

МІНІСТЕРСТВО ОСВІТИ І НАУКИ УКРАЇНИ  
НАЦІОНАЛЬНИЙ ЮРИДИЧНИЙ УНІВЕРСИТЕТ  
ІМЕНІ ЯРОСЛАВА МУДРОГО

# **ЗАВДАННЯ З АНГЛІЙСЬКОЇ МОВИ СТУДЕНТАМ-ЮРИСТАМ ДЛЯ АУДИТОРНОЇ ТА САМОСТІЙНОЇ РОБОТИ**

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**Колектив авторів:**

*Т. В. Мельнікова* – кандидат філологічних наук, доцент (Prosecutor, Judiciary in Ukraine, Vocabulary Part (Unit 2)); *С. С. Микитюк* – кандидат філологічних наук, доцент (Vocabulary Parts (Units 1, 3–5), Appendix A, Appendix B); *Т. Ю. Мороз* – кандидат філологічних наук, доцент (Legal Profession, The European Union); *О. І. Зелінська* – кандидат філологічних наук, доцент (Investigator); *О. В. Каданер* – кандидат філологічних наук, доцент (Notary Bodies); *О. П. Лисицька* – кандидат філологічних наук, доцент (English Common Law); *О. О. Ходаковська* – кандидат філологічних наук, доцент (Legal Systems, Defence Lawyer)

**Рецензенти:**

*В. Л. Лаврухіна* – кандидат філологічних наук, доцент кафедри практики англійського усного та писемного мовлення Харківського національного педагогічного університету імені Г. С. Сковороди;

*О. Л. Льєнко* – кандидат філологічних наук, доцент, завідувач кафедри іноземних мов Харківського національного університету міського господарства імені О. М. Бекетова

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У навчальному посібнику запропоновано матеріали для аудиторної та самостійної роботи, а також самоконтролю студентів за темами «Legal Systems», «Legal Profession», «Crime and Punishment», «Judiciary» та «International law and European Union». Збірка завдань містить автентичні тексти, а також комплекс вправ і завдань комунікативного характеру, спрямованих на розвиток навичок професійно-орієнтованого усного та писемного мовлення.

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## ПЕРЕДМОВА

Головна мета дисципліни «Англійська мова» полягає у формуванні комунікативних компетенцій у студентів – умінь і навичок здійснювати спілкування в усній і писемній формі в межах професійної сфери. Основним завданням студентів є оволодіння знаннями фахової терміносистеми і набуття вмінь використовувати вузькоспеціалізовану лексику для виконання навчальних професійно-орієнтованих завдань.

У збірці завдань, призначених для студентів-юристів, запропоновано матеріали для аудиторної та самостійної роботи за темами «Legal Systems», «Legal Profession», «Judiciary», «Crime and Punishment» та «International law and the European Union». Враховуючи програмні та методичні вимоги, укладачі намагалися забезпечити сучасний навчальний матеріал, послуговуючись при цьому новітніми методичними роботами американських та британських учених.

Посібник включає п'ять тематичних розділів. Кожен тематичний розділ складається з чотирьох частин (*VOCABULARY*, *READING*, *SPEAKING*, *WRITING*) та містить у собі комплекс комунікативно спрямованих вправ та завдань, що дозволяють студентам самостійно засвоїти лексичний матеріал, розвинути вміння та навички читання англомовних фахових текстів, навички говоріння та письма.

Лексичний матеріал частини *VOCABULARY* у рамці рекомендовано студентам для самостійного ретельного опрацювання зі словником, запису перекладу у власний словник та засвоєння (вивчення напам'ять).

Частина *READING* чітко структурована. Вправи, що передують тексту, *PRE-READING TASKS* готують студентів до сприйняття нової теми. Текст є базовим матеріалом для засвоєння теми та її обговорення. Після тексту наводиться список активної лексики *VOCABULARY*. Післятекстові завдання *POST-READING TASKS* містять вправи на перевірку розуміння прочитаного тексту *COMPREHENSION*; лексико-граматичні вправи *VOCABULARY STUDY* – на засвоєння лексичних одиниць, розширення та поглиблення навчального матеріалу з кожної теми.

У розділі *SPEAKING* пропонуються комунікативні вправи, спрямовані на розвиток у студентів навичок та вмінь грамотно та аргументовано висловлювати свою власну думку з приводу проблемних питань чи ситуацій з теми. Рубрика *OVER TO YOU* сприяє підвищенню інтересу до обговорюваних тем, стимулює пізнавальну діяльність студентів та заохочує до більш поглибленого вивчення чи самостійного дослідження запропонованих питань.

Остання частина *WRITING* містить вправи на формування у студентів навичок писемної мовленнєвої компетенції та розвиток умінь створювати різні типи й жанри письмових повідомлень.

# Unit 1

## LEGAL SYSTEMS

### VOCABULARY

1. Read and translate the basic legal vocabulary consulting a dictionary.

authority	law enforcement	legislature
court	law enforcement agency	rule
to govern	lawyer	the judiciary
judge	legal system	tribunal
law	legislation	

2. Match the words and word-combinations with the translation:

- |                                   |                                 |
|-----------------------------------|---------------------------------|
| 1) to enforce                     | a) дотримуватися (закону)       |
| 2) enforceable                    | b) законодавчий орган           |
| 3) a body of rules                | c) керувати/управляти           |
| 4) to obey                        | d) дозволяти                    |
| 5) an official body               | e) судити злочинців             |
| 6) to allow                       | f) втілювати в життя (закон)    |
| 7) to try criminals               | g) такий, що підлягає виконанню |
| 8) to resolve disputes            | h) сукупність правових норм     |
| 9) to rule                        | i) офіційний орган              |
| 10) a law-making body/legislature | j) слухатися/виконувати (закон) |
| 11) to observe                    | k) вирішувати спори             |

3. Fill in the table with legal notions from exercise 1 corresponding to the following definitions:

1)		a)	a rule or body of rules that people in a particular country or area must obey
2)		b)	the power or right to control

3)		c)	an instruction that says how things must be done or what is allowed
4)		d)	an official body that has authority to try criminals, resolve disputes, or make other legal decisions
5)		e)	(in Britain) a special court that deals with a specific matter
6)		f)	an organization responsible for enforcing the law, e.g. the police
7)		g)	to rule a society and control the behaviour of its members
8)		h)	a country's body of judges
9)		i)	a system of rules recognized by a community that are enforceable by established process
10)		j)	a member of the legal profession
11)		k)	an official in a court of law
12)		l)	an act or acts passed by a law-making body

**4. Put each of the following words and phrases into its correct place in the passage below.**

authority	lawyers	legal systems
court	law enforcement agency	govern
tribunal	legislation	legal action
	the judiciary	

Why do we have laws and 1. \_\_\_? At one level, laws can be seen as a type of rule which is meant to 2. \_\_\_ behaviour between people. We can find these rules in nearly all social organizations, such as families and sports clubs.

Law, the body of official rules and regulations, generally found in constitutions and 3. \_\_\_, is used to govern a society and to control the behaviour of its members. In modern societies, a body with 4. **authority**, such as a 5. \_\_\_ or the legislature, makes the law; and a 6. \_\_\_, such as the police, makes sure it is observed.

In addition to enforcement, a body of expert 7. \_\_\_ is needed to apply the law. This is the role of 8. \_\_\_, the body of judges in a particular country. Of course, legal systems vary between countries, as well as the basis for bringing a case before a court or 9. \_\_\_. One thing, however, seems to be true all over the world – starting a 10. \_\_\_ is both expensive and time-consuming.

**5. Choose the word (rule, regulation, law) to fill in the gaps. Mind the difference between the meanings of these words.**

**RULE** – an instruction that says what people are allowed to do or not allowed to. Rule is not so official as regulation. They may be written down, may be not.

**REGULATION** – an official rule made by a government (or organization), which is part of a set of rules. Regulations are usually adopted by officials or authorities and written down. They are to control conduct of people or quality of things.

**LAW** – an official rule that all the citizens of a country must obey; also a code of behaviour or ethics. Laws are written down and enforced among all members of a state.

1. There is a \_\_\_ against cruelty to animals.
2. In some organizations safety \_\_\_ are very strict.
3. Do you want me to explain you the \_\_\_ of the game?
4. The \_\_\_ of gravity was explained by Newton.
5. If you put a plural verb with a singular noun, you're breaking a basic \_\_\_ of grammar.
6. Everyone is equal under the \_\_\_.

**6. Read and translate the vocabulary consulting a dictionary.**

**BODIES OF LAW**

<b>civil law</b>	<b>statutory law</b>
<b>criminal law (penal law)</b>	<b>national law</b>
<b>common law</b>	<b>customary law</b>
<b>case law (judge-made law/precedent law)</b>	<b>religious law</b>

**7. Write down the terms denoting bodies of law that correspond to the following definitions:**

- a) the law which is common to the whole country \_\_\_\_\_
- b) the law which is based on judicial decisions \_\_\_\_\_
- c) the law which is made by Parliament \_\_\_\_\_
- d) the law which deals with crimes and their punishment \_\_\_\_\_
- e) the legal system developed from Roman codified law;  
the law concerned with non-criminal matters \_\_\_\_\_
- f) the legal system which is the foundation of the legal  
systems of most English-speaking countries of the world,  
based on customs, usage and court decisions \_\_\_\_\_
- g) the law which has developed over time from accepted  
moral norms and customs \_\_\_\_\_
- h) the law which is based on ethical and moral codes taught  
by religious traditions \_\_\_\_\_

**8. Read and translate the verbs consulting a dictionary.**

<b>to abolish</b>	<b>to carry out</b>	<b>to enforce</b>	<b>to order</b>	<b>to restrict</b>
<b>to adopt</b>	<b>to codify</b>	<b>to forbid</b>	<b>to pass</b>	<b>to revoke</b>
<b>to allow</b>	<b>to compel</b>	<b>to ignore</b>	<b>to prescribe</b>	<b>to settle</b>
<b>to apply</b>	<b>to disobey</b>	<b>to impose</b>	<b>to prohibit</b>	<b>to violate</b>
<b>to ban</b>	<b>to enable</b>	<b>to obey</b>	<b>to prosecute</b>	
<b>to break</b>	<b>to enact</b>	<b>to observe</b>	<b>to punish</b>	

**9. Find synonyms and antonyms for the following verbs in the box above.**

- To break –
- To follow –
- To prohibit –
- To adopt –



**10. Choose the correct verb that corresponds to the following definitions.**

- To give someone an ability or opportunity to do something.  
a) to forbid      b) to enable      c) to codify
- Deliberately not to pay attention or break a rule, an order.  
a) to compel      b) to prosecute      c) to disobey
- To tell someone to do something in a way that shows that you have authority.  
a) to prosecute      b) to order      c) to correspond
- To make people obey a law, a rule, etc.  
a) to enforce      b) to enact      c) to revoke
- To do something unpleasant to someone because they have done something bad or illegal.  
a) to impose      b) to obey      c) to punish
- To end an argument or legal disagreement.  
a) to behave      b) to settle      c) to carry out

**11. Form the nouns from the verbs given below using the suffixes: -tion, -ence, -ment.**

To adopt, disobey, enact, observe, violate, abolish, enforce, ignore, defend.

*Note the difference in meanings:*

*violation = нарушения, violence = насильство*

**12. Fill in the gaps with the vocabulary from the box.**

ignore	practices	broke	prohibited	bans
passed	adopt	violating	observe	

- The owner of the building is \_\_\_ by law from making any changes.
- Students who \_\_\_ the rules and smoked in college had to leave.
- The law \_\_\_ smoking inside buildings.
- Congress will \_\_\_ a law that allows women to become pilots in the Air Force.

5. If you don't buy a ticket before you get on train you are \_\_\_ the rules.
6. Many drivers \_\_\_ the law and drive without using safety-belts.
7. When a Bill is \_\_\_ by Parliament and signed by Sovereign it becomes a law.
8. If a man fails to \_\_\_ the law he can be punished.
9. A lawyer is a person who \_\_\_ law.

**13. Read and translate the following adjectives consulting a dictionary.**

<b>acceptable</b>	<b>harmful</b>	<b>loyal</b>	<b>partial</b>	<b>violent</b>
<b>ethical</b>	<b>honest</b>	<b>legal</b>	<b>private</b>	
<b>fair</b>	<b>just</b>	<b>moral</b>	<b>rational</b>	
<b>formal</b>	<b>lawful</b>	<b>natural</b>	<b>reliable</b>	

**14. Find synonyms and antonyms for the following adjectives.**

- Legal –  
 Illegal –  
 Just –  
 Formal –

**15. Form the negative adjectives using the following prefixes:**

**un- ir- il- im- in- dis-.**

- |                  |                 |               |
|------------------|-----------------|---------------|
| lawful ____      | essential ____  | formal ____   |
| moral ____       | important ____  | honest ____   |
| legal ____       | acceptable ____ | fair ____     |
| rational ____    | loyal ____      | just ____     |
| necessary ____   | natural ____    | reliable ____ |
| ethical ____     | logical ____    | possible ____ |
| responsible ____ | safe ____       | perfect ____  |

**16. Form the adjectives from the words given below. Fill in the table.**

Dispute, force, nation, protection, government, harm, custom, equity, law, execution, supplement, power, decision, value, knowledge, parliament, accident, peace, legend, president, environment.

<b>-al</b>	<b>-able</b>	<b>-ary</b>	<b>-ful</b>	<b>-ive</b>

## **READING 1**

### ***PRE-READING TASKS***

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

1. How do you understand the notion “a legal system”?
2. What types of the world legal systems do you know?
3. What are the differences between them?

- ***Read the text and fulfill the post-reading tasks.***

### **LEGAL SYSTEMS OF THE WORLD**

The legal systems of the world today are generally based on one of three main systems: civil law, common law and religious law – or combinations of these (customary law, mixed law).

Civil law (Romano-Germanic law or Continental law) is the most widespread system of law in the world. It is applied in various forms in nearly 150 countries. The civil law system is derived mainly from the Roman Corpus Juris Civilus (Body of Civil Law). The major feature of civil law system is that laws are organized into systematic written codes.

Common law (Anglo-Saxon law) is a type of legal system, which is the system of England and Wales in the UK, and is also in force in nearly 80 countries. Common law system is founded not on laws made by legislatures but on judge-made laws, which in turn are based on custom, culture, habit, and previous judicial decisions throughout the world.

Religious law is a legal system which is of a religious nature and based mostly on scriptures. The main types of religious law are Sharia in Islam, Halakha in Judaism, and Canon law in some Christian groups.

Customary Law is a type of legal system that serves as the basis of the present-day laws in nearly 40 countries – mostly in Africa, some in the

Pacific islands, Europe, and the Near East. Customary law is also referred to as “primitive law”, “unwritten law”, and “folk law”. The earliest systems of law in human society were customary, and usually developed in small agrarian and hunting communities. Customary law is based upon customs of a community.

Mixed law combines elements of several types of legal systems – civil, common, customary, and religious. The most prominent example of a mixed legal system is the Indian legal system. India follows a mixture of civil, common law and customary or religious law.

**Notes:** Sharia /ʃə'ri:jə/ – шариат  
Islam /ɪ'slɑ:m, 'ɪz,lɑ:m/ – іслам  
Halakha /hə'lɑ:kə/ – Галаха  
Judaism /'dʒu:di,ɪzəm/ – іудаїзм  
Canon law – церковне католицьке право

### ***VOCABULARY***

Civil law (legal system) – романо-германська правова система; континентальна система права

Common law (legal system) – англо-саксонська правова система; прецедентна система права

Muslim law – система мусульманського права

Customary law – система традиційного (звичаєвого) права

Mixed law – змішана система права

widespread – широко поширений

habit – звичка, звичай

community – 1) громада, община; 2) (the ~) суспільство; 3) співтовариство, об'єднання, співдружність

a mixture – суміш

to base on – базувати(ся)

to apply – 1) застосовувати, вживати, використовувати; 2) подавати заяву; 3) звертатися за

to refer to – відносити до (епохи, класу тощо)

to derive from – походити

to be in force – бути чинним

to found on – спиратися, ґрунтуватися на

to combine – поєднувати, змішувати, комбінувати

to follow – підтримувати, наслідувати

## ***POST-READING TASKS***

### ***COMPREHENSION***

***2. Read the following statements and decide if they are true or false.***

1. There are three main legal systems in the world.
2. Customary law is the predominant legal system of the world.
3. The Civil law system is derived mainly from Magna Carta.
4. The main characteristic of the civil law system is that laws are organized into systematic written codes.
5. The major feature of the Common law system is that laws are based on the previous judicial decisions (precedents).
6. Religious law is a legal system which is of religious nature and is based on the Bible.
7. The Indian legal system combines elements of different types of legal systems.

