage the following foundations of legal knowledge are to be studied:

- constitutional and administrative law
- criminal law
- law of contract
- law of tort
- land law
- equity and trusts
- European Union Law.

4. *Pupilage* generally takes one year. All pupils are assigned to one or more pupilmasters or pupilmistresses, experienced barristers who organise training, allocate work and assess performance. Pupilages also give Chambers the opportunity to assess pupils with a view to ensuring that they become effective practitioners.

There is no doubt that pupilage is hard work. There is a great deal of research, together with document-writing and document-reading. In time young barristers get cases of their own, clients of their own, court appearances on their own resulting in cases won or cases lost. This is where they start to build their own reputation.

In common with other professions, training for the Bar no longer finishes with pupilage. At the moment a compulsory system of continuing professional development for the three years following pupilage is being elaborated.

5. *Tenancy*. While pupilage provides a somewhat robust introduction to life as a barrister, the transition to tenancy is the real beginning of a barrister's independent career. It is not simply a matter of getting your name on the door. Overnight a young barrister acquires a different status. It is now where the real responsibility begins. Sometimes junior tenants are 'led' by their seniors (i.e. they assist them in large, important cases) but generally they are responsible for their own cases and clients.

Because junior tenants are self-employed, the flow of work can be spasmodic and the hours irregular. They may be given very little notice of court appearances. Briefs can arrive by fax in the evening, leaving little time to prepare for a case to be heard a hundred miles away the next morning. However, what is lost in terms of social life and excessive traveling will be gained in the sense that they are getting enough work. In addition to normal expenses, self-employed barristers also need to pay their share towards the cost of running chambers.

6. *Queen's Counsel*. Experienced barristers who have built up a thriving practice at the Bar may apply to become a Queen's Counsel (the highest position a barrister can have). Barristers are appointed to this rank by the Sover-

eign on the recommendation of the Lord Chancellor. A QC wears a silk gown, that is why becoming a QC is referred to as 'taking silk'. A QC is not allowed to appear in Court without having a junior with him, therefore it is more expensive to have a QC in one's case.

7. While the academic stage of training provides a general, theoretical introduction to the law, the next step – "the vocational stage" – is meant to acquire some legal training specific to work as a barrister. It consists of a one year course: the Bar Vocational Course (BVC). It is also possible to do the course on a part-time basis over two years. A potential barrister should aim to gain as much relevant experience and knowledge as possible during the vocational stage. This might include: debating, mooting (holding mock trials), work for a Citizen's Advice Bureau, attending court, *marshalling* (shadowing a judge), further mini-pupilages or, at the very least, reading the legal pages in the newspapers.

**Ex. 11.** (*Suggested answers.*)

litigants; lay client; instruct; paperwork, a written document, legal advisor, marriage contract; trial; Law Society; professional

**Discussion exercises** are aimed at helping Ss understand the main message of the text, concepts introduced, problems raised. The final aim of a whole range of exercises is to help Ss compile the topical vocabulary of the Unit and be able to recycle this area of vocabulary while generating microtexts, drawing conclusions, sharing ideas on the topic "Agents of the Law". The exercises include reading comprehension tasks and talking points, suggest a variety of activities: multiple choice (Ex. 1), true/false statements (Ex. 2), to comment the charts (Ex. 3), simulation of a conversation between a guide and visitors (Ex. 4), reporting on the issues raised in the text with the help of suggested by T word-combinations (Ex. 5), rendering relevant information from Russian into English (Ex. 6).

Special attention should be drawn to exercises with multiple choice close text. T should explain to Ss how to deal with this type of exercises.

Steps to be followed:

- read through the text to get an understanding of its general meaning;
- read the text the second time, try to find the answer looking at all choices (A, B, C, D) and the words surrounding each gap;
- read the sentences, inserting each choice into the gap; decide which word is correct;
- try to omit three of the four choices;
- never leave a gap unfilled.

**Keys:**

**Ex. 1.** 1a, 2b, 3c, 4a, 5a, 6b, 7b, 8b, 9b, 10b.

**Ex. 2.**

True: 1, 4, 7, 8.

False: 2, 3, 5, 6, 8, 10.

**Text B** “Judges” is for scanning. The text is aimed at identifying its main issues with the focus on the types of judges in Britain. T should draw Ss’ attention to basic characteristics of each type introduced in the text and spheres of their activities.

**Keys:**

**Ex. 1.** 1 t; 2 f; 3 f; 4 f; 5 f; 6 f; 7 t; 8 t; 9 f; 10 t; 11 t; 12 f; 13 t.

**Ex. 2.**

1. What document is the statutory basis for the appointment of judges?
2. Why did the existing county court judges become circuit judges?
3. How does a full-time district judge perform his functions?
4. What are the functions of the registrars?
5. What kind of lawyer is a judge?
6. When is the judge promoted?
7. What is the judge’s function before the jury?
8. What must a judge create if there is no precedent?
9. What is the fundamental principle of constitutional law?
10. What judges deal with the most serious crimes?
11. What judges deal with petty crimes?
12. How are the Magistrates selected?
13. What does the work of the Magistrates’ courts depend on?

**Ex. 4.**

1. ... is the presiding officer in the court.
2. ... under the Courts Act 1971 the existing county court judges became circuit judges.
3. ... a judge for any county court district.
4. ... procedural steps in court proceedings.
5. ... the Act of Settlement 1700.
6. ... have demonstrated competence in litigation and have been elevated to the bench.

7. ... to apply existing rules of law to the case before them.
8. ... both laws and facts for the jury, after all the evidence has been given.
9. ... the interpretation of statutes and the doctrine of precedent.
10. ...the independence of the judiciary.
11. ... also the independence of the judges.
12. ...the most serious crimes.
13. ... are ordinary citizens who have “sound common sense”.
14. ... special committees in every town and district.

**Text C** “Judges in the USA” is for skimming. Ss are supposed to grasp the general idea of the text and be able to compare the information they have learned from the present text with that of the previous text, that is to compare the work of British and American judges. Since the text has a strong cultural focus, Ss should be ready to expand comparison on the native legal system.

**Text D** “Fusion of the Legal Profession” is designed for providing Ss with additional information on the problem under discussion. It introduces new facts on the functions of lawyers in Britain from the modern perspective and presents some debatable points on the fusion of the legal profession. The text is supposed to stimulate Ss critical reading and to encourage Ss to give their own opinions.

**Text E** “US Attorneys” is an example of the so-called gapped text. T should explain to Ss how to deal with this type of texts: the gaps are to be filled in with suggested words, the latter belonging to the topical vocabulary of the Unit.

Steps to be followed: read through the text to get an understanding of its general meaning; think about the missing words looking at the words surrounding the gap and the words in the sentence; write only one word for the answer; check if your sentence is grammatically correct.

**Keys:**

Faithful, federal, political, judicial, powerful, considerable.

**Dialogue section** is aimed at developing Ss’ speaking skills as well as enlarging information on the topic studied. The section contains two dialogues. First Ss are exposed to an authentic Dialogue 1 “Lawyers Who Want to Start Their Own Practices”. Ss should be able to reproduce it abridged and render it in the form of a monologue.

Special attention should be paid to the problems raised in the dialogue such as: pros and cons of private practice, difficulties a starting lawyer faces, the ways to overcome these difficulties in order to expand the information field of the unit.

Before reproducing the dialogue T should remind Ss of the main rules of converting direct speech statements into indirect ones.

**Ex. 1.** Ss should carefully read the statement making sure they know the exact meaning of the word they must search for. Then skim the dialogue searching for the words needed. T checks Ss' answers.

**Keys:**

- |                  |                 |
|------------------|-----------------|
| 1. secure        | 6. to face      |
| 2. partnership   | 7. to advertise |
| 3. client        | 8. opportunity  |
| 4. private       | 9. to rent      |
| 5. self-employed | 10. sole        |

**Ex. 2.** T should draw Ss' attention to the particular communication area of the dialogue: asking for suggestions, making suggestions, expressing preferences giving them some examples of these communication formulas which should be followed by the ones from the dialogue.

**Keys:**

- |                      |  |
|----------------------|--|
| ask for suggestions: | What do you think...;  |
| make suggestions:    | You should have ...,<br>You can use...;                      |
| express preference:  | There are many reasons why I prefer...,<br>First of all... . |

**Ex. 3.** After Ss have done the translation in the written form they are to use the sentences in their speech commenting on each statement, adding extra information and linking them into a logically structured story.

(Suggested answers)

1. What are the pros and cons of private practice?
2. I prefer to be self-employed.
3. The opportunity to turn down cases and clients attracts me.
4. You feel more secure when you are your own boss.
5. Risk is in any activity if there is no experience.
6. It's a big problem to rent a good and not expensive office.

7. There are advantages and disadvantages both in partnership and sole practice.
8. You should have a shared office arrangement with another law firm.

**Dialogue 2** “Legal Education” is presented in the form of a polylogue. It is a conversation between law students from the USA and Law Faculty students of the Belarusian State University. Special attention should be paid to raising cultural awareness of the problem under consideration on the comparative aspect, i. e. Ss should be able to compare the process of getting legal education in Belarus and the USA. T should give Ss practice in comparing types of universities, terms of studies, curricula of studies. T’s aim is to help Ss build up cross-cultural links. They should learn how to express opinion, ask clarification questions, keep the conversation going. Ss are supposed to memorize certain words and expressions.

T should explain to Ss how to deal with the speaking tasks. Steps to be followed:

- Focus attention on the questions asked;
- Discuss the question with your partner;
- When your partner speaks, remember not to interrupt him/her;
- Do not monopolize the conversation. Involve your partner in the conversation.

**Ex. 1.** Ss are supposed to present the information in the form of a monologue showing the knowledge of the words and expressions from the dialogue. The offered list will help Ss make the story informative.

**Ex. 2.** T explains to Ss how to deal with this exercise. Steps to be followed:

- Read through the sentence to get an understanding of its meaning.
- Look at the words on each side of the gap to determine the kind of word missing (adjective, noun, verb, etc.).
- Once the kind of missing word is determined, pick the one from the box.
- Read through the sentence a final time to see if your answers make sense. T checks Ss’ answers.

**Keys:**

- |                |                  |                  |
|----------------|------------------|------------------|
| 1. special     | 5. qualification | 9. qualified     |
| 2. specialized | 6. specialize    | 10. notary       |
| 3. qualifies   | 7. qualified     | 11. investigator |
| 4. notarized   | 8. investigates  | 12. notarial     |

**Ex. 3.** Ss can work in pairs discussing the information according to the offered points. T goes round and then asks Ss to report to the class.

**Listening comprehension** section contains two pieces of recorded information: a monologue and a dialogue, both of them connected with the general topic of the Unit.

The **monologue** “A solicitor’s work” discusses the problems of qualifying as a solicitor and gives some information on this profession and work. The text is supplied with pre-listening, listening and after listening tasks.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex.1. First Ss should do this exercise on their own, then T goes round the class and checks Ss’ understanding of their meanings by using L. 1.

In Ex. 2 T gives some information about taking the professional examinations to become a solicitor. In Ex. 3 Ss work in close pairs, comparing a solicitor’s work with other professions.

*Listening activities* are aimed at raising Ss’ listening comprehension skills and checking them.

Before Ss do the listening task, T explains to them how to deal with this type of listening.

Steps to be followed:

- Before listening for the first time, try to understand the general meaning.
- Answer as many questions as you can. Don’t panic, if you haven’t answered them all. There will be a second listening.
- During the pause before the extract is repeated, look at your unanswered questions and pay attention to those when listening again.
- Listen again and check your listening by answering the questions and filling in any gaps you can in Ex. 2.
- Listen for the last time, filling in the remaining gaps in Ex. 2. and checking your answers to make sure they have sense.

*After listening activities* are aimed at raising Ss’ skills of speaking and writing based on listening. In Ex. 1. Ss should discuss in close pairs on their own the main points of a solicitor’s work in Great Britain, then T goes round the class and checks their answers. After doing Ex. 1. in class, T can assign Ex. 2. as written H.W.

**Keys** (*Listening activities*):

**Ex. 1.** (*Suggested answers.*)

1. The speaker left university over 20 years ago.
2. a) It was true and it's true now. Now – law graduates must have legal training. Local authorities pay less now for legal training.  
b) It was true then. The examination was called Part One.  
c) It is true now. It is called the common professional examination. Big law firms pay for legal training.

**Ex. 2.**

1. twenty years ago, the Law Society's examination.
2. non-law graduates
3. down the league
4. what their pockets can stand
5. to go potty
6. isn't too much fun

**Tapescript**

**A solicitor's work**

I, well I graduated from university over twenty years ago and the Law Society's examinations were different then. But what has stayed the same is that non-law graduates have to have a certain founding in law before they can qualify, before they can take the final examination which law graduates take. And that has not changed.

One thing that has changed over the years is that local authorities are less prone to finance it now than was the case then. And for example the large London firms will actually pay non-law graduates to take what is now called the Common Professional Examination. It was called Part One in my day, but there is still a significant number of non-law graduates coming into the profession, and that will continue to be the case.

By comparison with other professional people in England and Wales, solicitors are some way down the league in terms of income. I think that for example dentists, doctors and surveyors, are all significantly better off, and accountants too in the recent survey which I didn't read personally, but I heard this on the grapevine.

I think the pro . . . is, one of the things you've got to remember about this is that a very large number of solicitors in England and Wales are in small firms and are self-employed. Their clients are not particularly wealthy people

and one has to look at it in the context that the clients can only afford to pay what their pockets will stand. And therefore no matter how well-qualified or expert the professional person is, if his paymaster isn't a large multinational corporation, he can't charge the earth, because the client can't afford to pay it. I think that's worthwhile bearing in mind.

. . . there was a client of the firm who lived within walking distance, and so when the post was taken out to be dropped into the box at something like. I don't know, say 4.30 in the afternoon, when the first lot of post went, there was a letter by hand to this particular chap, and it, would be dropped in at his shop near to the postbox, and before the girl who had dropped it off could be back at the office, he'd not only opened the envelope and read it but then phoned the chap who'd written it to discuss it with him, all literally within a minute or so of receiving the letter.

And it's not uncommon for the phone to go potty on a Monday morning simply because people have received letters and have thought about it over the weekend and as soon as 9.00 or 9.30 arrives they're on the phone because they feel that it's their privilege to talk about it first thing in the week. And if fifty people do that all at the same time, life isn't too much fun, first thing on a Monday morning, so, I don't know, one can smile about it, but it's not good for the indigestion . . .

**Dialogue** "Radio Phone-in" stimulates Ss' activities in oral speech, raises their listening skills and provides Ss with additional information in discussing legal problems.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties.

In Ex. 1. Ss read the letters from a weekly magazine, trying to understand them in detail. Then in Ex. 2. Ss look through the letters once more, thinking of possible answers. Ss should discuss their answers in close groups for 5-6 minutes. T goes round the class encouraging Ss to use the vocabulary of the Unit and checks, then asks some groups to report to the class. In Ex. 3 helps Ss to overcome the lexical differences in listening comprehension. In this exercise unknown words are introduced by using L. 1.

*Listening activities* are aimed at raising Ss' skills in listening comprehension. T explains to Ss how to deal with listening task.

In Ex. 1. while listening to the legal expert talking with the callers Ss should match the caller with his or her letter.

Then T explains to Ss how to deal with listening task in Ex. 2.

### Steps to be followed

- Read the summarizing text and the choices carefully.
- When listening for the second time to the legal expert, talking with his callers, look out for the key word in each summery.
- During the pause before the interview is reported look at your unanswered sentences from each summery and pay attention to these when listening again.
- Listen for the last time and check your answer.

After doing Ex. 3. in class, T can assign to write a letter, discussing legal problems.

### **Keys (Pre-listening activities):**

**Ex. 2.** A – b; B – b; C – b

### **Keys (Listening activities):**

**Ex. 1.** First caller: B; Second caller: A.

### **Ex. 3.**

- |                |               |
|----------------|---------------|
| a) 1. obliged  | b) 1. signed  |
| 2. exchange    | 2. rent       |
| 3. sale        | 3. landlord   |
| 4. receipt     | 4. provides   |
| 5. credit note | 5. month      |
|                | 6. his family |
|                | 7. tenant     |

### **Tapescript**

#### **Radio Phone-In**

**Announcer:** Good morning. This is Nick Swift on Radio Sussex with our usual Wednesday morning phone-in. This morning the topic is you and the law, and with us in the studio is our resident solicitor, Mr Charles Andrews.

**Charles:** Good morning.

**Announcer:** Mr Andrews has been looking at some of the letters sent in by our listeners and is now ready to give us the benefit of his professional advice. And the first caller, waiting expectantly on the line is Mr Stephen Lawson from West Denham. Stephen, can you hear me?

**Stephen:** Yes, yes I can. Good morning, Mr Andrews.

**Charles:** Good morning, Mr Lawson. Yes, your problem is a very common one, I'm afraid and in order to decide whether you're a protected tenant or not, legally, I mean, I'd like to ask you a few questions.

**Stephen:** Yeah, yeah, of course.

**Charles:** Now firstly, what kind of agreement do you have, if you don't mind my asking?

**Stephen:** Well, we haven't signed anything, if that's what you mean – er, we've got a rent book and we pay rent every month.

**Charles:** Ah, you do have a rent book, and you pay every month. Does the landlord live on the premises?

**Stephen:** No, no, in fact we hardly ever see him, he lives in another part of the country.

**Charles:** So he doesn't provide any services for you – by that I mean, breakfast, linen, that kind of thing?

**Stephen:** (laughing) No, nothing like that – unfortunately.

**Charles:** Ah, well, actually it is better for you that he doesn't. Now he's written to you formally asking you to leave, I take it?

**Stephen:** No, no, he just keeps phoning up and keeping on at us – it's really getting us down.

**Charles:** Yes, quite so. Well a couple of things there. Firstly, he must inform you in writing, or else it's not legal. And after that, since you pay monthly he's got to give you a month before you leave anyway. Now secondly, he's not allowed to keep pestering you like this until he has got a court order for possession – you could sue him for harassment.

**Stephen:** Oh, I see, that's interesting to know.

**Charles:** Now do you happen to know his reasons for wanting to regain possession of the house?

**Stephen:** No, we assumed he wanted to sell or something, but ...

**Charles:** Yes, because if he needs it for himself or a member of his family then I'm afraid you've got problems. Otherwise it seems to me that you've probably got a pretty good chance of staying put, at least for a year or so.

**Stephen:** That would be wonderful, because we leave college then, anyway.

**Charles:** But er, I have to say that this whole issue is so complex that you'd be better off going and speaking to a solicitor in more detail. We haven't got time in this phone call to cover everything, I'm afraid.

**Stephen:** OK, well, thanks very much.

**Charles:** And remember if you're a student you are protected by Legal Aid, which means you don't have to pay the fees yourself.

**Stephen:** Great! Thanks again.

**Announcer:** I'm sure Stephen is much more optimistic already. Next on the line is Mrs Mary Peters from Townley and she has a problem with a jacket she wants to return to the shop.

**Mary:** Hello.

**Charles:** Hello Mrs Peters. Yes, I think your case may be a little more simple. The main question is, was there anything wrong with the jacket at all, was it faulty in any way?

**Mary:** No, it was just too small – it was my mistake.

**Charles:** All yes, because in that case I'm afraid they're right, they are not legally obliged to give you your money back or even exchange on sales items. However, if the goods are faulty in any way then they *must*, sale or no sale.

**Mary:** So there's nothing I can do?

**Charles:** I'm afraid not Mrs Peters. Actually, I think you were unfortunate. Most big department stores would at least have given you a credit note as long as you had a receipt and had returned the item fairly soon after the purchase. It's not worth having bad customer relations, you see.

**Mary:** No, this was quite a small shop. Oh well, not to worry. Thanks anyway for your time – I'll know next time, won't I?

**Charles:** Yes, you certainly will.

**Grammar Section of Unit 1** covers one of the main areas of English Grammar – the system of English tenses in the Active Voice. A review of tenses is provided by means of a series of exercises based on the topical vocabulary of the Unit. To acquire lexical and grammatical skills on the use of tense forms in a special context Ss are expected to revise the Simple Tenses, the Continuous Tenses, the Perfect Tenses and the Perfect Continuous Tenses.

T refers Ss to the relevant pages of Grammar Reference Textbook and explains the theory before Ss do the exercises.

The system of exercises is designed to consolidate 'problem areas' of this particular part of English grammar and aimed at developing students' practical skills in using correct grammar structures in translating, discussing, communicating and writing. Special attention is given to those points which are often a problem for Ss – the meaning of verb forms, the formation of different types of questions, the use of tenses in conditional and time clauses, negative sentences, the use of certain structures: *used to + Infinitive*, *would + Infinitive*.

The grammar section starts with a dialogue which shows how the tense forms are used in a realistic context.

A number of exercises focus on the contrast between two or more structures such as the Present Simple and Present Continuous, the Present Perfect,

Past Simple and the Present Perfect Continuous. Ss are asked to justify the choice of the verbs *to be*, *to have* or *there + be* in the sentences.

The final activities of the grammar section include Russian-English translation aimed at developing the skills of translation, interpretation and checking the use of special lexical and grammar points of the Unit.

**Keys:**

**Ex. 1.**

Do you know; is; are; does a person go, has; are; does a solicitor deal with; advises; is responsible; do you qualify; does a person start, wants; are; does advocacy mean; does a person take; earns; do you happen, comes; do barristers have, do they work; do you ask, is; has, bestows; Is, do we call; do they use; will the British government eliminate; give, will be satisfied; spends, will not be spent.

**Ex. 2.** (*Suggested answers*).

1. Господин Буш обычно расследовал самые серьезные преступления, когда работал следователем. 2. Те, кто изучал право, жили в одном из судебных иннов. 3. Поверенные или адвокаты целыми днями находились в судах. 4. В течение 600 лет скорее простые люди, чем профессиональные судьи поддерживали судебный процесс для поддержания порядка. 5. В средние века король, а позже канцлер принимал прошения о справедливом освобождении. 6. До середины XVIII столетия преподавание права было скорее академическим, чем профессиональным. 7. Люди применяли понятие «солиситор» к поверенному, выступающему в суде лорда-канцлера. 8. Три королевских суда заседали в Вестминстере даже в отсутствие короля. 9. Хотя королевские суды непосредственно не заменяли старые местные суды, если существовало частичное совпадение правосудия, стороны в гражданском процессе предпочитали обычные суды. 10. Когда-то солиситоры были юристами широкого профиля, которые относились к экспертам в определенных областях права.

**Ex. 3.**

1. If you prove the guilt of the suspect, you will win the case.
2. You'll become a solicitor after you spend two years as an articled clerk.
3. As soon as the attorney prepares (or has prepared) the necessary documents, he will send the copy to the client.
4. "Sir, you won't know it to be good or bad till the judge determines it."

5. Please, don't touch anything before the police are here.
6. The counsel will not preserve the client's confidence if he discloses his secrets.
7. I think he will succeed in case he devotes much time to the development of his own practice.
8. His legal education will probably last about five years providing he studies well.

**Ex. 4.**

1) am preparing, are you doing; are helping; 2) deals; 3) regulates; 4) do you practice; 5) is doing, is studying; 6) don't believe, are lying; 7) are increasing; 8) discusses; 9) do you know, means, means; 10) is, does, deals, dies, wishes; 11) serves, knows, knows; 12) do you know, increases, decreases.

**Ex. 5.**

1) is swimming; 2) is having; 3) is watching; 4) is having; 5) is taking part; 6) is working; 7) is reading.

**Ex. 6.** (*Suggested answers*).

1) will be; 2) hasn't convinced; 3) am going to challenge; 4) will win; 5) am discussing; 6) are you going to do; 7) will do; 8) will get; 9) will you be doing, have; 10) will be taking.

**Ex. 7.**

1) haven't seen, have you been, have just come; 2) has happened; 3) have found; 4) have recognized; 5) has become; 6) has been; 7) have instituted; 8) has changed; 9) has reached; 10) has passed; 11) have been.

**Ex. 8.**

1. How long has the University of Law been training lawyers for the country? When did it start training lawyers?
2. How long has Common Law applied the doctrine of precedent? When did Common Law start applying the doctrine of precedent?
3. How long has Common Law been the basis of the procedure? When did Common Law start being the basis of the procedure?
4. How long have you been investigating a computer theft? When did you start investigating a computer theft?
5. How long has the barrister been arguing his client's case before the court? When did the barrister start arguing his client's case before the court?

6. How long has Dr Swith been giving lectures at the Law Department? When did he start giving lectures?
7. How long has he been taking part in questioning? When did he start taking part in questioning?

**Ex. 9.**

1. He hasn't investigated a murder for years.
2. The Bar hasn't admitted new members since June.
3. I haven't given evidence in the court for many years.
4. Steve Williams hasn't violated the Rules of Professional Conduct for ages.
5. This attorney hasn't lost a case in a long while.
6. This patrolman hasn't been on duty for the last few days.
7. I haven't dealt with a common law action since last year.

**Ex. 10.**

1) had married; 2) had got; 3) had shot; 4) had passed and become; 5) had disclosed; 6) had got married and left.

**Ex. 11.**

1) there is; 2) have; 3) is; 4) are, have, are; 5) is, there are; 6) are; 7) be, is; 8) have; 9) has; 10) is; 11) there are, are, be; 12) have, are, have.

**Ex. 12.** (Suggested answers).

1) seeks; 2) tell, are, like, dislike; 3) has, represents, do you defend, know, is; 4) is, denies; 5) asks, uses; 6) are; 7) applies, means, qualifies, pays; 8) has developed, act, progresses; 9) comes, work; 10) admits, knows, refuses, becomes; 11) tells, will never reveal, rests; 12) have changed, appear; 13) leaves, sits, assists; 14) have been; 15) have seen; 16) have altered, made; 17) will press; 18) are, am drawing up; 19) have you been preparing, began, will have done; 20) doesn't work, has been, had been working, retired.

**Ex. 13.** (Suggested answers).

1. И только после того как я возбудил дело о нарушении контракта, мой сосед согласился выплатить убыток.
2. Мы обсудили вариант, когда стороны не подписывают контракт. Давайте сейчас обсудим, что происходит, когда они действительно подписывают контракт.
3. Обычно именно члены семьи занимаются регистрацией смерти, выплатой долгов умершего, налоговых задолженностей и приобретением собственности.