### ***VOCABULARY STUDY***

***3. Find the odd word. Explain your choice:***

- a) society – community – tribe – island;
- b) custom – practice – usually – habit;
- c) folks – village – people – humanity;
- d) agrarian – agricultural – urban – farming;
- e) island – isle – the British Isles – sea.

***4. Sorting activity. Sort the following words according to the related topics.***

<b>Civil law</b>	<b>Common law</b>	<b>Muslim law</b>	<b>Customary law</b>	<b>Mixed legal system</b>

The customs of the community, judge-made laws, religious nature, a mixture of different types of legal systems, systematic written codes, judicial decisions, agrarian and hunting communities, Roman Law.

**5. Pay attention to the difference in the meaning and peculiarities of usage of the words habit, practice, usage, custom. Translate the examples.**

Words like **habit, practice, usage, custom** mean a way of acting fixed through repetition.

**Habit** implies doing something unconsciously and often compulsively, e.g. *He had a habit of tapping his fingers.*

**Practice** suggests an act or method followed with regularity and usually through choice, e.g. *Our practice is to honour all major credit cards.*

**Usage** refers to the way in which something is used on a regular basis, e.g. *Western-style dress is now common usage in international business.*

**Custom** is something that is done by people in a particular society because it is traditional, often having the force of unwritten law, e.g. *The custom of wearing black at funerals.*

**6. Make up the sentences using the verbs in the appropriate forms.**

Civil law	<i>to base on</i>	<ul style="list-style-type: none"><li>• the customs of the community.</li><li>• as “primitive law”, “folk law”.</li><li>• religion.</li></ul>
Common law	<i>to apply in</i>	<ul style="list-style-type: none"><li>• as European Continental law.</li></ul>
Muslim law	<i>to derive from</i>	<ul style="list-style-type: none"><li>• Roman Law.</li></ul>
Customary law	<i>to be in force</i>	<ul style="list-style-type: none"><li>• in nearly 80 countries.</li></ul>
Mixed law	<i>to be found</i> <i>to combine</i>	<ul style="list-style-type: none"><li>• judge-made laws.</li><li>• in nearly 150 countries.</li><li>• elements of several types of legal systems.</li></ul>

**7. Read additional information on the Civil law. Pay attention to the pronunciation and translation of the proper names.**

Scholars usually subdivide civil law into four distinct groups:

**French civil law:** in France, the Benelux countries, Italy, Romania, Spain and former colonies of those countries;

**German civil law:** in Germany, Austria, Switzerland, former Yugoslav republics, Greece, Portugal, Turkey, Japan, South Korea and the Republic of China;

**Scandinavian civil law:** in Denmark, Norway and Sweden. As historically integrated in the Scandinavian cultural sphere, Finland and Iceland also inherited the system.

**Chinese law:** a mixture of civil law and socialist law in use in the People's Republic of China.

## **READING 2**

### ***1. Read the text and fulfil the post-reading tasks.***

#### **ENGLISH COMMON LAW. ANGLO-SAXON LAW**

Anglo-Saxon law is the body of legal principles that prevailed in England from the 6th century until the Norman Conquest (1066).

Anglo-Saxon law was made up of three components: the laws and collections promulgated by the king; authoritative statements of custom; and private compilations of legal rules and *enactments*. The primary emphasis was on criminal law rather than on private law, although certain material dealt with problems of *public administration*, public order, and ecclesiastical matters. The preservation of peace was an important feature of Anglo-Saxon law.

The combination of Anglo-Saxon and Norman law emerged as English Common law. *A body of English law* originated with an oral tradition of tribal justice in Britain thousands of years ago, developed into a unique national body of law developed and set to writing by English judges over time, and was eventually imported as the law of British colonies throughout the world such as the United States of America (except Louisiana), Canada (except Quebec) and India.

The common law is judicially created law that is developed on a case by case basis. Because it is not written by elected politicians but by judges, it is also referred to as *unwritten law*.

Common Law is also understood to be “law by *precedent*”, distinguished from statutory law, i.e., parliamentary legislation to which Com-

mon Law is complementary. The law embodies the story of a nation's development through many centuries.

Two other source have contributed to the common law: -equity (these were laws issues by the monarchy to order or prohibit specific acts and -laws imposed by parliament (*statutes*), both of which have been stated to have precedence over common law.

Common law is often contrasted with civil law systems which require all laws to be written in a code or written collection. In the common law system, law is interpreted and, thus, "written" by judges hearing the cases. Their decisions become the '*rule of law*' for all future cases that are factually similar. The civil or codified law is law that is written into statute or code books and are strictly interpreted by the courts of that country.

The Common Law legal family includes all countries that were formerly (or are still) governed by England, so in particular the Commonwealth countries and the USA.

### ***VOCABULARY***

enactment – закон; указ; статут; законодавчий акт, положення, стаття (закону)

public administration – державне управління

unwritten law – неписане право

precedent – прецедент

statute – статут, законодавчий акт, закон

equity – право справедливості

rule of law – верховенство права

### ***POST-READING TASKS***

#### ***COMPREHENSION***

***2. Answer the questions using the information from the text.***

1. What is the period of Anglo-Saxon law origin?
2. What is the main emphasis in Anglo-Saxon law?
3. What is the main feature of English Common Law?
4. What are the sources of Common Law?
5. What is Common law often contrasted with?
6. What does the Common Law legal family include?



## VOCABULARY STUDY

3. Match a word in the left column with a word/phrase in the right column to make phrases:

to prohibit	law
to create	statute
to hear	legal family
to follow	rule
to include	body of law
to use	act
to pass	custom
to issue	code book
to be compiled	case
to originate	

4. Give the definition of the following terms in your own words. Make sentences with them:

statute  
codified law  
unwritten law  
precedent  
common law  
legislation  
law of equity  
to interpret law

5. Substitute the words in italics with the words from the active vocabulary of the text.

1. Anglo-Saxon law was made up of the following elements: the laws by the king; customs; and private legal rules and *statutes*.

2. The certain part of law concerned the problems of *management of the civil society*, public order, and ecclesiastical matters.

3. *Case law* is the set of reported judicial decisions of selected appellate courts and other courts of first instance which make new interpretations of the law.

4. *Law of fairness* in certain cases was administered by the Chancellor.

5. Most part of English Common Law is not passed by the Parliament that means it is not *fixed*.

6. *Set of laws* is the collection of official rules and regulations on a certain sphere of law.

### ***OVER TO YOU***

***6. Learn more facts about the language of Common law and Civil law.***

### **DID YOU KNOW THAT...**

Although originally written in Latin and spoken in Norman French, the language of the Common Law today is virtually only English. Wherever some version of the common law is in force, the native or official language of the country is English. The legal vocabulary, however, is likely to be markedly technical if not arcane and to contain much dead French and Latin. By contrast, the Civil Law is found in most languages.

***7. Test your knowledge answering the questions of the quiz.***

### **QUIZ: LEGAL SYSTEMS OF THE WORLD**

1. German civil law is used in: Germany, \_\_\_\_\_, Switzerland, former Yugoslav republics, Greece, Portugal, Turkey, Japan, South Korea and the Republic of China.

a. Czech Republic    b. Hungary    c. Poland    d. Austria

2. French civil law is adopted in: \_\_\_\_\_, the Benelux countries, Italy, Spain and former colonies of those countries.

a. United States    b. France    c. United Kingdom    d. Canada

3. The influence of the \_\_\_\_\_ is great; it is observed however that e.g. in many provisions of property law, the solutions of the French Civil Code were put aside in favor of pure Roman law.

- a. Civil code      b. Common law      c. Civil law (legal system)      d. Napoleonic code

4. Common law was later inherited by the Commonwealth of Nations, and almost every former colony of the \_\_\_\_\_ has adopted it (Malta being an exception).

- a. British Empire      b. Informal Empire      c. Barbados      d. Nauru

5. Scandinavian civil law is used in: \_\_\_\_\_, Norway and Sweden.

- a. Lithuania      b. Luxembourg      c. Spain      d. Denmark.

## **SPEAKING**

***1. Divide into three groups (each representing one of the main legal systems). Make up your questionnaires to find out about the legal system (3–5 questions).***

***A. Ask each other these questions and make the reports on the results of your interview.***

***B. Compare three main legal systems using the following parameters:***

- the official name in the classification;
- the main source of law;
- historic roots;
- location.

***2. Speak on the following using conversational phrases.***

What are the advantages and disadvantages of:

- a legal system based on codes;
- a legal system based on judicial decisions;
- a legal system based on commentary;
- a legal system based on custom?

That may be true, but ...	You have a good point, but ...
I may be wrong, but ...	You could say that, but ...
You might be right, but ...	Correct me if I'm wrong, but ...

**3. Using your knowledge on the topic, discuss with your fellow students peculiarities of the legal system of the USA, Great Britain, France, Germany (or any other country).**

<b>Opening a discussion</b>	<b>Asking for input</b>	<b>Responding</b>
Let's start by (V ing) We'll start by (V ing) The problem (issue, question) here is ... Let's look at ... It looks like ... It appears that ...	How about you? What do you think? How do you feel about that?	That sounds like a good idea. Sounds good. The problem with that is ... That raises the issue of ...

## **WRITING**

**Submit a brief report concerning a legal system of the United Kingdom of Great Britain and Northern Ireland or any Member State of the European Union using the given information about the Ukrainian legal system as an example.**

Ukraine follows a civil law tradition, under which the Constitution of Ukraine, the fundamental law of the state, makes the framework for its legislative system. The principal body of legislation consists of laws adopted by the Verkhovna Rada (Parliament) of Ukraine. Laws are implemented through various normative acts, which are adopted by the relevant government bodies (i.e., the President, the Cabinet of Ministers, Ministries, and State Committees)...

## Unit 2

# LEGAL PROFESSION

### VOCABULARY

1. *Read and translate the legal notions consulting a dictionary.*

<b>legal profession</b>	<b>legal advice</b>
<b>legal service</b>	<b>lawyer</b>
<b>law practice</b>	<b>law firm</b>

2. *Complete the sentences using the notions from the box above.*

1. In the common law, \_\_\_\_\_ is the giving professional law assistance by a solicitor or barrister, ordinarily in exchange for financial compensation.

2. In its most general sense, \_\_\_\_\_ involves giving legal advice to clients, drafting legal documents for clients, and representing clients in legal cases and court proceedings.

3. \_\_\_\_\_ is generally defined as a person learned in the law or a person who is practicing law.

4. \_\_\_\_\_ is one of the most respected and well-paid in most countries of the world.

5. \_\_\_\_\_ is the assistance to people in solving legal issues.

6. \_\_\_\_\_ is a business organisation formed by one or more lawyers to engage in the practice of law.

3. *Read and translate the names of legal professionals consulting a dictionary.*

### LEGAL PROFESSIONALS

<b>barrister</b>	<b>lawyer</b>
<b>court clerk</b>	<b>law practitioner</b>
<b>defence lawyer</b>	<b>legal executive</b>
<b>defendant's attorney</b>	<b>licensed conveyancer</b>

<b>drafter of legislation</b>	<b>magistrate</b>
<b>executive</b>	<b>plaintiff's attorney</b>
<b>judge</b>	<b>prosecutor</b>
<b>law-trained person</b>	<b>solicitor</b>

**4. Match the English words and word-combinations with their Ukrainian equivalents:**

1) a lawyer	a) особа, що виносить судові рішення
2) a law-trained person	b) особа, що має правову підготовку
3) a law practitioner	с) юрист, що має право виступати в судах будь-якої інстанції, баристер
4) a barrister	d) юрист, який обирає конкретну галузь спеціалізації
5) a solicitor	e) секретар суду
6) a (public) prosecutor	f) юрист, що має право виступати лише в судах нижчої інстанції, соліситор
7) a legal executive	g) особа, що займається правовою практикою
8) a licensed conveyancer	h) законодавець
9) a judge	i) юрист, який здійснює обвинувачення з боку держави у кримінальній справі
10) a court clerk	j) юрист, який здійснює захист відповідача у цивільній справі
11) a drafter of legislation	k) юрист, що практикує у галузі майнового права
12) a defendant's attorney	l) юрист, який здійснює захист позивача у цивільній справі
13) a defence lawyer	m) юрист
14) a magistrate	n) суддя магістратського суду
15) a plaintiff's attorney	o) юрист, який здійснює захист у кримінальній справі

**5. Read and translate the vocabulary consulting a dictionary.**

**FIELDS OF LAWYERS' ACTIVITY**

<b>administrative law</b>	<b>employment law</b>
<b>civil law</b>	<b>family law</b>
<b>commercial law</b>	<b>housing law</b>
<b>company law</b>	<b>international law</b>
<b>constitutional law</b>	<b>property law</b>
<b>contract law</b>	<b>public law</b>
<b>criminal law</b>	<b>tort law</b>

**6. Match the types of law with their definitions.**

\* a set of rules; a body of law – сукупність правових норм; галузь права

1) administrative law	a) a set of rules accepted as regulating relations between states and nations
2) civil law	b) a set of rules which regulate the sale and purchase of goods and services
3) commercial law	c) a set of rules that concerns the state in international relations, or in the relations between the state and the individual
4) common law	d) a set of rules created to protect the buyer/ renter of a housing from seller/landlord discrimination
5) company law	e) a body of law that governs the activities of administrative agencies of government
6) constitutional law	f) a body of law that provides rules for the conduct of relations between persons or organisations, for example, contracts, consumer rights and property transactions
7) contract law	g) a body of law regulating contracts
8) criminal law	h) a set of rules relating to family matters

9) employment law	i) a set of rules which concerns civil wrongs, as distinguished from criminal wrongs
10) family law	j) a body of law regulating rights and obligations of the worker and the employer between one another
11) international law	k) a body of law which regulates corporations activity
12) housing law	l) a set of rules regulating acquisition, sharing and protection of wealth
13) tort law	m) a set of rules that defines the distribution of governmental power
14) property law	n) a body of law developed by judges through decisions of courts and similar tribunals
15) public law	o) a body of law that is concerned with breach of public duty and is punishable by the state on behalf of society

*7. Read and translate the phrases denoting lawyers' actions.*

### LAWYERS' ACTIONS

<b>to act on behalf of</b>	<b>to defend</b>	<b>to prosecute</b>
<b>to administer</b>	<b>to draft</b>	<b>to protect</b>
<b>to advise</b>	<b>to have the right of audience</b>	<b>to represent</b>
<b>to appeal</b>	<b>to instruct</b>	<b>to sentence to</b>
<b>to charge with</b>	<b>to investigate</b>	<b>to solve</b>
<b>to deal with</b>	<b>to plead a case</b>	<b>to specialise in</b>

*8. Consult a dictionary and make as many as possible combinations of the words and phrases from columns A and B:*

#### **A**

- 1) to deal with
- 2) to act on behalf of
- 3) to represent

#### **B**

- a) the state
- b) a barrister
- c) the law



- |                     |  |
|---------------------|--|
| 4) to investigate   | d) the right of audience               |
| 5) to plead         | e) a client                            |
| 6) to have          | f) justice                             |
| 7) to specialise in | g) a case                              |
| 8) to administer    | h) a prison term                       |
| 9) to instruct      | i) criminal (civil, property, etc) law |
| 10) to protect      | j) documents                           |
| 11) to defend       | k) a criminal offence                  |
| 12) to prosecute    | l) rights and interests                |
| 13) to draft        | m) a verdict (court decision)          |
| 14) to advise       | n) a defendant                         |
| 15) to charge with  | o) an accused person                   |
| 16) to sentence to  |  |
| 17) to appeal       |  |

**9. Read the text and fill in the gaps with the words below.**

represent	solicitors
clients	advise
specialize in	property
legal service	instruct
legal	draft
court	have the right of audience
legal advice	plead a case

## **BARRISTERS AND SOLICITORS**

Barristers in England and Wales are specialists in advocacy, and 1 \_\_\_ individuals or organisations in court. They are independent sources of 2. \_\_\_ and can advise 3. \_\_\_ on their matters. Typically, they are hired by solicitors to represent a case in court when it is needed. They 4) \_\_\_ on behalf of a client and a client's solicitor.

Barristers usually 5) \_\_\_\_\_ particular areas of law such as criminal law, commercial law, and common law, which includes family and housing law.

General functions of barristers are to take instructions from clients and their 6. \_\_\_\_\_ to prepare and represent a case in 7. \_\_\_\_\_, 8) to \_\_\_\_\_ legal documents.

Most barristers work on a self-employed basis, while others work in government departments or agencies and the government 9. \_\_\_\_\_. Barristers have the right of audience in all courts.

Solicitors provide 10) \_\_\_\_\_ support and advice to clients. They take instructions from clients and 11) \_\_\_\_\_ them on legal action. Their clients can be individuals, groups, public sector organisations or private companies.

Depending on their field of activity solicitors can advise on personal matters

including buying and selling 12) \_\_\_\_\_, drafting wills, family disputes and criminal cases and so on. Solicitors also 13) \_\_\_\_\_ enterprises on complex business-related matters.

Solicitors 14) \_\_\_\_\_ in the lower courts but not in the Supreme Court or the House of Lords.

***10. Classify the tasks carried out by solicitors and barristers into appropriate columns (some functions are common).***

- To have the right of audience in all courts
- To represent clients in the lower courts
- To offer legal service
- To give legal advice
- To hire a barrister
- To plead a case in the supreme court
- To act on behalf of a client and a client’s solicitor
- To take instructions from clients and their solicitors
- To draft legal documents
- To give legal support and advice to clients
- To instruct clients
- To advise on property matters
- To draft wills
- To advise on criminal cases
- To instruct enterprises on business matters

Solicitors	Barristers

## **READING 1**

### **PRE-READING TASKS**

**1. You are a law student. Check your abilities to become a lawyer. Answer the questions, choosing answers A or B.**

### **QUIZ “CAN YOU BE A LAWYER?”**

1. Do you like to argue?  
A. Yes.  
B. Not really.
2. Can you manipulate things for your benefit?  
A. Yes, why not?  
B. Not sure.
3. Is your mind sharp like a knife?  
A. Yes, it can cut even iron!  
B. It is more like a butter knife.
4. How good are you at convincing people?  
A. Very good.  
B. Not very good.
5. Can you bend the truth for your own sake?  
A. Maybe.  
B. Not sure.
6. What genres of movies/novels do you prefer?  
A. Detective and crime thrillers.  
B. Romantic and comic stories.

### ***Count the number of answers A and B:***

**A (4–6)** Congratulations! You have all chances to become a lawyer. You are on the right way. Learn more about your future profession! Success in receiving good knowledge!

**B (1–3)** It’s a pity, but you don’t have the qualities to become a lawyer. You have a chance to learn more about the legal profession and make your choice: either to change your mind or to train your personal traits of character and develop your professional skills and abilities! Good luck to you!

- *Read the text and fulfil the post-reading tasks.*

## LEGAL PROFESSION

No society can function without laws and lawyers. The profession of a lawyer has always been necessary for regulating social relations in a community. Our country is building a law-governed state, and a lawyer plays a significant role in this process. Lawyers are called upon to establish the rule of law, to improve Ukrainian legislation and to increase legal protection of citizens.

Legal education in Ukraine is provided for by state and private educational institutions. A graduate from a Law Faculty or Law University may choose his/her place of work and activity in any sphere of jurisprudence. Some kinds of legal activity require work experience and special qualification examinations.

Today Ukraine, as never before, is witnessing specialisation of the legal profession. A list of legal profession categories includes a judge, a prosecutor, an investigator, a defence lawyer, an officer of law enforcement agencies, a notary (public or private) at notary offices, a legal counsel, an employee of law firms, a lawyer in the management system, a legal scholar, an expert, etc. Their professional responsibilities differ, but all of them safeguard law and order, protect and defend citizens' rights and freedoms.

Legal services are provided at the following institutions: the Prosecutor's office, Judiciary, Ministry of Internal Affairs, Security Service of Ukraine, Ministry of Justice, National Police, National Anti-Corruption Bureau, Fiscal Bodies; representative authorities and local self-government agencies; executive agencies, state administrations; commercial organizations; associations of professionals (the Bar) and law firms; research and educational institutions, etc.

Successful lawyers have to be experts in the field of law they practice, invest time and efforts in their work, develop communicative and analytical skills, have a high level of intelligence.

### *VOCABULARY*

law-governed state – правова держава

prosecutor – прокурор

Prosecutor's Office – прокуратура  
 investigator – слідчий  
 Security Service of Ukraine – Служба безпеки України  
 National Anti-Corruption Bureau of Ukraine – Національне анти-  
 корупційне бюро України  
 defence lawyer – адвокат, захисник  
 public/private notary – державний/приватний нотаріус  
 notary office – нотаріальна контора  
 legal counsel – юрисконсульт  
 Ministry of Internal Affairs – Міністерство внутрішніх справ  
 Fiscal Bodies – фіскальна служба  
 judiciary – судова система, суддівський корпус, судова влада,  
 судоустрій  
 the Bar – адвокатура

## ***POST-READING TASKS***

### ***COMPREHENSION***

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

1. What is the task of lawyers in the process of developing a law-governed state?
2. Where can a person get legal education in Ukraine?
3. What kinds of legal activity can a graduate perform?
4. What are the types of legal profession in Ukraine?
5. What bodies can legal professionals work at?
6. What professional qualities should a lawyer have to be successful?

### ***VOCABULARY STUDY***

***3. Write out all the words relating to legal profession and categorize them according to a) legal professionals; b) place of work. Make up sentences using the table.***

<b>Legal professionals</b>	<b>Place of work</b>
...	...

**4. Match the translation to the following combinations with the word “legal”:**

- |                       |  |
|-----------------------|--|
| 1) legal profession   | a) правова культура;                         |
| 2) legal policy       | b) правова освіта, правове виховання;        |
| 3) legal culture      | c) консультант з питань права, юрисконсульт; |
| 4) legal practitioner | d) правова держава;                          |
| 5) legal counsel      | e) правова система;                          |
| 6) legal education    | f) правова реформа;                          |
| 7) legal system       | g) правові норми;                            |
| 8) legal reform       | h) юридична професія, професія юриста;       |
| 9) legal standards    | i) правова політика;                         |
| 10) legal state       | j) юрист-практик.                            |

**5. Complete the sentences with the word-combinations from exercise 4.**

1. Our aim is to create a ... ..
2. To become a lawyer a person should get... .. first of all.
3. The Ministry of Justice is responsible for carrying out ... .. of the state.
4. ... ..is the process of examining existing laws, and implementing changes in a legal system, usually with the aim of enhancing justice or efficiency.
5. A... .. is a person who practises a legal profession.
6. ... .. is one of the oldest professions in the world.

**6. Guess what kind of legal profession the persons go into and where they can work.**

1. They administer justice properly, conduct a trial, sum up evidence and pass a just sentence.
2. They supervise the correct application and observance of the law. They examine the sentences passed by the courts as to their lawfulness. Besides, they prosecute the accused that is prove his/her guilt.
3. They defend the accused that is prove his/her innocence.

4. They perform notary actions such as checking the legality of all the documents before certifying them; giving legal help to the applicants in drawing up legal documents of various kinds and so on.

5. They investigate and detect crimes. This work combines logic and exactness of a mathematician, fantasy of an artist and professional wisdom of a lawyer.

**7. *Speaking about some profession you may use words like job, work, post, position, occupation, profession, career.***

**A. *Study the difference in their meanings and peculiarities of their usage.***

**Job** is the work that you do regularly in order to earn money, especially when you work for a company or public organization.

**Work** is used in a more general way to talk about activities that you do to earn money, either working for a company or for yourself.

Note: Do not say “*what is your job?*” or “*what is your work?*”.

Say “*what do you do?*” or “*what do you do for a living?*”

**Post** and **position** are more formal words for a job in a company or organization. They are used especially in job advertisements and when you are talking about someone moving to a different job.

**Occupation** is used to talk about the kind of work that someone usually does, for example if they are a teacher, lawyer, driving instructor, etc. Occupation is used mainly in official forms.

**A profession** is a kind of work for which you need special training and a good education, for example teaching, law, or medicine.

(*to enter/ to go into/ to join a profession; by profession*).

**Career** is the type of work that you do or hope to do for most of your life.

**B. *Fill in the sentences with an appropriate word.***

1. His father is a lawyer by ... .
2. I started ... when I was 18.
3. Write your name, age, and ... in the box below.
4. I'm interested in a law... .
5. She has already held the ... of a judge.
6. Will you go back to ... when you've had the baby?

7. His ... is more important to him than his family.
8. My last ... was with a law firm.
9. This ... would suit a recent graduate.
10. He finally got ... at the notary office.

## **SPEAKING**

### ***1. Read the list of possible reasons (motives) to become a lawyer:***

- a) money;
- b) power;
- c) prestige;
- d) intellectually stimulating work;
- e) a desire to help people;
- f) client contact;
- g) promotion of justice;
- h) a desire to change current law;
- i) a desire to fight corruption and bribery;
- j) a wish to follow in somebody's footsteps (a parent, some relative, famous lawyer, politician, etc.);
- k) a wish to be like famous detectives in films or fiction.

***A. Using the conversational phrases discuss the motives mentioned above with your fellow students.***

<b>Giving your opinion</b>	<b>Commenting</b>
I think that ...	That's interesting. I think that...
I don't think that ...	It's an interesting point. I would add...
In my opinion ...	I hadn't thought of that before.
To my mind...	Perhaps you are right.
	You've convinced me.

***B. Choose three reasons that are the most important to you. Put them in order of their importance for you. Give your own arguments.***

1. ...
2. ...
3. ...



**C. Think of some more reasons (motives) to justify the choice of the legal career. Using the conversational phrases discuss your ideas with your fellow students.**

<p><b>Clarifying your own ideas</b>          In other words,          What I mean is ...          What I'm trying to say is ...</p>	<p><b>Bringing new ideas into a conversation:</b>          What do you think about ...          Have you considered ...          What about ...</p>
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**2. Panel discussion. Work in groups. Using conversational phrases discuss whether you agree or disagree with the following statements.**

<p><b>Agreement:</b>          Absolutely.          I totally agree.          I agree.          That's partly true.          On the whole, yes.</p>	<p><b>Disagreement:</b>          I don't agree.          On the contrary...</p>	<p><b>Contrasting</b>          On the other hand,          However,          Yes, but ...          You may be right, but ...          I may be wrong, but ...</p>
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1. The legal career is prestigious, popular and promising.
2. The profession of a lawyer is not all smiles, hand-shakes and flowers.
3. The profession of a lawyer is a humane one because it stands up for the interests and rights of people.
4. The legal profession requires much courage. Why?
5. In our modern life we need lawyers more than doctors.
6. An important aspect of a lawyer's job is developing and managing relationships with his/her clients.
7. It's very difficult to be a good lawyer because you have to know lots of rules, laws, and you should be well aware of the latest changes in the legislation.

**3. Read the information on the peculiarities of the legal profession. Discuss with your partner positive and negative aspects:**

- a lawyer serves the civil society and the state;
- a lawyer, as a rule, deals with social "diseases" in the society;

- a lawyer has a formal status of an official: holding a position, s/he often pledges an oath of allegiance to his/her professional duty;
- a lawyer is vested with certain powers of government and has the right and the obligation of exercising their powers in the name of the law;
- a lawyer acts independently: his/her work is not completely concurrent with the activities of an agency employing him/her;
- a lawyer is urged to act creatively: s/he is in continuous search for the truth and does not have standard solutions;
- a lawyer is a votary of law: in his/her activity s/he is always bound by law.

Positive aspects	Negative aspects
The legal profession is interesting because it involves constant communication with clients. ...	The lawyer deals with negative emotions of his clients because they share their problems with him during their communication. ...

***4. When a group of legal professionals was asked what they thought were the requirements to become a successful lawyer, they came up with the following list. Talk to each other about how important it is for a lawyer to have each of these features:***

- to have a fundamental scientific and practical qualification;
- to know area of expertise to perfection;
- to acquire new knowledge continuously;
- to assess historical and contemporary processes in the economy of a state;
- to have dialectic thinking;
- have command of the state language;
- have a developed feeling of professional dignity and social responsibility;
- to have a need for continuous self-education and professional development.

**5. Speak about your preferences in the legal career. Include the following information.**

Why have you decided to become a lawyer?

Who (what) influenced your choice?

What position and place of work would you like to get?

What do you know about professional responsibilities of the lawyer in the sphere you want to practise?

### ***OVER TO YOU***

**6. Arrange the sentences in the correct order. Read the joke and discuss it with your fellow students.**

1) The engineer replied, “But before that, God created the heavens and the earth from chaos, in less than a week. You have to admit that was a remarkable feat of engineering, and that makes engineering an older profession than medicine”.

2) A doctor, an engineer and a lawyer were arguing about whose profession was the oldest.

3) The lawyer smiled and said, “Who do you think created the chaos?”

4) The doctor announced, “Remember how God removed a rib from Adam to create Eve? Obviously, medicine is the oldest profession”.

**A. Answer the following questions.**

- What do the professions of a lawyer and a doctor have in common?
- What profession is more popular (important) in our country nowadays?
- What profession was popular some years ago?

## **READING 2**

### ***PRE-READING TASKS***

#### ***1. Match the terms with their definitions:***

- |                     |   |
|---------------------|---|
| 1) a prosecutor     | a) a public officer whose function is to attest and certify by his hand and official seal certain classes of documents;           |
| 2) an investigator  | b) a public officer appointed to preside and to administer the law in a court of justice; the chief member of a court;            |
| 3) a judge          | c) a person who files appearance on behalf of defendant and represents such in civil or criminal cases;                           |
| 4) a defense lawyer | d) a public officer who is appointed on each judicial district to conduct criminal prosecutions on behalf of the state or people; |
| 5) a notary         | e) a person who follows up step by step by patient inquiry or observation.  |

***Read the text and fulfill the post-reading tasks.***

### **NOTARY BODIES**

The role of a notary differs from country to country. In civil law countries the notary has a much more prominent role than in common law countries.

The legislation of Ukraine defines a Notariate as a system of authorities and officials entrusted with the duty to certify the rights and facts that have legal meaning, and perform other notarial acts stipulated in the Law, in order to provide them with legal authenticity.

In Ukraine notarial acts are carried out by public notaries, private notaries or officials of executive bodies of local councils. The documents drawn up by public and private notaries have equal legal force.

The notary is a public official who has an authority on behalf of the state to protect rights and legitimate interests of citizens and legal persons by creating legal instruments especially in the fields of conveyancing, inheritance and family law.

The major role of notaries in Ukraine is to notarize documents and contracts between persons in accordance with the Civil Code of Ukraine. Every notarized document is registered in a notarial record book which is kept after completion in regional archives indefinitely.

Notaries help to prevent various civil offences and disputes on rights. They attest contracts, transactions, wills, deeds and writings, officially register hereditary rights, etc. Notary offices help applicants to make wills, to draw up deeds of purchase-and-sale or conveyance of property. They verify copies of documents, certify seals, signatures, gifts, translations of documents into Ukrainian and foreign languages, etc.

Notaries are not allowed by law to work in courts, police and at the Prosecutor's office and represent people in courts or any other government offices.

### ***VOCABULARY***

to certify rights – засвідчувати права

to entrust with – доручати

legal meaning – правове значення

to perform notarial acts – здійснювати нотаріальні дії

to stipulate in the Law – обумовити у законі

authenticity – автентичність, достовірність

executive bodies of local councils – виконавчі органи місцевих рад

to have legal force – мати юридичну силу

inheritance – успадкування

to attest contracts, transactions – завіряти договори, угоди

to notarize – нотаріально засвідчувати

to keep in a regional archive – зберігати в регіональному архіві

to attest – засвідчувати

will – заповіт

to register hereditary rights – реєструвати право на спадок

deed of purchase-and-sale – угода про купівлю-продаж

to verify copies of documents – засвідчувати копії документів

a seal – нотаріальна печатка

## ***POST-READING TASKS***

### ***COMPREHENSION***

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

1. Does the role of a notary differ in common law and civil law countries?
2. What duty is the notary entrusted with?
3. Who can perform notary actions?
4. What is a notary?
5. What is the major role of notaries in Ukraine?
6. What offences do notaries prevent?
7. What are the main tasks of notaries?
8. What activity cannot a notary perform?
9. Does a notary have the right to represent a client in court?