4. Только с вашей подписью документ будет обязательным, а не устное обещание, сделанное до подписания.
5. Нет ничего неправдоподобного в том, что причиной прекращения деятельности компании является ее банкротство.

**Ex. 14. (1)** (*Suggested answers*).

*Model 1:*

1) do; 2) did; 3) did; 4) does; 5) did; 6) may; 7) did.

*Model 2:*

1. It is usually the creator of the work who owns a copyright.
2. In deciding what is reasonable it is a similar previous case that an English court will refer to.
3. It is the welfare of children that is the biggest concern of family law.
4. It was the court that ordered Mr. Jackson to make financial provisions for his ex-wife and for their children.
5. Those were such mistakes that could cost a buyer of land a lot of money.
6. These are the principles of tort and contract that are particularly relevant to consumer matters.
7. These are consumer laws that imply certain terms into consumer agreements.
8. These are the children's trustees who will be the legal owners of their money and will have the right to invest it.

*Model 3:*

1. It was not until a trespasser committed a crime that the police could take some actions.
2. It was not until he paid that he was allowed to make some copies.
3. It was not until the husband proved that his wife's mental illness was incurable that the court issued a decree dissolving the marriage.
4. It was not until the nineteenth century that the law on election was passed.

**Ex. 15.**

*Suggested answers.*

1. A lot of changes have taken place in the profession of a lawyer for the past decade.
2. At present the division of solicitors' and barristers' duties has become not so strict in Great Britain.
3. Solicitors often speak not only in the lowest courts but also in the higher courts.

4. According to the latest data 9,698 barristers work in England and Wales, among them there are 7,288 men and 2,410 women.
5. There are 1,006 Queen's Counsels in the country, of whom there are 974 men and 72 women.
6. English solicitors have gained a considerable progress in widening their rights, and that's why there is hope that the English will change their old system in future.
7. At present there is no need for barristers to work only in the chambers.
8. A barrister can practice individually, working not in a chamber, but from home.
9. Since 1990 barristers have had the right to advertise their services in the newspapers.
10. The profession of a lawyer is extremely popular in modern society.
11. If a person has decided to become a lawyer, he must be patient and hard-working.
12. You must pass a lot of professional examinations and get experience.
13. It is important to decide which branch of law you want to specialize in.
14. A lawyer's practice gives the possibility to represent a client in court.
15. He had the right to get the damage, and he did get it.
16. Hardly had he been released from prison when he committed a new crime.
17. It was only after her applying to the court that her former husband started paying her maintenance.
18. In this case it is the court that must decide who will be a guardian of a child.
19. During divorce it is the question of well-being of children and division of property that is the most important and often the most difficult for solving.

## UNIT II

### The Essence of Law

#### Objectives:

- be able to define the basic terms of the semantic field “Law”;
- be able to use correctly the topical vocabulary of the unit in speaking and writing about the essence of law;
- develop reading skills;
- be able to discuss, analyse, comprehend, summarize the fundamental ideas of the topic in question;
- master the basics of translation from English into Russian and v./v./ of the issues discussed;
- raise cultural awareness of the notion of the Anglo-Saxon system of law in comparison with that in your home country;
- develop grammar skills on the use of English Tenses in the Passive Voice in a special context.

#### Material

Unit “The Essence of Law” contains material for Reading, Speaking, Listening Comprehension, Grammar Section.

**Reading material** is represented by five interrelated texts (A, B, C, D, E) dealing with the definition of Law, its sources in Britain, advantages and disadvantages of the Anglo-Saxon system of law, its historical background and development. Each text is designed for a certain type of reading strategy. There are also additional texts for supplementary reading: Text 1. *What is a Legal System?* Text 2. *Systems of Law.* Text 3. *How Laws are changed.* The texts enlarge information provided for in the Unit and are designed for advanced learners.

**Text A** “What is Law” is the main text of the Unit dealing with the basic concepts of the science of Law. It is aimed at practicing intensive reading, therefore T should explain to Ss that the text is designed for thorough comprehension of the total meaning and the details. Special attention should be drawn to different understanding of the meaning of the term “law” by professionals and laymen.

**Word Study** exercises focus on the Topical vocabulary of the Unit. They range from a) training pronunciation of the internationalisms used in the text and proper names (Ex. 1, 2) where the T should draw Ss' attention to the fact that these words are often mispronounced in speech; b) studying derivatives (Ex. 3) where the most frequent derivational models are introduced; c) paring most common collocations (Ex. 4); d) giving definitions to basic terms (Ex. 5), e) matching English word-combinations to their Russian equivalents (Ex. 6) to study how the lexemes are used in the text. Finally, a Russian translation is given to consolidate the acquired vocabulary skills (Ex. 7)

**Keys:**

**Ex. 2.**

promoter – promotion  
operator – operation  
distributor – distribution  
regulator – regulation

violator – violation  
separator – separation  
administrator – administration

**Ex. 3.** 1h, 2l, 3j, 4a, 5k, 6b, 7d, 8c, 9i, 10e, 11g, 12f.

**Ex. 4.** 1. 7/d; 2. 4/a; 3. 3/j, 4. 2/l, 5. 1/h; 6. 6/b; 7. 9/I; 8. 8/c; 9. 5/k, 10. 10/e; 11. 11/g; 12. 12/f.

**Ex. 5.** 1b; 2c; 3a; 4f; 5g; 6d; 7e; 8j; 9h, 10i.

**Ex. 6.**

1. to behave; 2. morality; 3. administration; 4. objective; 5. precept; 6. to legislate; 7. claim (n); 8. constitution; 9. status; 10. procedure; 11. combat (n); 12. encroachment.

**Ex. 7.** 1e; 2o; 3m; 4f; 5a; 6n; 7l; 8g; 9b; 10p; 11h; 12c; 13q; 14d; 15k; 16i; 17j; 18s; 19t; 20r.

**Ex. 8.**

1. various; 2. ought; 3. two; 4. vague; 5. civilization; 6. developed; 7. constitutional; 8. regulator; 9. law; 10. set; 11. decisions; 12. seems, of, noticed, somebody; 13. called, interests, object; 14. embraces.

**Ex. 9.** 1f; 2g; 3h; 4i; 5j; 6k; 7l; 8m; 9n; 10o; 11a; 12b; 13c; 14d; 15e.

**Ex. 10.**

In prison; violently; justice; to jail; brought to; punishment diet; treatment; harsh; acquitted; warrant; similar; statute; liberty; declares.

**Discussion exercises** are aimed at helping Ss understand the main message of the text, concepts introduced, problems raised. The final aim of a whole range of exercises is to help Ss compile the topical vocabulary of the Unit and be able to recycle this area of vocabulary while generating microtexts, drawing conclusions, sharing ideas on the topic “The Essence of Law”. The exercises include reading comprehension tasks and talking points, suggest a variety of activities: multiple choice (Ex. 1), true/false statements (Ex. 2), digesting information which is to be presented in the form of the charts (Ex. 3), simulation of a conversation between an expert on law and law students (Ex. 4), reporting on the issues raised in the text with the help of suggested by T word-combinations (Ex. 5), rendering relevant information from Russian into English (Ex. 6)

**Keys:****Ex. 1.**

1b; 2a; 3c; 4a; 5a.

**Ex. 2.**

1f; 2t; 3f; 4t; 5t; 6t; 7t; 8f; 9t; 10f.

**Text B** “Sources of Law” is for scanning. T should explain to Ss that they are to discuss its main points, that is to analyze the sources of the British Law. There is up need to comprehend the text in detail.

**Keys:****Ex. 2.**

1. law; 2. Common Law; 3. Statute Law; 4. legal; 5. precedent; 6. court.

**Text C** “Advantages and Disadvantages of Case Law”. Ss are supposed to skim the text for specific information: to list merits and demerits of the system of Case law peculiar to England. In this connection it is interesting to compare British and native legal traditions.

**Keys:**

**Ex. 2.** 1, 2, 4, 5, 3, 7, 6.

**Text D** “Retrospective of British Legislation” describes historical development of the British legal system. Ss are exposed to specific terminology they are to understand and interpret while speaking.

**Text E** “Early Systems of Law” is an example of the gapped text. T should remind Ss of techniques to be used to handle this reading task (see Unit 1, p. 13).

**Keys:**

Code, law, case, verdict, jury, courts, codified.

**Dialogue section** is aimed at developing Ss’ speaking skills as well as enlarging information on the topic studied. The section contains two dialogues. First Ss are exposed to an authentic Dialogue 1 “Never Leave Till Tomorrow...”. Ss should be able to reproduce it abridged and render it in the form of a monologue.

Special attention should be paid to the problems raised in the dialogue such as: the historical development of legal system of Greece, Draco’s code laws, Solon’s law, “natural law” which expand the information field of the unit.

T should draw Ss’ attention to the sentence with the emphatic structure, “It was Draco who drew up Greece’s first written code of laws” and make sure they know how to translate it.

**Ex. 1.** Ss should carefully read the statement making sure they know the exact meaning of the word they must search for. Then they skim the dialogue searching for the words needed. T checks Ss’ answers.

**Keys:**

- |             |               |
|-------------|---------------|
| 1. eligible | 5. to devise  |
| 2. to arise | 6. assignment |
| 3. heritage | 7. harsh      |
| 4. offence  | 8. to appeal  |

**Ex. 2.** T should draw Ss’ attention to particular communication areas: expressing one’s opinion, agreement, understanding and the way of clarifying something. T should give some examples of these communication formulas which should be followed by the ones found by Ss in the dialogue.

**Keys:**

- give their opinion: As far as I remember..., I thought ..., A lot is worth speaking...;
- say they understand you: Oh, I see...;
- say they agree with you: Yes, I know...;
- clarify something: No, but why?

**Ex. 3.** T can use this exercise for back translation: English → Russian → English. Ss should work in pairs, one S in each pair should keep his/her notes closed.

1. разработать понятие «право»
2. религиозные верования
3. законы были созданы людьми и для людей
4. создать (в письменной форме)
5. наказание почти за все преступления
6. чрезвычайно жестокие меры
7. законодатель
8. быть подходящим для избрания
9. поддерживать решения правительства
10. основные принципы

**Ex. 4.** This task can be treated as a chain story. One S starts the story using the first verb, another S goes on, then another till all the verbs are used.

Dialogue 2 “At Oxford Law School” is presented in the form of a polylogue. It is a conversation between a British and an overseas law student. Special attention should be paid to raising cultural awareness of the problem under consideration. T should explain to Ss how to deal with the speaking tasks (see Unit 1 p. 15).

**Ex. 1.** Ss should try to give English equivalents from the memory, if they can't, let them find the words and expressions in the dialogue. Ss can work in pairs.

**Keys:**

to create, essential feature, the case under consideration, to be capable of doing smth., to get used to, unusual, to comprehend, to be worth, provision, at least, to be based on, to follow smth, responsibility, to get out of date, peculiarity.

**Ex. 2.** Before doing this exercise T should be sure Ss know the meaning of the derivatives. T explains to Ss how to deal with this exercise. (see Unit 1, p. 15)

**Keys:**

1. operation
2. application
3. interruption, interpretation
4. exaggeration
5. regulations

**Ex. 3.** The information from the dialogue can be presented either in the form of a dialogue or a monologue. The aim of the exercise is to digest the information and to improve speaking skills using new lexis.

**Listening Comprehension** section of Unit II contains two pieces of recorded information: a monologue and a dialogue.

**Monologue** “The Spread of Common and Continental Law” gives us some information about the influence of the British Law in the world. The text is supplied with pre-listening, listening and after-listening tasks.

The main objective of *pre-listening activities* is to overcome Ss’ listening comprehension difficulties. In Ex. 1 unknown words are introduced with the help of L. 1. Ss learn them before listening. In Ex. 2 Ss should make up derivatives from the verbs given in the text. T goes round the class and checks Ss’ assignment.

*Listening activities* are aimed at raising Ss’ listening comprehension skills and their listening for gist.

Ss should listen to the tape for the first time and after that they are supposed to do Ex. 1. in which they should state whether the following statements are true/false.

Then Ss should listen to the tape recording once more and T checks their listening comprehension by doing Ex. 2.

*After-listening activities* are aimed at developing Ss’ skills of oral speech and writing on the problem. Ss should compare legal systems in the USA and Great Britain: what they have in common, and in what way they differ.

**Keys (Listening activities):****Ex. 1.**

- a) It’s not true. California has a case law. Louisiana has a Roman civil form of Law.
- b) It’s not true. Sri Lanka has inherited a criminal code from Russia and uncodified Civil Law introduced by the British. India has codified English Common Law.

- c) It's true.
- d) It's not true. It is due to the widespread influence of Britain and the growth of its former colony, the US.
- e) It's not true. Common Law has been codified and adopted alongside a Hindu tradition of Law in India.

**Ex. 2.**

- a) is due both to the widespread influence of Britain in the world and the growth of its former colony, the US;
- b) a Roman civil form of Law; a French colony;
- c) a Hindu tradition of Law;
- d) the Russian Law; the Dutch, the British.

**Tapescript**

**The Spread of Common and Continental Law**

The spread of Common Law in the world is due both to the widespread influence of Britain in the world and the growth of its former colony, the US. Nevertheless political divergence has produced legal divergence from England. Unified federal Law is only a small part of American Law. The state of Louisiana for example has a Roman civil form of Law, which derives from its days as a French colony. California has a case Law tradition, but its laws are codified as extensively as many Continental systems. In India English Common Law has been codified and adopted alongside a Hindu tradition of Law. Sri Lanka has inherited a criminal code from the Russian Law introduced by the Dutch and an uncodified civil Law introduced by the British.

**Dialogue** "Radio Phone-in" gives Ss some additional information about the spread of Common and Continental Law.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. In Ex. 1 Ss learn unknown words and phrases with the help of L1. In Ex. 2 Ss should work in groups, discussing the statements given there. T goes round the class and checks, then she asks some groups to report to the class.

*Listening activities* are aimed at raising Ss' skills in listening comprehension. Ss listen for the tape recording for the first time and then fill in the table given in Ex. 1. Then Ss should listen to the recording once more and complete the microdialogue given in Ex. 2. After that T checks their understanding.

*After listening activities* are aimed at raising Ss' skills based on listening comprehension. In Ex. 1 and Ex. 2 Ss compare and distinct Common and Continental Law.

**Keys** (*Listening activities*):

**Ex. 1.** Suggested answers.

USA – Common Law mostly.

Great Britain – Common Law.

Japan – Continental and Common Law.

China – Continental Law mostly.

France – Continental Law.

Canada – Common Law.

**Ex. 2.**

a) “You and Law.”

b) our resident solicitor Mr Charles Andrews.

c) clarifying some particulars of Common Law and Continental Law.

d) the essence of modern Law, its historical and political backgrounds.

e) in having developed gradually throughout the history.

**Tapescript**

**Radio Phone-in**

**Announcer:** Good morning. This is Alan King on Radio Sussex with our usual Wednesday morning phone-in. This morning the topic is You and Law, and with us in the studio is our resident solicitor Mr Charles Andrews.

**Mr Charles:** Mr Andrews has been looking at some of the letters sent in by our listeners and he is now ready to give us the benefit of his professional advice.

He is on the line, ready to answer your questions and here is the first caller Mr Jack Whiteman from Leeds. Can you hear me?

**Mr Jack:** Yes, yes I can. Could you possibly assist me with clarifying some particulars of Common Law and Continental Law. In what way do these two main traditions of Law distinct from each other?

**Mr Andrews:** Well, as you see, your question concerns the essence of modern Law, its historical and political backgrounds. In short, Common Law has been adopted by many Commonwealth countries and most of the United States and Continental Law has developed in most of continental Europe, Latin America and many countries in Asia and Africa, strongly influenced by Europe. It has also influenced Japan and several former socialist countries.

**Mr Jack:** Ah, yes, excuse for butting in, but what’s the particular distinction between these two legal systems?

**Mr Charles:** Yes, it's interesting to know that Common Law especially that of England differ from Continental Law in having developed gradually throughout the history, not as a result of the government attempt to define or codify every legal relation, as it's characteristic of Common Law.

But I have to say that the whole issue is so complex that we haven't got enough time in this phone call to cover everything, I'm afraid.

**Mr Jack:** OK well, thanks very much.

**Announcer:** I'm sure Mr Jack is satisfied with your answer. In addition I must say that it's important not to exaggerate the differences between these two legal systems of Law, as nowadays there are attempts to internationalize them throughout the world.

Next on the line is Mrs Kate Stown from Townley.

**Mrs Kate Stown:** Hello Mr Charles, a couple of things there. I'd like you to tell me some words about the sources of the modern Japanese Law.

**Mr Charles:** Well, you see, despite a tradition of private law that resembled principles of judicial precedent the lawmakers of Japan have adopted criminal and civil codes closely based on the existing French models in their attempts to modernize Japanese Law. Thus Japanese Law has been influenced by both Common Law and Continental Law.

**Mrs Kate:** Thanks a lot, but I've heard some changes have been taken place in Chinese Law.

**Mr Charles:** Yes, certainly. In Chinese Law courts historically are regarded as political instruments, used both to control theft and violence and to deal with political opponents. But recently citizens in some areas have been encouraged to seek legal redress in disputes with other citizens, for example over consumer matters. Attempts have been made to codify Chinese Law, but so far there has been little progress.

**Mrs Kate:** Thanks for your consultation Mr Charles.

**Mr Charles:** Not at all. Nice to be useful to you.

**Announcer:** I'm afraid, we are short of time. I'm very grateful to you, Mr Charles for your exciting information. Next time we'll be also pleased to get your professional advice on different points and hope that our listeners will keep phoning up.

**Grammar Section of Unit 2** covers one of the main areas of English Grammar – the system of English tenses in the Passive Voice. A review of tenses is provided by means of a series of exercises based on the topical vocabulary of the Unit. To acquire lexical and grammatical skills on the use of tense forms in a special context Ss are expected to revise the Simple Tenses, the Continuous Tenses and the Perfect Tenses in the Passive Voice.

T refers Ss to the relevant pages of Grammar Reference Textbook and explains the theory before Ss do the exercises.

The system of exercises is designed to consolidate ‘problem areas’ of this particular part of English grammar and aimed at developing students’ practical skills in using correct grammar structures in translating, discussing, communicating and writing. Special attention is given to those points which are often a problem for Ss – the meaning of verb forms, the formation of different types of questions and the translation of passive structures.

The grammar section starts with an English-Russian translation exercise which shows how the tense forms are used in a realistic context.

A number of exercises focus on the contrast between two or more structures such as the Present Simple and Present Continuous, the Present Perfect and Past Simple. Ss are asked to justify the choice of the tenses.

The final activities of the grammar section include Russian-English translation aimed at developing the skills of translation, interpretation and checking the use of special lexical and grammar points of the Unit.

### **Keys:**

#### **Ex. 1. Suggested answers.**

1. Право определяется как свод правил, которые формируют образец поведения в данном обществе.
2. Право основывается на установленных обществом нормах в попытках определять и регулировать отношения между своими членами.
3. В древние времена законы наследовались из старых обычаев и в некоторых случаях были систематизированы по приказу сильного правителя, а затем становились известными под именем правителя подобно своду законов Хаммурапи или дигесты Юстиниана.
4. Хотя во многих случаях имена древних законодателей неизвестны, их учения известны миллионам людей.
5. Кажется, что десять заповедей из Библии известны всем как верующим, так и неверующим людям.
6. Кроме строго религиозных заповедей есть те, которые охотно принимаются большинством людей: проявлять почтение и преданность своим родителям, не убивать, не прелюбодействовать, не воровать, не лжесвидетельствовать против ближнего, не посягать с жадностью на то, что принадлежит соседям.
7. Коран считается самой почитаемой книгой среди мусульман. Коран является основой исламского права – шариата.
8. Судебная часть шариата была систематизирована впервые в Медж(и)лисе в Османской империи в 1869 году.

9. Еще одним законом, инициатор которого неизвестен, является закон талиона: глаз за глаз, зуб за зуб.
10. В англосаксонском праве смертная казнь считалась обычным ответом на определенные виды преступлений.
11. Сегодня законодатели являются представителями законодательной власти, которые уполномочены создавать, изменять или отменять законы страны или штата и взимать налоги.
12. Законодательство, являясь законодательной властью, отличается от исполнительной и судебной ветвей власти.
13. Гражданская правовая система базируется на римском праве, французском кодексе Наполеона, немецком и шведском кодексах.
14. В странах с континентальным правом законодательство рассматривается как основной источник права.

**Ex. 2.**

1. Laws *are established* by a governing power to maintain peace, secure justice for its members, define legal rights of the individual and community and to punish offenders for legal wrongs.
2. The rights of the individual in protecting his person and his property *are defined* and *determined* by the civil law.
3. Society and the community *are protected* from the injurious and harmful acts of individuals by the criminal law.
4. The word 'law' *is used* by people to mean many things.
5. The word 'law' *is generally used* to indicate all laws and it is also used to mean a single enactment of a lawmaking body, a statute.
6. A person charged with a crime *is assured* of a fair and speedy trial by the criminal law.
7. The case law arises out of disputes and it can *be found* in the decisions of courts.
8. Laws *are made* by Parliament, and they constitute parliamentary or statutory law.
9. In all societies relations between people *are regulated* by prescriptive laws.
10. Laws *have been made* by members of every community for themselves in self-protection.
11. All the spheres of production, distribution and exchange *are embraced* by the law.
12. The measures for combating encroachment on the state system and the existing order of social relations *are laid down* by the law.

13. In civil law countries court judgements *are based* on the provisions of codes and statutes.
14. Many everyday situations such as marriage, divorce, contracts, insurance, consumer protection and negligence *are regulated* by civil laws.

**Ex. 3.** *Suggested answers:*

1. In ancient times laws were derived from old customs.
2. Yes, there are. They are understandable and acceptable for everybody.
3. No, they aren't. Legislators' names are remembered in history if the laws were codified under their names.
4. The law of the talion is based on the principle: an eye for an eye, a tooth for a tooth.
5. The main legal systems are classified as the common law system, civil law system and Muslim legal system.
6. Common Law of England has been developed from various customs, usages and conventions and it is fundamentally judge-made law.
7. The English system is called the Common Law system as it is applied throughout the country.
8. Common Law system is used by the countries which were colonized at some time by Britain.
9. Civil Law system is based on Roman law and the Napoleonic Code.
10. The judgements of courts in civil law countries are based on the provisions of codes and statutes.
11. Common law judges are selected from the most senior barristers.
12. The Muslim legal system is based on the Sharia and is used in Egypt, Tunisia, Iran, Iraq, Afghanistan and other countries.

**Ex. 4.**

1) was drawn up; 2) was covered, was set up, be read; 3) was lost, was rediscovered; 4) is exhibited; 5) were laid down; 6) covered; 7) was observed; 8) were made; 9) was devised; 10) said, were written; 11) passed, wrote; 12) revised, made; 13) was conquered, were governed, were adopted, settled.

**Ex. 5.**

1) are made, are interpreted and applied, are made; 2) are heard, are heard; 3) is conditioned; 4) should be administered, be applied; 5) had not been achieved; 6) is based, were established; 7) is set out; 8) are created; 9) are abolished, are replaced; 10) have been made; 11) was established; 12) are based; 13) is written, is understood; 14) are divided.

**Ex. 6.**

1) have liked; 2) have been, are doing, develop; 3) forms, comprises; 4) consists; 5) are brought; 6) are designed; 7) are established; 8) is, has developed; 9) had been promoted, ruled; 10) signs, becomes, has been passed, has been adopted; 11) deal, are not understood; 12) is made, is based; expresses; 13) has become; 14) is, means, are bound, are obliged; 15) was abolished, is used, is; 16) is investigating, is being investigated, will be heard, will have been completed; 17) has established; 18) is made up, guard; 19) has existed, recognizes; 20) is influenced.

**Ex. 7. Suggested answers:**

1. While making laws the balance must be observed between the rights and duties of citizens, the necessity of order and keeping the main freedoms.
2. Various values of the country are reflected in the laws.
3. Laws are based on moral, economic, political and social values of the country.
4. Free education and medical service are guaranteed by laws of many countries.
5. Not all immoral actions are considered unlawful.
6. In time social values are changed, then the laws are also changed.
7. Long before the Europeans settled on the American continent, in many tribes the order had been supported by the system of traditional unwritten laws.
8. The relations between individuals and groups of people are regulated by civil law.
9. The British Constitution is often called unwritten as it has never been codified in any single document.
10. The term “unwritten law” is used to indicate the law which has never been adopted by Parliament; “written law” means a law which was adopted by Parliament.
11. The criminal law of 1967 is considered to be one of the most important laws of Great Britain. A new classification of criminal offences is given in this law and their traditional division into felonies and misdemeanor cases is abolished.
12. What question is being discussed by the Legislative Committee? – New laws connected with the use of atomic energy are being discussed by the committee.
13. During the last decade great attention has been paid to the development of legislature on the environmental protection.

## UNIT III

### British Constitutional Law

#### Objectives:

- be able to define the basic terms of the “Constitutional Law” semantic field;
- be able to use correctly the topical vocabulary of the Unit in speaking and writing about constitutions of different countries;
- develop reading skills;
- be able to discuss, analyse, comprehend, summarize the fundamental ideas of the topic in question;
- master the basics of translation from English into Russian and v.v. of the issues discussed;
- raise cultural awareness of the notion “British Constitutional Law” in comparison with a corresponding branch of law in your home country;
- develop grammar skills on the use of Reported Speech and Sequence of Tenses in a special context.

#### Material

Unit “British Constitutional Law” contains material for Reading, Speaking, Listening Comprehension, Grammar Section.

**Reading material** is represented by five interrelated texts (A, B, C, D, E) dealing with peculiarities of the British constitution, British monarchy, British political parties, elections in Britain. Each text is designed for a certain type of reading strategy. There are also additional texts for supplementary reading: Text 1. *The Monarchy*. Text 2. *The Royal Family – Worth a Fortune?* Text 3. *The Working of the House of Commons*. Text 4. *The Judicial Work of the House of Lords*. Text 5. *British Political Parties: Modern Policies*. Text 6. *Good-bye, Maggie!*

The texts enlarge information provided for in the Unit and are designed for advanced learners.

**Text A** “The British Constitution” is an example of an academic text dealing with the peculiarities of the Constitution in Britain which is “unwritten” unlike the constitutions of most other countries. Ss are exposed to the notion of the separation of powers, each branch of power being thoroughly analyzed.