### ***VOCABULARY STUDY***

#### ***3. Match the terms with the definitions:***

<b>conveyance</b> <b>will</b> <b>succession</b> <b>transaction</b> <b>deed</b> <b>gift</b>
--

- transfer of title to land from one person or class of persons to another by deed;
- a writing or document executed under seal and delivered to affect a conveyance, especially of real estate;
- a voluntary transfer of property to the donor;
- the act or process of becoming entitled to the property of a deceased person;
- an agreement between a buyer and a seller to exchange goods, services or financial instruments;
- a legally enforceable declaration of how a person wishes his or her property to be distributed after death.

**4. Match the English words and word-combinations with their Ukrainian equivalents:**

- |   |                                       |
|---|---------------------------------------|
| 1) to certify transactions                    | a) складати кваліфікаційний іспит     |
| 2) to perform notarial acts                   | b) захищати права та законні інтереси |
| 3) to provide with legal authenticity         | c) засвідчувати печатки               |
| 4) to protect rights and legitimate interests | d) складати/ готувати угоди           |
| 5) on behalf of the state                     | e) від імені держави                  |
| 6) to draw up deeds                           | f) забезпечити юридичну автентичність |
| 7) to certify seals                           | g) здійснювати нотаріальні дії        |
| 8) to pass qualification exam                 | h) засвідчувати угоди                 |

**5. Word formation. Complete the following table with the appropriate noun forms. Translate the words.**

Noun	Verb
	<b>to certify</b> <b>to authenticate</b> <b>to notarize</b> <b>to protect</b> <b>to prevent</b>

**6. Match the English words and word-combinations with their Ukrainian equivalents:**

1) power of attorney	a) нотаріально завірена заява; юридично завірений документ; заява під присягою; афідавіт
2) verification of identity	b) доручення
3) photo identification	c) встановлення особи за фотографією
4) notarial wording	d) засвідчення (встановлення) особи
5) affidavit	e) засвідчення письмових показань під присягою
6) acknowledgment	f) офіційна заява
7) jurat	g) нотаріальна форма

**7. Insert the suitable words and word-combinations.**

<b>person</b>	<b>notarial wording(2)</b>	<b>document</b>	<b>seal</b>	<b>signer</b>
<b>notary</b>	<b>oaths</b>	<b>to witness</b>	<b>party</b>	<b>official</b>

**WHAT IS THE NOTARY?**

A notary is a state appointed....., who stands as an independent third....., to.....the signing of documents to administer.....The main task of the..... is to positively identify the.....of the document and to notarize the document properly that the.....was in the correct place in the ....., that you fill in the venue(окпыр) where you're signing this..... The.....requires that you write where you are and the time that you are signing. The date that the.....came in front of you to sign this document, filling in all the blanks that need to be filled in at that time. That's the main task of the day.

**8. Read the list of duties of different legal professionals and sort them into three categories:**

- to perform notary activity;
- to certify indisputable rights and facts;
- to certify facts having legal force;
- to pronounce the speech for the defense;
- to approve an indictment;
- to defend in a trial;
- to inspect places of confinement;
- to demand explanation from the administration of a prison;
- to give consultations on legal matters;
- to draw up various legal documents, applications, complaints and so on;
- to pronounce speech for the prosecution.

**9. Complete the missing letters.**

**Notary provides the following notarial services:**

- authentication of t\_\_ n \_\_\_\_\_s (c\_\_ n\_\_\_\_\_s, trusts, w\_\_\_\_s, etc.);
- certification of the authenticity of copies (photocopies) of documents and extracts from them;



- authentication of s\_g \_\_\_\_\_ s on charters, declarations, bank cards and other documents;
- authentication of correctness of the d\_c \_\_\_\_\_ s translation from one language to another; authentication of time of documents submission;
- transmission of statements of individuals and legal entities to other individuals and legal entities;
- issuance of notarial duplicate of documents stored in the cases of a notary;
- taking measures to protect inherited p\_\_\_\_\_r\_y;
- issuance of inheritance certificates;
- other notarial services according to the Notary Act of Ukraine.

All the information about the client, his property, property and non-property rights and responsibilities, documents of the notarial actions is notary's secret according to the article 8 of the Notary Act of Ukraine, with no right to disclosure.

***10. Fill in the correct prepositions: in(2) on, of(2), with.***

The notarial system is an integral part...the legal structure of jurisdiction founded ...the civil law. Until recent years, notaries in civil law countries handled very little international work, but the demands... international commerce have resulted... a greater involvement of notaries in this area. In the context of his role as a public certifying and authenticating officer the notary has been principally concerned...creating legal instruments, especially...the fields of conveyancing, inheritance and family law in general. In many civil-law countries, notaries are the primary legal professionals handling the incorporation of companies and other legal entities; they also handle many other business-law matters.

***11. Translate into English.***

1. Нотаріат в Україні – система органів та нотаріусів, які забезпечують в межах безспірних правовідносин позасудову охорону (extra-judicial protection) та захист цивільних прав і законних інтересів фізичних і юридичних осіб, територіальних громад та держави.

2. Нотаріальна діяльність: професійна; незалежна; делегована державою; не є підприємницькою; здійснюється тільки нотаріусами; здійснюється відповідно до таких принципів: законності; незалежності та неупередженості нотаріуса; дотримання нотаріальної таємниці; організаційної та економічної самостійності; державного регулювання нотаріальної діяльності; самоврядування нотаріусів; відповідальності.

3. Нотаріальною діяльністю в Україні визнається діяльність уповноваженої державою особи, на яку покладено обов'язок посвідчувати права, а також факти, що мають юридичне значення, вчиняти інші нотаріальні дії, передбачені законом, з метою надання їм юридичної достовірності.

## **SPEAKING**

### ***1. Speak about the following.***

## **SIX REASONS TO BECOME A NOTARY**

Have you ever considered becoming a notary? Becoming one probably has never occurred to you. The profession seems very ordinary, while you might not have thought about becoming a notary, but there are several important reasons why it's an excellent idea.

### **1. Increased Job Options**

Notaries public present value to many professions. Law offices, schools, banks, insurance companies, and other organizations all need a notary available. Many of these offices need a full-time notary to authenticate the various documents that pass through the office. For example, a bank may want a loan authenticated. There are numerous roles that a notary may serve, so there will always be job options for a notary public.

### **2. Increased Stability**

Many jobs are extremely sensitive to economic instability. For example, during an economic downturn, construction jobs (будівельні професії) tend to disappear. Notaries are highly insulated from economic instability because there are always documents that need authentication. In a healthy economy, your rates could go up, but there will always be

some demand for notary services. Your skills as a notary will remain valuable regardless of any economic downturn.

### **3. Opportunities for Self-Employment**

There are several job options offered to notaries. One option is self-employment. There are businesses in every town that cannot afford a full-time notary. As a self-employed notary, you can authenticate documents as necessary. In large towns, being a full-time notary can be quite profitable. Becoming a notary public will open self-employment opportunities up for you.

### **4. An Extra Edge (додаткова перевага) in Interviews**

Numerous professions do not need a full-time notary. Some businesses only need a notary occasionally and see the value in having one. Having a notary on hand (у розпорядженні) allows the business to save money on notary fees, and keep their documents authenticated. Adding your notary skills to your resume will give you an extra edge in an interview.

### **5. Process Documents Faster**

Businesses take a notarized document seriously and process these documents quickly. Companies that have access to a notary on staff can quickly authenticate their documents with ease. With a notary public on staff you can save both time and money.

### **6. An Opportunity to Serve the Public**

Notaries serve an important role in society. They ensure that signatures and documents are genuine. Notaries prevent thousands of fraud cases every year. If you become a notary, you will prevent fraud and help protect society. Have you ever been the victim of fraud? If so, you probably value fraud prevention. If you have ever wanted to serve the public, then you should strongly consider a role as a notary.

## ***OVER TO YOU***

***2. A. Read the text for an overall understanding. Fulfil the after-reading task.***

### **APOSTILLE**

An apostille, or postil is a French word which means a certification. It is commonly used in English to refer to the legalization of a document for international use under the terms of the 1961 Hague Convention Abolish-

ing the Requirement of Legalization for Foreign Public Documents. It is an international certification comparable to a notarisation and is often added to documents that have been in some manner signed by a notary, lawyer or other public official such as the clerk of a court of record in their official capacity.

A document is generally recognized only in the country in which it was issued. In order to facilitate recognition of a document abroad, an international treaty regarding mutual recognition of documents was signed by many countries. Ukraine recognized the *Apostille* document in December 22, 2003.

In a foreign country a citizen may require various documents certified by apostille. For example:

- for a purpose of marriage with a foreign citizen, the acknowledgement of absence of registered marriage in native country may be needed;
- for study or work it may be necessary to receive transcripts or references to confirm education and experience.

For inheritance or other estate purposes it may be required to prove the fact of family relations with testator.

Apostille cannot be made on:

- documents of diplomatic or consular establishments;
- documents with direct relation to customs or other commercial operations, which can be powers of attorney for fulfillment of trade transactions, moving goods across a border, contracts or agreements of delivery of goods, rendering services, implementation of various works, checks.

***B. Mark the statement T (true) or F (false) according to the text.***

1. A document is generally recognized only in countries of the European Union.

2. Our country doesn't recognize the *Apostille* document.

3. Marriage, study or work are the aims of documents certifying by Apostille for foreign citizens.

4. Apostille cannot be made on different trading and commercial operations, including some goods delivering and moving them across a border.

5. Hague Convention Abolishing the Requirements of Legalization for Foreign Public Documents was enacted in 1961.

3. This is an example of the Apostille. Analyze its structure and complete the form.

### SAMPLE OF AN APOSTILLE

Country:.....

This public document (Цей офіційний документ)..... has been signed by (підписаний).....

acting in the capacity of (у якості).....

bears the seal/stamp of (містить проставлену печатку/штамп).....

Certified (Підтверджено)

at (в)..... the (дата).....

by (ким).....

No.....

Seal/Stamp:

Signature:

.....

.....

### WRITING

1. Write your own resume according to the module given below using personal (or fictional) information. Pay attention to the useful vocabulary provided in the boxes.

NAME

Home address:

Telephone:

Email:

#### Profile

- A versatile and professional law graduate with wide ranging experience in a variety of law-related areas including...;
- a dynamic and hard-working lawyer is seeking a post of...;
- enthusiastic professional, responsible person and computer literate. Proven leadership abilities in working as a team, handling multiple tasks, great adaptability to any enterprise's environment. Looking to obtain a challenging position offering growth...;

- able to work efficiently and carefully, hard worker and organized, responsible and honest friendly and cheerful, disposition, hospitality and excellent service spirit...

### **Education**

Date	Name of School	Qualifications
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### **Professional Experience**

Date	Position	Brief description of responsibilities
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### **Activities and interests**

*(Should be relevant to a job skills). Examples.*

1. Sports – Walking, Exercise, Running, Tennis, Bicycling, Swimming, Skiing, Golf, Team Sports etc
  2. Music – Playing, Listening
  3. Traveling, Fishing, hunting
  4. Socializing – Community work, Church Activities, Volunteer Work
  5. Painting
  6. Dancing
  7. Reading, Writing
  8. Computer
- 

### **Languages**

French (fluent), Japanese (conversational) and Spanish (basic)

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### **Computer Skills**

Windows 7 (beginner); Word 2007 (intermediate); HTML (advanced).

**2. Using information from Internet sites write a speech for a presentation (under 150 words) on:**

- duties of a solicitor and barrister in civil law countries;
- duties of a public notary (attorney) in common law countries.

## Unit 3 JUDICIARY

### VOCABULARY

1. *Read and translate the vocabulary consulting a dictionary. Match synonymic words and expressions.*

<p><b>to adjudicate on disputes</b>  <b>a lawsuit/ suit</b>  <b>to sue</b>  <b>litigation</b>  <b>litigants</b>  <b>legal proceedings</b></p>	<p><b>judicial proceedings</b>  <b>to resolve disputes</b>  <b>an action</b>  <b>parties to a lawsuit</b>  <b>to start/initiate a lawsuit</b>  <b>taking legal action</b></p>
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### PERSONS IN COURT

<p><b>judge</b>  <b>justice</b>  <b>claimant (U. S. plaintiff)</b>  <b>expert witness</b>  <b>appellant (U. S. also petitioner)</b></p>	<p><b>bailiff</b>  <b>defendant/respondent</b>  <b>advocate</b>  <b>clerk</b></p>
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2. *Match the words with the definitions:*

1) clerk	a) a person who initiates a civil lawsuit
2) justice	b) a person who has specialized knowledge of a particular subject who is called to testify in court
3) claimant (U. S. plaintiff)	c) a judge of a Supreme Court
4) expert witness	d) an employee who takes records and files papers
5) appellant (U. S. also petitioner)	e) a person who is sued in civil lawsuit

6) defendant/respondent	f) an officer of the court whose duties include keeping order and assisting the judge and jurors
7) bailiff	g) a person who appeals a decision to a higher court

**3. Complete the text with the vocabulary in the box.**

**jury   barristers   judiciary   charged   prosecutor  
legal adviser   judges   defendant**

The 1. \_\_\_ are perhaps the most prominent amongst those involved in running the court. The largest group of 2. \_\_\_ are magistrates, ordinary citizens who are not legal professionals but are appointed to ensure that the local community is involved in the running of the legal system. They sit as a group of three (as a “bench”). Magistrates sit with a qualified 3. \_\_\_, who can advise on points of law. A case is presented by the 4. \_\_\_, who takes over the case from the police who have already 5. \_\_\_ the 6. \_\_\_ (or accused) with specified crimes.

In the upper courts, the judges are almost all former 7. \_\_\_. But many cases are also heard by recorders – part-time barristers from private practice. The Crown Court 8. \_\_\_ consists of 12 persons, aged 18 to 70.

**4. Read and translate the vocabulary consulting a dictionary.**

**TYPES OF COURTS**

<b>appellate court</b> (or court of appeals, appeals court) <b>lower court</b> (trial court, a court of first instance) <b>juvenile court</b>	<b>magistrates’ court</b> <b>moot court</b> <b>small-claims court</b> <b>tribunal</b> <b>Supreme court</b> (the court of last resort)
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**5. Fill in the gaps with the vocabulary given in exercise 4.**

1. A(n) \_\_\_\_\_ is the court where a person under the age of 18 would be tried.



2. A(n) \_\_\_\_\_ is the court where law students argue hypothetical cases.

3. A(n) \_\_\_\_\_ is the court of primary jurisdiction, where a case is heard for the first time.

4. A(n) \_\_\_\_\_ is the court where a case is reviewed which has already been heard in a lower court.

5. A(n) \_\_\_\_\_ is the court where cases involving limited amount of money are handled.

6. A(n) \_\_\_\_\_ is the court where a group of specially chosen people examine legal problems of a particular type, such as employment disputes.

7. A(n) \_\_\_\_\_ is the court which is usually the highest court in a jurisdiction, the court of last resort.

**6. Choose the correct item.**

Courts are classified in many ways. 1. \_\_\_ the more usual general classifications are courts 2. \_\_\_ superior jurisdiction and courts of inferior jurisdiction; trial courts and appellate courts; and civil courts and criminal courts. Courts of superior jurisdiction, 3. \_\_\_ called higher courts 4. \_\_\_ appellate courts, are generally those 5. \_\_\_ which appeals are made 6. \_\_\_ decisions of courts of inferior jurisdiction, referred 7. \_\_\_ as lower courts or trial courts. Civil and criminal courts deal 8. \_\_\_ cases arising from infractions of the civil law and the criminal law. Courts 9. \_\_\_ special, limited jurisdictions are known 10. \_\_\_ the names of those jurisdictions.