The text is aimed at practicing intensive reading, therefore T should explain to Ss that they are to study it in detail. The text is followed by numerous vocabulary and speech exercises.

**Word study** exercises focus on the topical vocabulary of the Unit. They range from a) training pronunciation of the internationalisms used in the text and proper names (Ex. 1, 2) where the T should draw Ss' attention to the fact that these words are often mispronounced in speech; b) studying derivatives (Ex. 3) where the most frequent derivational models are introduced; c) pairing most common collocations (Ex. 4); d) giving definitions to basic terms (Ex. 5); e) matching English word-combinations to their Russian equivalents (Ex. 6) to study how the lexemes are used in the text. Finally, from Russian into English translation is suggested to consolidate the acquired vocabulary skills (Ex. 7).

**Keys:**

**Ex. 2.**

2. passenger (passer-by)	—
3. —	introduction
4. executor	execution
5. —	constitution
6. —	debate
7. —	enforcement
8. protector	protection
9. —	adoption
10. elector	election
11. —	function
12. composer	composition
13. administrator	administration

**Ex. 3.**

1j; 2o; 3h; 4n; 5k; 6m; 7f; 8l; 9g; 10i; 11a; 12b; 13c; 14d; 15e.

**Ex. 4.**

1/11a; 2/12b; 3/13c; 4/14d; 5/15e; 6/3h; 7/6m; 8/1j; 9/4n; 10/8l; 11/10i; 12/2o; 13/5k; 14/7f; 15/9g.

**Ex. 5.**

Political structure; formal constitution; national soul; general agreement; constitutional law; judicial branch; initiating sanction; considerable authority;

ministerial department; ideological structure; special appointment; powerful government; responsible minister; traditional functions.

**Ex. 6.**

1. written;
2. existence;
3. enactments;
4. distinguished;
5. electorate;
6. sovereign;
7. voters, elections;
8. resident;
9. approved, recommendation;
10. elections.

**Ex. 7.**

1m; 2n; 3o; 4p; 5g; 6r; 7s; 8t; 9c; 10e; 11h; 12j; 13l; 14a; 15d; 16f; 17i; 18k; 19b; 20g.

**Ex. 8.**

1/4; 2/8; 3/10; 4/5; 5/1; 6/9; 7/6; 8/2; 9/7; 10/3.

**Ex. 9.**

a) 1. liberty; 2. customary; 3. provision; 4. advisory; 5. representative; 6. amendment; 7. flexibility; 8. adaptable.

b) 1. government's policy; 2. departmental ministers; 3. collective responsibility; 4. ministerial responsibility; 5. Parliament; 6. failure in administration; 7. House of Commons.

c) 1. institutions; 2. Royal council; 3. realm; 4. nobility; 5. gentry; 6. burghesses; 7. national emergency; 8. raising of money; 9. executive; 10. parliamentary government; 11. representative government.

**Discussion exercises** are aimed at helping Ss understand the main message of the text, concepts introduced, problems raised. The final aim of a whole range of exercises is to help Ss compile the topical vocabulary of the Unit and be able to recycle this area of vocabulary while generating microtexts, drawing conclusions, sharing ideas on the topic "British Constitutional Law". The exercises include reading comprehension tasks and talking points, suggest a va-

riety of activities: multiple choice (Ex. 1), true/false statements (Ex. 2), commenting on the charts (Ex. 3), *simulation* of a conversation between a British and overseas law student (Ex. 4), reporting on the issues raised in the text with the help of suggested by T word-combinations (Ex. 5), rendering relevant information *from* Russian into English (Ex. 6).

**Keys:**

**Ex. 1.**

1a; 2b; 3d; 4c; 5a; 6c; 7b; 8d; 9a; 10d.

**Ex. 2.**

1f; 2f; 3t; 4t; 5t; 6f; 7f; 8t; 9t; 10t.

**Text B** “Monarchy in Britain” is for scanning. Ss are supposed to identify the type of British monarchy, Queen’s functions in modern Britain. After text exercises help Ss focus on the basic information provided for in the text.

**Keys:**

**Ex. 1.**

1. What are Queens power limited by?
2. Who is politically responsible for the Royal Act?
3. The Queen summons, prorogues and dissolves Parliament, doesn’t she?
4. Are the duties of the Queen limited or numerous?
5. Is the Queen only a formal ruler today?

**Ex. 2.**

1. ... also an important symbol of national unity.
2. ... does not actually govern.
3. ... numerous.
4. ... Ministers and their officials.
5. ... a body of advisors of English monarchs and was the chief source of executive power in the state.
6. ... declined in importance.
7. ... members of the Royal family, the archbishops, colonial governors and all senior Ministers, together with others to whom membership has been given as an honour.

**Text C** “Political Parties ” is for skimming. Ss should extract information on the type of political parties which exist in modern Britain, their electoral programmes. Special attention should be drawn to the fact that Britain has a two-party system.

**Text D** “Elections in Great Britain” provides Ss with the information on the British electoral law. Ss are supposed to comprehend the national peculiarities of the elections in Britain and compare the process with that in their home country.

**Text E** “Prime Minister” is an example of the gapped text. The procedure of how to deal with this type of reading task was described in Unit I (see p. 13). T should draw Ss’ attention to the fact that this time gaps are to be filled in with verbs in the grammatically correct forms.

**Keys:**

1. wins;
2. nominates;
3. informs;
4. presides;
5. include;
6. belongs.

**Dialogue section** is aimed at developing Ss’ speaking skills as well as enlarging information on the topic studied. The section contains two dialogues. First Ss are exposed to an authentic Dialogue 1 “At the Exam”. Ss should be able to reproduce it abridged or in the form of a monologue. Special attention should be paid to the issues discussed in the dialogue: the role, duties and responsibilities of the Prime Minister in order to expand the information field of the unit.

**Ex. 1.** Ss should carefully read the statement making sure they know the exact meaning of the word they must search for. Then skim the dialogue searching for the words needed. T checks Ss’ answers.

**Keys:**

- |                        |                 |
|------------------------|-----------------|
| 1. authority           | 6. appointment  |
| 2. opinion             | 7. to dismiss   |
| 3. to shape the policy | 8. to transfer  |
| 4. to handle           | 9. approval     |
| 5. rule                | 10. to dissolve |

**Ex. 2.** T should draw Ss’ attention to a particular communication area – “giving opinion”. The role of the conversational formulas in the process of communication should be explained.

**Keys:**

As far as I remember...

If I am not mistaken...

I am sure...

As I see it ...

I believe it's ...

**Ex. 3.** This exercise can be treated as a chain story. One S starts the story using one word from the list, another S goes on, then another S till all the words are used.

**Dialogue 2** “The Significance of the Bill of Rights” is presented in the form of a polylogue. It is a conversation between a British and an overseas law student. Special attention should be paid to raising professional awareness of the problem under consideration. Ss should be able to analyse the foundation of British law, the significance of the Bill of Rights, its main goal and the consequences of its adoption.

T should explain to the Ss how to deal with the speaking tasks (see Unit 1 p. 15)

**Ex. 1.** Ss are supposed to present the information in the form of a monologue showing the knowledge of the words and expressions from the dialogue. The offered list will help Ss make the story informative.

**Ex. 2.** T should make sure Ss know the words in the box. Ss should skim the gapped text first, carefully read each sentence to understand it and define what part of speech is needed and then insert the missing word. T checks Ss' answers.

**Keys:**

Seat, Bar, sides, Opposition, MPs, back, speech, chamber, debate.

**Listening comprehension** section of Unit III contains two pieces of recorded information: a monologue and a dialogue.

**Monologue** “Monarchy” gives some additional information about the problem discussed in this Unit and expresses the private opinion about the Royal family in Britain.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1.

First Ss should do this exercise on their own, then T goes round the class and checks Ss' understanding of their meanings by using L1. Ex. 2. prepares Ss for doing listening activities by answering the questions on the point.

*Listening activities* are aimed at raising Ss' listening comprehension skills and checking them. In Ex. 1 Ss should listen to the tape recording for the first time while making brief notes to help them answer the question. Then Ss listen to the tape recording for the second time and after that they are supposed to do Ex. 2. in which they fill in the gaps with the necessary words.

*After listening* activities are aimed at raising Ss' skills of speaking based on listening gist. In Ex. 1 Ss discuss in close pairs on their own the main points of the assignment. T goes round the class and checks their answers. After doing Ex. 1 in class, T can assign it as written H.W.

**Keys** (*Listening activities*):

**Ex. 1.** *Suggested answers.*

- a) of the monarchies in general.
- b) monarchs untouched by political scandals as for example the American President.
- c) in Scandinavia, in Holland, in Belgium; these Royal families set a good example; they work hard, they are modest.
- d) he does not feel sorry for the British Royal Family.
- e) they behave like actors in a soap opera.
- f) vulgar, dignified, modest.

**Ex. 2.**

- a) to disapprove of.
- b) accept.
- c) I'm against them.
- d) be in favour of.

**Tapescript**

### **Monarchy**

Well, I suppose I do approve of the monarchy, of the idea of a monarchy, I used to disapprove of royal families in general. I think now I accept the idea of a royal family, because they can function and operate outside politics. What I mean by that is that they're not going to be touched by political scandal, in the way that a president, for example, might be, President of the United States, for example.

But although I approve of the idea of a monarchy, I don't approve of the monarchy we have in Britain at the moment. I'm against them personally, if you like. I think the problem we have with our monarchy is that they are greedy, I would say. They are lazy. They display their wealth in a very ostentatious and vulgar way. They keep their wealth and their treasures well away from the public. They don't contribute to the public good.

I think I would be in favour of a monarchy of the sort you find in other countries in Northern Europe: in Scandinavia, in Holland, for example, perhaps in Belgium. Because those royal families set a good example. They're modest. They work hard. You know, you hear, in England you hear all the time, 'Oh, don't you feel sorry for the Royal Family. They work so hard.' I simply don't believe this. I would love to swap my job for their job any day. I don't think they work hard.

The other thing that I don't like about our Royal Family is the fact that they now seem to behave in, you know, like actors in a soap opera. That they've become vulgar. They've become popular and at the same time, they've become vulgar. They're not dignified. And I do think that a monarchy, although it should be modest, it should be dignified. And it should set a good example.

**Dialogue** "Interview" stimulates Ss' activities in oral speech, raises their listening comprehension skills and gives some additional information on the British Royal family.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1. First Ss should do this exercise on their own, then T goes round the class and checks Ss' understanding of meanings by using L. 1.

The main objective of *listening activities* is to raise Ss' listening comprehension skills. In Ex. 1 while listening to the tape for the first time Ss should make brief notes to help them answer the questions.

Then Ss should listen to the tape recording once more and fill in the gaps in Ex. 2.

*After listening activities* are aimed at raising Ss' skills of speaking based on listening gist. In Ex. 1 Ss should discuss in close pairs the main points of the gist. T goes round and checks their answers.

**Keys (Listening activities):**

**Ex. 1.**

a) The British public are fascinated by their figureheads.

- b) The Royal family is a “figurehead institution”, it performs a useful socio-political role.
- c) They represent the state. The Queen is a part of British social tradition, its symbol.

**Ex. 2.**

- a) a figurehead; a useful socio-political role.
- b) German origins; five.
- c) to represent the state.
- d) a very average, middle-class family.
- e) to do that job.

**Tapescript**

**Interview**

When it comes to selling newspapers, nothing increases the circulation figures more than a royal scandal. No doubt, the British public are fascinated by their figureheads. I spoke to Patrick Orman Ward from England about his feelings for the British monarchy. First I asked Patrick if the royal family was important to him.

**Patrick:** It's not important to me, personally. It's a hereditary institution and I think it's important to the social structure of British society, to its political structure.

**Interviewer :** Why? They're apolitical, in what way is it important to the political structure?

**Patrick:** OK, you say it's apolitical, it's hereditary but in fact not apolitical. The British constitution is a very difficult constitution, because it doesn't exist. It exists by, through history, through acquired gentlemen's agreements if you like. What is important about the royal family is that it's a figurehead institution, it performs a useful socio-political role.

**Interviewer:** But isn't it much better to have somebody elected which comes from the people, than somebody who inherits the title who could and has often been in English history somebody of dubious ancestry who is half-mad and not even English anyway?

**Patrick:** Half-mad yes, often, not even English, absolutely. I don't think that's important. When you know ... let's face it-not English? What's English? I call myself an Englishman and I'm a quarter Dutch. The English royal family after all, have German origins but they've been in England for five generations and be completely English is indeed very unusual and rare. Its important function is to represent the state. And symbolically. To say that it,

perhaps it's better to have somebody elected from the people, but it's not part of British social tradition.

**Interviewer:** But may be we're lucky, may be Prince Charles is going to be a wonderful king but that's a very, the royal family, is a very average, middle-class family doing a boring job very well. Would you agree with that definition?

**Patrick:** Yes, insofar, as I think, they are average in their talents they are middle-class in their aspirations, in their tastes, let's say doing a difficult job very well and I personally would not like to do that job.

**Grammar Section of Unit 3** covers one of the areas of English Grammar – The Sequence of Tenses and the Reported Speech. A review of tense changes according to the Sequence of Tenses rule is provided by means of a series of exercises based on the topical vocabulary of the Unit. To acquire lexical and grammatical skills on the use of tense forms in a special context Ss are expected to revise the Tenses in the Active and Passive Voice applying the Sequence of Tenses rule in reported statements, reported questions, reported commands/requests and suggestions.

T refers Ss to the relevant pages of Grammar Reference Textbook and explains the theory before Ss do the exercises.

The system of exercises is designed to consolidate ‘problem areas’ of this particular part of English grammar and aimed at developing students’ practical skills in using correct grammar structures in translating, discussing, communicating and writing. Special attention is given to those points which are often a problem for Ss – the meaning of verb forms, the formation of indirect questions, the use of tenses in time clauses.

The grammar section starts with an English-Russian translation exercise, which shows how the tense forms are used in a realistic context.

A number of exercises focus on the use of introductory verbs in Reported Speech and the change of some words and time expressions according to the meaning of the sentence.

The final activities of the grammar section include Russian-English translation aimed at developing the skills of translation, interpretation and checking the use of special lexical and grammar points of the Unit.

**Keys:**

**Ex. 1.**

1. asked – Past Simple, knew – Past Simple;
2. appeared – Past Simple, was going – Past Continuous;

3. expected – Past Simple, would be – Future Indefinite-in-the Past;
4. admitted – Past Simple, had – Past Simple;
5. became – Past Simple, had achieved – Past Perfect;
6. was – Past Simple, had developed – Past Perfect;
7. expected – Past Simple, would decline – Future Indefinite-in-the Past;
8. emphasized – Past Simple, would be considered – Future Indefinite-in-the Past (Passive Voice).

**Ex. 2.**

Suggested answers:

1. had remained, had changed;
2. had created, had been;
3. had been;
4. has been regarded, has been;
5. had tried, acted;
6. recognized;
7. were being reduced;
8. was;
9. had been summoned and dissolved, ruled;
10. has attempted, were laid down;
11. was, was designed;
12. had, permitted;
13. could be changed, had exceeded or had abused;
14. have traced.

**Ex. 3.**

Statements:

Suggested answers:

1. The teacher explained that the Constitution of Great Britain was not the source of law, but the law gave birth to the Constitution.
2. The teacher added that the English Constitution had not been codified in any particular document.
3. The teacher stressed that to understand the English Constitution you would study numerous documents.
4. The teacher said that in spite of numerous duties the Queen's powers were limited by Parliament.
5. They admitted that in theory certain persons e.g. Lord Mayor were vested with judicial powers at trials in the Central Criminal Court, but in practice they don't take part in judicial work there.

6. We were explained that the Prime Minister usually took policy decisions with the agreement of the Cabinet.
7. It was reported that each new Prime Minister might create new ministries or make other changes.
8. We knew that the Prime Minister held Cabinet meetings at his/her house at No. 10 Downing Street not far from the Houses of Parliament.
9. The bishop declared that he was the Chancellor and the keeper of the King's conscience.

Questions:

Suggested answers:

*Model 1:*

1. The teacher asked if the Queen had ever dissolved Parliament during her reign.
2. The teacher asked if the Prime Minister changed the Cabinet.
3. The teacher asked if the British Constitution had been codified.
4. The teacher asked if Britain had written or unwritten Constitution.
5. The teacher asked if the Prime Minister was appointed by the Queen.
6. The teacher asked if Judiciary was an independent branch of power in Britain.
7. The teacher asked if the Cabinet was the central institution of the UK Constitution.
8. The teacher asked if England and Wales, Scotland and Northern Ireland had their own legal systems.

*Model 2:*

Suggested answers:

1. The teacher asked what kind of state Great Britain was.
2. He asked what the Constitution reflected.
3. He asked how long the British Constitution had evolved.
4. He asked what principles had been adopted by most modern constitutions.
5. He asked what one of the reasons for having special constitutional laws was.
6. He asked by whom the principles of separation of powers had been developed.
7. He asked how many readings a bill passed to become an Act of Parliament.
8. He asked where the Prime Minister held Cabinet meetings.
9. He asked what the relationships between the legislative and the executive branches of government were.
10. He asked what the doctrine of separation of powers meant.
11. He asked who head of the Judiciary in the country was.
12. He asked where laws were interpreted and applied.

*Model 3:*

Commands, requests, advice:

Suggested answers:

1. The teacher told me to get ready to speak about the British Constitution.
2. The teacher asked me to name the duties of the Queen.
3. The teacher warned not to mix two notions: the Law as a system and a law as an individual, separate rule.
4. I was warned not to forget about the difference between Statute Law and Common Law.
5. I was advised not to look for the British Constitution in any single document.
6. The students were asked to characterize the judicial branch of Great Britain.
7. The student asked if he should deliver his report that day or the next day.

**Ex. 4.** Suggested answers:

1. The teacher says that the modern UK Constitution is usually regarded as dating from the Glorious Revolution of 1688.
2. He added that the main constitutional principles and institutions had been traced to medieval times or even earlier.
3. The author stressed that one of the main purposes of the constitution was to maintain political stability and order in the country.
4. The lecturer declared that the institutions of the unwritten UK Constitution had evolved over centuries.
5. The students were explained that the Constitution that had emerged during the 17<sup>th</sup>-18<sup>th</sup> centuries had been described as “a balanced constitution” combining the elements of monarchy, aristocracy and democracy.
6. The lecturer remarked the notion that the powers of government of whatever form should be limited by law ran through the constitutional history.
7. He added that however no one had yet succeeded in defining the ‘proper’ limits of government power.
8. The teacher said that the British monarch had not refused the royal assent to legislation since 1709.
9. He added that the concept of monarchy was ancient, originally implying that one person was given supreme authority over everyone else by God.
10. We were explained that all major government decisions were taken by the Cabinet, a committee of senior government ministers.
11. The lecturer says that by the end of the 13<sup>th</sup> century judges had developed the law and practicing bar had dominated legal education.
12. The introduction reads that before the Norman Conquest legal institutions made few lasting contributions.
13. He says that he hopes I won’t ask them questions on Tudor period.

**Ex. 5.** Suggested answers:

1. He advised them to sue our neighbour for harassment, but we declined the advice.
2. He offered to deliver a report on the nature of law and the teacher accepted his offer.
3. He stressed that we should first consider the terms of the contract. They agreed with it.
4. He advised to institute proceedings to obtain possession of the building, but we remarked that nothing would come out of it. (We declined his offer)
5. He offered to provide me with necessary legal aid in advance and I accepted his offer.
6. He advised not to support our decision by a case from another country and we accepted the offer.
7. He suggested that we should first obtain sufficient legal knowledge and then start reading a statute. I agreed with him.
8. Some scholars offer to combine the two sources of law.
9. The lawyer advised me to file an appeal to the House of Lords and I accepted the offer.

**Ex. 6.** Suggested answers:

1. He told me that the idea that government was not all powerful first had appeared in Magna Carta, or the Great Charter, that was signed by King John in 1215 under the threat of civil war.
2. He explained to me that the Magna Carta had established the principle of limited government in which the power of monarch or government was limited, not absolute.
3. Yes. I did. I believed the explanation that the Magna Carta had stipulated that no citizen could be punished or kept in prison without a fair trial.
4. I was explained that in time the document had come to be regarded as a cornerstone of British liberties and had been one of the oldest written constitutional papers.
5. Yes, I did. I knew that Habeas Corpus Act was passed in Britain in 1679 and was the law in the name of the people, or in Britain the sovereign, to produce an imprisoned person in court at once.
6. He explained that the law of Habeas Corpus had guaranteed that nobody could be held in prison without trial.
7. He stated that the Bill of Rights was adopted in 1689, a number of its clauses eliminated royal interference in parliamentary matters and stressed that elections must be free.

8. Yes, he did. He asked me if the Bill of Rights had been one of the basic instruments of the British Constitution, the result of the long 17<sup>th</sup> century struggle.
9. I wanted to say that the Act had also dealt with the proximate succession to the throne, provided the heirs had been Protestants.
10. Yes, I did. I knew that Napoleon's Code had been adopted in most of the areas of Europe and had spread across the Atlantic.
11. Yes, I did. I understood that freedom of speech and freedom of press were both the cornerstones of democratic constitutions.
12. Yes, they did. They informed me that everyone must pay taxes of one kind or another.

**Ex. 7.**

1. We were explained that he had been invited to speak in Parliament.
2. The teacher said that this amendment to the Constitution was often referred to.
3. We were explained that the Bill could not be rejected by the House of Lords.
4. We were sorry that all these facts became known after the resolution had been adopted.
5. It was decided if the Parliament law contradicted the precedent, the earlier law would be modified but would not be infringed.
6. I've read that the principle of separation of powers was worked out in the 18<sup>th</sup> century by the French political philosopher Montesquieu.
7. Everybody knew when the votes were counted, the Speaker would announce the results.
8. The Speaker declared that answers would be given to all the inquiries of MPs.
9. We were explained that after the Bill passed the third reading, it would go to the House of Lords.
10. We knew when the policy of the government of any question was determined, the Minister must support it or relinquish.
11. We understood that we had too little knowledge on legal matters.
12. I've read that the Roman Law had influenced many countries of Europe for a long time.
13. The teacher explained that there was essential difference between a statute and a law.

## UNIT IV

### American Constitutional Law

#### Objectives:

- be able to define the basic terms of the “Constitutional Law” semantic field;
- be able to use correctly the topical vocabulary of the Unit in speaking and writing about American constitution;
- develop reading skills;
- be able to discuss, analyze, comprehend, summarize the fundamental ideas of the topic in question;
- master the basics of translation from English into Russian and v.v. of the issues discussed;
- raise cultural awareness of the notion “American Constitutional Law” in comparison with the British and native constitutions;
- develop grammar skills on the use of modal verbs in a special context.

#### Material

Unit “American Constitutional Law” contains material for Reading, Speaking, Listening Comprehension, Grammar Section.

**Reading material** is represented by five interrelated texts (A, B, C, D, E) dealing with peculiarities of the American constitution, federal and local systems of government, Congress’s powers, leading political parties, election of the president. There are also four additional texts for supplementary reading: Text 1. *Limits on Legislative Power*. Text 2. *Separate branches, shared powers*. Text 3. *Democracy in America*. Text 4. *George Washington*.

The texts enlarge information provided for in the Unit and are designed for advanced learners.

**Text A** “American Constitution” is an academic text dealing with the history of the adoption of the American Constitution, its significance for the prosperity of the United States of America. The text is aimed at practicing intensive reading, therefore T should explain to Ss that they are to study it in detail. The text is followed by numerous vocabulary and speech exercises.

**Word study** exercises focus on the Topical vocabulary of the Unit. They range from a) training pronunciation of the internationalisms used in the text and proper names (Ex. 1, 2) where the T should draw Ss’ attention to the fact

that these words are often mispronounced in speech; b) studying derivatives (Ex. 3) where the most frequent derivational models are introduced; c) paring most common collocations (Ex. 4); d) giving definitions to basic terms (Ex. 5); e) matching English word-combinations to their Russian equivalents (Ex. 6) to study how the lexemes are used in text. Finally, a Russian translation is suggested to consolidate the acquired vocabulary skills (Ex. 7).

**Ex. 2.**

announcer	announcement
founder	foundation
dividers	division
form	formation
servant	service
follower	–
maker	–
inventor	invention
–	expansion
provider	providence
promoter	promotion

**Ex. 3.**

1i; 2h; 3j; 4k; 5l; 6m; 7d; 8f; 9c; 10a; 11g; 12b; 13e.

**Ex. 4.**

1/10a; 2/12b; 3/9c; 4/7d; 5/13e; 6/8f; 7/11b, 8/5l; 9/2h; 10/1i; 11/4k; 12/6m; 13/3j.

**Ex. 5.**

Unreasonable searches, loud announcement, new condition, free people, direct elections, local authority, federal state, natural responsibilities, fundamental rights, clear lines, great pride, changing welfare, democratic nature, general needs, governmental groups, state government, judicial review.

**Ex. 6.**

1. document; 2. independent; 3. liberty; 4. declaration; 5. amendment; 6. federal; 7. slave; 8. suffrage; 9. president; 10. elections.

**Ex. 7.**

1q; 2r; 3s; 4t; 5u; 6v; 7w; 8y; 9x; 10z; 11a; 12e; 13i; 14g; 15b; 16a; 17l; 18c; 19d; 20m; 21f; 22j; 23h; 24k; 25o; 26n; 27p.

**Ex. 8.**

1. birth; 2. laid; 3. Philadelphia; 4. stated; 5. striking; 6. president; 7. amended; 8. belongs; 9. served; 10. amendments; 11. Congress; 12. refers.

**Ex. 9.**

1/5; 2/4; 3/7; 4/3; 5/6; 6/9; 7/8; 8/10; 9/1; 10/2.

**Ex. 10.**

1. branches; 2. balanced; 3. serves; 4. to make laws; 5. refuse; 6. appoint; 7. judges; 8. constitutionality; 9. compromise; 10. change; 11. system; 12. powerful.

**Discussion exercises** are aimed at helping Ss understand the main message of the text, concepts introduced, problems raised. The final aim of a whole range of exercises is to help Ss compile the topical vocabulary of the Unit and be able to recycle this area of vocabulary while generating microtexts, drawing conclusions, sharing ideas on the topic “American Constitutional Law”. The exercises include reading comprehension tasks and talking points, suggest a variety of activities: multiple choice (Ex. 1), true/false statements (Ex. 2), commenting on the charts (Ex. 3), simulation of a conversation between a guide and visitors (Ex. 4), reporting on the issues raised in the text with the help of suggested by T word-combinations (Ex. 5), rendering relevant information from Russian into English (Ex. 6).

**Keys:****Ex. 1.**

1b; 2c; 3a; 4b; 5c; 6c; 7b; 8c; 9b; 10c; 11b.

**Ex. 2.**

1t; 2t; 3f; 4f; 5f; 6f; 7f; 8t; 9f; 10t; 11f; 12f.

**Text B** “System of government” is for scanning. Ss are supposed to distinguish between federal and local bodies of power, distribution of functions between them. After text exercises help focus on the most important aspects of the issue under discussion.

**Keys:****Ex. 2.**

6, 8, 4, 9, 10, 5, 3, 12, 2, 11, 7.

**Text C** “The Legislature”. Since the text is for skimming, Ss are supposed to extract relevant information for the description of the legislative branch of the American government – Congress, its composition, powers, elections.

**Text D** “Political Parties” provides Ss with the information on the leading political parties in the U.S. – the Democrats and the Republicans, and some minor parties. Ss are expected to draw the line of demarcation between their programs, analyze their status in modern American society.

**Text E** “American President” is an example of the gapped text which is to be filled in with suitable verbs suggested.

**Keys:**

1. to reelect;
2. to approve;
3. to convince;
4. to dispose;
5. to resign.

**Dialogue section** is aimed at developing Ss’ speaking skills as well as enlarging information on the topic studied. The section contains two dialogues. First Ss are exposed to an authentic **Dialogue 1** “After the Seminar”. Ss should be able to reproduce it abridged and render it in the form of a monologue.

Special attention should be paid to the ways of keeping the conversation going. On the basis of this dialogue Ss should be able to understand the essence of the US Constitution and the rights it provides.

**Ex. 1.** Ss should carefully read the statement making sure they know the exact meaning of the word they must search for then skim the dialogue searching for the words needed.

**Keys:**

- |               |                  |
|---------------|------------------|
| 1. purpose    | 8. majority      |
| 2. tradition  | 9. be restricted |
| 3. cruel      | 10. oppressive   |
| 4. conscious  | 11. experience   |
| 5. to provide | 12. to pervert   |
| 6. to debate  | 13. minority     |
| 7. society    |                  |

**Ex. 2.** T should ask Ss to explain why people need special conversational formulas to create thinking time.

**Keys:**

You see..., you know..., and...

**Ex. 3.** The information from the dialogue can be presented either in the form of a dialogue or a monologue. Ss are not expected to use the last expression on the list if they are going to present a monologue. The aim of the exercise is to digest the information and to improve speaking skills using the new lexis.

**Dialogue 2** “Similarities and Differences” is presented in the form of a polylogue. It is a conversation between a British and an overseas law student. Special attention should be paid to raising professional awareness of the problem under consideration in the comparative aspect, i. e. Ss should be able to analyze the similarities and differences between the US system of government and other forms of democratic government. Ss should clearly understand that there might be difference in the party system, in the system of elections and in the judicial system.

T should explain to the Ss how to deal with the speaking tasks (see Unit 1 p. 15).

**Ex. 1.** Ss should skim the dialogue for searching the needed words and expressions. Ss do the exercise on their own writing down the answers. T checks Ss’ answers. The aim of the task is to memorize the new lexis.

**Keys:**

Significant difference, the rule of law, at the same time, to elect separately, system of government, to appoint, similarity, constitutional protection, to find out, to deal with, unique, to prohibit, to be clearly defined, a vote of no confidence, to clear up, to share, primarily, a need for coalition – building, to be represented, in order to, to come across smth, the head of the state, to dissolve.

**Ex. 2.** Ss can work in pairs discussing the information according to the offered points. T goes round and then asks Ss to report to the class.

**Ex. 3.** First Ss should look through the words in the box to be sure they know them. Ss should skim the gapped text first. Then carefully read each sentence trying to understand it and define what word is needed, then insert the missing word. T checks Ss’ answers.

**Keys:**

Congress, President, inspection, interactions, people, elections, state, local, officials, formulate, make, direct.

**Listening comprehension** section contains two pieces of recorded information: a monologue and a dialogue, both of them connected with the general topic of Unit 4.

**Monologue** “The American Constitution” gives some additional information on the point. The text is supplied with pre-listening, listening and after listening tasks.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1. First Ss should do this exercise on their own, then T goes round the class and checks Ss’ understanding of their meanings by using L. 1. In Ex. 2 Ss should answer some questions on the topic.

The main objective of *Listening activities* is to raise Ss’ listening comprehension skills. Before doing Ex. 1. Ss should listen to the tape recording for the first time, trying to understand the general meaning. Then they fill in the gaps, listen to the tape for the second time and fill in the remaining gaps in Ex. 1. After that T checks their answers in class.

*After listening activities* are aimed at developing Ss’ oral speech skills based on the information from listening. Ss should do Ex. 1. discussing in close pairs the main points of the topic.

**Keys** (*Listening activities*):

**Ex. 1.**

- a) an agreement called the Articles of Confederation
- b) The structure of the national government; the powers and activities of the national governments.
- c) “we, the People”, in fact and in spirit.
- d) The Bill of Rights.
- e) The knowledge that these ideas, freedoms and rights are the natural rights of every American.
- f) considerable influence

**Tapescript**

### **The American Constitution**

The former colonies now “the United States of America” first operated under an agreement called the Articles of Confederation, but it was soon clear that this loose agreement among the states wasn’t working well, the central, federal government was too weak. In 1789 therefore delegates from the states met in Philadelphia, they wanted to revise the Articles, but they did much more than that. They wrote a new document, the Constitution, which was officially adopted by the thirteen states by 1790. The Constitution outlined the structure of the national government and specified its powers and activities. The Constitution has been repeatedly amended to meet the changing needs of the nation, but it is still the “supreme law of the land”. The ultimate power un-

der the Constitution is not given to the President (the executive branch), or to the Supreme Court (the judicial branch). It belongs to “we the People” in fact and in spirit. Americans stated in the first ten Constitutional Amendments, known together as the Bill of Rights, what they considered to be the fundamental right of any American. Among these rights are the freedom of religion, speech and the press, the right of peaceful assembly and the right to petition the government to correct wrongs.

The great pride Americans have in their Constitution, it comes from the knowledge that these ideals, freedoms and rights are regarded as the natural “unalienable” rights of every American, for which they have fought and won. Over the past two centuries the Constitution has also had considerable influence outside the US. Several other nations have based their own forms of government on it.

**Dialogue** “The American Administration” stimulates Ss’ activities in oral speech, raises their listening comprehension skills and provides them with some additional information on the topic.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Before listening Ss should answer some questions given in Ex. 1. Then to overcome some lexical difficulties Ss learn unknown words with the help of synonyms in Ex. 2. T goes round the class and checks Ss’ understanding of their meanings by using L. 1.

*Listening activities* are aimed at raising Ss’ listening comprehension skills Ss should listen to the tape for the first time, making brief notes to answer the questions given in Ex. 1. Then Ss listen to the tape for the second time, completing the sentences given in Ex. 2.

*After listening activities* are aimed at developing Ss’ oral speech based on listening. Ss should arrange a round-table discussion on the American Administration.

**Keys** (*Listening activities*):

**Ex. 2.**

- a) the presidency
- b) a natural-born citizen, at least thirty-five years old and for at least fourteen years a resident of the US
- c) not more than eight years
- d) in Administration by his Cabinet
- e) appointed by the President and serve during his office

## **Tapescript**

### **The American Administration**

- I say, you promised to tell me everything about the American Administration. Remember?
- Yes, I do remember I promised to tell you something about it.
- I am all ears.
- To begin with, the highest governmental office of the USA is the presidency.
- If I get you right, the President, Vice-President and the President's Cabinet are responsible for administering and executing the laws.
- That's right. They are called the executive branch.
- I wonder whether any American can become President.
- The President must be a natural-born citizen, at least thirty-five years old and for at least fourteen years a resident of the US.
- I wonder when the President is sworn to preserve, protect and defend the Constitution.
- It takes place on January 20.
- Is the time fixed?
- Yes, it is. It takes place at noon.
- Is it called "Inauguration Day"?
- Exactly. You should know that the President is limited to two terms only.
- Does it mean that the term of office of the President is not more than eight years?
- Sure. The US. President is assisted in Administration by his Cabinet.
- How many persons does the Cabinet consist of?
- It consists of 12 members. They are appointed by the President and serve during his office.

**Grammar Section of Unit 4** covers one of the areas of English Grammar – Modal Verbs. A review of Modal Verbs is provided by means of a series of exercises based on the topical vocabulary of the Unit. To acquire lexical and grammatical skills on the use of Modal Verbs in a special context Ss are expected to revise the following Modal Verbs: can, must, may, should, ought (to), shall, will, would, to be (to), to have (to) and their equivalents.

The grammar section starts with an English-Russian translation exercise which shows how the modals are used in a realistic context.

The system of exercises is designed to consolidate 'problem areas' of this particular part of English grammar and aimed at developing students' practical skills in using correct grammar structures in translating, discussing, communi-

cating and writing. Special attention is given to those points which are often a problem for Ss – the primary and secondary use of the Modal Verbs.

A number of exercises focus on the contrast between the primary and secondary use of modal verbs, on forms and usage of modals compared with verb tenses.

The final activities of the grammar section include Russian-English translation aimed at developing the skills of translation, interpretation and checking the use of special lexical and grammar points of the Unit.

T refers Ss to the relevant pages of Grammar Reference Textbook and explains the theory before Ss do the exercises.

**Ex. 1. Suggested answers:**

1. Конституция может быть определена как система или свод основных принципов, в соответствии с которыми нация или государство создается и управляется.
2. Президент, глава исполнительной власти, должен выполнять программы правительства, принятые Конгрессом.
3. Как во внутренней так и во внешней политике президент редко может рассчитывать на автоматическую поддержку Конгресса, даже если его партия имеет большинство и в Сенате, и в Палате Представителей.
4. Чтобы стать законом, законопроект должен быть утвержден двумя палатами Конгресса, но на любой законопроект, принятый Конгрессом, президент может наложить вето.
5. Предлагается много объяснений, чтобы обосновать, почему США смогли подняться от страны с трудно развивающейся экономикой до ведущей промышленной и сельскохозяйственной державы.
6. Большинство американцев думают, что подъем их страны как ведущего производителя промышленных товаров, не мог бы быть достигнут ни при какой другой системе кроме капитализма.
7. Президентские выборы в США должны поводиться в два этапа: вначале народ выбирает коллегию выборщиков, затем выбирает президента.
8. Президент избирается сроком на четыре года и может быть переизбран на четыре дополнительных года.
9. Опасаясь сильного Федерального правительства, американцам пришлось в 1791 году добавить 10 поправок в Конституцию, Билль о правах, который гарантировал свободы народу, и с тех пор еще 17 поправок были внесены в Конституцию.

10. Американцы говорят, что пресса не является и не должна быть частью правительства.
11. Газеты могут поддерживать одного или другого кандидата, но в один год это может быть республиканец, а в другой – демократ.
12. «Очевидно, что будущее цивилизации и главные возможности для человечества будут найдены в Америке», сказал Бернард Рассэл.
13. Четырнадцатая конституционная поправка (1868) гласит: «Ни один штат не должен издавать или применять законы, которые ограничивают привилегии или льготы граждан Соединенных Штатов; равно как ни один штат не может лишить какое-либо лицо жизни, свободы или собственности без надлежащей правовой процедуры...»
14. Вот слова из Библии, Новый Завет, 19, в одном из английских переводов: «Почитай отца и мать, чтобы ты мог жить долго на Земле, которую дает тебе Бог; не убивай; не прелюбодействуй; не кради; не лжесвидетельствуй».

## **Ex. 2.**

Suggested answers.

1. The Constitution may be defined as the system of fundamental principles according to which a state is constituted and governed.
2. Yes, he can.
3. Yes, it can. The bill vetoed by the President must be reapproved by a two-thirds vote in both Houses to become law.
4. No, it couldn't.
5. No, they couldn't.
6. Yes, each house of Congress may initiate legislation.
7. Yes, they may.
8. The bill must be sent to a certain committee. When a committee is in favour of a bill, it is sent to Congress for open debate.
9. No, it needn't.
10. After the Civil War the Democratic and the Republican parties had to deal with a lot of economic and political problems in the country.
11. Americans had to add ten first amendments to their Constitution soon after it had been adopted to widen civil liberties.
12. A candidate must be able to convince electors in his point of view.
13. The government should enforce laws adopted by Congress to stop water and air pollution.
14. A party should nominate for presidency a native-born citizen of at least 35 years old.

15. Fulfilling his duties a politician should bear in mind that he is elected to serve the interests of the people and area he represents.
16. No, they shouldn't.
17. No, they don't.

**Ex. 3.** Suggested answers:

1. can, can, may; 2. were able to; 3. cannot; 4. cannot; 5. can; 6. were able;
7. can; 8. was able to; 9. cannot; 10. must not; 11. be able; 12. has.

**Ex. 4.** Suggested answers:

1. had; 2. must; 3. have to; 4. must; 5. will have to; 6. should not; 7. don't have to;
8. has to; 9. shall; 10. must; 11. is; 12. were to, were to; 13. are; 14. shall, shall.

**Ex. 5.**

*Model 1:*

1. Bella Abzug must be the most picturesque figure of American politics.
2. They must have made their choice already.
3. The debates must still be going on.
4. She must be respected and trusted.
5. A new tax law must have been vetoed.

*Model 2:*

1. be protesting
2. may
3. be
4. be voted down;
5. be declared
6. be
7. have asked

**Ex. 6.**

*Model 1:*

1. can be shown by
2. can win
3. could not follow
4. cannot be elected
5. can be overridden
6. cannot be changed
7. can refuse

*Model 2:*

1. He couldn't be making investigations all alone.
2. He can't have resorted . . . .
3. He couldn't support the Democrats as he has quite opposite political views.
4. The proposal can't have been put to vote.
5. The commission can't still be sitting!

*Model 3:*

1. You shouldn't have voted for him.
2. You should have supported him.
3. You shouldn't have slung mud at your opponents.
4. You should have nominated a recognized politician.
5. Your party should have a more clear-cut program.

**Ex. 7.**

*Model 1:*

1. Must we register for local elections?
2. Should we contact journalists?
3. You may not be a party member to run in elections.
4. The committee is to meet on Monday.
5. He may change his decision.
6. I cannot benefit from the electoral campaign.
7. She was able to get a majority of ten in her favour.

*Model 2:*

1. He must have appealed to the US Supreme Court.
2. Such a minor party can't have won the majority of seats.
3. You should have participated in decisions that concerned you.
4. He can't have done it.
5. The President might have vetoed the Act of Congress.
6. Congress can't have refused to provide funds for such a project.

**Ex. 8.** Suggested answers.

- |                         |              |
|-------------------------|--------------|
| 1. must, must, can, can | 19. should   |
| 2. cannot, must         | 20. has had  |
| 3. can, have            | 21. was, was |
| 4. may, can             | 22. can      |
| 5. cannot               | 23. can      |
| 6. must                 | 24. can      |

- |                 |                  |
|-----------------|------------------|
| 7. can          | 25. cannot       |
| 8. may          | 26. had          |
| 9. may, can     | 27. had          |
| 10. can, cannot | 28. were able    |
| 11. can         | 29. can          |
| 12. has         | 30. can          |
| 13. can         | 31. can, have    |
| 14. may         | 32. may          |
| 15. are to      | 33. have         |
| 16. is to       | 34. must, cannot |
| 17. had         | 35. cannot, must |
| 18. can, should |                  |

**Ex. 9.** Suggested answers.

1. Какими бы не казались показания на первый взгляд, именно они имеют большое значение для расследования.
2. Право страны, как бы мы его не подвергали анализу на отдельные законы, является чем-то большим, чем простая сумма таких законов.
3. Кто бы не возражал против этих доказательств, я это осуждаю.
4. Он невиновен, что бы там люди не говорили.
5. Едва статья была напечатана, как автора обвинили в шантаже.

**Ex. 10.** Suggested answers.

*Model 1:*

1. Whatever the court decision may be, my reputation will be torn to shreds.
2. Whatever legal problems may arise, he consults his attorney.
3. Whatever the amount may be, your company will be held liable for the loss of profit.
4. Whoever he may be, he will be cross-examined.
5. Wherever my husband may be now, our marriage can be dissolved as he has been absent for eight years.
6. However much time it might take, you'll have to look through all the documents.

*Model 2:*

1. Erroneous as the results may be, it is they that are still valuable.
2. Strange as it may be, he said nothing to prove his alibi.
3. Profitable as this offer may be, it must be turned down as unlawful.
4. Serious as it may be, the disagreement could be resolved by the parties.
5. Late as it was, the court was still sitting.

## UNIT V

### Criminal Law

#### Objectives:

- be able to define the basic terms of the “Criminal Law” semantic field;
- be able to use correctly the topical vocabulary of the Unit in speaking and writing;
- develop reading skills;
- be able to discuss, analyze, comprehend, summarize the fundamental concepts of criminal law;
- to master the basics of translation from English into Russian and v.v. of the issues discussed;
- to raise cultural awareness of criminal law issues in Britain in comparison with those in your home country;
- to develop grammar skills on the use of Infinitive, Infinitive Constructions in a special context.

#### Material

Unit “Criminal Law” contains material for Reading, Speaking, Listening Comprehension, Grammar Section.

**Reading material** is represented by five interrelated texts (A, B, C, D, E) dealing with the essence of crime, criminal behaviour, possible approaches to the classification of crimes and offenders. Each text is designed for a certain type of reading strategy. There are also additional texts for supplementary reading: Text 1. *Forms of crime*. Text 2. *Assassinations around the Globe*. Text 3. *Measuring Crime*. Text 4. *Blackmail*. Text 5. *Newspapers report:*  
*a) Society Should Compare Drunken Driver with Man Armed with a Gun.*  
*b) Bank Robberies Increased.* *c) Son Steals Mum’s Car!*

The texts enlarge and diversify information provided for in the Unit and are designed for advanced learners.

**Text A** “What’s a crime” is an example of an academic text which introduces the basic concepts of criminal law, analyzes causes of criminal behaviour in society, suggests existing approaches to the classification of offences. The text is aimed at practicing intensive reading, therefore T should explain to Ss that the text is to be studied in details.

**Word study** exercises focus on the topical vocabulary of the Unit. They range from a) training pronunciation of the internationalisms used in the text and proper names (Ex. 1, 2) where the T should draw Ss' attention to the fact that these words are often mispronounced in speech; b) studying derivatives (Ex. 3) where the most frequent derivational models are introduced; c) paring most common collocations (Ex. 4); d) giving definitions to basic terms (Ex. 5), e) matching English word-combinations to their Russian equivalents (Ex. 6) to study how the lexemes are used in the text. Finally, a Russian translation is suggested to consolidate the acquired vocabulary skills (Ex. 7).

**Keys:**

**Ex. 2.**

Ban; killer; arrest; suspect; offender; omission; punishment; legislation (legislature); wound; aid (aide); abettor; incitement; assistance (assistant); abolition; conviction; accuser (accusation).

**Ex. 3.** 1j; 2e; 3i; 4o; 5h; 6l; 7c; 8n; 9p; 10a; 11m; 12f; 13k; 14b; 15g; 16d.

**Ex. 4.**

wrongful act, omission;  
 criminal behaviour, activity, matter;  
 changing habits, norms;  
 fatal offence;  
 serious crimes;  
 summary case, conviction;  
 mental elements;  
 guilty mind, action;  
 principal area; international character.

**Ex. 5.**

inchoate		a person
arrestable		property
non-arrestable	offence	state
minor	against	organization
serious		country
alleged		
indictable		
punishable or summary		

**Ex. 6.** 1f; 2m; 3i; 4o; 5k; 6c; 7l; 8g; 9a; 10n; 11d; 12h; 13e; 14b; 15j; 16p.

**Ex. 7.**

1h; 2e; 3k; 4n; 5p; 6a; 7j; 8f; 9b; 10m; 11c; 12g; 13o; 14l; 15i; 16d.

Assassination – h; bribery and corruption – e; drug-trafficking – k; hit and run – n; looting – p; misconduct – a; mugging – j; perjury – f; pickpocketing – b; pilfering – m; slander – c; smuggling – g; terrorism – o; treason – l; trespassing – i; vandalism – d.

**Ex. 8.**

crime	criminal	criminal act
assassination	assassin	to assassinate
bribery	briber	to bribe
looting	looter	to loot
perjury	perjurer	to perjure
pickpocketing	pickpocket	to pickpocket
pilfering	pilferer	to pilfer
smuggling	smuggler	to smuggle
terrorism	terrorist	to terrorise
treason	traitor	– (to betray)
trespassing	trespasser	to trespass
vandalism	vandal	to vandalize
theft	thief	– (to steal)
robbery	robber	to rob
rape	rapist	to rape
libel	libellant	to libel
kidnapping	kidnapper	to kidnap
hijacking	hijacker	to hijack
fraud	fraudster	(to perpetrate swindles)
forgery	forgery	to forge
embezzlement	embezzler	to embezzle
burglary	burglar	to burgle
blackmail	blackmailer	to blackmail
assault	assaulter	to assault
arson	arsonist	(to set fire (to) / to set on fire)
drug-trafficking	trafficker	to traffic in smth.
misconduct	–	–
hit & run	(a driver who has hit and doesn't stop to help)	–

**Ex. 9.**

1. embezzlement; 2. libel; 3. shoplifting; 4. arson; 5. manslaughter; 6. burglary; 7. smuggling; 8. assault; 9. assassination; 10. forgery.

**Ex. 10.**

1. ... against the whole society.
2. ... offences against persons and offences against property.
3. ... theft, arson, forgery, counterfeiting.
4. ... into three categories: murder, manslaughter, infanticide.
5. ... without a magistrate's warrant.
6. ... indictable offences and summary offences.
7. ... two essential concepts in the operation of the Criminal Law.
8. ... guilty action and guilty mind.
9. ... by the Criminal Law Act of 1967 introducing the concept of arrestable and non-arrestable offences.
10. ... perjury, concealing, contempt of court.
11. ... when warrants are issued to arrest the defendant.
12. ... indictable offences and summary offences.

**Ex. 11.**

1. inmates; 2. criminal types; 3. investigations; 4. multiple; 5. upbringing; 6. case studies; 7. rehabilitative; 8. capital punishment; 9. unthinkable; 10. suspended.

**Discussion exercises** are aimed at helping Ss understand the main message of the text, concepts introduced, problems raised. The final aim of a whole range of exercises is to help Ss compile the topical vocabulary of the Unit and be able to recycle this area of vocabulary while generating microtexts, drawing conclusions, sharing ideas on the topic "Criminal Law". The exercises include reading comprehension tasks and talking points, suggest a variety of activities: multiple choice (Ex. 1), true/false statements (Ex. 2), commenting on the charts (Ex. 3), simulation of a conversation between law of students (Ex. 4), reporting on the issues raised in the text with the help of suggested by T word-combinations (Ex. 5), rendering relevant information from Russian into English (Ex. 6).

**Keys:****Ex. 1.**

1a; 2c; 3a; 4b; 5c; 6c; 7a; 8b; 9b; 10c.

**Ex. 2.**

1t; 2t; 3f; 4f; 5t; 6t; 7f; 8f; 9f; 10f.

**Text B** “What is criminology?” traces the history of the foundation of the branch of science called “criminology”. Since it is aimed at scanning, Ss are supposed to grasp the main idea of the text focusing on the fundamental stages of the development of criminological research.

**Keys:**

**Ex. 2.**

1t; 2f; 3t; 4f; 5f; 6t; 7t; 8t; 9f; 10t; 11f; 12f.

**Ex. 3.**

1. How long has the science of criminology been known?
2. Criminology is an empirical science, isn't it?
3. What process does criminology include?
4. How was the crime explained?
5. What scholars entered the arena of criminology?
6. What is the objective of criminology?
7. What scholars played an important role in the study of crime and criminals?
8. What must the punishment correspond to?
9. What did the positivists search for?
10. What approach has remained the predominant of criminological studies?

**Text C** “Partakers in crime” is designed for skimming. Ss are exposed to the categorization of persons who commit crimes and are to be able to present the information in the form of a hierarchical chart.

**Keys:**

**Ex. 2.**

1. What person is considered to be the perpetrator?
2. May the principals be before or after the fact?
3. What is a principal?
4. Does an accessory after the fact assist or permit the escape of the criminal?
5. Sometimes aiding and abetting are regarded as meaning much the same thing, aren't they?

**Text D** “Juvenile Delinquency” is aimed at enlarging information on criminal law issues by providing Ss with the latest material on young offenders.

**Keys:**

**Ex. 1.** 3, 2, 1, 4, 5, 6.

**Text E** “Kidnap Suspect for Trial” deals with a case study of a particular crime ‘kidnapping’. It’s a gapped text where the gaps are designed to be filled in with the topical vocabulary items.

**Keys:**

1. was accused; 2. is to stand trial; 3. was charged; 4. handling negotiations; 5. was arrested.

**Dialogue section** is aimed at developing Ss’ speaking skills as well as enlarging information on the topic studied. The section contains two dialogues. First Ss are exposed to an authentic **Dialogue 1** “Stop Rewarding the Criminal”. Ss should be able to reproduce it abridged and render it in the form of a monologue.

Special attention should be paid to the questions discussed in the dialogue: different attitude of people to crime and criminals among children and young people, reasons which make kids commit crimes, different ways of punishment in order to expand the information field of the unit.

**Ex. 1.** Ss should carefully read the statement making sure they know the exact meaning of the word they must search for. Then skim the dialogue searching for the words needed. T checks Ss’ answers.

**Keys:**

- |                |                   |
|----------------|-------------------|
| 1. retribution | 6. excuse         |
| 2. supervision | 7. rehabilitation |
| 3. background  | 8. guidance       |
| 4. jail        | 9. corporal       |
| 5. to sort out |                   |

**Ex. 2.** T should explain to Ss how important is to use different ways of keeping the conversation going. It makes the conversation more natural and lively.

**Ex. 3.** After Ss have done the translation in the written form, they are asked to use the sentences in their speech commenting on each, if possible, adding extra information and linking them into a logically structured story.