- |             |           |         |          |
|-------------|-----------|---------|----------|
| 1. A At     | B Between | C Among | D Over   |
| 2. A on     | B of      | C at    | D under  |
| 3. A often  | B already | C yet   | D last   |
| 4. A of     | B in      | C for   | D or     |
| 5. A by     | B to      | C from  | D before |
| 6. A in     | B before  | C from  | D after  |
| 7. A to     | B here    | C such  | D for    |
| 8. A by     | B during  | C but   | D with   |
| 9. A around | B with    | C ever  | D seldom |
| 10. A by    | B at      | C for   | D from   |

**7. Complete the text using the words from the box.**

a civil lawsuit   defendant   to compensate   trial   motions  
witnesses   injury   parties   files a complaint   to order relief

A federal civil case involves a legal dispute between two or more 1. \_\_\_\_\_. To begin 2. \_\_\_\_\_ in federal court, the plaintiff 3. \_\_\_\_\_ with the court and “serves” a copy of the complaint on the 4. \_\_\_\_\_. The complaint describes the plaintiff’s 5. \_\_\_\_\_, explains how the defendant caused the injury, and asks the court 6. \_\_\_\_\_. A plaintiff may seek money 7. \_\_\_\_\_ for the injury, or may ask the court to order the defendant to stop the conduct that is causing the harm.

To prepare a case for 8. \_\_\_\_\_, the litigants may conduct “discovery”. In discovery, the litigants must provide information to each other about the case, such as the identity of 9. \_\_\_\_\_ and copies of any documents related to the case. The purpose of discovery is to prepare for trial by requiring the litigants to assemble their evidence and prepare to call witnesses. Each side also may file requests, or 10. “\_\_\_\_\_”, with the court seeking rulings on the discovery of evidence, or on the procedures to be followed at trial.

**8. Read and translate the vocabulary consulting a dictionary.**

<p><b>affidavit</b> <b>answer</b> <b>brief</b> <b>complaint</b> <b>injunction</b></p>	<p><b>motion</b> <b>notice</b> <b>pleading</b> <b>writ</b></p>
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**9. Match the documents with the definitions:**

**DOCUMENTS IN COURT**

<b>1) affidavit</b>	a) a document informing someone that they will be involved in a legal process and instructing them what they must do
<b>2) answer</b>	b) a document or set of documents containing the details about a court case

<b>3) brief</b>	c) a document providing notification of a fact, claim or proceeding
<b>4) complaint</b>	d) a formal written statement setting forth the cause of action or the defence in a case
<b>5) injunction</b>	e) a written statement that somebody makes after they have sworn officially to tell the truth, which might be used as proof in court
<b>6) motion</b>	f) an application to a court to obtain an order, ruling or decision
<b>7) notice</b>	g) g an official order from a court for a person to stop doing something
<b>8) pleading</b>	h) in civil law, the first pleading filed on behalf of a plaintiff, which initiates a lawsuit, setting forth the facts on which the claim is based
<b>9) writ</b>	i) the principal pleading by the defendant in response to a complaint

**10. Match each verb (1–5) with its definition (a–e):**

1) to <i>draft</i> a document	a) to deliver a legal document to someone, demanding that they go to a court of law or that they obey an order
2) to <i>issue</i> a document	b) to produce a piece of writing or a plan that you intend to change later
3) to <i>file</i> a document with an authority	c) to deliver a document formally for a decision to be made by others
4) to <i>serve</i> a document on someone (or to serve someone with a document)	d) to officially record something, especially in a court of law
5) to <i>submit</i> a document to an authority	e) to produce something official

**11. Read and translate the following collocations consulting a dictionary. Fill in the table with sentences of your own.**

<b>CASE</b>	<b>bring</b>	
	<b>consider</b>	
	<b>drop</b>	Due to the new evidence presented to the court <i>the case was dropped.</i>
	<b>decide</b>	
	<b>plead</b>	
	<b>argue</b>	
	<b>hear</b>	
	<b>win</b>	
	<b>loose</b>	
	<b>dismiss</b>	

**12. Fill in the gaps with prepositions.**

1. To accuse someone \_\_\_ something.
2. To be liable \_\_\_ something.
3. To sentence someone \_\_\_ a punishment.
4. To claim damages \_\_\_ something.
5. To be entitled \_\_\_ compensation.
6. To bring a case \_\_\_ someone.
7. To be guilty \_\_\_ an offence.
8. To fine someone \_\_\_ something.

**13. Complete the following texts with the phrases from ex. 12. Use each phrase once in the past tense. Write one word in each gap.**

1. In Court 1, the Police Prosecutor *accused* Mary Philips \_\_\_ disorderly behaviour. A number of witnesses were called to give evidence. Finally, the magistrate decided that Philips \_\_\_\_\_ the charge but did not \_\_\_ her \_\_\_ prison. Instead, he \_\_\_ her \_\_\_ her behaviour.

2. In Court 2, John Peters \_\_\_\_\_ his employer. He \_\_\_\_\_ a serious injury at work. The judge decided that his employer \_\_\_\_\_ the injury and ruled that Peters \_\_\_\_\_ substantial damages.

## **READING**

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

- 1) What types of courts are there in Ukraine?
- 2) How does their jurisdiction differ?

### ***2. Consider the point.***

One of the symbols of justice is the scales of justice, an ancient symbol of equality and fairness, found all over the world in different cultures. The scales weigh the good and the evil, the guilt and the innocence. How does this symbol reflect the nature of justice?

- ***Read the text and fulfil the post-reading tasks.***

## **JUDICIARY IN UKRAINE**

Justice in Ukraine is administered only by courts. The jurisdiction of the courts extends to all legal relations that arise in the state. Courts ensure the protection of human and civil rights and freedoms, rights and interests of legal entities, public and state interests. The courts act under the Constitution of Ukraine and Ukrainian laws, on the basis of the rule of law.

Ukraine's judicial system consists of courts of general jurisdiction and the Constitutional Court of Ukraine.

Courts of general jurisdiction form the unified system of courts. Under the Constitution of Ukraine, the system of courts of general jurisdiction is organised according to the territorial, specialisation and instance principles. The Supreme Court of Ukraine is the highest judicial body in the system of courts of general jurisdiction. The Supreme Court Judges hear cases of cassations and summarize court practice.

The Constitutional Court of Ukraine is a single body of constitutional jurisdiction in Ukraine.

There are also the Highest Court for Intellectual Property Rights Protection and the Highest Anticorruption Court.

The judicial system ensures access to justice for every person in compliance with the procedure established by the Constitution of Ukraine and Ukrainian laws.

People can participate in the administration of justice as jurors.

Court decisions are taken by the courts in the name of Ukraine and are obligatory for execution on all the territory of Ukraine.

In their work judges must be independent and obey only the law. The independence and immunity of judges are guaranteed by the Constitution and laws of Ukraine.

Professional judges must not belong to political parties or trade unions, take part in any political or business activity, hold any other offices, perform other paid work except for research, teaching, or creative activities.

### *VOCABULARY*

judiciary – судоустрій, судова влада, судова система

justice – правосуддя, юстиція, справедливість

to administer justice – відправляти, здійснювати правосуддя

to ensure – забезпечувати

a legal entity – юридична особа

the rule of law – верховенство права

a court of general jurisdiction – суд загальної юрисдикції

a unified system – єдина система

according to smth – згідно з, відповідно до

the highest judicial body – найвищий судовий орган

a single body – єдиний орган

access to justice – доступ до правосуддя

administration of justice – відправлення, здійснення правосуддя

a juror – присяжний засідатель

to be obligatory for execution – бути обов'язковим для виконання

to obey the law – дотримуватись, слідувати

immunity – недоторканність

to belong to – належати

a trade union – профспілка

business activity – підприємницька діяльність

to hold an office – займати посаду

to perform paid work – виконувати оплачувану роботу

## **COMPREHENSION**

### **3. Answer the following questions.**

1. What organs have jurisdiction to administer justice in Ukraine?
2. What do courts ensure?
3. What does Ukraine's judicial system consist of?
4. How is the system of courts of general jurisdiction formed?
5. What is the Supreme Court of Ukraine?
6. What is a single body of constitutional jurisdiction in Ukraine?
7. How can people directly participate in the administration of justice?
8. What must judges obey?
9. What is guaranteed for judges by the Constitution and laws of Ukraine?
10. What kinds of activity are not allowed for professional judges?

### **4. Make up a plan of the text.**

## **VOCABULARY STUDY**

### **5. Match the following words and word-combinations with their Ukrainian equivalents:**

- |                                   |   |
|-----------------------------------|---|
| 1) to hold an office              | a) відправляти, здійснювати правосуддя      |
| 2) according to smth              | b) згідно з, відповідно до                  |
| 3) to be obligatory for execution | c) забезпечувати                            |
| 4) a legal entity                 | d) судоустрій, судова влада, судова система |
| 5) administration of justice      | e) бути обов'язковим для виконання          |
| 6) a single body                  | f) брати участь                             |
| 7) to ensure                      | g) правосуддя, юстиція, справедливість      |
| 8) to administer justice          | h) верховенство права                       |
| 9) to participate                 | i) єдиний орган                             |
| 10) judiciary                     | j) відправлення, здійснення правосуддя      |

11) the rule of law

к) займати посаду

12) justice

л) юридична особа

**6. Translate into Ukrainian and analyse the word-building of the words:**

- 1) to administer, administration;
- 2) to constitute, constitution, constitutional;
- 3) policy, politician, political;
- 4) to judge, judge, judgment, judicial;
- 5) to protect, protection, protective.

**7. Complete the table consulting the text.**

<b>Objects of Court Protection</b>	<b>Types of Court Jurisdiction</b>	<b>Spheres of Activity Forbidden to Judges</b>

**8. Translate into English.**

Суд загальної юрисдикції, юридична особа, відповідно до, суспільні та державні інтереси, територіальний принцип, вищий судовий орган, єдиний орган конституційної юрисдикції, присяжні засідателі, відправлення правосуддя, недоторканність, підприємницька діяльність, творча діяльність, захист прав, верховенство права; брати участь, відправляти правосуддя, діяти, забезпечувати, встановлювати, обіймати посаду, узагальнювати судову практику, бути обов'язковим для виконання, брати участь, мати доступ до, дотримуватись, діяти згідно з, належати до.

**9. A. Find in the text the synonyms of the following words and word-combinations:**

in conformity with, to take part, to be in office, to be mandatory, the only body, to provide.



**B. Find in the text the antonyms of the following words and word-combinations:**

the lowest judicial body, dependent, to participate indirectly, optional.

**10. Read and translate the text. Suggest the English synonyms for the words and word-combinations in bold.**

## JUDICIAL SYSTEM OF UKRAINE

Judicial power shall\* be exercised (бути задіяним) by way of administering justice in the form of civil, economic, administrative, criminal and constitutional legal proceedings (судочинство, процесуальні дії). Legal proceedings shall **be undertaken** by the Constitutional Court of Ukraine and courts of general jurisdiction.

Justice in Ukraine shall be administered **exclusively** by courts. The functions of courts shall not **be delegated** to any other bodies or officials. Courts shall **operate** in Ukraine for the purpose of **ensuring** comprehensive (всебічний), complete and objective hearing of cases, and legality of court decisions.

\* «shall» is used in formal and business English meaning “must”

**11. Find in the parts A and B definitions with the same meaning: e.g. A. 1) legality – B. b) lawfulness.**

## THE MAIN PRINCIPLES OF JUDICIAL PROCEEDINGS SHALL BE:

**A.**

- 1) legality;
- 2) equality of all participants of a trial under the law and before the court;
- 3) to ensure that the guilt is proved;
- 4) an adversary (змагальний) procedure and freedom of the parties in presenting their evidence to the court and in proving the cogency (неспростовність) of the evidence before the court;
- 5) prosecution by the prosecutor in court on behalf of the State;
- 6) ensuring the right of an accused person to a defence;

- 7) openness of trial and its complete recording by technical means;
- 8) providing for the right to appeal against a court decision;
- 9) the mandatory nature of court decisions.

**B.**

- a) the obligatory character of court decisions;
- b) lawfulness;
- c) a controversy procedure and the right of the parties to present their evidence to the court and to prove the authenticity of the evidence before the court;
- d) to guarantee that the guilt is proved;
- e) accusation of a person in court in the name of the State;
- f) transparency of trial and its entire technical record-keeping;
- g) securing the right to appeal against a judicial decision;
- h) the same rights of all parties of a trial in accordance with the law and before the court;
- i) providing for the right of a charged person to be defended.

**12. Translate into English.**

Суддя здійснює правосуддя на основі Конституції і законів України, керуючись при цьому принципом верховенства права.

Суддя не має права поєднувати свою діяльність з підприємницькою або адвокатською діяльністю, будь-якою іншою оплачуваною роботою (крім викладацької, наукової і творчої діяльності).

Суддя не може належати до політичної партії чи професійної спілки, виявляти прихильність (to express favour) до них, брати участь у політичних акціях, мітингах, страйках.

**SPEAKING**

**1. A. Complete the table.**

**THE JUDGE**

Responsibilities	Requirements

To obey law, to administer justice, to have command of the Ukrainian language, to be independent, to reside in Ukraine for at least ten years, to guarantee protection of human and civil rights and freedoms, to have higher legal education, to make judicial decisions according to the law, to have at least three years of legal work experience, to protect rights and interests of legal entities, to ensure public and state interests.

***B. Speak about the responsibilities of and requirements to a judge using the table.***

***2. Express your opinion.***

- What personal qualities should a judge possess?
- Is there any danger in judge's work?

***OVER TO YOU***

***3. Read the information on the types of trials used in Anglo-Saxon society and express your point of view as to the administration of justice in ancient and modern times.***

Trial by Ordeal

Trial by Ordeal is probably the most entertaining part of the Anglo-Saxon legal system. Trial by Ordeal was considered to be bringing an unresolved issue to the highest court they had: God.

Trial by Cold Water

Briefly stated, the accused was given holy water to drink and then tossed into a river, pond, or other fairly deep body of water. If the man was innocent of the crime he'd been charged with, he'd sink to the bottom. If he was guilty, he would float. Hopefully the innocent man would be pulled out of the river before he drowned.

Trial by Hot Water

Trial by Hot Water and Trial by Iron weren't as likely to end in death of the innocent party. In trial by hot water, a stone was placed in the bottom of a cauldron of boiling water. The accused would be required to reach his hand in and retrieve the stone, getting badly scalded while he was at it. The hand was then bandaged and examined in three days. If the hand was

healing cleanly, then the man was presumed innocent. If the burn was infected or not healing cleanly, then he was guilty and remanded for punishment.

**4. Read the joke and answer the questions.**

**A WISE JUDGE**

Once there lived two brothers. They worked together on their father's farm. They were very honest and got along together very well. One day their father died leaving his property to his two sons. In his last will he told them to divide the property between them.

But the brothers could not agree now. Each wanted to have the better part for himself. After some time they even did not speak to each other. At last they went to a judge who was very wise and always knew how to settle such difficult matters.

The judge listened to them carefully and then said: "The matter is very simple. We shall divide the property in this way. One of you will divide it in the way he thinks is the best and the other one will then have the right to choose whichever of the two parts he prefers".

In this way the case was settled.

1. Would you agree to be the first or the second brother?
2. Did the judge do any of the brothers a favour?
3. What would be your decision if you were in that judge's place?

**5. Just for fun!**

\*\*\*

The Judge asked the defendant, "Mr. Jones, do you understand that you have sworn to tell the truth, the whole truth and nothing but the truth?" "I do". "Now what do you say to defend yourself?" "Your Honour, under those limitations... nothing".

\*\*\*

The judge said to his dentist: "Pull my tooth, the whole tooth and nothing but the tooth".

## **WRITING**

***A judge can have certain complexities in his responsible job. Write a short essay on one of the following topics.***

The most difficult thing for a judge is:

- 1) to remain personally unbiased towards the defendant in the course of a court investigation and sentencing;
- 2) not to be afraid of the threats of the criminals;
- 3) to decide wisely in every particular case what is more important – punishment or correction;
- 4) your variant.

## ***USEFUL VOCABULARY***

### *Phrases for expressing an opinion*

I think/ feel/ guess...

In my view/ eyes...

From my point of view...

Personally, I think...

Some people say that...

It goes without saying that...

# Unit 4

## CRIME AND PUNISHMENT

### VOCABULARY

1. Read and translate the types of crime consulting a dictionary.

#### TYPES OF CRIME

armed robbery	drug trafficking	joyriding	rape
arson	drunk driving	kidnapping	shoplifting
assault	embezzlement	larceny	tax evasion
battery	extortion	manslaughter	theft
bribery	forgery	murder	treason
burglary	fraud	money laundering	sexual assault
domestic violence	homicide	obstruction of justice	vandalism

2. Divide the crimes above into the following categories.

crimes against persons	crimes against property	sexual offences	offences against justice	public order offences	road traffic offences

3. Decide which word in the line is the odd one:

- |                  |                   |                |              |
|------------------|-------------------|----------------|--------------|
| 1) theft         | shoplifting       | larceny        | kidnapping   |
| 2) armed robbery | murder            | homicide       | manslaughter |
| 3) rape          | domestic violence | sexual assault | vandalism    |
| 4) robbery       | arson             | shoplifting    | burglary     |
| 5) forgery       | fraud             | extortion      | counterfeit  |
| 6) assault       | kidnapping        | battery        | mugging      |

4. Write down what crime took place in each situation.

- 1) The man, armed with a gun, forced the pilot of Boeing 737 to fly to Madrid. \_\_\_\_\_

- 2) Two youths came up behind 73-year-old Arthur Potter, knocked him to the ground and ran off with his wallet and watch. \_\_\_\_\_
- 3) Police believe the fire which destroyed the factory last night was started deliberately. \_\_\_\_\_
- 4) Somebody broke into our house when we were away on holiday and took our TV and audio. \_\_\_\_\_
- 5) A woman was caught leaving a shop with four bottles of perfume in her bag. \_\_\_\_\_
- 6) The head of the accounts department had been transferring money to his own account systematically for several years. \_\_\_\_\_
- 7) Narcotics smuggler offered the judge a sum of money for lessening criminal penalties. \_\_\_\_\_
- 8) The young boy was snatched on his way to school. Three hours later his family received a ransom demand for \$1000,000. \_\_\_\_\_

**5. Put each of the following words and phrases into its correct place in the passage below:**

bigamy	civil	classes	community
countries	crimes	criminal law	felony
fine	forgery	laws	life imprisonment
misdemeanour	offences	penalty	person
prison	state	term	treason

### **CRIME**

Crime violates the laws of a community, 1. \_\_\_ or nation. It is punishable in accordance with these 2. \_\_\_. The definition of crime varies according to time and place, but the laws of most 3. \_\_\_ consider as crimes such 4. \_\_\_ as arson, 5. \_\_\_, burglary, 6. \_\_\_, murder, and 7. \_\_\_.

Not all offences against the law are 8. \_\_\_. The laws that set down the punishments for crimes form the 9. \_\_\_. This law defines as crimes those offences considered most harmful to the 10. \_\_\_. On the other hand, a 11. \_\_\_ may wrong someone else in some other way that offends the 12. \_\_\_ law.

The common law recognizes three 13. \_\_\_ of crime: treason, 14. \_\_\_, and misdemeanour. Death or 15. \_\_\_ is the usual 16. \_\_\_ for treason. Laws

in the United States, for example, define a felony as a crime that is punishable by a 17. \_\_\_\_ of one year or more in a state or federal 18. \_\_\_\_ . A person who commits a 19. \_\_\_\_ may be punished by a 20. \_\_\_\_ or a jail term of less than one year.

**6. Read and translate the names of criminals consulting a dictionary.**

### CRIMINALS

<b>accomplice</b>	<b>drug dealer</b>	<b>murderer</b>	<b>stowaway</b>
<b>arsonist</b>	<b>forgery</b>	<b>offender</b>	<b>terrorist</b>
<b>assassin</b>	<b>gangster</b>	<b>pickpocket</b>	<b>thief</b>
<b>bigamist</b>	<b>hijacker</b>	<b>robber</b>	<b>traitor</b>
<b>blackmailer</b>	<b>hooligan</b>	<b>shoplifter</b>	<b>vandal</b>
<b>burglar</b>	<b>kidnapper</b>	<b>smuggler</b>	
<b>deserter</b>	<b>mugger</b>	<b>spy</b>	

**7. Fill in the table with the names of law breakers committing the corresponding actions.**

<b>Law breaker</b>	<b>Action</b>
1)	a) betrays his country to another country
2)	b) willfully destroys property
3)	c) steals from houses and offices
4)	d) is a member of the armed forces who leaves without permission
5)	e) buys and sells illegal drugs
6)	f) steals
7)	g) hides on a plane or ship to travel secretly and free
8)	h) uses violence for political reasons
9)	i) makes false money or documents
10)	j) is a member of a violent criminal gang (group)
11)	k) robs people in a public place with violence
12)	l) deliberately kills another person
13)	m) is anybody who breaks the law
14)	n) steals from other people's pockets



15)	o) steals from banks and trains
16)	p) helps another person to commit a crime
17)	q) sets fire to property
18)	r) kills for political reasons or reward
19)	s) marries more than one person at the same time
20)	t) seizes airplanes
21)	u) is a violent young troublemaker
22)	v) takes people away by force and demands money to free them
23)	w) takes things from a shop without paying
24)	x) brings goods illegally into or out of a country
25)	y) secretly gets information about another country
26)	z) gets money by threatening to disclose personal information

**8. Write down the corresponding terms denoting punishment and the correct letters of their definitions.**

### TYPES OF PUNISHMENT

<b>bond</b>	<b>corporal punishment</b>	<b>parole</b>
<b>capital punishment</b>	<b>fine</b>	<b>probation</b>
<b>community service</b>	<b>imprisonment</b>	<b>suspended sentence</b>

#	Term	Translation	Definition
1.		Пробація (вид умовного засудження, під час якого засуджений перебуває під наглядом спеціальних органів протягом періоду випробувального строку, встановленого судом)	
2.		штраф	
3.		ув'язнення; позбавлення волі	
4.		смертна кара, найвища міра покарання	
5.		застанова (для зміни запобіжного заходу)	

6.		громадські роботи (виконання засудженим безоплатних суспільно корисних робіт)	
7.		тілесне покарання	
8.		умовне покарання; умовний вирок	
9.		тимчасове або дострокове звільнення з в'язниці	

- a. Whipping or beating.
- b. A sum of money to pay.
- c. Unpaid work instead of a sentence of imprisonment.
- d. A release from prison, before a sentence is finished.
- e. A punishment imposed only if a person commits a further crime.
- f. An act by which the court requires a bond or bail money.
- g. A period of time in jail or prison.
- h. Regular meeting with a social worker.
- i. The most severe of all sentences: death (also known as the death penalty).

### 9. Choose the right variant.

1. James was granted \_\_\_\_\_. That means he has agreed to abide by certain conditions, set by the legal system, or he will go back to jail if he fails to do so.

a. *verdict*   b. *parole*   c. *sentence*   d. *pardon*

2. In states where \_\_\_\_\_ is legal, death by lethal injection is a common method that is carried out nowadays.

a. *corporal punishment*   b. *capital punishment*   c. *fine*   d. *suspended sentence*

3. A \_\_\_\_\_ is a serious crime that goes against federal laws and usually carries a sentence of more than one year.

a. *misdemeanour*   b. *felony*   c. *speeding*   d. *parking*

4. A \_\_\_\_\_ is a crime that is not as serious as a felony and is punishable by less stringent means.

a. *homicide*   b. *treason*   c. *misdemeanour*   d. *armed robbery*

5. A \_\_\_ is a person who is accused of a crime and is required, by law, to answer for the injustice in a court of law.

a. plaintiff b. defendant c. solicitor d. jury

6. A \_\_\_ is a person who attacks unknowing people on town or city streets in order to rob them of their wallets, purses and other belongings that have monetary value.

a. terrorist b. arsonist c. mugger d. vandal

7. A \_\_\_ is someone who kills or has killed a person or people.

a. rapist b. smuggler c. hooligan d. murderer

8. A \_\_\_ is someone who forces himself/herself onto someone else in a sexual way without consent. Men usually commit this crime more often than women do.

a. traitor b. rapist c. accomplice d. bigamist

**10. Read the text and fill in the gaps with the words below.**

**trial**

**guilty**

**arrested**

**pardon**

**suspect (n.)**

**confessed**

**enquiry**

**innocent**

**apprehended**

**tried**

**jury**

**sentenced**

**charged**

**executed**

### **CRIME AND PUNISHMENT**

*(It is the story of an extraordinary case in British legal history. The affair started in 1949 and was finally closed in 1966.)*

The story began when a man called Timothy Evans was 1. \_\_\_ for the murder of his wife and baby. He was 2. \_\_\_ with the double murder, but a short time later one of the charges was dropped and he was 3. \_\_\_ for the murder of his daughter only. During the 4. \_\_\_ Evans accused the man whose house he had been living in, John Christie, of the crimes, but no attention was paid to him. The 5. \_\_\_ found Evans 6. \_\_\_ and he was 7. \_\_\_ to death. An appeal was turned down and he was 8. \_\_\_ in 1950.

Some time later, more women's bodies were discovered in Christie's house: two, three, four, five, six. John Christie was the police's chief 9. \_\_\_ and they started a nationwide hunt for him. He was soon 10. \_\_\_. Christie denied that he had murdered Mrs. Evans, but in private it was said that he 11. \_\_\_ to that crime. The enquiry decided that justice had been done and

Evans had been rightly hanged. It was only in 1966 that another 12. \_\_\_ was set up. This time it was decided that Evans had probably been 13. \_\_\_ and he was given a free 14. \_\_\_. Better late than never, as they say.

*11. Word formation. Complete the table with related forms.*

Crime	Criminal	Action
		to assassinate
burglary		
desertion		
		to forge
	hijacker	
	kidnapper	
		to mug
murder		
pickpocketing		
	robber	
		to smuggle
spying		
		to thief
		to vandalize

*12. Read the text and match the titles of criminal proceedings with the corresponding paragraphs.*

<b>Plea Bargain</b> <b>Sentencing</b> <b>Arrest, Booking and Bail</b>	<b>Pretrial Hearings and Motions</b> <b>Criminal Trial</b> <b>Criminal Appeals</b>
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### CRIMINAL PROCEEDINGS

The criminal law “system” encompasses the entire criminal process itself – from investigation and arrest, to conviction and sentencing – and the people who play a role in that process: **the accused**, police officers, **prosecuting attorneys**, **bail bondsmen**, **criminal defence attorneys**, judges, **witnesses**, **probation officers**, and **correction officers**.

1. \_\_\_\_\_

When someone is **arrested** and **taken to jail**, several things must happen before the authorities **release** an individual from jail. The authorities must first **book a person into the system**, and then this person must **go through a bail hearing** to determine how much they must pay to go free before the trial.

2. \_\_\_\_\_

In the criminal justice system, a case is often decided before the actual trial. Prosecutors and defence attorneys can **file any number of pre-trial motions** that **exclude evidence**. The outcome of a case often depends on the results of these motions.

3. \_\_\_\_\_

Many criminal cases are resolved through a **“plea bargain”**, usually well before trial. In a plea bargain, the defendant agrees to **plead guilty** to one or more **charges** in exchange for a less severe sentence.

4. \_\_\_\_\_

After a criminal defendant is formally **charged with a crime** (and in the absence of a **guilty plea**), the case proceeds to the trial phase. In a criminal trial, a jury examines the evidence to decide whether, **“beyond a reasonable doubt”**, the defendant committed the crime in question. A trial is the government’s opportunity to **argue a case**, in the hope of obtaining a **“guilty” verdict** and a **conviction** of the defendant. A trial also represents the defence’s chance to **refute** the government’s evidence, and to offer its own in some cases. After both sides have **presented their arguments**, the jury considers whether to find the defendant guilty or not guilty of the crime(s) charged.

A complete criminal trial typically consists of six main phases: choosing a jury; opening statements; **witness testimony** and **cross-examination**; closing arguments; jury instruction; **jury deliberation** and verdict; criminal evidence.

5. \_\_\_\_\_

After a criminal defendant pleads guilty or is convicted, a judge will decide on the appropriate punishment during the sentencing phase of a criminal case.

6. \_\_\_\_\_

A person who has been **convicted** of a crime has a number of options for seeking additional relief from the criminal justice system – including **filing an appeal** to have a criminal conviction **overturned** or sentence **reduced**.

## **READING 1**

### ***PRE-READING TASKS***

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

1. What is the word that means “to observe or study to find out what happened and who is responsible”?
2. Who conducts the official inquiry into facts, discovers evidence and finds suspects?

#### ***Read the text and do the post-reading tasks.***

### **INVESTIGATOR**

According to the Criminal Procedure Code of Ukraine an investigator is a law-enforcement professional authorized to initiate and conduct pre-trial investigation into criminal offences.

The investigation agencies of Ukraine include investigation units of the National Police and Security Service; fiscal bodies; units of the State Bureau of Investigation; National Anti-Corruption Bureau of Ukraine.

Investigators are responsible for the legality and timeliness of procedural actions. The main tasks of an investigation are to solve crimes, and prevent future criminal activity.

Investigators perform the following duties:

- respond to a crime scene;
- collect, analyze and evaluate evidence and information;
- identify and detain suspects;
- interrogate suspects;
- conduct searches or perform surveillance;
- interview witnesses.

When the investigation is over, an investigator draws up the indictment that is an official written statement charging a suspect with a crime. The indictment and materials of the case should be transferred to a prosecutor who provides procedural guidance during the investigation and supervises the compliance of the criminal proceedings with law.

Investigators are independent in their procedural activities, and any interference is forbidden by law.

Pre-trial investigation starts from the moment the information on a criminal offence is entered in the Integrated Register of Pre-trial Investigations. It ends with closure of the criminal proceedings or with submission to court of an indictment, a motion on enforcement of medical or educational measures, or a motion on discharge of the person from criminal liability.

To perform their duties successfully, investigators need such skills as critical thinking, active listening, problem solving, social awareness, written and oral communication, decision making.

Investigators should be honest, ethical, with high level of integrity and confidentiality.

### ***VOCABULARY***

pretrial investigation – досудове розслідування  
Ministry of the Interior – Міністерство внутрішніх справ  
law-enforcement bodies – правоохоронні органи  
surveillance – спостереження  
offence – правопорушення, злочин  
indictment – обвинувальний акт, висновок  
suspect – підозрюваний, suspect – підозрювати  
trial – суд, слухання справи  
court – суд (установа)  
compliance – виконання, відповідність (закону)  
Integrated Register of Pre-trial Investigations – Єдиний реєстр  
досудових розслідувань  
procedure – процедура  
proceedings – провадження  
procedural guidance – процесуальне керівництво  
enforcement – введення в дію, примусове застосування  
motion – клопотання  
liability – відповідальність  
social awareness – розуміння соціальних процесів  
prevent – попереджати  
authorize – уповноважити

solve – вирішувати, розв’язувати  
decide – вирішувати, приймати рішення  
respond – реагувати, відповідати на виклик  
identify – встановлювати особу, ідентифікувати  
interrogate – допитувати  
interview – опитувати  
detain – затримати  
draw up – скласти (документ)  
charge – обвинувачувати  
forbid – забороняти

## ***POST-READING TASKS***

### ***COMPREHENSION***

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

1. When does a pretrial investigation start?
2. What state agencies have investigation units?
3. What are investigators responsible for?
4. Which documents regulate the investigator’s activities?
5. What skills are necessary for an investigator?
6. What are the main tasks of a pretrial investigation?
7. What document does an investigator draw up when the investigation is over?
8. Is interference with the investigation allowed by law?
9. Who are the materials of the case transferred to?
10. What does a pretrial investigation end with?