Suggested answers:

1. It’s necessary to stop rewarding criminals.

2. Many children who commit crimes come from terrible upbringings and criminal background families.
3. We all know the reasons.
4. They should be explained what is good and what is bad.
5. Don't you think they should be kept under supervision and be given the opportunity to sort out their problems.
6. I do think they have to be responsible for their misdemeanours.
7. I am in favour of corporal punishment.
8. I think jail makes people worse.
9. Children need discipline, quite often parents have no control over their children.
10. Capital punishment in some circumstances is too soft.

**Dialogue 2** "Crime Rates in Europe" is presented in the form of a polylogue. It is a conversation between a British and an overseas law student. Special attention should be paid to raising professional awareness of the problem under consideration in the comparative aspect, i. e. Ss should be able to analyse the statistical data on crime, to compare the crime rate in Britain and some European countries, to understand the attitude of the population towards crime, to find out who usually becomes a victim, etc.

T should explain to Ss how to deal with the speaking tasks (see Unit 1 p. 15).

**Ex. 1.**

Ss should skim the dialogue for searching the needed words and expressions. Ss do the exercise on their own writing down the answers. T checks Ss' answers. The aim of the exercise is to memorize the new lexis.

Violent offence, current statistical data, burglary, grievous bodily harm, victim, murder, crime rate, rape, international survey, mugging, to be convicted of a crime, car theft, sexual assault.

**Ex. 2.** T explains the difference in the pronunciation of the derivatives: a verb and a noun. Ss should remember that in these verbs the second syllable is stressed and in the nouns – the first.

Ss should skim the gapped sentences and define which word and which part of speech they need, then insert the missing word. T checks Ss' answers.

**Keys:**

- |             |             |                |              |
|-------------|-------------|----------------|--------------|
| 1. recorded | 2. increase | 3. exports     | 4. decreased |
| 5. conduct  | 6. record   | 7. increased   | 8. export    |
| 9. decrease | 10. imports | 11. to conduct | 12. import   |

**Listening comprehension** section of Unit 5 contains two pieces of recorded information: a monologue and a dialogue.

**Monologue** "Do You Live in a burglar-friendly House?" gives some instructions how to prevent yourself from being burgled and what precautions should you take when you leave your house. The text is supplied with pre-listening, listening and after listening tasks.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1. First Ss should do this exercise on their own, then T goes round the class and checks Ss' understanding of their meanings by using L. 1.

*Listening activities* are aimed at raising Ss' listening comprehension skills and checking them. In Ex. 1 Ss read the summary of the text, then listen to the tape two times and fill in the gaps.

*After listening activities* are aimed at raising Ss' skills of speaking and writing based on listening gist. Ss should make up a list of their own recommendations how to protect a house (home) from being burgled.

**Keys** (*Listening Comprehension*):

- 1) burgled
- 2) friendly
- 3) owners
- 4) money
- 5) neighbours
- 6) boxes
- 7) hall
- 8) widow
- 9) full
- 10) green light

**Tapescript**

### **Do You Live in a Burglar-friendly House?**

It's the last thing you want to hear when you've just been burgled, but the awful truth is that if you've been burgled once, you'll probably be burgled again. In fact, it's likely to happen another four or five times. Why? Because some of us have "burglar-friendly" houses.

Burglars think that the bigger the house, the richer the owners. "You can't do much about the size of your house," says Professor Pease of Huddersfield University, "but if it's large, you need to be even more careful than if it's small."

You should take a good look at your house - not as you normally do, but as a burglar would. If you were a burglar, which home would you choose to rob, – a house with a shiny new car parked outside or one with a rusty vehicle? Anything which signals nice possessions and money will certainly catch the burglar's eye.

People may complain about their nosy neighbours, but there's no better way of stopping burglars than having watchful neighbours around. If a house is far away from others, or hidden from the road, it is more attractive to burglars, who think they can get in and out without being noticed. So a burglar alarm is a good idea. And remember, you may get privacy from a tall hedge or a high wall - but so does a burglar.

Ian Stephen, who works with the Scottish prison service, believes that you're more at risk if your house looks nice. "Window-boxes, nice curtains and beautifully painted walls all tell the burglar that you're proud of your home and care about your possessions and are more likely to have nice things in your house," he says. He advises people to try to make their homes look as plain as possible and not to draw attention to any new things they have bought by leaving the empty boxes next to the dustbin.

People often leave a light on when they go out. "But be sensible," advises Ian Stephen. "Don't leave a light on in the hall as it never makes the burglars believe that you're in. Have you ever heard of a family enjoying an evening at home in the hall? Leave it on in the living room." An open window is also an open invitation to burglars. If you sometimes forget to shut and lock doors and windows, stick a note on the inside of the front door to remind you. And make sure any ladders are put away and not left outside where burglars can use them.

By leaving newspapers and letters sticking out of the letter-box, or full milk bottles on the doorstep, you are giving burglars the green light to break into your home. Similarly, if you're away from the house at regular times - out at work or doing the shopping - then your home is also in danger of being burgled. Ask a neighbour to keep an eye on your house at these times.

It's a good idea to take photos of your valuable possessions. By doing that, if you're burgled, you'll be able to identify stolen property, which could lead to the thief being put behind bars. It is also possible to label valuable items such as TVs and videos with your postcode. If they are stolen, this will make them easier to find. One more good idea is to ask for a crime prevention officer to visit your home and identify weak points in its security.

**Dialogue** “Street survey about the rise in crime” stimulates Ss’ activities in oral speech, raises their listening comprehension skills and gives some information about the problems discussed there.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1. First Ss should do this exercise on their own, then T goes round the class and checks Ss’ understanding of their meanings by using L. 1.

*Listening activities* are aimed at raising Ss’ listening comprehension skills. In Ex. 1. Ss should listen to the tape twice, then they fill in the table.

*After listening activities* are aimed at raising Ss’ skills of speaking and writing based on listening gist.

In Ex. Ss, while looking at their notes, Ss should give a one-minute talk on the rise in crime, then they write about it.

**Keys** (*Listening Comprehension*):

**Ex. 1.**

- unemployment – making money
- TV programmes – violent
- advertisement – stealing; – afford; – desirable
- social pressures – be accepted; – get out

### **Tapescript**

#### **Street survey about the rise in crime**

- A: Excuse me! Have you got a moment?
- B: What can I do for you?
- A: I’m a Sociology student from Leeds University, and we’re doing a survey on the rise in crime. We’re interested in getting people’s views – that is, what they see as the main reasons.
- B: What would you like to know?
- A: First of all, would you say that unemployment was a factor in the rise in crime?
- B: Yes, I’d say it was. If a person remains unemployed for a long time it becomes difficult for them to support themselves. Some people may turn to crime as an easy way of making money. Of course, seeing all those products advertised on TV all the time doesn’t help either.
- A: So you think advertising is to blame as well?
- B: Oh yes, definitely. TV advertising makes you want things that you don’t really need. Some people end up stealing things they want, but they can’t afford. You mentioned TV. Do you think that some programmes might play a part in the rise in crime?

- B: I certainly do! Some programmes are so violent it makes me sick to watch them. Seeing violence so often on the television makes young people think that it's alright, and makes them more likely to act in a violent way in real life. What's more, criminals are often shown in a way that makes them and their lifestyle look glamorous and desirable. Who can blame the kids for wanting to be like them?
- A: And what about social pressures?
- B: Yes, I suppose that's part of it as well. Teenagers in particular are often drawn into the wrong group of friends and feel pressure to fit in. This usually means that they have to commit petty crimes such as shoplifting in order to be accepted by the gang. The worst thing is that once you begin a life of crime it can be very difficult to get out and you end up committing more and more serious offences.
- A: I see. Thank you for your interesting comments. They've been very helpful.
- B: Oh, you're very welcome.

**Grammar Section of Unit 5** covers one of the areas of English Grammar – the Infinitive. A review of the Infinitive forms are provided by means of a series of exercises based on the topical vocabulary of the Unit. To acquire lexical and grammatical skills on the use of the Infinitive forms in a special context Ss are expected to revise the use of the Infinitive forms in different functions in the sentence.

T refers Ss to the relevant pages of Grammar Reference Textbook and explains the theory before Ss do the exercises.

The system of exercises is designed to consolidate 'problem areas' of this particular part of English grammar and aimed at developing students' practical skills in using correct Infinitive structures in translating, discussing, communicating and writing. Special attention is given to those points which are often a problem for Ss – the meaning of Indefinite, Continuous, Perfect and Perfect Continuous forms in the Active Voice and Indefinite, Perfect forms in the Passive Voice.

The grammar section starts with an English-Russian translation exercise, which shows how the Infinitive forms are used in a realistic context.

A number of exercises focus on the contrast between the Infinitive constructions: the Objective Infinitive Construction, the Subjective Infinitive Construction and For Infinitive Construction. Ss are asked to justify the choice of the Infinitive forms and constructions.

The final activities of the grammar section include Russian-English translation aimed at developing the skills of translation, interpretation and checking the use of special lexical and grammar points of the Unit.

## Keys:

### Ex. 1. Suggested answers.

1. to prevent – Indefinite Active Infinitive. Предотвратить молодежную преступность – это, возможно, самая важная цель любого государства.
2. to ensure, to protect – Indefinite Active Infinitives. Обеспечить личную безопасность – значит защитить жизненно важные интересы человека от внешней и внутренней угрозы, относящейся к политической и военной деятельности, а также экологическую, информационную и гуманитарную безопасность.
3. to interpret, to decide – Indefinite Active Infinitives. Толковать – значит решить, соответствует ли закон Конституции.
4. to help – Indefinite Active Infinitive. Апелляционный процесс установлен для того, чтобы люди убедились, что справедливый суд возможен.
5. to arrive, to examine, to protect – Indefinite Active Infinitives. Первый офицер, который приезжает на место преступления, имеет две основные задачи: а) обследовать жертву на признаки жизни и б) защитить и сохранить все вещественные улики.
6. be proved – Indefinite Passive Infinitive. Если нет свидетелей, все дело должно быть доказано только на основании одних улик.
7. to develop, to prevent – Indefinite Active Infinitives. Нет необходимости развивать концепцию государственной политики, чтобы предотвратить преступность среди несовершеннолетних.
8. to be obtained, be given – Indefinite Passive Infinitives. Факты о преступлении, которые должны быть получены следователем, могут быть предоставлены свидетелем.
9. to have been committed – Perfect Passive Infinitive. Преступление, которое было совершено год назад, все еще расследуют.
10. to have seen – Perfect Active Infinitive. Свидетель поклялся, что видел грабителя на месте преступления.
11. to be endangering – Continuous Active Infinitive. Современная преступность, которая угрожает всем аспектам деятельности человека, является угрозой для человечества.
12. to refuse, to answer – Indefinite Active Infinitives. Хотя человек во время ареста решил отказаться отвечать на вопросы, арестовывающий офицер может на законном основании обыскать арестованного и найти некоторые инкриминирующие улики.

**Ex. 2.**

*Model 1:*

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

*Model 2:*

1. The offence is serious enough to be tried by jury.
2. The evidence is not convincing enough to accuse you of burglary.
3. The thief was smart enough to escape the arrest.
4. The distinction between a robbery and a theft is clear enough to understand.
5. The criminal was thin enough to slip between the bars.

**Ex. 3.**

1. Jack Black was the only one to plead guilty.
2. He was the first man to break from this prison.
3. She was the first woman to be sentenced to death in the US.
4. He was the last prisoner to remain in custody.
5. Franklin D. Roosevelt was the only President in the USA to be elected four times.

**Ex. 4. Suggested answers.**

a)

1. Мы верим, что общество окажет сильное сопротивление преступности и ее влиянию на все сферы жизни.
2. Все считают, что они не виновны.
3. Свидетель видел, что какой-то мужчина вошел в дом и вышел из него через десять минут.
4. Офицер полиции хотел, чтобы подозреваемого допросили немедленно.
5. Следователь предполагал, что мы дадим всю информацию о том несчастном случае.
6. Никто кроме его семьи не знал, что он был арестован.
7. Люди полагают, что предотвращение преступлений является одной из главных функций полиции.

b)

1. Преступления, оказывается, стали более жестокими в наше время.
2. Департамент уголовного расследования считается одной из наиболее сложных полицейских служб.
3. Преступление рассматривается как социальная болезнь и побочный продукт социальной системы государства.
4. Известно, что законы принимают, чтобы защищать интересы всех людей в стране.
5. Случилось так, что преступника арестовали довольно быстро.
6. Отпечатки пальцев преступника оказались единственным средством идентифицировать жертву.
7. Преступность считается угрозой для всей государственной системы, влияющей на различные сферы общественной жизни, каждого человека и его безопасность.

c)

1. Офицер полиции собирает факты и обеспечивает достаточно улик, для того чтобы преступник предстал перед судом.
2. Негативное отношение следователя не дало возможности подозреваемому доказать свою невиновность.
3. Не существует ограничений на штраф, которым облагают по обвинительному акту.
4. Полиция и Акт о даче уголовных показаний обеспечивают общую власть полиции арестовывать обоснованно подозреваемого человека в любом преступлении без ордера, используемого мировыми судьями.
5. Кто может объяснить, почему некоторые люди совершают преступления не имея на то мотива?
6. Только суд присяжных решает виновен обвиняемый или нет.
7. Государство защищает людей и общество от преступности.

#### **Ex. 5.**

a)

1. We know alcoholism, drug and substance abuse, vagrancy and homelessness to be the factors leading to crime.
2. The doctor found the man to have been murdered several hours earlier.
3. I suppose you to be cross-examined.
4. The attorney expects his client to tell the truth.
5. I still consider them not to be guilty.
6. The police believe the millionaire's son to have been kidnapped.

7. The defense council declared the defendant not to be mixed up in the conspiracy.
8. I know them to have been interrogating the suspect for an hour.
9. Newspapers report the case to have been dismissed for lack of evidence.
10. I heard the Magistrates be discussing my case.
11. We know the most typical and dangerous corruption-related crimes to include bribe-taking and bribe-giving, theft and embezzlement or abuse of power or position.

b)

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

c)

1. It is for coroners' courts to investigate violent, sudden or unnatural deaths.
2. It was very dark for the witness to see details.
3. It is for the policy of state towards crime to adjust the changes happening in society and in the world and react to them effectively.
4. It was not for the terrified victim to defend himself.
5. It is for the very young not to be put on trial.
6. It is not for the frightening amount of crime on transport to be neglected.
7. It is not for an honest man to steal money.
8. It is for administrative tribunals in the country to deal with professional standards, disputes between individuals and disputes between individuals and government departments.

**Ex. 6.**

1. Probation... to be – Complex Subject
2. delinquency... to mean – Complex Subject

5. twenty women... to have been found – Complex Subject
6. a man... to be – Complex Subject
8. the number of such crimes... to be increasing – Complex Subject
10. such crimes... to be looking for - Complex Subject
12. they ... to be keen - Complex Subject
13. some serial criminals ... to have set fires and tortured - Complex Subject
14. they ... to identity - Complex Subject

**Ex. 7.**

1. be punished;
2. to be tried;
3. to be justified, to have stolen;
4. sign, to be proved;
5. to have been interrogating;
6. to have been discussed;
7. to earn, to be known, not to be forgotten;
8. to have been killed;
9. shoot, escape;
10. to have been arrested and charged;
11. to perform;
12. to be advised;
13. not to be available;
14. to be accused;
15. to refer;
16. be granted, be made, be reduced.

## UNIT VI

### Police

#### Objectives:

- be able to define the basic terms of the “Police” semantic field;
- be able to use correctly the topical vocabulary of the Unit in speaking and writing;
- develop reading skills;
- be able to discuss, analyze, comprehend, summarize the fundamental concepts operating within the problem area “police functions”;
- to master the basics of translation from English into Russian and v.v. of the issues discussed;
- to raise cultural awareness of issues dealing with police activities in Britain and the USA in comparison with those in your home country;
- to develop grammar skills on the use of Participle I and Participle II in a special context.

#### Material

Unit “Police” contains material for Reading, Speaking, Listening Comprehension, Grammar Section.

**Reading material** is represented by five interrelated texts (A, B, C, D, E) dealing with the police activities in the United Kingdom and the USA. The texts show a significant role of this institution in keeping law and order, touches upon police investigation of particular crimes. Each text is designed for a certain type of reading strategy. There are also five additional texts for supplementary reading: Text 1. *British Police*. Text 2. *Private Policing*. Text 3. *Interpol*. Text 4. *Newspapers report: a) Attempted Robbery in Hull; b) A Robbery. c) TV Killer of Council Planner Gets Life*. Text 5. *Inspector Bangs and the Stolen Necklace*.

The texts enlarge and diversify information provided for in the Unit and are designed for advanced learners.

**Text A** “Policing in the United Kingdom” is an example of an academic text dealing with the activities of the British police force, peculiarities of its organization and administration. It should draw students’ attention to specific functions of the police in Britain which range from maintaining law and order to crime prevention and detection of criminals. The text is aimed at practicing intensive reading, therefore it should be studied in details. Numerous after text

exercises will help Ss focus on the active vocabulary of the Unit and organize discussion.

**Word study** exercises focus on the Topical vocabulary of the Unit. They range from a) training pronunciation of the internationalisms used in the text and proper names (Ex. 1, 2) where T should draw Ss' attention to the fact that these words are often mispronounced in speech; b) studying derivatives (Ex. 3) where the most frequent derivational models are introduced; c) paring most common collocations (Ex. 4); d) giving definitions to basic terms (Ex. 5); e) matching English word-combinations to their Russian equivalents (Ex. 6) to study how the lexemes are used in the text. Finally, a Russian translation is suggested to consolidate the acquired vocabulary skills (Ex. 7).

**Keys:**

**Ex. 2.**

Keeper	keep
—	order
driver	drive (driving)
trainer (trainee)	training (train)
guardian	guard
--	maintenance
detective	detection

**Ex. 3.**

Detective stories; odd helmet; professional skills; academic qualification; intensive training; police authority; parking regulations; controlling offences; national force.

**Ex. 4.**

to be familiar with detective stories;  
to call police authority;  
to deal with national force;  
to gain academic qualification;  
to undergo intensive training;  
to have an odd helmet;  
to obey parking regulations;  
to be responsible for controlling offences;  
to form professional skills.



- |                      |               |
|----------------------|---------------|
| 3. mob violence      | 4. complaints |
| 5. failures          | 6. justice    |
| 7. terrorist offence | 8. misconduct |

- |                     |                      |
|---------------------|----------------------|
| b) 1. police force  | 2. Chief Constable   |
| 3. police authority | 4. police staff      |
| 5. armed            | 6. signed permission |
| 7. uniform          | 8. traffic wardens   |
| 9. Scotland Yard    |                      |

**Discussion exercises** are aimed at helping Ss understand the main message of the text, concepts introduced, problems raised. The final aim of a whole range of exercises is to help Ss compile the topical vocabulary of the Unit and be able to recycle this area of vocabulary while generating microtexts, drawing conclusions, sharing ideas on the topic “Police”. The exercises include reading comprehension tasks and talking points, suggest a variety of activities: multiple choice (Ex. 1), true/false statements (Ex. 2), commenting on the charts (Ex. 3), simulation of a conversation between the Chief Constable and visitors (Ex. 4), reporting on the issues raised in the text with the help of suggested by T word-combinations (Ex. 5), rendering relevant information from Russian into English (Ex. 6).

**Keys:**

**Ex. 1.**

1a; 2b; 3c; 4b; 5a; 6b; 7b; 8c; 9c; 10c.

**Ex. 2.**

1f; 2f; 3t; 4f; 5f; 6f; 7t; 8f; 9f; 10f.

**Text B** “Police in the USA” is for scanning. Ss are supposed to extract information about the duties of the American policemen, FBR activities, state the difference between British and American Police.

**Text C** “Scotland Yard” exposes Ss to the activities of the headquarters of the Metropolitan Police in London. T should encourage Ss to focus only on the relevant information from the text.

**Text D** “Municipal Police” is aimed at enlarging information on the topic. Ss have an opportunity to get acquainted with the structure and activities of municipal police.

**Text E** “Criminal English” is an example of the gapped text where the gaps are to be filled in with: a) expressions which penetrated into standard English from the criminal slang; b) words and word-combinations frequently used to describe criminal cases.

**Dialogue section** is aimed at developing Ss’ speaking skills as well as enlarging information on the topic studied. The section contains two dialogues. First Ss are exposed to an authentic **Dialogue 1** “An Interview”. Ss should be able to reproduce it abridged and render it in the form of a monologue.

Special attention should be paid to the questions discussed in the dialogue: the necessity of the police to be increased, the duties of the police, the role of the traffic police and the investigation against the police officer in order to expand the information field of the unit.

**Keys:**

**Ex. 1.** Ss should carefully read the statement making sure they know the exact meaning of the word they must search for, then skim the dialogue searching for the words needed.

**Keys:**

- |                 |                      |
|-----------------|----------------------|
| 1. assembly     | 8. considerable      |
| 2. increase     | 9. to be law-abiding |
| 3. fine         | 10. trust            |
| 4. to supervise | 11. personnel        |
| 5. to insist    | 12. ranger           |
| 6. wrong        | 13. to impose        |
| 7. to deter     | 14. to insist        |

**Ex. 2.** Ss should do this task in the written form and then discuss the list of reasons in pairs.

**Ex. 3.** After Ss have done the translation in the written form, they are asked to use them in their speech commenting on each, if possible, adding extra information and linking them into a logically structured story.

1. You insist on increasing the number of the police.
2. The police officers are engaged in gathering information, in questioning suspects.
3. Is there a tendency among people to be less law-abiding?
4. We don’t have enough street rangers to support law and order.

5. Traffic police impose fines without the involvement of a court.
6. The police officer overused his powers.
7. How is the investigation progressing?
8. It is unbiased and professional.
9. The information will be comprehensive.

**Ex. 4.** Ss should present this information in the form of a monologue keeping in mind the rules of the Reported Speech.

**Dialogue 2** “Federal Bureau of Investigation” is presented in the form of a polylogue. It is a conversation between a British and an overseas police officer. Special attention should be paid to raising professional awareness of the problem under consideration in the comparative aspect, i. e. Ss should be able to analyse the differences between the FBI and CIA in their structures, responsibilities, subordination, etc.

T should explain to Ss how to deal with the speaking tasks (see Unit 1 p. 15).

**Keys:**

**Ex. 1.** Ss should skim the dialogue for searching the needed words and expressions. Ss do the exercise on their own writing down the answers. T checks Ss’ answers. The aim of this task is to memorize the new lexis.

**Keys:**

The Department of Justice, to conduct investigation, investigative agency, district attorney in the USA, police department, judicial body, subordinate, consent, field office, headquarters, the attorney general of the USA.

First Ss should look through the words in the box to be sure they know them. Ss should skim the gapped text first. Then carefully read each sentence trying to understand it and define which part of speech is needed. After that insert the missing word. T checks Ss’ answers.

- 1) taken; 2) charged; 3) innocent; 4) evidence; 5) trial; 6) court; 7) pleaded; 8) jury; 9) verdict; 10) sentenced.

**Ex. 3.** The information from the dialogue can be presented either in the form of a dialogue or a monologue. Special attention should be paid to the use of prepositions. The aim of the task is to digest the information and improve speaking skills using new lexis.

**Listening comprehension** section of Unit 6 contains two pieces of recorded information: a monologue and a dialogue.

**Monologue** “News reports about the police keeping law and order” gives some additional information about the duties of the police keeping law and order. The text is supplied with pre-listening, listening and after listening tasks.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1. First Ss should do this exercise on their own, then T goes round the class and checks Ss’ understanding of their meanings by using L. 1.

*Listening activities* are aimed at raising Ss listening comprehension skills and checking them. In Ex. 1. Ss listen to the news report for the first time and try to understand it in general. Then they listen to the report once more and fill in the gaps in Ex. 2.

*After listening activities* are aimed at raising Ss’ skills of speaking based on listening gist. Ss should summarize the news report about the brave arrest of the violent criminal.

**Keys** (*Listening activities*):

**Ex. 2.**

- |              |               |             |
|--------------|---------------|-------------|
| 1. accused   | 4. witness    | 7. denied   |
| 2. sentenced | 5. the police | 8. law      |
| 3. arrested  | 6. weapon     | 9. innocent |
|              |               | 10. guilty  |

### **Tapescript**

#### **News reports about the police keeping law and order**

Yesterday morning Gregory Briggs appeared in Shellsby Crown Court accused of robbery. The judge sentenced him to ten years in prison. Briggs was arrested last May as he was trying to rob Lloyds Bank in Shellsby. One witness told reporters that Briggs had run into the bank holding a gun and threatened to shoot everyone unless the manager gave him all the money in the safe. Fortunately policeman Gary Thomas, who happened to be in the bank at the time, was able to grab Briggs’ weapon before he had a chance to hurt anyone. As Briggs walked into the courtroom yesterday morning with his lawyer, he denied having broken the law and told reporters that he was innocent. However after hearing the witnesses and seeing the evidence supplied by the

bank's security cameras, the jury quickly came to the conclusion that Briggs was guilty. Last night Police Chief John Brown praised Thomas for his brave arrest of the violent criminal and for preventing what may have turned into a tragedy.

**Dialogue** "Interview of Chief Inspector Ronald Lewis" stimulates Ss' activities in oral speech, raises their listening comprehension skills and gives some additional information about the work of the police.

*Pre-listening activities* are aimed at overcoming Ss' listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1. First Ss should do this exercise on their own, then T goes round the class and checks Ss' understanding of their meanings by using L. 1. In Ex. 2. Ss should answer some questions about protecting themselves from some types of crime.

*Listening activities* are aimed at raising Ss' listening comprehension skills. Ss should listen to the tape twice and fill in the table below (see Keys: Ex. 1).

*After listening activities* are aimed at raising Ss' skills of speaking based on listening gist. Ss should give a short talk on how to protect themselves from certain types of crime.

**Keys** (*Listening activities*):

**Ex. 1.**

mugging	– alarm
	– safe
	– bodyguard
car theft	– alarm
	– attended
	– locked

**Tapescript**

### **Interview of Chief Inspector Ronald Lewis**

**Presenter:** Here with us this morning we have Chief Inspector Ronald Lewis to talk about protecting yourself from various types of crime. Welcome, Ronald.

**Ronald:** Thanks.

**Presenter:** Now, first of all, crimes like mugging seem completely uncontrollable. Is there anything we can do to protect ourselves?

**Ronald:** In fact, there is. People who behave in a frightened manner in the streets are obvious targets, so the best thing to do is act sure of yourself. If you don't look like a victim, you probably won't be one. Carrying a personal alarm is also a good idea. If you have the chance to attend self-defence classes, that can be useful as well.

**Presenter:** That sounds sensible. What about kidnapping?

**Ronald:** Kidnapping may not seem like a threat to most of us, but many children are at risk nowadays, so the best thing to do is teach them not to talk to strangers. If stranger approaches them they should immediately go to the nearest safe place – a stop, the post office and so on – and tell somebody there what has happened. In the case of the rich and famous, a bodyguard is the obvious answer, but I don't think many of us can afford that!

**Presenter:** Mmm. Yes. More and more cars are being stolen nowadays, aren't they?

**Ronald:** Yes, and that's why more and more people choose to fit an alarm system in their vehicle. To protect your car, parking in an attended car park is always a good idea, and of course make sure your car is securely locked at all times.

**Presenter:** And to sum up ...?

**Ronald:** Just keep in mind that there is always something you can do to keep crime from happening to you. Just make sure you are aware of the dangers.

**Presenter:** Thanks, Ronald. Now for the news of the day with...

**Grammar Section of Unit 6** covers one of the areas of English Grammar – Participle I and Participle II. A review of participle forms is provided by means of a series of exercises based on the topical vocabulary of the Unit. To acquire lexical and grammatical skills on the use of Participle forms in a special context Ss are expected to revise the use of Participle I and Participle II forms.

T refers Ss to the relevant pages of Grammar Reference Textbook and explains the theory before Ss do the exercises.

The system of exercises is designed to consolidate 'problem areas' of this particular part of English grammar and aimed at developing Ss' practical skills in using participial structures in translating, discussing, communicating and writing. Special attention is given to those points which are often a problem for Ss – the meaning and use of the Participle forms in the active and passive voice.

The grammar section starts with an English-Russian translation exercise, which shows how the Participle forms are used in a realistic context.

A number of exercises focus on the contrast in using the Participle forms: Present Participle Active and Passive, Perfect Participle Active and Passive and Participle II. Ss are asked to justify the choice of the Participle forms.

The final activities of the grammar section include Russian-English translation aimed at developing the skills of translation, interpretation and checking the use of special lexical and grammar points of the Unit.

**Keys:**

**Ex. 1.**

a)

1. justifying – Participle I Active
2. being – Present Participle Active, arrested – Participle II
3. written, arrested – Participle II, informing – Participle I Active
4. having – Participle I Active
5. doubting – Participle I Active, arrested – Participle II
6. having decided – Perfect Participle Active
7. having – Participle I Active
8. following – Participle I Active
9. having stopped – Perfect Participle Active
10. distorting – Participle I Active

b)

**Participle II**

1. elected
2. referred, authorized
3. chaired, qualified
4. paid, concerned
5. heard
6. convicted, imposed
7. heard
8. made, time-barred

**Ex. 2.**

1. lying; 2. belonging; 3. investigating; 4. conveying; 5. suspecting; 6. relating; 7. searching; 8. fitting.

**Ex. 3.**

1. unpaid; 2. selected; 3. heard; 4. filed; 5. investigated; 6. decided; 7. created; 8. concerned.

**Ex. 4.** 1. limiting; 2. causing; 3. proving; 4. sitting down; 5. supervising; 6. conveying; 7. carrying.

**Ex. 5.**

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

**Ex. 6.**

*Model 1:*

1. Being on duty ... .
2. Being arrested... .
3. Having listened to his answers ... .
4. Visiting a police station without warning ... .
5. Having been taken ... .

*Model 2:*

1. Having been alerted by radio of a burglary ... .
2. Being a holder of the confidential information ... .
3. Not having reasonable suspicion ... .
4. Not having seen him before ... .
5. Not having money to make bond ... .
6. Being read his rights in the language he didn't know ... .

*Model 3:*

1. using the information of the informant
2. patrolling in the park
3. violating all the traffic rules
4. importing and supplying cocaine
5. exceeding their powers (or: abusing their powers)
6. making a written record of his actions

**Ex. 7.**

1. (When) found guilty by the magistrates a defendant may appeal to the local Crown Court.
2. If requested the International Court of Justice gives an advisory opinion on any legal question.
3. If accused of a terrorist-type offence in Northern Ireland a man is tried in non-jury courts.
4. Divorce disputed by one of the parties was transferred to the Family Division of the High Court.
5. Employed in Japanese Law companies foreign lawyers are not allowed to work on cases that involve Japanese laws.
6. Not given the right to speak any member of the public may witness a court case.
7. Embarrassed by the question the defendant didn't know what to say.

**Ex. 8.**

a)

1. Having obtained; 2. Having authorized; 3. Having been arrested; 4. showing; 5. being; 6. speaking; 7. being threatened.

b)

1. promising; 2. excited; 3. consuming; 4. presided; 5. sitting; 6. decided; 7. unconvincing; 8. submitting; 9. qualified.

## UNIT VII

### The Judiciary

#### Objectives

- be able to define the basic terms of the semantic field “judicial system”;
- be able to use correctly the topical vocabulary of the Unit in speaking and writing about the structure and function of courts in Britain and the USA;
- develop reading skills;
- be able to discuss, analyze, comprehend, summarize the fundamental ideas of the topic in question;
- master the basics of translation from English into Russian and v.v. of the issues discussed;
- raise cultural awareness of the notion “the judiciary” in Britain and in America in comparison with that in your home country;
- develop grammar skills on the use of Participial Constructions in a special context.

#### Material

Unit “The Judiciary” contains material on Reading, Speaking, Listening Comprehension, Grammar Section.

**Reading material** is represented by five interrelated texts (A, B, C, D, E) dealing with court systems in the USA, Great Britain, role of the judiciary in these countries. Each text is designed for a certain type of reading strategy. Here one will also find four additional texts for supplementary reading: Text 1. *Judicial Review*. Text 2. *Measures of Judicial Independence and Selection of Judges in American Courts*. Text 3. *Checks on the Judiciary*. Text 4. *Registrar*.

The texts enlarge information provided for in the Unit and are designed for advanced learners.

**Text A** “The US Court System” is an example of an academic text dealing with the system of justice in the USA. Court structure and hierarchy are discussed here. The text is aimed at practicing intensive reading, therefore T should explain to Ss that the text is designed for thorough comprehension of the total meaning and the details. Special attention should be drawn to federal and state jurisdictions. The text is supplied with numerous vocabulary and speech exercises.

**Word study** exercises focus on the topical vocabulary of the Unit. They range from a) training pronunciation of the internationalisms used in the text and proper names (Ex. 1, 2) where T should draw Ss' attention to the fact that these words are often mispronounced in speech; b) studying derivatives (Ex. 3) where the most frequent derivational models are introduced; c) paring most common collocations (Ex. 4); d) giving definitions to basic terms (Ex. 5); e) matching English word-combinations to their Russian equivalents (Ex. 6) to study how the lexemes are used in the text. Finally, a Russian translation is suggested to consolidate the acquired vocabulary skills (Ex. 7).

**Keys:**

**Ex. 2.**

a/3; b/6; c/5; d/2; e/1; f/4.

**Ex. 3.**

1. to know a unitary system;
2. to grant a special case;
3. to form a judicial circuit;
4. to comprise an actual decision;
5. to appoint a federal judge;
6. to have a notable exception.

**Ex. 4.**

1. to reside	resident	residence	residential
2. to preside	president	presidency	presidential
3. to appeal	(appellant)	appeal	appealing (appellant)
4. to know	—	knowledge	knowledgeable
5. to select	—	selection	select
6. to imprison	prisoner	prison	imprisoned
7. to recommend	—	recommendation	recommended
8. to approve	—	approval(ment)	approved

**Ex. 5.**

Unitary court; special case; certain type; federal system; legal tradition; unanimous decision; high respect; lowest level.

**Ex. 6.**

1. Trial; 2. juvenile offender; 3. jurisdiction; 4. appeal; 5. circuit system; 6. decision; 7. claims; 8. litigant; 9. discretion; 10. adjudication; 11. maritime law.

**Ex. 7.**

1e; 2h; 3a; 4k; 5c; 6m; 7j; 8b; 9n; 10d; 11i; 12f; 13g; 14l.

**Ex. 8.**

Individuals; state courts; to sue; federal courts; to fall under jurisdiction; to resolve the case; the Supreme Court; litigation; district courts; higher courts; lower courts; the court of the last resort; to decide a case; the court of appeal.

**Ex. 9.**

1. District; 2. appeals; 3. Supreme; 4. Supreme; 5. federal; 6. district; 7. state; 8. lower; 9. higher; 10. appellate; 11. resort.

**Ex. 10.**

1. Violent; 2. unnatural deaths; 3. an inquest; 4. examination; 5. natural causes; 6. circumstances; 7. to establish; 8. alone; 9. sudden; 10. suspicious; 11. fatal; 12. to instruct.

**Discussion exercises** are aimed at helping Ss understand the main message of the text, concepts introduced, problems raised. The final aim of a whole range of exercises is to help Ss compile the topical vocabulary of the Unit and be able to recycle this area of vocabulary while generating microtexts, drawing conclusions, sharing ideas on the topic “The judiciary”. The exercises include reading comprehension tasks and talking points, suggest a variety of activities: multiple choice (Ex. 1), true/false statements (Ex. 2), commenting on the charts (Ex. 3), simulation of a conversation about the hierarchy of the court system in the USA (Ex. 4); reporting on the issues raised in the text with the help of suggested by T word-combinations (Ex. 5), rendering relevant information from Russian into English (Ex. 6).

**Keys:**

**Ex. 1.**

1. ... is headed by the Supreme Court.
2. ... to hear and decide cases on criminal and civil law.
3. ... whether laws passed by the Congress agree with the Constitution.
4. ... being served by a court of appeals.
5. ... are tried in the district courts.
6. ... jurisdiction over cases connected with taxes or quotas on imported goods.

**Ex. 2.** 1t; 2f; 3f; 4f; 5f; 6t; 7t.

**Ex. 3.**

1a; 2b; 3c; 4a; 5b; 6c; 7b.

**Text B** “The Role of the Independent Judiciary” is for scanning. The text is aimed at revealing impartiality of law courts as one of the major goals of the judiciary. Ss’ attention should be drawn to this major issue in the activities of American courts.

**Keys:**

**Ex. 1.**

1e; 2g; 3i; 4h; 5j; 6a; 7b; 8f; 9c; 10d.

**Ex. 2.**

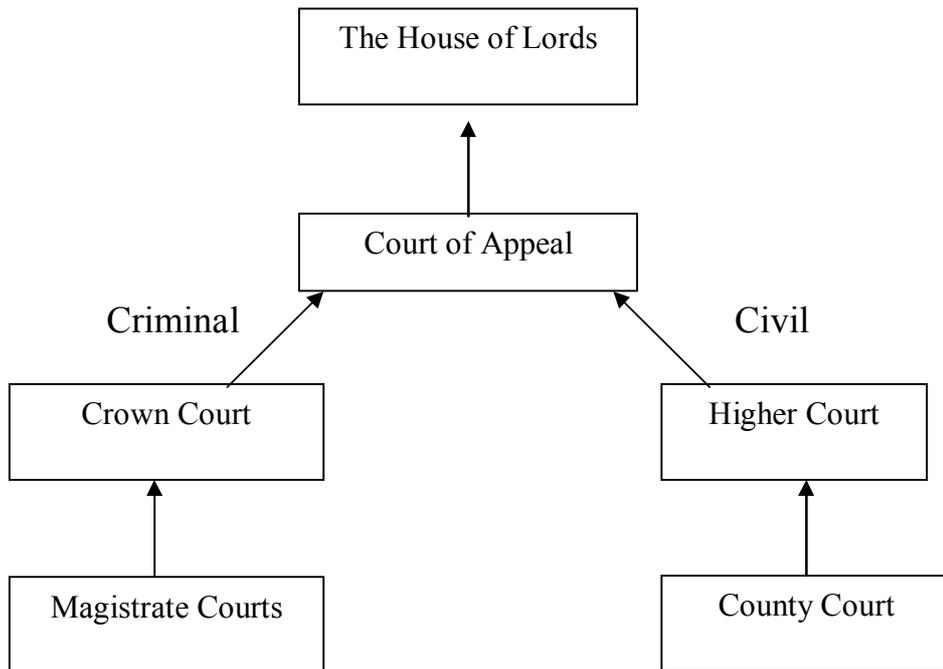
1. ... is responsible for upholding the constitution and is a unique American contribution to political theory.
2. Impartiality is ... .
3. ... to maintain their judicial systems by deliberately insulating courts from external influence.
4. ... decisional independence, structural independence, compliance with the courts decisions.
5. United State courts enjoy a level of influence and respect unequalled anywhere else or at any other time in history, they ... .
6. ... have traditionally been submitted to arbitration in the interest of social harmony.
7. Lawyers and judges play a much greater role in society and many grievances ... .

**Ex. 3.**

1. Why do governments establish a judicial branch?
2. What is one of the major goals of law courts?
3. What is the motto of the US Supreme Court?
4. What court enjoys a level of respect?
5. How many cases do American courts handle each year?
6. Legal language permeates everyday life, doesn't it?

**Text C** “The British Judicial System”. Ss are supposed to skim the text so that to compare the British and the American court systems.

**Keys:**  
**Ex. 1.**



**Ex. 2.** 1t, 2t, 3f; 4f; 5t; 6t.

**Text D** “The European Court of Human Rights” and **Text E** “The International Court of Justice” provide Ss with information on modern international courts and their jurisdictions. Text D is compiled as reading for more information while Text E is an example of the gapped text where blanks are to be filled in with suggested verbs.

**Keys:**

1. founded; 2. is obliged; 3. embraces; 4. bring; 5. brought; 6. is composed; 7. are elected; 8. are decided.

**Dialogue section** is aimed at developing Ss’ speaking skills as well as enlarging information on the topic studied. The section contains two dialogues. First Ss are exposed to an authentic Dialogue 1 “Consulting a Lawyer”. Ss should be able to reproduce it abridged and render it in the form of a monologue.

Special attention should be paid to the questions discussed in the dialogue: who can be released from custody, why people prefer the jury, the system of appeal. This will help Ss to expand the information field of the unit.

**Ex. 1.** Ss should carefully read the statement making sure they know the exact meaning of the word they must search for, then skim the dialogue searching for the words needed.

**Keys:**

- |                  |                   |
|------------------|-------------------|
| 1. evidence      | 6. to investigate |
| 2. bail          | 7. trial          |
| 3. jury          | 8. assessment     |
| 4. to appeal     | 9. costly         |
| 5. to appreciate | 10. custody       |

**Ex. 2.** Before Ss do this task T asks them to give some examples of expressing agreement, disagreement, estimation and certainty.

**Keys:**

- agreement: Of course, there is less room for mistakes if 12 people make a decision.
- disagreement: You see, I don't believe my husband is guilty.
- estimation: Some new facts might reveal he's innocent.
- certainty: – I'm sure I'll be able to show certain reasons for dissatisfaction.  
– I know it's a very time-consuming procedure...

**Ex. 3.** Ss should skim the dialogue for searching the needed words and expressions. Ss do the exercise on their own writing down the answers. The aim of the task is to memorize the new lexis.

**Keys:**

1. освободить из тюрьмы
2. внести деньги в качестве залога
3. быть обвиненным в чем-то
4. отягчающие вину обстоятельства
5. зависящий от чего-то залог
6. вести дело
7. принять решение
8. собирать улики
9. показать, раскрыть
10. повторное определение

11. неудовлетворение
12. занимающий много времени

**Ex. 4.** Ss should present this information in the form of a monologue keeping in mind the rules of the Reported Speech.

Dialogue 2 “In Court” is presented in the form of a polylogue. It is a conversation between a British and an overseas law student. Special attention should be paid to raising professional awareness of the problem under consideration in the comparative aspect, i. e. Ss should be able to analyze different court systems, to understand the peculiarities of each, to define the role of the judge and the jury.

T should explain to Ss how to deal with the speaking tasks (See Unit 1, p. 15).

**Ex. 1.** Ss should skim the dialogue for searching the needed words and expressions. Ss do the exercise on their own writing down the answers. T checks Ss’ answers. The aim of the task is to memorize the new lexis.

**Keys:**

sentence, witness, to be guilty, defence, imprisonment, jury, prosecutor, fine, to be put on probation, judge, an accused, to swear an oath, dock, evidence, to be acquitted, witness box.

**Ex. 2.** T should explain to Ss how to treat this type of exercise. Ss carefully read the answer. It will prompt them what type of question should be asked, what tense form, person and number should be used. Ss should do this exercise in the written form. T checks Ss’ answers.

**Keys:**

- F.: What does the magistrate do?
- F.: What are witnesses supposed to say when they stand in the witness box?
- F.: Are there many lawyers involved in the procedure of a trial?
- F.: Why are there two lawyers in the courtroom?
- F.: Does a judge have to wear a special uniform?
- F.: What do the jury base their decision on?
- F.: Can an accused person be acquitted?

**Ex. 3.** Ss can work in pairs discussing the information according to the suggested points. T goes round and then asks Ss to report to the class.

**Listening comprehension** section of Unit 7 contains two pieces of recorded information: a monologue and a dialogue.

**Monologue** “The system of justice in Britain” gives us some additional information about the court system in England and Wales. The text is supplied with pre-listening, listening and after listening tasks.

The main objective of *pre-listening activities* is to overcome Ss’ listening comprehension difficulties. In Ex. 1. unknown words are introduced with the help of synonyms. First Ss should do this exercise on their own, then T goes round the class and checks Ss’ understanding of their meanings by using L. 1.

*Listening activities* are aimed at raising Ss’ listening comprehension skills and checking them. In Ex. 1. Ss listen to the tape for the first time, making brief notes to help them answer some questions. Then Ss listen to the tape once more and fill in the gaps in Ex. 2.

*After listening activities* are aimed at raising Ss’ skills of speaking on the topic. Ss should discuss the main points given in this exercise.

**Keys** (*Listening activities*):

**Ex. 2.**

1. magistrates’ courts
2. Justices of the Peace (JPs)
3. magistrates’ courts
4. the Court of Criminal Appeal
5. the House of Lords
6. an agreement among at least ten of jurors

**Tapescript**

### **The system of justice in Britain**

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

There are basically two kinds of court. More than 90% of all cases are dealt with in magistrates’ courts. Every town has one of these. In them, a panel of

magistrates usually three) passes judgement. In cases where they have decided somebody is guilty of a crime, they can also impose a punishment. This can be imprisonment for up to a year, or it can be a fine, although if it's a person's "first offence" and the crime is not serious, they often impose no punishment at all.

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

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

**Extract from the video film "Suspect"** stimulates Ss' activities in oral speech, raises their listening comprehension skills and gives some information about the work of the judiciary.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1. First Ss do this exercise on their own, then T goes round the class and checks Ss' understanding of their meanings by using L. 1.

*Listening activities* are aimed at raising Ss' listening comprehension skills. Ss should watch the extract twice and answer the questions then.

*After-listening activities* are aimed at raising Ss' skills of speaking based on the extract from the video film. Ss should imagine that they are the Defence Counsel/the Counsel for the Prosecution and make up their own statements for the court hearing.

## **Tapescript**

### **Extract from the video film "Suspect"**

**Judge:** Opening statements, Mr Stella?

**Mr Stella:** Elizabeth Rose Quinn. She was 24. A clerk, typist on Justice Department. She made 17 000 dollars a year. She was single. She liked to play tennis. She was member of the first Baptist Church in Arlington. She wasn't very important, especially in a city, which is full of many important people. She was just a decent hard-working citizen. And on the night of December 18, a week before Christmas Carl Wayne Anderson in cold blood cut her throat. I've prosecuted 43 murder cases. It's always senseless. But of all the murder cases I have prosecuted, this is the most horrible, the most senseless, the most indefensible, for nine dollars. Nine dollars. That's all she had. Is this what we've become? Is the value of human life so cheap? Elizabeth worked late at that night, it was cold. She was tired and anxious to get home. She took the bus to the parking lot on K. Street where her car was. That's as far as she got. We will show that Carl Wayne Anderson had been in that parking lot, trying to break into cars. He had been sleeping in Elizabeth's car and a parking lot attendant had chased him away, but he had come back.

And when he saw Elizabeth alone and defenseless, he beat her, dragged her down to the river, slit her throat and killed her. This isn't the eleven o'clock news. We can't just shake our heads, go to bed and forget about it. We have a responsibility to Elizabeth. She is ..., after all ..., too important.

**Judge:** Miss Riley?

**Miss Riley:** Carl... is not a decent hard-working citizen. He is not a shining example of the American dream. Carl is the American nightmare. He is one of the nameless faceless derelicts that wander aimlessly through the streets around our country every day by the thousands.

We step over them in the doorways... We cross the streets in order to avoid actually having to come into contact with one of them. We look at them with a mixture of pity and contempt and fear. And we choose not to

see that under their ragged blankets and filthy clothes is a frightened human being just like you and me.

C. Anderson was a soldier in Vietnam not a hero, just a dog soldier, who believed and fought for his country. And when he tried to regain his identity and self respect in a veteran's hospital he contracted spinal meningitis became deaf and suffered traumatic speak loss. We will to show that where nine dollars could mean a difference between eating and starving to death.

**Grammar Section of Unit 7** covers one of the areas of English Grammar – the Participle I/II and the Participial Constructions. A review of Participle forms and Participial constructions is provided by means of a series of exercises based on the topical vocabulary of the Unit. To acquire lexical and grammatical skills on the use of Participle forms in a special context Ss are expected to focus on the use of Participle forms in the Active and Passive Voice and their translation.

T refers Ss to the relevant pages of Grammar Reference Textbook and explains the theory before Ss do the exercises.

The system of exercises is designed to consolidate 'problem areas' of this particular part of English grammar and aimed at developing Ss' practical skills in using correct Participial Constructions in translating, discussing, communicating and writing. Special attention is given to those points which are often a problem for Ss – the meaning and translation of the Objective Participial Construction, the Subjective Participial Construction and the Absolute Participial Construction from English into Russian and from Russian into English.

The grammar section starts with a English-Russian translation exercise which shows how the Participle forms and Participial construction are used in a realistic context.

A number of exercises focus on the contrast in using the Participial Constructions and Participle forms. Ss are asked to justify the choice of the Participial Constructions.

The final activities of the grammar section include Russian-English translation aimed at developing the skills of translation, interpretation and checking the use of special lexical and grammar points of the Unit.

**Keys:**

**Ex. 1.**

1. arising, dealing with, arising; 2. deciding; 3. operating; 4. uniting; 5. imposing, accused; 6. sentencing, charged; 7. appointed, based, presenting; 8. endangering; 9. extending; 10. having heard; 11. connected; 12. leading, govern-

ing, fighting; 13. related, growing, effecting; 14. connected, imported; 15. running; 16. violating.

**Ex. 2.**

1. presented; 2. binding; 3. found, shaving, made; 4. committed; 5. empowered, guaranteeing; 6. submitted; 7. binding, concerned; 8. committed, having plotted; 9. convicted, exhausted.

**Ex. 3.**

a)

1. Мы слышали, как подсудимому зачитывали приговор.
2. Никто не слышал, как обвиняемый признал свою вину.
3. Люди внимательно слушали, как давались показания свидетелями стороны обвинения.
4. Обычно федеральные суды не слушают дела, возникающие на основании законов отдельных штатов.

b)

1. Люди хотят, чтобы общественный порядок поддерживался всегда.
2. Все осужденные хотят, чтобы право на защиту не только гарантировалось, но всегда соблюдалось.
3. Все хотят, чтобы преступления расследовались как можно быстрее.
4. Суд присяжных получил от судьи суммированное дело как со стороны закона, так и фактов.

c)

1. Видели, как арестовывали вора на месте преступления.
2. Слышали, как адвокат пытался доказать, что обвиняемый невиновен.
3. Сообщают, что свобода слова нарушается во многих странах.
4. Большинство обращений (в суд для слушания), которые получает Верховный Суд, отвергаются.

d)

1. Поскольку судебная власть в США является третьей ветвью Федерального правительства, система федеральных судов распространилась по всей стране с Верховным Судом во главе.
2. Все суды являются независимыми, причем федеральные судьи назначаются президентом пожизненно.
3. Верховный суд не может быть отменен Конгрессом, хотя он имеет право создавать и отменять федеральные суды, определять количество судей в федеральной судебной системе.
4. США имеют наиболее сложную судебную систему в мире, причем в стране создан 51 тип судов.

**Ex. 4.**

1. Апелляционные суды были учреждены, чтобы слушать большинство апелляций, появляющихся на решения окружного суда.
2. Я не слышал, как давали показания в поддержку стороны обвиняемого.
3. Мы слышали перекрестный допрос свидетелей стороны обвинения.
4. Мы видели, как его арестовывали за нарушение дорожных правил.
5. Ему отменили приговор несколько дней назад.
6. Ее машина разбита в автокатастрофе.
7. Многие люди приходят к солиситору, чтобы получить юридический совет и составить завещание.
8. США имеют две четкие системы права, штатов и федеральную, причем каждый штат имеет свою собственную судебную систему.
9. В Британии Генеральный Атторней является главным юридическим лицом правительства, а Генеральный солиситор является его заместителем.
10. Будучи членом правительства, Генеральный Атторней имеет определенные административные функции, причем функция директора контроля за исполнением наказаний является наиболее важной.
11. Если арестуют, его вина будет легко доказана.
12. Если признают виновным, ребенок или молодой человек может быть помещен под надзор, взят на поруки или отправлен в исправительную школу.
13. Объявив независимость 4 июля 1776 года, Соединенные Штаты изначально имели 13 штатов, каждый из которых хотел быть суверенным и контролировать свои дела.
14. В стране 700 мировых судов и 30.000 мировых судей, причем мировые суды представляют наиболее общий тип правосудия в Англии и Уэльсе.

**Ex. 5.**

1. No, I had the case presented.
2. No, the picture collector had a Picasso stolen.
3. No, barristers had cases and evidence prepared.
4. No, the convict had his appeal filed.
5. No, she had her legal letter written.