### ***VOCABULARY STUDY***

#### ***3. Match the words and word-combinations with their Ukrainian equivalents:***

- |  |   |
|--|---|
| 1) investigative units                             | a) затримувати підозрюваних             |
| 2) social awareness                                | b) слідчі підрозділи                    |
| 3) Integrated Register of Pre-trial Investigations | c) Єдиний реєстр досудових розслідувань |



- |                             |                                  |
|-----------------------------|----------------------------------|
| 4) pretrial investigation   | d) розуміння соціальних процесів |
| 5) to detain suspects       | e) попереджати злочини           |
| 6) to submit a motion       | f) досудове розслідування        |
| 7) criminal liability       | g) здійснювати спостереження     |
| 8) educational measures     | h) кримінальна відповідальність  |
| 9) to prevent offences      | i) подати клопотання             |
| 10) to perform surveillance | j) освітні заходи                |

**4. Match the words to their definitions:**

1) crime	a) a person who studies a crime scene and finds evidence
2) witness	b) facts that prove someone's guilt
3) investigator	c) an official statement charging a suspect with a crime
4) surveillance	d) law-breaking activity
5) evidence	e) close watch kept on persons suspected of wrongdoing
6) legality	f) to put questions closely and formally
7) to interrogate	g) a person suspected of wrongdoing
8) indictment	h) a person who gives evidence
9) suspect	i) a person suffering injury, loss, pain because of crime
10) victim	j) state or quality of being legal

**5. Choose the correct word to complete the sentences.**

- Investigators process crime scenes and collect *evidence / complaint*.
- An investigator *is enforced / is guided* by the Ukrainian legislation.
- While carrying out various investigatory actions an investigator has the right to *detain / to try* a suspect.
- An investigator *interviews / reviews* witnesses.
- Investigators from the Security Service of Ukraine *conduct / solve* pre-trial investigation into criminal offences against the national security of the state.
- Indictment is an official written statement charging a suspect with a *crime / a suit*.
- A citizen of Ukraine with *higher / high* legal education and strong analytical skills can become an investigator.
- A pretrial investigation should be *closed / started* within 2 months.

9. The investigator has the right *to detain / punish* a person suspected of a crime.

### **SPEAKING**

**1. Match the crimes to the agencies that investigate them and explain your opinions.**

<b>Agencies</b>	<b>Crimes</b>
1) Police	a) burglary; b) theft; c) smuggling;
2) Security Service	d) murder; e) evasion of taxes; f) hooliganism;
3) Fiscal Bodies	g) threats to international peace and order; h) embezzlement on a large scale;
4) National Anti-Corruption Bureau	i) speeding; j) money laundering; k) espionage; l) people trafficking; m) drug-dealing; n) malfeasance; o) juvenile delinquency.

**2. Read the stories and answer the following questions.**

Two teenagers broke into a flat when the owners were out, took money and jewelry. One of them changed into the owner's shoes. The owner reported the crime when he returned home at 7 p.m.

A man was detained while paying his bills with false money. When his home was searched the equipment for making the counterfeit money was found. The man admitted his guilt and agreed to cooperate.

A man was caught making copies of the documents in the office of a military enterprise and having hacked their database. He refused to cooperate with investigation.

1. Who will arrive at the crime scene?
2. What will an investigator do?
3. What will a prosecutor do?
4. What crime will the individuals be charged with?
5. What decision will a judge possibly make?

**3. Work in groups. Look at the following activities. In your opinion, is each one:**

- a) a crime?
- b) a serious crime?
- c) not a crime?

**Who will investigate the crimes?**

- Taking small items from a shop without payment;
- drunk-driving;
- writing a graffiti;
- taking an essay or article on the Internet and signing with your name;
- gaining unauthorized access to a bank site and trying to get money;
- taking money when you are given too much change at a supermarket.

**Add one more activity for a), b) and c). Prove your opinion.**

**4. What should an investigator know about victims and suspects? What information should be gathered at the crime scene? Divide the following words into three groups:**

- name, age, profession, occupation;
- time and place of occurrence;
- social and financial situation;
- physical evidence collected;
- relation with the victim if any;
- criminal history if any;
- modus operandi (a particular way or method of doing something);
- information collected.

Suspect	Victim	Crime Scene

5. *Work in pairs, discuss the advantages and disadvantages of investigator's job. Summarize your ideas and present to the group.*

**OVER TO YOU**

6. *Answer the questions.*

WHO	commits a crime saw a crime and reported it is thought to be responsible of a crime is announced to be guilty of a crime spends some time in prison makes inquiry into evidence of a crime upholds charges against a suspect defends a person and presents evidence makes judicial decision on a sentence	?
-----	---	---

7. *Read the text. Complete the sentences using the correct form of the verbs in brackets.*

**FIRST INVESTIGATOR**

In 1833, Eugène François Vidocq, a French soldier, criminal, and privateer, \_\_\_\_\_ (to found) the first \_\_\_\_\_ (to know) detective agency “The Office of Universal Information For Commerce and Industry” and hired ex-convicts. Official law enforcement \_\_\_\_\_ (to try) many times to shut it down. In 1842, police \_\_\_\_\_ (to arrest) him in suspicion of unlawful imprisonment and taking money on false pretences after he \_\_\_\_\_ (to solve) an embezzlement case. Vidocq later \_\_\_\_\_ (to suspect) that it \_\_\_\_\_ (to be) a set-up. He \_\_\_\_\_ (to sentence) for five years with a 3,000-franc fine, but the Court of Appeals \_\_\_\_\_ (to release) him. Vidocq \_\_\_\_\_ (to be credited) with having introduced record-keeping, criminology, and ballistics to criminal investigation. He \_\_\_\_\_ (to make) the first plaster casts of shoe impressions. He \_\_\_\_\_ (to create) indelible ink and unalterable bond paper with his printing company. His form of anthropometrics \_\_\_\_\_ still partially \_\_\_\_\_ (to use) by French police. He is also

credited for philanthropic pursuits – he \_\_\_\_\_ (*to claim*) he never informed on anyone who \_\_\_\_\_ (*to steal*) for real need.

After Vidocq the profession of investigator was born.

## **READING 2**

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

1. What functions of a prosecutor in Ukraine do you know?
2. What is the main function of a prosecutor in court?
3. Who is an opponent of a prosecutor during a court hearing?

### ***• Read the text and fulfill the post-reading tasks.***

## **PROSECUTOR**

The activity of the Prosecutor's Office of Ukraine is based on the Constitution of Ukraine and the Law of Ukraine on the Prosecutor's Office and is carried out according to the principles of independence, openness, legality and centralization of the prosecution system. The Prosecutor's Office is a unified system of bodies having common tasks and functions, subordinate to the Prosecutor General of Ukraine.

The Prosecutor's Office of Ukraine is entrusted with:

- 1) prosecution in court on behalf of the State;
- 2) representation of interests of a citizen or the State in court in cases determined by law;
- 3) supervision over the observance of legality by bodies that conduct operative-search activity, inquiry, and preliminary (pre-trial) investigation;
- 4) supervision over the observance of legality in the course of execution of court decisions in criminal cases and application of other measures of coercion in relation to the restraint of personal freedom of citizens.

One of the major functions of the Prosecutor's Office is to uphold public prosecution in court – to prove a person's guilt before judicial bodies. The law states that nobody is guilty until his/her guilt is proved at law.

The basis of the prosecution is the preliminary investigation. In the course of preliminary investigation the prosecutor administers procedural activity and also performs investigative (search) actions with the aim of collecting, estimating and examining evidence. After the pre-trial investi-

gation of the case the prosecutor approves the indictment and transfers it to court.

At the beginning of the court hearing the prosecutor makes the opening statement which contains charges brought against the defendant.

During the trial the public prosecutor takes part in the interrogation of the accused, victim and witnesses; presents experts' reports and legally obtained evidence with the purpose of proving the accused person's guilt.

At the time of the pleadings the prosecutor pronounces his/her speech for the prosecution. In this speech he/she upholds state prosecution, analyzes the evidence, and expresses his/her opinion as for the qualification of the crime, sentence and other matters important for imposing a fair and reasonable punishment.

After delivering the judgement (judicial decision) of conviction the prosecutor supervises over the observance of legality of keeping convicted criminals in places of confinement.

The prosecutor's activity must guarantee that legal interests of the state, rights and freedoms of its citizens are ensured.

### ***VOCABULARY***

to be based on – засновуватися на

subordinate – підпорядкований

to entrust with – доручати

supervision of the observance of legality – нагляд за дотриманням законів

a pre-trial (or preliminary) investigation – попереднє слідство

measures of coercion – примусові заходи

restraint of personal freedom – обмеження особистої свободи

to uphold public (state) prosecution – підтримувати державне обвинувачення

to prove smb's guilt – довести чийось провину

guilty – винний

to examine evidence – вивчати докази

an indictment – обвинувальний акт

an opening statement – вступна промова

charges brought against smb – висунуті проти когось обвинувачення

a defendant – підсудний

an interrogation – допит

an accused (person) – особа, що обвинувачується  
a victim – постраждала особа, потерпілий  
a witness – свідок  
an expert's report – висновок експерта  
legally obtained evidence – законно отримані докази  
pleadings – судові дебати  
a speech for the prosecution – промова з боку обвинувачення  
to impose punishment – призначати покарання  
a judicial decision, judgment – судові рішення  
places of confinement – місця позбавлення волі  
to ensure – захищати, забезпечувати

### **COMPREHENSION**

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

1. What is the activity of the Prosecutor's Office of Ukraine based on?
2. What are the principles of its activity?
3. What is the Prosecutor's Office entrusted with?
4. What is one of the major functions of the Prosecutor's Office?
5. What is the basis of the prosecution?
6. What does the prosecutor do after the preliminary investigation of the case?
7. What is the opening statement of the prosecutor?
8. What is the role of the public prosecutor at the trial?
9. What speech does the prosecutor pronounce at the time of the pleadings?
10. What must the prosecutor's activity ensure?

#### **3. Make up a plan of the text.**

### **VOCABULARY STUDY**

#### **4. Fill in the blanks using the given words and word-combinations.**

ensured   interrogation   are based on   guilty   guilt   sentence
--

1. The activity of the Prosecutor's Office ... the Constitution of Ukraine and the Law on the Prosecutor's Office.

2. The public prosecutor takes part in the ... of the accused person, victim and witnesses.

3. In his/her speech for the prosecution the prosecutor expresses his/her opinion as for the ....

4. A prosecutor must guarantee that rights and freedoms of citizens are ....

5. Nobody is ... until his/her ... is proved at law.

**5. Match the following nouns and noun phrases with their Ukrainian equivalents:**

- |                                  |                                  |
|----------------------------------|----------------------------------|
| 1) a judicial decision           | a) свідок                        |
| 2) a court hearing               | b) судове рішення                |
| 3) an accused person             | c) обвинувальний висновок        |
| 4) places of confinement         | d) місця позбавлення волі        |
| 5) an indictment                 | e) судове слухання               |
| 6) openness                      | f) відкритість, прозорість       |
| 7) a witness                     | g) промова з боку обвинувачення  |
| 8) a victim                      | h) особа, що обвинувачується     |
| 9) preliminary investigation     | i) допит                         |
| 10) guilt                        | j) вирок                         |
| 11) an interrogation             | k) попереднє розслідування       |
| 12) measures of coercion         | l) примусові заходи              |
| 13) a sentence                   | m) постраждала особа, потерпілий |
| 14) a speech for the prosecution | n) провина                       |

**6. Match the following verbs and verbal phrases with their Ukrainian equivalents:**

- |                                 |                                 |
|---------------------------------|---------------------------------|
| 1) to entrust with              | a) бути захищеним               |
| 2) to be ensured                | b) призначати покарання         |
| 3) to be based on               | c) доводити в законному порядку |
| 4) to guarantee                 | d) бути заснованим на           |
| 5) to uphold public prosecution | e) підтримувати державне        |
| 6) to make an opening statement | обвинувачення                   |



- |                               |                                   |
|-------------------------------|-----------------------------------|
| 7) to examine evidence        | f) бути винним                    |
| 8) to express an opinion      | g) вивчати докази                 |
| 9) to prove at law            | h) брати участь у судових дебатах |
| 10) to be guilty              | i) виносити судові рішення        |
| 11) to determine              | j) виступати з вступною промовою  |
| 12) to take part in pleadings | k) визначати                      |
| 13) to impose punishment      | l) гарантувати                    |
| 14) to give a judgment        | m) висловлювати думку             |
|                               | n) доручати                       |

**7. Say whether these statements are true or false.**

1. The source of the prosecution is detention (затримання).
2. At the time of the pleadings the prosecutor expresses his/her opinion as for the imposing a fair and legal punishment.
3. After the investigation of the case the prosecutor approves the indictment.
4. At the trial a prosecutor protects the accused person in public.
5. The principles of prosecution are independence, openness, legality and centralization of the prosecution system.
6. At the beginning of the court hearing the prosecutor pronounces the speech for the prosecution.
7. The public prosecutor does not have the right to take part in the examination of the experts' reports.

**8. Group the following words according to the parts of speech and translate them.**

Noun	Verb	Adjective
.....	.....	.....

Prosecution, guilt, independence, to supervise, indictment, application, to ensure, legality, judicial, reasonable, decision, to prove, defendant, to uphold, to approve, preliminary, victim, fair, interrogation, punishment, to impose, examination, major, guilty, personal.

**9. Find in the text the words corresponding to the definitions:**

- a legal process which must result in a court decision;
- a person who can make statements concerning a criminal case;
- the legal debates between prosecution and defence;
- to represent a state in accusation of smb of committing a crime.

**10. Complete the table.**

1. to prosecute (v)	<b>-tion</b>	... (n)
to constitute (v)		... (n)
to centralize (v)		... (n)
to investigate (v)		... (n)
to interrogate (v)		... (n)
to examine (v)		... (n)
2. to indict (for) (v)	<b>-ment</b>	... (n)
to punish (v)		... (n)
to judge (v)	<b>-ity</b>	... (n)
3. active (adj)		... (n)
legal (adj)	<b>-ence</b>	... (n)
4. independent (adj)		... (n)
evident (adj)	<b>-ful</b>	... (n)
5. law (n)		... (adj)
6. open (adj)	<b>-ness</b>	... (n)
lawful (adj)		... (n)
7. reason (n)	<b>-able</b>	... (adj)

**11. Fill in the correct prepositions (of (2), in, with, to, at).**

A prosecutor has definite powers of supervision over the observance ... legality ... places of confinement. Subjects of his/her legal concern are conditions ... keeping convicted persons and observance of statutory rules of regime and labour of convicts. A prosecutor can inspect places of confinement ... the aim to control work of administration, examine any docu-

ments, and speak personally ... prisoners. A prosecutor also supervises convicts' release ... due time.

## ***12. Give the English equivalents.***

Місця позбавлення волі, призначати покарання, нагляд за додержанням законності, попереднє розслідування, промова з боку обвинувачення, свідок, бути винним, вирок, обвинувачувати, затримання, недоторканність, засуджена особа, підтримувати державне обвинувачення, судові рішення, обвинувальний акт, гарантувати, допит, законність, докази, висунуті проти когось обвинувачення.

## ***13. Make up sentences showing different meanings of the following words:***

- a) sentence – вирок; речення;
- b) case – справа; випадок;
- c) court – суд; тенісний корт;
- d) fair – справедливий; вродливий; світлий, білявий;
- e) evidence – доказ; свідчення.

## ***14. Translate the sentences.***

1. Принципами діяльності прокуратури є принципи незалежності, прозорості, законності та централізації системи прокуратури.

2. Одна з головних функцій прокурора – підтримувати обвинувачення в суді.

3. Ніхто не є винним, доки його вина не доведена в законному порядку.

4. У промові з боку обвинувачення прокурор висловлює думку щодо призначення покарання.

5. Органи прокуратури наглядають за додержанням законності з боку органів, які проводять оперативно-розшукову діяльність, дізнання, досудове слідство.

## SPEAKING

### *1. A. Complete the table with the prosecutor's functions.*

Before a Trial	During a Trial	At the End of a Trial	In the Places of Confinement

### *B. Speak about the prosecutor's activity using the table.*

*\* Speaking about the prosecutor's actions you may use the synonyms.*

A court decision – a judicial decision – a judge's decision – a judgment;  
evidence – testimony – proof – an argument;  
court – trial – court hearing – judicial sitting.

### *2. Explain the meanings of the words and word-combinations in bold.*

1. The state **combats** crime through the courts, the Prosecutor's Office, investigating **authorities**, **state security bodies**, militia and other law enforcement agencies.

2. The Prosecutor's Office is the state body that is established to exercise **supervisory powers** over the strict observance and **application of law** by all ministries, organizations, institutions, officials and citizens of the State.

3. The prosecutor has the right, and it is his duty, to appeal against all decisions and actions of state bodies and **officials** which he/she considers to be unlawful. Every citizen has the right to complain to the prosecutor concerning any **violation** of the law.