**Ex. 6.**

a)

1. We noticed him driving a car under the influence of alcohol.
2. The crowd of interested spectators watched two policemen affecting the arrest of a criminal.
3. A policeman heard somebody calling for help.
4. Everybody heard a super-intendant giving instructions to other officers.
5. Though you didn't see him stealing goods from the store, you had powers to stop and search him in the circumstances.
6. I didn't hear the policeman reading the suspect his rights.
7. The witness saw you threatening the victim.

b)

1. You were heard threatening your wife.
2. A police officer was seen beating the suspect.
3. He was seen selling drugs in the street.
4. A woman was heard calling for help.
5. A get-away car was seen moving along the avenue.
6. A policeman was noticed approaching the house.
7. You were seen getting into the house through the window.

c)

1. The jury having considered a prisoner guilty, the judge pronounced a sentence.
2. The law is not separated from the judges, they interpreting and administering it.
3. The case being complicated, the jury is still discussing the verdict.
4. The judge having pronounced a sentence, the convicted person was taken to prison.
5. Roman law being one of the greatest systems that has ever existed, many countries in Europe and America have used it as a basis in their legal systems.
6. The call to jury service being regarded as an obligation, barristers, solicitors and police officers must have retired from that work for a minimum of ten years.
7. All the evidence having been given, the judge summarized the case, both law and facts, for the jury.
8. Independence having been guaranteed, judges cannot be removed from the office on account of political considerations.

9. Juries mostly appear in criminal cases in the Crown Courts, civil cases being heard without a jury.
10. A verdict not being unanimous and the jury failing to reach agreement, the case will be retried before another jury.
11. Each Court of Appeal in the circuit consists of between 3 and 5 judges, the judge with the service who has reached his 70<sup>th</sup> birthday being the Chief Judge.
12. The counsel for defence or the defendant have the right to object to jurors without giving reasons, the maximum number of peremptory challenging being reduced to three.
13. A defendant pleading not to be guilty, a jury of 12 persons must be formed and summoned.
14. The jury deciding the accused not guilty, immediately must be discharged.
15. Death penalty has been abolished by many countries, crime emerging at an alarming rate.
16. The lower chamber having passed the bill, it went to the upper one.
17. A bill having been signed by the Queen, it becomes an Act of Parliament.

## UNIT VIII

### Procedure and Evidence

#### Objectives

- be able to define the basic terms of the semantic field “trial in courts”;
- be able to use correctly the topical vocabulary of the Unit in speaking and writing about civil and criminal procedure;
- develop reading skills;
- be able to discuss, analyze, comprehend, summarize the fundamental ideas of the topic in question;
- master the basics of translation from English into Russian and v.v. of the issues discussed;
- raise cultural awareness of the notions “civil and criminal procedure” in Britain in comparison with those in your home country;
- develop grammar skills on the use of Gerund and Gerundial Constructions in a special context in the English language.

#### Material

Unit “Procedure and Evidence” contains material on Reading, Speaking, Listening Comprehension, Grammar Section.

**Reading material** is represented by five interrelated texts (A, B, C, D, E) dealing with peculiarities of civil and criminal procedures in Great Britain, involvement of jurors in trials, collection of evidence. Each text is designed for a certain type of reading strategy. Here one will also find four texts for supplementary reading: Text 1. *Criminal Justice*. Text 2. *Management of Accusation and Appeal Procedure*. Text 3. *Criminal Justice Heritage*. Text 4. *Search for the Truth*.

The texts enlarge information provided for in the Unit and are designed for advanced learners.

**Text A** “Civil Procedure” is an example of an academic text dealing with initiating and conducting civil trials, role of solicitors and barristers in proceedings. The text is aimed at practicing intensive reading, therefore T should explain to Ss that the text is designed for thorough comprehension of the total meaning and the details. The text is supplied with numerous vocabulary and speech exercises.

**Word study** exercises focus on the topical vocabulary of the Unit. They range from a) training pronunciation of the internationalisms used in the text and proper names (Ex. 1, 2) where the T should draw Ss' attention to the fact that these words are often mispronounced in speech; b) studying derivatives (Ex. 3) where the most frequent derivational models are introduced; c) paring most common collocations (Ex. 4); d) giving definitions to basic terms (Ex. 5), e) matching English word-combinations to their Russian equivalents (Ex. 6) to study how the lexemes are used in the text. Finally, a Russian translation is suggested to consolidate the acquired vocabulary skills (Ex. 7).

**Keys:**

**Ex. 2.**

inspector	inspection
referee	reference
—	enforcement
server	service
recorder	recording
—	claim
liquidator	liquidation
deliverer	delivery (deliverance)

**Ex. 3.**

1d; 2f; 3e; 4a; 5h; 6g; 7b;8c.

**Ex. 4.**

To serve official record; to define specific matters; to apply a summary judgement; to take necessary steps; to contain brief statement; to cause the plaintiff's answer; to do preparatory work; to recover the debtor's goods.

**Ex. 5.**

1. the enforcement of judgement; 2. a writ; 3. acknowledgement; 4. plaintiff; 5. pleadings; 6. complaint; 7. counterclaim; 8. contention.

**Ex. 6.**

1d; 2g; 3f; 4m; 5l; 6k; 7a; 8n; 9o; 10e; 11i; 12h; 13c; 14b; 15j.

**Ex. 7.**

1. much; 2. after; 3. a writ; 4. by the plaintiff; 5. a brief; 6. starts, barrister; 7. closing speech; 8. the judge.

**Ex.8.**

1e; 2g; 3b; 4d; 5h; 6f; 7c; 8a; 9i; 10j.

**Ex. 9.**

- |                 |                           |
|-----------------|---------------------------|
| 1. civil cases; | 2. ownership of property; |
| 3. undertake;   | 4. randomly;              |
| 5. evidence;    | 6. verdict;               |
| 7. unanimous;   | 8. acquitted;             |
| 9. convicted;   | 10. right of appeal;      |
| 11. judiciary;  | 12. criminal offence;     |
| 13. challenge;  | 14. liable for;           |
|                 | 15. disqualified.         |

**Discussion exercises** are aimed at helping Ss understand the main message of the text, concepts introduced, problems raised. The final aim of a whole range of exercises is to help Ss compile the topical vocabulary of the Unit and be able to recycle this area of vocabulary while generating microtexts, drawing conclusions, sharing ideas on the topic “Procedure and Evidence”. The exercises include reading comprehension tasks and talking points, suggest a variety of activities: multiple choice (Ex. 1, 2), true/false statements (Ex. 3), commenting on the charts (Ex. 4), simulation of a conversation between law students (Ex. 5), reporting on the issues raised in the text with the help of suggested by T word-combinations (Ex. 6), rendering relevant information from Russian into English (Ex. 7).

**Keys:****Ex. 1.**

1b; 2c; 3a; 4c; 5c; 6b.

**Ex. 2.**

1f, 2t, 3f; 4f; 5t; 6f; 7t; 8f; 9f; 10t.

**Ex. 3.**

1. Does the proceeding prior to trial take much or little time?
2. Do proceedings after the trial take any time?
3. The usual method of commencing an action is to issue a writ, isn't it?
4. How many days has the defendant to file a defence after acknowledging service?
5. Are there any pleadings during the trial?
6. When may the plaintiff obtain a default judgement?

7. What work must be done by the parties' solicitors between close of pleadings and trial?
8. What does the trial start with?
9. Is the debt recovered from the proceeds of selling the debtor's goods or land?

**Text B** "Criminal Procedure" is for scanning. It is devoted to one more type of trial courts – criminal courts. Criminal proceedings are described here and Ss are to identify the difference between civil and criminal procedure.

**Keys:**

**Ex. 1.**

1t; 2f; 3f; 4f; 5f; 6t; 7f; 8t; 9f; 10f.

**Ex. 2.**

1. after being charged with an offence and especially during the trial;
2. at any time after conviction;
3. before being arrested and charged;
4. after conviction and especially during the period of punishment;
5. (as a general term) at any time after committing a crime; (as a law term) after conviction;
6. after being charged and during the trial.

**Ex. 3.**

C, H, E/A – in Criminal Law a charge is an accusation;  
D, G, F, B – at the trial.

**Ex. 5.**

1. ... a summons is issued informing the accused of the time, date and place of the trial.
2. ... and there is a possibility that the accused will not appear voluntarily a warrant for his arrest will be issued.
3. ... or if he remains silent the trial will commence with the prosecutor addressing the court and then calling his evidence.
4. ... they may consider previous convictions or evidence of previous good character before deciding on the sentence.
5. ... they leave power to impose the accused to be referred to the Crown Court for sentence.
6. ... can plead guilty by post in cases where his appearance at court would be a mere formality.

7. ... whether there is a prima facie case against the accused.
8. ... at the start of the trial.

**Ex. 7.**

**a)**

I. The judge:

1. Call the first witness.
2. Members of the jury, how do you find the accused? Guilty or not guilty?
3. The verdict of this court is that you are guilty and I therefore sentence you to life imprisonment.
4. I call upon the Prosecutor to state the case against the accused.
5. Take the witness stand and recite the oath.
6. How do you plead?
7. We find this case proved /not proved.
8. Objection, (not) sustained / overruled.

II. The accused:

1. I want to appeal against my sentence.
2. I plead not guilty.
3. I call ... as witness to support my case.

III. A witness:

1. I swear by Almighty God that I shall tell the truth, the whole truth, and nothing but the truth.

IV. The clerk:

1. Be upstanding in Court!

V. The prosecutor:

1. I am charging you with attempted murder.
2. No further questions, your Honour.
3. Objection.
4. I wish to call Mr. ... to the stand.

**b)**

1. Be upstanding in Court!
2. I call upon the Prosecutor to state the case against the accused.
3. I am charging you with attempted murder.
4. How do you plead?
5. I plead not guilty.

6. I wish to call ... to the stand.
7. I call ... as witness to support my case.
8. Take the witness stand, please, and recite the oath.
9. I swear by Almighty God that I shall tell the truth, the whole truth, and nothing but the truth.
10. Objection.
11. Objection, (not) sustained / overruled.
12. No further questions, your Honour.
13. Members of the jury, how do you find the accused? Guilty or not guilty?
14. We find this case proved /not proved.
15. The verdict of this court is that you are guilty and I therefore sentence you to life imprisonment.
16. I want to appeal against my sentence.

**Ex. 9.**

scene of the crime	weapon	circumstances	motive
the study; there were no signs of struggle	the gun	She made her uncle drink a glass of wine with sleeping pills and then shot him	to get money and to run away with her lover

**Text C** “Trial and Jury” provides information on the jury trial. T should draw Ss’ attention to the fact that only criminal cases are tried with the help of jurors. Ss are to focus on basic facts of the trial by jury.

**Keys:**

**Ex. 1.**

5, 2, 7, 1, 4, 3, 6, 8.

**Text D** “Evidence” provides Ss with more information on the topic under discussion exposing them to the methods of proving facts, types of evidence.

**Text E** “Plea-bargaining Process” is an example of the gapped text. T should remind Ss of the techniques to be used to handle this reading task (See Unit I, p. 13)

**Dialogue section** is aimed at developing Ss’ speaking skills as well as enlarging information on the topic studied. The section contains two dialogues. First Ss are exposed to an authentic **Dialogue 1** “In the Courtroom”. Ss

should be able to reproduce it abridged and render it in the form of a monologue.

Special attention should be paid to the procedure in the courtroom: the questions asked, who asks whom, the succession of questions, etc.

**Ex. 1.** Ss should carefully read the statement making sure they know the exact meaning of the word they must search for, then skim the dialogue searching for the words needed. T checks Ss' answers.

**Keys:**

- |                   |                  |
|-------------------|------------------|
| 1. instantaneous  | 8. property      |
| 2. to swear       | 9. evidence      |
| 3. to be indicted | 10. expert       |
| 4. oath           | 11. stain        |
| 5. cause          | 12. blunt        |
| 6. to plead       | 13. to wash out  |
| 7. witness        | 14. to establish |
|                   | 15. to treat     |

**Ex. 2.** T should remind Ss of different ways of addressing people depending on their age, social status, etc. Ss work on their own. T checks Ss' answers.

**Ex. 3.** T can use this exercise for back translation: English → Russian → English. Ss should work in pairs, one S in each pair should keep his/her notes closed.

**Keys:**

Быть обвиненным, не признавать себя виновным, слушать свидетельские показания, давать клятву, возбудить дело (начать судебное преследование), выступить на стороне обвинения (защиты), обращаться с кем-то, эксперт лаборатории, приблизительно, мгновенно, быть вызванным чем-то, тупой инструмент, установить причину, провести обыск, отпечаток пальца, не быть в наличии (не хватать), проверить на наличие чего-то, сделать попытку.

**Ex. 4.** After Ss have done the translation in the written form they are asked to use the sentences in their speech commenting on each statement, if possible, adding extra information and linking them into a logically structured story.

Suggested answers.

1. He is charged with murder.
2. He has pleaded "not guilty".

3. Having heard the evidence they have to say whether he is guilty or not.
4. Members of the jury take an oath.
5. The facts of this case are simple and not in dispute.
6. The time of death was defined from the body temperature and other factors.
7. A search was made, photographs were taken and the premises were fingerprinted.
8. That was not a robbery as no murdered woman's property is missing.
9. The jacket was tested in the laboratory for bloodstains.
10. And what was found out in the laboratory?
11. Probably the blood found on the jacket belonged to the dead woman.

**Dialogue 2.** "Gathering Evidence" is presented in the form of a polylogue. It is a conversation between two law students. Special attention should be paid to raising professional awareness of the problem under consideration. Ss should be able to analyze different ways of gathering evidence, its importance for investigating agency, the role of the police in this process, the requirements for a search of the suspect, etc.

T should explain to Ss how to deal with the speaking tasks (See Unit 1, p. 15)

**Ex. 1.** T can use this exercise for back translation: English → Russian → English. Ss should work in pairs, one S in each pair should keep his/her notes closed.

**Keys:**

Search warrant; investigating agency; to comply; to prevent; conviction; reason; evidence; to convince; outcome; the procedure laid down by the law; legally admissible evidence; interference; to establish the guilt of smb.; plainly guilty; legislation; evidence on oath; premises; exclusionary rule.

**Ex. 2.** T should explain to Ss how to deal with this task. Steps to be followed:

**Keys:**

- Find the predicate of the sentence. Define the tense.
- Ask a general question.
- Ask a question to the subject. Don't forget that you don't need an auxiliary verb. Mind the number.
- Ask a question to the object, etc.

Suggested answers.

1. a) What is not the final stage of the process?  
b) Whose identification is not the final stage of the process?

- c) The identification of the suspect is not the final stage of the process, is it?
2.
    - a) In what case do most jurisdictions allow a search to be carried out?
    - b) What do most jurisdictions allow to be carried out if there is “reasonable ground for suspecting”?
    - c) Who allows a search to be carried out?
  3.
    - a) Who can be stopped in the street and searched?
    - b) What can be done with a person in some cases?
    - c) Where can a person be stopped and searched?
  4.
    - a) Who is to identify himself and state the reasons for the search?
    - b) What is the police officer supposed to do before the search?
    - c) Who is the police officer to identify before the search?
  5.
    - a) What is usually kept by the police for production as exhibits at any trial?
    - b) Who is the material seized as a result of a search usually kept by?
    - c) What is this material kept for?
  6.
    - a) What is an important aspect of the investigation of offences?
    - b) What is an important aspect in the interrogation of suspected persons?
  7.
    - a) Who must be offered the services of a lawyer?
    - b) Where must any suspect be offered the services of a lawyer?
    - c) What suspect must be offered the services of a lawyer?
  8.
    - a) Who is not obliged to answer any question or give evidence?
    - b) What is a person suspected or accused of a criminal offence not obliged to do?
    - c) What person is not obliged to answer any question or give evidence?

**Listening comprehension** section of Unit 8 contains two pieces of recorded information: a monologue and a dialogue.

**Monologue** “The Arnold murder case” gives us some additional information about criminal procedure. The text is supplied with pre-listening, listening and after listening tasks.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1. First Ss should do this exercise on their own, then T goes round the class and checks Ss’ understanding of their meanings by using L. 1. In Ex. 2. Ss get acquainted with the proper names they’ll hear on the tape.

*Listening activities* are aimed at raising Ss' listening comprehension skills and checking them. In Ex. 1. Ss listen to the tape for the first time and answer the questions. Then Ss should listen to the tape once more and fill in the gaps in Ex. 2.

*After listening activities* are aimed at raising Ss' skills of speaking based on listening gist. Ss should summarize the trial.

**Keys** (*Listening activities*):

**Ex. 2.**

1. guilty of murder in the first degree;
2. confided
3. her accomplice
4. to put the blame, threatened;
5. no alibi;
6. was waiting for him, stabbed him in the back with a knife;
7. still wrapped up in the carpet;
8. his fingerprints;
9. finally led to the arrest and conviction.

**Tapescript**

### **The Arnold murder case**

The Weybridge Crown Court jury finally arrived at a decision in the Arnold murder case today, after six hours of deliberations. They found Mrs Sarah Arnold and her brother, Mr Paul Gregory, guilty of murder in the first degree. Both were sentenced to thirty years' imprisonment.

Mr Arnold, a rich businessman, had been stabbed to death in his brother-in-law's apartment on the night of 6 June last year, and had died instantly.

The Court heard how Mrs Arnold (28) had married Mr Arnold (55) for his money, and had then cold-bloodedly plotted to murder him.

Mrs Arnold confided in her brother, Mr Gregory, who had agreed to be her accomplice to the crime. The brother and sister team tried to put the blame on Mr Prosser, who has at one time threatened to kill Mr Arnold.

They chose an evening when they knew Prosser would be alone at home with no alibi. Mr Gregory had invited his sister and brother-in-law to dinner. When Mr Arnold went to the bathroom Mr Gregory was waiting for him and stabbed him in the back with a knife. Gregory then threw the knife out of the window of the flat into Prosser's garden, sure that the police would find it.

They then rolled Mr Arnold's body up in a carpet and carried him down to Mr Gregory's car. They drove to the bus station and left the body there still wrapped up in the carpet.

Initial police inquiries concentrated on Mr Prosser. All the evidence seemed to point to him as the murderer. But the brother and sister had forgotten one important detail – Gregory had left his fingerprints on the knife. This was the clue that finally led to the arrest and subsequent conviction of Mrs Arnold and her brother.

**Dialogue** “A story from the different points of view” stimulates Ss' activities in oral speech, raises their listening comprehension skills.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words are introduced with the help of synonyms in Ex. 1. First Ss should do this exercise on their own, then T goes round the class and checks Ss' understanding of their meanings by using L. 1.

*Listening activities* are aimed at raising Ss' listening comprehension skills. First in Ex. 1. Ss should listen to the tape for the first time to find five contradictions between the two parties (Bill and the old Lady) of the case. Then in Ex. 2. Ss listen to the tape once more to find any information that Bill mentioned in his evidence but the old Lady didn't.

**Keys** (*Listening activities*):

**Ex. 1.**

1. about midnight; in the morning
2. had a couple of glasses; were drunk
3. laughing; shouting
4. it seemed terribly funny; very aggressive and nasty
5. we held onto the cars; they were banging on all the car windows trying to break them

**Tapescript**

**A story from the different points of view**

**Recording 1**

**Bill:** It was about midnight, I guess. I was coming home from a Christmas party with Frank, a Hungarian friend of mine. It was very, very cold, all the puddles had frozen over, and there was thick ice everywhere ... and on top of that it had been snowing for several hours. Actually, I think it was still snowing because we couldn't really see very well where we

were going. The road we were walking down was on this really steep hill too, so you could imagine it was terribly, terribly slippery ... and as I say, we couldn't see a thing so we kept falling over. We'd get up and two seconds later we fell over again, not because we were drunk or anything, we'd only had a couple of glasses of wine at the party, but just because it was so slippery. Anyway, for some reason it all seemed terribly funny, and we were laughing our heads off, and calling to each other for help because we didn't really know how we were going to get down the hill... we weren't making any progress at all. Eventually we realised that the only way we could move at all was if we held onto the cars that were parked in the street so that's what we did, and slowly we were managing to move along ... except suddenly this police car drew up and two policemen got out and started shouting at us. I couldn't understand a word they were saying. Frank tried to talk to them and find out what was going on, but they wouldn't listen to him. They just pushed us in the back and drove us to the nearest police station. To be honest, I can't remember much after that, but a few hours later, I woke up in a police cell, wearing only my underwear, and feeling absolutely terrified, not to mention freezing cold ...

## **Recording 2**

**Old Lady:** It all happened at about one in the morning, I would say ... I went to bed at ten as usual, but I had to get up to go to the toilet, and as I was getting back into bed I heard this dreadful noise outside in the street... men shouting ... so, of course, I went to the window to find out what was going on. Anyway, I looked out and saw these two young men just outside my house: they were swaying all over the place, shouting and swearing to each other. They'd obviously been drinking, you could see they were drunk – very aggressive and nasty ... very suspicious-looking types – then I noticed that they were doing something to the cars. The weather was very clear, so I got a good view of what they were doing – they were banging on all the car windows trying to break into them! Obviously, as soon as I realised what was going on, I called the police straightaway, and thank God they came more or less immediately and arrested them, before they could do any more damage. It was very lucky that I happened to wake up and catch them, otherwise I'm sure half the cars in the neighbourhood would have been robbed, perhaps even stolen. This is a nice neighbourhood, quite a few people have expensive cars, with radios and stereos and all sorts in them. As I say, it was very lucky that I saw it at all...

**Grammar Section of Unit 8** covers one of the areas of English Grammar – the Gerund and the Gerundial Construction. A review of Gerund forms is provided by means of a series of exercises based on the topical vocabulary of the Unit. To acquire lexical and grammatical skills on the use of tense forms in a special context Ss are expected to revise the Gerund forms in the Active and Passive Voice.

T refers Ss to the relevant pages of Grammar Reference Textbook and explains the theory before Ss do the exercises.

The system of exercises is designed to consolidate ‘problem areas’ of this particular part of English grammar and aimed at developing students’ practical skills in using correct Gerund structures in translating, discussing, communicating and writing. Special attention is given to those points which are often a problem for Ss – the meaning of Gerund forms compared with those of the Participle.

The grammar section starts with an English-Russian translation exercise which shows how the Gerund forms are used in a realistic context.

A number of exercises focus on the contrast in using the Gerund, Participle and the Infinitive forms and constructions with them. Ss are asked to justify the choice of the Verbal Constructions.

The final activities of the grammar section include Russian-English translation aimed at developing the skills of translation, interpretation and checking the use of special lexical and grammar points of the Unit.

### **Keys:**

#### **Ex. 1.**

1. having heard – Active Perfect Gerund. Существуют некоторые преступления, когда обвиняемому предоставляется выбор слушания его дела в Мировом суде или в Королевском суде.
2. taking – Active Indefinite Gerund. Процесс передачи дела из суда низшей инстанции в суд высшей инстанции может быть очень продолжительным и дорогостоящим.
3. creating, modifying, abolishing, applying – Active Indefinite Gerunds. В любой правовой системе существуют инструменты для создания, совершенствования, отмены и применения закона.
4. being summoned – Passive Indefinite Gerund. У меня самые серьезные возражения против того, чтобы этот свидетель был вызван в суд стороной обвинения.
5. saying – Active Indefinite Gerund. Вам следует придерживаться в показаниях того, что вы видели.

6. pleading – Active Indefinite Gerund; his pleading – the Gerundial Construction. То, что он признает себя виновным во всех преступлениях, делает честь ему.
7. testifying – Active Indefinite Gerund; her testifying – the Gerundial Construction. То, что она давала показания против своего брата, глубоко поразило всех.
8. being able – Active Indefinite Gerund. Право на подачу апелляционной жалобы обычно зависит от того, способен ли апеллянт указать на конкретные причины своего недовольства.
9. saying – Active Indefinite Gerund; being – Active Indefinite Gerund. Ему не хочется ничего говорить о том, что он бывший заключенный.
10. taking up – Active Indefinite Gerund. Тебе не следует подвергать себя риску, берясь за это дело.
11. causing – Active Indefinite Gerund. Такое заявление не могло не вызвать общего волнения в зале суда.

**Ex. 2.**

1. having taken; 2. investigating; 3. denying; 4. doing; 5. winning; 6. having passed; 7. being told; 8. having seen; 9. being involved; 10. having offered; 11. clarifying; 12. judging.

**Ex. 3.**

2. murdering/having murdered; 3. stopping; 4. hitting/having hit; 5. talking to; 6. having robbed; 8. being convicted/having been convicted; 8. committing.

**Ex. 4.**

1. of; 2. with; 3. of; 4. –; 5. of; 5. of; 6. –; 7. by; 8. from; 9. on; 10. in; 11. in; 12. about; 13. of.

**Ex. 5.**

*Model 1:*

1. Assisting in the court is a bailiff's duty.
2. Cross – examining the witness is important.
3. Paying people who give information about criminals is traditional in some countries.
4. Guiding the jury on questions of law is the judge's responsibility.
5. Avoiding service as a juror without a good reason, such as illness is impossible.
6. Having a fair trial is the inalienable right of every citizen.

*Model 2:*

1. Being a coroner requires a legal training.
2. Pronouncing the sentence took half an hour.
3. Browbeating the witness made a district attorney furious.
4. Finding the perpetrator turned out to be the simplest task.
5. Losing the case depressed the attorney for the Southern Railroad greatly.

*Model 3:*

1. by climbing through the window;
2. by putting the words into the witness's mouth;
3. by keeping a bad company;
4. by filing an appeal to the local Crown Court;
5. by threatening him.

*Model 4:*

1. He left the country after having pled guilty of having illegal deals.
2. The prosecutor began to lose his confidence while hearing the testimony of a surprise witness.
3. The experts can make a conclusion after having identified the fingerprints.
4. A witness should be sworn before giving evidence in the court.
5. The court did adjourn after having been in session for several hours.
6. The plaintiff refused to take the money offered to him after having been consulted by his attorney.

**Ex. 6.**

1. having committed; 2. not having taken; 3. not having been arrested; 4. being punished; 5. being placed; 6. protecting; 7. violating; 8. obtaining; 9. gathering, recording; 10. arresting, taking, charging; 11. observing, being used; 12. violating; 13. inviting, investigating; 14. saying.

**Ex. 7.**

1. your interfering – Я был против того, чтобы ты вмешивался в это дело.
2. his having been acquitted – Мы были удовлетворены тем, что его оправдали.
3. his son being – Мистер Смит гордится тем, что его сын честный человек.
4. your having asked – Мы были удивлены, что Вы задали такой вопрос.

5. people don't like being asked – Людям не нравится, когда им задают вопросы о личной жизни.
6. the policeman's coming – То, что полицейский явился на место преступления поздно, затруднило расследование.
7. your pleading – То, что Вы не признаете себя виновным, не значит, что вы невиновны.
8. The offender's being arrested – То, что преступника арестовали на месте преступления, явилось результатом быстрых действий полиции.
9. The person's being fined – То, что человека штрафуют, можно считать справедливым наказанием.
10. A person's committing – Арест считается законным, если нет сомнения в том, что человек совершил преступление.
11. his having – В соответствии с законом мировой судья, проводящий предварительное слушание, обязан проинформировать обвиняемого о том, что у него есть право иметь адвоката.
12. Одна из главных обязанностей полиции состоит в том, чтобы не дать малолетним правонарушителям стать преступниками.
13. your presenting – То, что вы представите суду правдивые показания, поможет доказать его невиновность.

**Ex. 8.**

1. winning; 2. to win; 3. seeing; 4. to put down; 5. appearing; 6. to take; 7. taking up; 8. to inform; 9. to have; 10. getting.

**Ex. 9.**

1. strengthening; 2. preventing, investigating; 3. to trace, freeze and confiscate; 4. laundering, obtained, originating; 5. support, involved, connected, to exclude; 6. to conduct; 7. to be provided; 8. fighting, preserving, keeping; 9. to deal, to choose; 10. accused, to employ, be granted; 11. remained, be visited, to insure, prepared; 12. investigating; 13. to give, not awarding; 14. to be brought; 15. relating; being suffered; 16. being; 17. fixing, to reflect, take; 18. blaming, to apologize; having said, not being, telling; 19. accused, being tried.

## UNIT IX

### Sentencing and Punishment

#### Objectives:

- be able to define the basic terms of the “punishment” semantic field;
- be able to use correctly the topical vocabulary of the Unit in speaking and writing about sentencing and punishment;
- develop reading skills;
- be able to discuss, analyze, comprehend, summarize the fundamental ideas of the topic in question;
- master the basics of translation from English into Russian and v.v. of the issues discussed;
- raise cultural awareness of the notions “sentencing and punishment” in British and American criminal law in comparison with those in your home country;
- develop grammar skills on the use of Subjunctive Mood in the English language.

#### Material

Unit “Sentencing and Punishment” contains material on Reading, Speaking, Listening Comprehension, Grammar Section.

**Reading material** is represented by five interrelated texts (A, B, C, D, E) dealing with the problem of administration of justice in Britain and the USA, aims of punishment, correctional institutions. Each text is designed for a certain type of reading strategy. Here one will also find five texts for supplementary reading: Text 1. *The Purposes of Imprisonment*. Text 2. *Debates on Capital Punishment*. Text 3. *The Nuremberg Trial*. Text 4. *Prisons in the UK*. Text 5. *Some old forms of Punishment*. The texts enlarge information provided for in the Unit and are designed for advanced learners.

**Text A** “General Aims of Punishment in Britain” is an example of an academic text dealing with the nature of punishment of wrong-doers, its purposes and forms of punishment. The text is aimed at practicing intensive reading; therefore T should explain to Ss that the text is designed for thorough comprehension of the total meaning and the details. The text is supplied with numerous vocabulary and speech exercises.

**Word study** exercises focus on the topical vocabulary of the Unit. They range from a) training pronunciation of the internationalisms used in the text and proper names (Ex. 1, 2) where T should draw Ss' attention to the fact that these words are often mispronounced in speech; b) studying derivatives (Ex. 3) where the most frequent derivational models are introduced; c) paring most common collocations (Ex. 4); d) giving definitions to basic terms (Ex. 5), e) matching English word-combinations to their Russian equivalents (Ex. 6) to study how the lexemes are used in the text. Finally, a Russian translation is suggested to consolidate the acquired vocabulary skills (Ex. 7).

**Ex. 2.**

1		2		4	
prohibit	prohibition	provide	provision	assess	assessment
subject	subjection	decide	decision	judge	judgement
inflict	infliction			imprison	imprisonment
violate	violation			treat	treatment
humiliate	humiliation	3		punish	punishment
execute	execution	demand	demand	develop	development
legislate	legislation	control	control		
apply	application	review	review		
classify	classification	influence	influence		

**Ex. 3.**

	2	3
1	punishment, punishable	наказание, наказуемый
2	justification, justifiable	оправдание, оправданный
3	criminal, criminality	преступник, преступность
4	judge, judgement	судья, решение
5	restoration	восстановление
6	imprisonment, prisoner	тюремное заключение
7	supervision, supervisor	надзор, надсмотрщик
8	deprivation	лишение
9	requirement	требование
10	proportional	пропорциональный

**Ex. 4.**

Punishment of a wrong-doer; punishment as an important aspect; to fit the punishment, form of punishment; punishment for the offences; to receive punishment; a non-custodial punishment; punishment by the state; modern forms of punishment.

**Ex. 5.**

“Fine, community service” to: 1, 5, 7, 8, 11.

“1-5 years of imprisonment” to: 3.6.

“5-10 years more years of imprisonment” to: 2, 9, 10.

**Ex. 8.**

Part A

1g; 2d; 3m; 4h, 5p, 6j; 7l; 8n; 9a; 10o; 11e; 12i; 13b; 14f; 15k; 16c.

Part B

1e; 2i; 3o; 4m; 5a; 6k; 7d; 8p; 9h; 10l; 11n; 12b; 13f; 14c; 15j; 16g.

**Ex. 9.**

1. rehabilitate;  
2. reform;  
3. deterrent;  
4. retribution;  
5. wrong-doer;

6. misdeeds;  
7. corporal punishment;  
8. death penalty;  
9. barbaric;

**Ex. 10.**

1. trespass;	9. threaten;	17. reprieve;
2. blackmail;	10. smuggle;	18. pilfer;
3. kidnap;	11. defraud;	19. mug;
4. deport;	12. rob;	20. prove;
5. swindle;	13. imprison;	21. convict;
6. acquit;	14. burgle;	22. double-cross;
7. prosecute;	15. shoplift;	23. embezzle;
8. interrogate;	16. assault;	24. sue.

**Discussion exercises** are aimed at helping Ss understand the main message of the text, concepts introduced, problems raised. The final aim of a whole range of exercises is to help Ss compile the topical vocabulary of the Unit and be able to recycle this area of vocabulary while generating microtexts, drawing conclusions, sharing ideas on the topic “the judiciary”. The exercises include reading comprehension tasks and talking points, suggest a variety of activities: multiple choice (Ex. 1), true/false statements (Ex. 2), commenting on the charts (Ex. 3), simulation of a conversation between the judge and visitors (Ex. 4), reporting on the issues raised in the text with the help of suggested by T word-combinations (Ex. 5), rendering relevant information from Russian into English (Ex. 6).

**Ex. 1.**

1t; 2t; 3t; 4t; 5t; 6f; 7t; 8f.

**Ex. 4.**

- |                     |                     |
|---------------------|---------------------|
| 1. a robber;        | 7. a kidnapper;     |
| 2. an arsonist;     | 8. a hijacker;      |
| 3. a spy (traitor); | 9. a drug-dealer;   |
| 4. a shoplifter;    | 10. a manslaughter; |
| 5. a forger;        | 11. a deserter;     |
| 6. a recidivist;    | 12. a car thief;    |
|                     | 13. a hooligan.     |

**Text B** “Capital Punishment” is for scanning. Ss are supposed to focus on the types of crimes when this penalty is imposed. Special attention should be paid to the public opinion on the deterrent effect of the death penalty.

**Keys:**

**Ex. 1.**

- |                   |               |
|-------------------|---------------|
| 1. prison;        | 4. to deter;  |
| 2. penalty;       | 5. execution; |
| 3. justification; | 6. homicide;  |
|                   | 7. violence.  |

**Text C** “Penal Institutions” is for skimming. Ss are supposed to grasp the general idea of the text and to compare penal institutions in Britain and those in the home country.

**Text D** “Women in prison” discusses the position of women in penal institutions, thus enlarging information provided for in the previous text.

**Text E** “Correctional Institutions in the USA” is an example of the gapped text where gaps are to be filled in with the topical vocabulary of the Unit. As is seen from the title the text contains information on prisons in the USA.

**Keys:**

1. treatment of inmates;
2. primary responsibility;
3. to be concerned;
4. solitary confinement;
5. maximum society.

**Dialogue section** is aimed at developing Ss' speaking skills as well as enlarging information on the topic studied. The section contains two dialogues. First Ss are exposed to an authentic **Dialogue 1** "Possible Punishment". Ss should be able to reproduce it abridged and render it in the form of a monologue.

Special attention should be paid to the questions discussed in the dialogue: different kinds of punishment, defence, reasons to mitigate the verdict, suspended sentence.

**Ex. 1.** Ss should carefully read the statement making sure they know the exact meaning of the word they must search for. Then skim the dialogue searching for the words needed. T checks Ss' answers.

**Keys:**

- |                      |                 |
|----------------------|-----------------|
| 1. community service | 9. to cheat     |
| 2. to excuse         | 10. harsh       |
| 3. suspended         | 11. to mitigate |
| 4. wrong-doer        | 12. law-abiding |
| 5. penalty           | 13. verdict     |
| 6. duress            | 14. fair        |
| 7. sentence          | 15. deception   |
| 8. fine              |                 |

**Ex. 2.** After making a list of all possible punishments T should ask Ss to give the definition of each.

**Keys:**

Imprisonment, community service, fine

**Ex. 3.** T can use this exercise for back translation: English → Russian → English. Ss should work in pairs, one S in each pair should keep his/her notes closed.

**Keys:**

- |                                     |                         |
|-------------------------------------|-------------------------|
| 1. исключить (не думать)            | 8. справедливый         |
| 2. правонарушитель                  | 9. суровый              |
| 3. самооборона                      | 10. общественная работа |
| 4. оправдать                        | 11. штраф               |
| 5. нажим, давление                  | 12. законопослушный     |
| 6. вторичная сторона                | 13. условный приговор   |
| 7. втянуть во что-то обманным путем |                         |

**Ex. 4.** This task can be treated as a chain story. One S starts the story using the first verb, another S goes on, then another till all the verbs are used.

**Dialogue 2** “Prisoner’s Life” is presented in the form of a polylogue. It is a conversation between a British and an overseas lawyer. Students are supposed to memorize certain words and expressions.

Special attention should be paid to raising cultural awareness of the problem under consideration. Ss should be able to analyze and discuss the conditions in prisons, the rights and duties of prisoners.

T should explain to Ss how to deal with the speaking tasks (See Unit 1, p. 15)

**Ex. 1.** At first Ss should try to give English equivalents from the memory. If they can’t let them find the words and expressions in the dialogue.

**Keys:**

Code of conduct, introduction of weapons, forfeiture of privileges, to maintain security, to be subject to control, to prevent escapes, conjugal visits, muting, confinement within a punishment cell, partition, the prison governor, within the sight, at one’s discretion.

**Ex. 2.** T should make sure Ss know the words in the box. Ss should skim the gapped text first. Then carefully read each sentence trying to understand it and define what part of speech is needed. Then insert the missing word. T checks Ss’ answers.

**Keys:**

crimes, committed, justice, sentenced, reason, punished, prison, released, consistent, abolished, re-introduced, innocent, poverty, unemployment, delinquency, competent

**Ex. 3.** Ss can work in pairs discussing the information from the dialogue according to the suggested points. T goes round and then asks Ss to report to the class.

**Listening comprehension** section of Unit 9 contains two pieces of recorded information: a monologue and a dialogue.

**Monologue** “Amnesty International” gives us some additional information about the problems discussed in this Unit. The text is supplied with pre-listening, listening and after listening tasks.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. Unknown words in Ex. 1. are introduced with the help of synonyms. First Ss should do this exercise on their own, then T goes round the class and checks Ss' understanding of their meanings by using L. 1. In Ex. 2. Ss should answer some questions about the problems discussed there.

*Listening activities* are aimed at raising Ss' listening comprehension skills and checking them. Ss should listen to the tape twice and then answer some question given in Ex. 1.

*After listening activities* are aimed at raising Ss' speaking skills based on listening gist. Ss should summarize Amnesty International activities.

### **Tapescript**

#### **Amnesty International**

Amnesty International will only be satisfied when it is no longer needed. We are a worldwide movement, independent of any government, political party, economic interest, or religious belief. Our activities focus on the release of prisoners of conscience. These are men and women imprisoned for their beliefs, colour, sex, language, or religion. We try to get fair and early trials for all political prisoners, and we oppose the death penalty and torture of all prisoners without reservation.

Amnesty International has been working for over twenty years, and in that time we have helped prisoners in over sixty countries. We have won several peace prizes, including the Nobel Peace Prize in 1977 and the United Nations Human Rights Prize in 1978. Each year we handle, on average, nearly 5,000 individual cases, regardless of the ideology of either the victims or the governments concerned. Please help us, and so make us redundant in our world.

**Dialogue** "Make the punishment fit the crime" stimulates Ss' activities in oral speech, raises their listening comprehension skills.

*Pre-listening activities* are aimed at overcoming listening comprehension difficulties. In Ex. 2. Ss come across unknown words with the help of synonyms. First they do this exercise on their own, then T goes round the class and checks Ss' understanding of their meanings by using L. 1. In Ex. 3. Ss should look at the newspaper headlines and guess about the crime committed. The expressions from the crime reports might give them some ideas.

*Listening activities* are aimed at raising Ss' listening comprehension skills and checking them. Ss should work in group of three. They will hear radio reports about the three crimes. Each group will listen to one of the crimes. Then they join another group of three students and compare their notes. After that Ss should discuss the sentence passed on the murderer whether it was the right one.

*After listening activities* are aimed at raising Ss' speaking skills based on listening gist. Ss should discuss the three cases with the whole group.

## **Tapescript**

### **Make the punishment fit the crime**

Protests over the freeing of an army captain who killed his wife and baby daughter raged on today, with calls for the resignation of the judge who told the man, 'You have my deep sympathy'. A jury at the High Court found Captain John Dulaita guilty of killing his wife Anna, aged 24, and their two-year-old daughter Lupita. The captain shot them dead as they slept in their apartment last February, then telephoned the police to give himself up. The judge, Lord Mathias, told him, 'In my opinion you have punished yourself more than enough by what you did. You will have to live with this for the rest of your life.' But today it was revealed that the court had been inundated with protests. The secretary of the local branch of the action group Victim Support said the decision was completely unacceptable: 'Whether or not it was deliberate, the fact is that two lives were taken. And this decision by the judge ... is ... well, it's an absolute disgrace.' The MP for the region said that the matter would be referred to a special committee.

A mother who killed her child after being left brain-damaged by surgery was put on probation for three years today at the High Court in Aberdeen. Martha Rudven smothered 16-month-old Carl with a pillow, then swallowed pills and slashed one of her wrists, but she was found by a neighbour and rushed to hospital. Ten months ago she was diagnosed as having a brain tumour and had life-saving surgery which left her with serious disabilities. She decided to kill herself and the baby when she became depressed at her lack of progress after the operation. Judge John Erickson told her, 'It is not my wish to punish you, but to help you. You were the most loving and caring of mothers and I have no doubt this whole tragic case arose from an accident of fortune.' The jury agreed that the killing had been the result of the tumour and the operation. Mrs Rudven who admitted manslaughter was referred to a psychiatric hospital for treatment.

A woman who started a bedroom fire to kill her lover was put on probation for two years after admitting arson. The judge heard that Gretta Lanski had set fire to clothes near her sleeping lover with the intention that he should choke to death in the smoke. Then she had second thoughts when she realized her cat might also be trapped. In court, Mrs Lanski claimed that her lover, a milkman, was violent and had beaten her several times in the past. The judge told her, 'I can see no sign of remorse for this serious act which could well have cost a man's life. You only went back into the bedroom to fetch your cat and it was only after the man woke up that you called the fire brigade.'

However, the judge added that there would be little benefit in sending her to prison as she had now broken with the man and was unlikely to be in a position to repeat her violent act.

**Grammar Section of Unit 9** covers one of the areas of English Grammar – the Subjunctive Mood. A review of verb forms in the Subjunctive Mood is provided by means of a series of exercises based on the topical vocabulary of the Unit. To acquire lexical and grammatical skills on the use of verb forms in a special context Ss are expected to revise all types of sentences in which Subjunctive Mood is used.

T refers Ss to the relevant pages of Grammar Reference Textbook and explains the theory before Ss do the exercises.

The system of exercises is designed to consolidate 'problem areas' of this particular part of English grammar and aimed at developing students' practical skills in using correct grammar structures in translating, discussing, communicating and writing. Special attention is given to those points which are often a problem for Ss – the use of the Subjunctive Mood structures in conditional sentences referring to the present, future and past.

The grammar section starts with an English–Russian translation exercise which shows how the tense forms are used in a realistic context.

A number of exercises focus on the contrast in using Subjunctive Mood structures in different types of sentences. Ss are asked to justify the choice of Subjunctive Mood forms.

The final activities of the grammar section include Russian–English translation aimed at developing the skills of translation, interpretation and checking the use of special lexical and grammar points of the Unit.

**Keys:**

**Ex. 1. Suggested answers:**

*a) нереальное настоящее или будущее*

1. Если бы у меня была возможность, я уехал бы в Оксфорд изучать право.
2. В тюрьмах было бы меньше людей, если бы они не нарушали законы.
3. Если бы вам предложили купить наркотики, что бы вы сделали? Вызвали бы вы полицию?
4. У нас было бы меньше преступлений среди несовершеннолетних, если бы люди вступали в брак более обдуманно, если бы в отношениях родителей и детей было больше взаимопонимания и близости.
5. Если бы я нашел пистолет на улице, я бы отнес его в полицию.

*b) нереальное прошлое*

1. Если бы ты был искренен с адвокатом, он бы помог тебе.
2. Если бы следователь не нашел вещественных доказательств, было бы трудно расследовать это дело.
3. Если бы его сообщники не выдали некоторые детали, приговор мог бы быть совершенно другим.
4. Если бы я не вмешался, проблема уже, возможно, была бы решена. Сейчас я чувствую, как будто я сделал что-то неправильно.
5. Если бы я запер машину, ее бы не обворовали.

*c) смешанный тип*

1. Он сейчас не был бы в тюрьме, если бы не совершил преступление несколько лет назад.
2. Если бы вы знали лучше, как разобраться с проблемами сына, он, возможно, не превратился бы в малолетнего преступника.
3. Правонарушителя не держали бы в тюрьме, если бы он в течение двух лет вел себя осмотрительно.
4. Если бы вы были не так рассеяны, вы обнаружили бы больше дополнительных фактов, связывающих обвиняемого с местом преступления.
5. Если бы вор оставил какие-либо улики, его бы сейчас допрашивали.

*d) But for ... / Если бы не ...*

1. Если бы не твое объяснение, он не поверил бы нам.
2. Никто не узнал бы его, если бы не шрам на левой щеке.

3. Если бы не наши свидетельские показания, было бы невозможно выиграть дело.

e) *после lest (чтобы не..., как бы не ...)*

1. Она боится (боялась), чтобы ее не обвинили.
2. Он волновался, как бы не раскрыли его секрет.
3. Подозреваемый боялся, как бы его предыдущие преступления не стали известными.
4. Обвиняемая молчала, чтобы не расплакаться.
5. Он не решался подойти к окну, чтобы его не увидели с улицы.

f) *после though, although, however, even though, even if, whenever, whatever, wherever:*

1. Если бы даже он не был арестован, я бы не поверил в его невиновность.
2. Что бы она не сказала, я не изменю своего мнения.
3. Если бы я даже не слышал вас в суде, я знал бы, что вы лучший адвокат в округе.
4. Наказание было суровым, однако его следовало бы рассматривать как справедливое наказание за такое преступление.

g) *в некоторых фразеологических выражениях: had better, would rather, would sooner (Вам бы лучше..., Вам бы скорее...).*

1. Вам бы лучше доверять ему во всем.
2. Вам бы лучше не подозревать его в том, что он сделал что-то незаконное.
3. Он бы скорее умер, чем предал своих друзей.

h) *после существительного time:*

1. Давно пора, чтобы это преступление было расследовано.
2. Пора тебе начать соблюдать законы, чтобы не быть наказанным.
3. Пора создать систему экологической безопасности.

2. После:

1) *It is important that ..., It is necessary that..., It is suggested that..., It is recommended that..., etc.*

1. Необходимо, чтобы судебное дело согласовывалось с авторитетным постановлением.

2. Необходимо, чтобы в деле с несовершеннолетним ребенком условное освобождение на поруки использовалось как форма наказания, которая позволяет ребенку жить на свободе с заботливым человеком.
3. Важно, чтобы дневные занятия по 15 часов в неделю были обязательными для малолетних преступников.
4. Требуется, чтобы офицерам полиции не разрешалось вступать в профсоюз или участвовать в забастовке. Однако важно, чтобы весь личный состав имел свои объединения.

2) *после глаголов: suggest, demand, propose, insist, order, desire, request, recommend, be anxious, etc.*

1. Я предлагаю, чтобы Вы расследовали это преступление.
2. Виллиам Пен настаивал на том, чтобы к индейцам относились так, как и к поселенцам.
3. Верховный суд в своем решении от 17 мая 1954 года потребовал, чтобы сегрегация рас в государственных школах была запрещена.
4. Полицейский предложил, чтобы пострадавших допросили немедленно.

3. *После wish/if only*

1. Я хотел бы знать правду (Как жаль, что я не знаю правду).
2. Все хотели, чтобы его невиновность была доказана.
3. Как жаль, что ты соврал нам.
4. Я хотел бы, чтобы это дело расследовали как можно скорее.
5. Я хотел бы, чтобы уважаемый авторней занимался бы своими собственными делами.
6. Если бы только суд принял во внимание тот факт, что он признал себя виновным.
7. Если бы только его оправдали!
8. Если бы я только мог тогда им помочь!

4. *После as if/as though:*

1. Свидетель посмотрел на них так, как будто никогда не видел их раньше.
2. Он говорил так, как будто был невиновен.
3. Вы отвечаете на вопросы так, как будто не знаете правды.
4. Ему было не по себе, как будто он сделал что-то плохое.

**Ex. 2.**

a)

1. ... you would be acquitted.
2. ... would receive a custodial sentence.

3. ... would be punished by eight years imprisonment
4. ... would be considered a blackmail.
5. ... would be able to prove you are not guilty.
6. ... would never commit anything unlawful.
7. ... would pass a suspended sentence.
8. ... would go to the police and make a confession.
9. ... wouldn't have been tried by the International Tribunal in Nuremberg.
10. ... would have imposed educational measures.
11. ... would only have been fined.
12. ... would have been killed.
13. ... would have been punished less severely.
14. ... would never have passed such a verdict.

b)

1. ... were found guilty of kidnapping.
2. ... hadn't proved her injuries.
3. ... had demonstrated an exemplary behaviour.
4. ... agreed his detention no longer serves its purpose.
5. ... didn't fit the offence committed.
6. ... were not considered a particularly dangerous recidivist.
7. ... had done it of dire necessity to defend her life.
8. wouldn't have committed.
9. had elapsed... .
10. wouldn't have been executed... .
11. hadn't stopped, would be... .
12. commits, is tried (or: committed, were tried)... .
13. would have been... .
14. is found, is removed (or: were found, would be)... .

**Ex. 3.**

1. ..., he would never run to a theft.
2. ..., otherwise you would prove your alibi.
3. ..., the center would become more reformatory than punitive.
4. ..., otherwise you would be punished more severely.
5. ..., which would make law cheaper.
6. ..., it would discourage reoffending.
7. ..., otherwise it would call a storm of protest from the opposition.

**Ex. 4.**

1. But for the broken leg the thief wouldn't have been caught by the police.

2. But for some witnesses he wouldn't have managed to prove his alibi.
3. But for the suspect's pleading guilty the trial would have lasted long.
4. But for the fire we would have found some evidence at the scene of the crime.
5. But for the fog the driver wouldn't have knocked down an old woman.
6. But for Kelly's part in bomb attacks he wouldn't have been imprisoned for life.
7. But for Patrick Magee's fingerprints in the room we wouldn't have proved it was he.
8. But for your participation in the conspiracy you wouldn't be considered an accomplice.

**Ex. 5.**

1. It is imperative that a probation officer should be adequately trained.
2. It was determined by the court that the child should live with his relative under the supervision of an agent of the court.
3. Penn insisted that all the children should be taught trades to prevent idleness and crime.
4. It was very strange that he should be released on bail.
5. The judge proposed that the sitting of the court should be adjourned.
6. It is impossible that a juvenile under fifteen should be sentenced to imprisonment.
7. It is prescribed by statute that custody and control of the inmates should be the primary responsibility of all correctional institutions.

**Ex. 6.**

1. I wish the juvenile hadn't committed a fresh crime during a probation period.
2. I wish the boy hadn't been keeping bad company.
3. I wish the prosecutor had asked this important question at the trial.
4. I wish the jury hadn't found the young man guilty.
5. I wish the Home Office were not going to introduce a tough regime for juvenile offenders.
6. I wish detention centres did something to reduce crime.
7. I wish our courts didn't apply life sentence as an alternative to capital punishment.
8. I wish she had claimed some damages after the accident.
9. I wish penal institutions reformed offenders.

**Ex. 7.**

1. The victim looked as if he were frightened by something.
2. I felt as though I had already lost the case.
3. The witness answered the questions as if he hesitated about every word.
4. The defendant behaved as though he had been already acquitted.
5. The counsel for the prosecution spoke as if he dealt with serial murderers.

**Ex. 8.**

1. had had, have been able; 2. hadn't found, would have been; 3. banned, might be; 4. wouldn't have been arrested, hadn't tried; 5. should begin (begin); 6. should be used (be used); 7. should not use (not to use); 8. should accompany (accompany); 9. should use (use); 10. should establish; 11. realized; 12. should observe (observe); 13. helped (would help); 14. have done, had been; 15. had told, have justified; 16. have committed; 17. be proved, collected (or: have been proved, had collected); 18. have committed, have done; 19. have been arrested, had been, wouldn't continue; 20. were (was) seen, would enter.

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for Law Students  
  
Teachers' Book

**МЕТОДИЧЕСКИЕ РЕКОМЕНДАЦИИ**  
для преподавателей  
по работе с УМК по специальности  
«Правоведение»

*Методическое пособие для преподавателей английского языка*

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На английском языке

Под общей редакцией кандидата филологических наук

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