4. When a breach of law contains the elements of a crime it is the duty of the prosecutor **to bring the guilty person to trial**.

### *3. Discuss the following problems.*

1. How strict should the law be with people who drink and drive?

2. Should the main purpose of imprisonment be punishment or rehabilitation?

3. Should smoking cannabis be a criminal offence?
4. Should the death penalty exist as a punishment for a murder or terrorism?
5. What is the best way to deal with juvenile crime such as joy-riding/graffiti/vandalism?

### *Useful vocabulary*

<i>Giving an opinion</i>	<i>Persuading</i>
My opinion is...	Surely it would make more sense to...
My feeling is that...	You must admit that...
I consider that...	Wouldn't it be better to...
I genuinely/really think	As a matter of fact, I think...
<i>Clarifying</i>	<i>Criticizing</i>
What I really mean is...	You are missing the point...
What I am getting at is ...	I don't think you realize how...
Look, what I am trying to say is...	It is ridiculous to suggest...
My point is that...	That's all very well but...

### **OVER TO YOU**

**4. Read the text on the types of punishments in Anglo-Saxon period and compare them with those used in modern times. Fill in the missing words and word combinations.**

*mutilation plaintiff death debt Local justice defendant  
wergild presented innocence punishments default*

### **Justice**

Bringing suit in an Anglo-Saxon court was a highly formal affair. The first thing the court tried to determine was whether or not the crime warranted the court's time. ...courts dealt with many things to keep the shire running smoothly and lawsuits weren't allowed to take up a lot of the court's time. That's why seeking ... was often left up to the injured person or their family. Lawsuits themselves included a plaintiff and a defendant. The ... started everything by swearing an oath, making the accusation and then having the ... summoned to appear before the court. If the defendant

didn't show up, the plaintiff would have to repeat his oath and accusation and have another date set. The defendant could avoid appearing for a while doing this, but most likely the court would just lose their patience and declare that the defendant had lost the suit by....

In most cases, the defendant could bring "oath-helpers" forward to support his .... The severity of the charge determined how many oath-helpers were needed to prove innocence. Evidence didn't need to be ..., however, only the honour and words of the oath-helpers involved. Evidence wasn't needed because everyone probably already knew the evidence. Most likely they all lived within the same village or small area.

During the trial, the defendant swore: "By the Lord, I am guiltless both of deed and instigation of the crime with which A. charges me". The oath-helpers simply support that: "By the Lord, the oath is pure and not false that B. swore". That was usually considered enough to prove innocence and the court would move on to the next bit of business.

### **Punishments**

Anglo-Saxons didn't have incarceration in the list of .... They did, however, use slavery if the guilty party had no way to pay his .... Since they didn't have jails, the Anglo-Saxon list of punishments was limited to fines, slavery, mutilation, and death.

"Bootless Crimes", however, were crimes against the King or crimes that were considered without compensation. House-breaking, open theft, arson, treachery to one's lord, and murder were all bootless crimes. The punishment for these was ... and forfeiture of all property and land to the king. However, the church advocated ... so the wrong-doer would live on and have time to save his soul.

The death sentence could be reprieved if the man's family and friends could raise his .... Otherwise, death sentences were usually carried out by hanging. Beheading and drowning were also used.

\* \* \*

### **Just for fun!**

*Prosecutor:* Did you kill the victim?

*Defendant:* No, I did not.

*Prosecutor:* Do you know what the penalties are for perjury (неправдиві свідчення)?

*Defendant:* Yes, I do. And they're a lot better than the penalty for murder!

## **READING 3**

### ***PRE-READING TASKS***

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

1. What do you know about a defence lawyer's job?
2. Does a defence lawyer need to specialize in any particular field of law?
3. What spheres of law are the most interesting and popular for defence lawyers?

- ***Read the text and fulfill the post-reading tasks.***

### **DEFENCE LAWYER**

The legal system can be confusing and difficult to most people. To help individuals and legal entities understand and apply the law, defence lawyers counsel clients about their legal rights and obligations and suggest particular actions in business and personal matters. The defence lawyer's activity is regulated by the Constitution of Ukraine and the Law of Ukraine "On the Bar and Advocacy".

The Bar is a non-governmental independent voluntary professional public association of lawyers. According to the Constitution it is called upon to facilitate the protection of rights and freedoms of citizens, institutions and organizations, to ensure the observance and promotion of legality and administration of justice.

The activity of a defence lawyer is based on the rule of law, confidentiality and evasion of conflict of interests. Routine and most common tasks of a lawyer include drawing up legal documents such as applications and contracts, trying cases in a court of law.

At a trial a defence lawyer takes part in questioning the defendant and witnesses, submits evidence and at the end of the court hearing he or she pronounces a speech for defence. A lawyer takes an active part in legal proceedings on housing, labour, property and other disputes, representing

interests of clients. Lawyers are also entitled to appeal against a court judgment to a higher court.

If you are interested in practicing law as a defence lawyer, you should be intelligent, well-spoken and determined, possess moral and ethical integrity, willing to work long and irregular hours. Excellent research skills are also essential. This occupation also requires an ability to deal with people in a courteous and efficient manner.

A lawyer has no right to work in court, in state administration, in law-enforcement bodies or as a notary. A person who has a criminal record cannot become a defence lawyer.

### ***VOCABULARY***

legal entity – юридична особа  
counsel – давати поради  
the Bar – адвокатура  
a public association – громадське об'єднання  
draw up – укладати (документи)  
be entitled – мати право  
an application – заява  
a complaint – скарга  
a housing dispute – житловий спір  
carry out – виконувати

### ***POST-READING TASKS***

#### ***COMPREHENSION***

#### ***2. Answer following questions.***

1. What is the Bar?
2. What are the main functions of the Bar in Ukraine?
3. What are the tasks of defence lawyers?
4. What are the functions of a lawyer in court?
5. What personal qualities should a lawyer have?
6. Who may become a defence lawyer in Ukraine?
7. What organizations doesn't a lawyer have the right to work in?



8. Who cannot work as a defence lawyer?
9. Do you want to become a defence lawyer?

### ***VOCABULARY STUDY***

***3. Match the English noun phrases with their Ukrainian equivalents:***

- |                          |                          |
|--------------------------|--------------------------|
| 1) defence lawyer        | a) майнові спори         |
| 2) property disputes     | b) громадське об'єднання |
| 3) legal entity          | c) судовий процес        |
| 4) personal matters      | d) судимість             |
| 5) public association    | e) адвокат               |
| 6) promotion of legality | f) кар'єра в сфері права |
| 7) legal proceeding      | g) сприяння законності   |
| 8) criminal record       | h) особисті справи       |
| 9) career in law         | i) юридична особа        |

***4. Match the English verb phrases with their Ukrainian equivalents:***

- |  |   |
|--|---|
| 1) apply the law                         | a) консультувати клієнтів                                     |
| 2) counsel clients                       | b) пропонувати дії  |
| 3) ensure the observance                 | c) застосовувати закон  |
| 4) suggest actions                       | d) мати право на оскарження                                   |
| 5) try cases                             | e) скласти документи  |
| 6) be entitled to appeal                 | f) працювати понад встановлений<br>робочий час / понаднормово |
| 7) draw up documents                     | g) забезпечити дотримання                                     |
| 8) work long and irregular<br>hours      | h) скласти кваліфікаційний іспит                              |
| 9) pass the qualification<br>examination | i) розглядати справи (в суді)                                 |

***5. Give the word families of the following words. Consult a dictionary if necessary.***

Act, defense, legal, law.

**6. Make up your own sentences with the following word combinations:**

legal rights and obligations, business and personal matters, the protection of the rights and freedoms, activity of a defence lawyer, activity of a defence lawyer, take part in, at the end of the court hearing, a career in law.

**7. Translate the following into English:**

адвокатура України, асоціація адвокатів, законні права та зобов'язання, представляти інтереси клієнта, подавати апеляцію, виконувати обов'язки, судове рішення, тлумачити документи, мати судимість.

**8. Explain the difference between a defense lawyer and a prosecutor, compare their functions during a trial.**

**9. Fill in the blanks with the words given below. Translate the text.**

**cases individuals a jury witnesses examination lawyers courts**

In the USA criminal lawyers, also known as criminal defense lawyers or public defenders, defend (1) ..., organizations and entities that have been charged with a crime. Criminal lawyers deal with criminal (2) ..., ranging from domestic violence crimes, sex crimes, violent crimes and drug crimes to theft, embezzlement and fraud.

Like all (3) ..., criminal lawyers must obtain a law degree and pass the bar (4) ... in the state in which they intend to practice. Criminal lawyers represent defendants facing criminal charges in state, federal and appellate (5) .... As part of the lawyer's job functions, a criminal lawyer will:

- Investigate the case and interview (6) ...
- Research case law, statutes, crimes codes and procedural law
- Build a defense and develop a case strategy
- Negotiate with the prosecution to plea bargain to lesser charges

- Advocate for the defendant at trial
- Draft, file and argue appeals

Criminal lawyers must have excellent oral and written advocacy skills in order to argue a client's case before a judge and persuade (7) ....

## **SPEAKING**

***1. Role play. Imagine that you are a defence lawyer. Use the given statements and suggest your own reasons trying to win the case. Be creative!***

### **DEFENCE LAWYER**

When you address the Magistrate you must stand and say “Your Honour”. And would start by saying “Those facts are admitted”.

Your client is pleading guilty so you must try to argue for the minimum possible penalty for your client and the Magistrate will want to know the following:

The mitigating circumstances (the reasons that might have made your client commit the offence) e.g. unemployed, stress caused by personal problems or an unfortunate past history.

Your client may have taken the item because it was their girlfriend's/ boyfriend's birthday and they did not have enough money to buy a present and the client knew it was their favourite design and colour. It may have been for their mother who is ill in hospital and they wanted to buy them a get well present and knew it was their favourite colour and design.

If it is a first offence you would point this out to the Magistrate and then talk about your client's normal behaviour as a good citizen and how he or she was a model student at school but have found it difficult to get a job since leaving. You could talk about their work as a volunteer or the negative influence of involvement in drugs. If you mention drugs you can talk about how they are turning their life around.

If a second or third offence you can refer to an extended period of time without offending. You can politely suggest a penalty by saying “I respectfully submit your honour...” or argue against a conviction as it may affect a legal career or against a fine because of limited money.

## ***OVER TO YOU***

### ***2. Read the text and summarize it.***

The word *lawyer* is a general term and can mean anyone who gives legal advice or believes himself learned in one or more areas of law – it is often used to describe solicitors, barristers, legal executives and others – more often than not it is used to describe the whole legal profession.

The traditional legal profession is however divided into solicitors and barristers.

*Solicitors* advise clients and represent them in civil and criminal courts and also deal with business advice wills conveyancing and every area of law – some specialize in specific areas of law and others may be “general practitioners”.

*Barristers* (often called counsels) may be junior counsels or Queens Counsels (selected for special ability and experience). Their clients are the solicitors who “instruct” them. At one time barristers had sole rights to appear in the High Court and the court of appeal and the House of Lords but this monopoly is now disappearing.

At one time the solicitor appearing in open court wore a robe but the barrister wore a robe and a horsehair wig, but the wig is now being abolished.

*Attorney* is American English word for a British English lawyer. The D. A. or District Attorney is a lawyer in the U. S. who works for the state and prosecutes people on behalf of it. There are also, of course, defense attorneys in America who act on behalf of their clients. Consider the following:

’Nobody wanted the position of district attorney – it was poorly paid in comparison with that of defense attorney.’

(Note that in British English defence is spelt ’defence’ and not ’defense’.)

We also speak about the prosecution counsel or the defence counsel when referring to the team of lawyers who are operating on behalf of either the state or a client:

’The counsel for the defence argued that the case should never have been brought to court as it relied only on circumstantial evidence.’

However, please note that we do not use the term counsellor in the legal sense at all! A counsellor can be any person whose job it is to give advice, care and support to those who need it. Consider the following:

'This hospital employs 15 counsellors whose job it is to deal with patients suffering from severe depression.'

## **WRITING**

*Choose one of the topics and write an essay.*

- **Capital Punishment** – Should the biggest crimes be punished by the most final of all sentences? Take a stance for or against capital punishment and justify your position. You can also argue for or against certain types of capital punishment.
- **Criminal Justice System in Two Different Countries** – What methods does each country use to find, prosecute and punish criminals? How is it affecting their respective societies? Compare and contrast.

# Unit 5

## INTERNATIONAL LAW AND THE EUROPEAN UNION

### VOCABULARY

1. *Read and translate the vocabulary consulting a dictionary.*

conventional international law	supranational law
private international law	public international law
customary law	humanitarian law

2. *Match the terms from the box above with the definitions:*

1)		a)	the law that addresses the question of under which jurisdiction a case may be heard
2)		b)	the law that derives from international agreements and treaties
3)		c)	the aspects of international law which derive from custom
4)		d)	the law that governs the relationship between international entities, be they groups or individuals. It includes international criminal law, international humanitarian law and maritime law
5)		e)	the system in which member states pool their authority
6)		f)	the law that regulates the conduct of war

3. *Read the information on international law. Look at the following legal areas and classify them into Public International Law or Private International Law.*

International Law (or Public International Law) consists of rules and principles which govern the relations and dealings of nations with each

other. It concerns itself only with questions of rights between several nations or nations and the citizens or subjects of other nations. In contrast, Private International Law deals with controversies between private persons, natural or juridical, arising out of situations having significant relationship to more than one nation. In recent years the line between public and private international law has become increasingly uncertain, because issues of private international law may also involve issues of public international law, and *vice versa*.

arms control	asylum	divorce	environmental issues
immigration	international	crime	piracy war crimes
contractual relations	human rights	maritime law	

Public International Law	Private International Law
<i>environmental issues</i>	<i>divorce</i>

**4. Read and translate the vocabulary consulting a dictionary.**

**FORMS OF TREATIES**

<b>multilateral treaty</b>	<b>framework convention</b>
<b>bilateral treaty</b>	<b>pact</b>
<b>convention</b>	

**5. Fill in the gaps with the vocabulary given in exercise 4.**

1. A \_\_\_\_\_ is an agreement between two or more nations or states that is similar to, but less complex than, a treaty.
2. A \_\_\_\_\_ is concluded between two States only.
3. A \_\_\_\_\_ is concluded between at least three States; establishes rights and obligations between each party and every other party. They are often, but not always, open to any state; some may be regional in scope.
4. A \_\_\_\_\_ is an agreement between states concerning finance, trade, or other matters considered less significant than those usually governed by a treaty.

5. A \_\_\_\_\_ an international agreement that provides standards and guidelines for signatory nations to implement on a national level.

**6. Match the words (1–6) with their definitions:**

1) interagency	a) neutral, especially towards major powers
2) non-aligned	b) involving two groups or two countries
3) non-governmental	c) without any participation or representation of a government
4) bilateral	d) within the boundaries of a state
5) multinational	e) involving several different countries
6) intrastate	f) involving two or more agencies, especially government agencies

**7. Complete the sentences using words from the box.**

bilateral inter-state non-aligned non-governmental supranational

1. France and Germany have signed a \_\_\_\_\_ agreement to help prevent drug smuggling.

2. A \_\_\_\_\_ health agency is a legally constructed organization created by private persons or organisations with no participation or representation of any government.

3. The EU is a \_\_\_\_\_ organization that created, implements and enforces substantive policies for its members.

4. The International Court of Justice has been criticised for its failure to resolve \_\_\_\_\_ disputes.

5. If a country is \_\_\_\_\_, it does not support or depend on any powerful country or group of countries.

**8. Match the definitions with the words meaning the action to be made with treaties:**

1) implementation	a) a statement purporting to exclude or to modify the legal obligation and its effects on the reserving state, must be included at the time of signing or ratification
-------------------	--



2) reservation	b) the act of correction, improvement, changing for better of the existing treaty
3) interpretation	c) an additional treaty or international agreement that supplements a previous treaty, can amend the previous treaty, or add additional provisions
4) termination	d) a change in the domestic law of a state party that will direct or enable it to fulfill treaty obligations
5) amendment	e) an explanation of the ordinary meaning given to the terms of the treaty in their context and in the light of its object and purpose, can be performed by the International tribunals and arbiters
6) invalidation	f) ending the treaty
7) protocol	g) consideration a treaty as unenforceable and void under international law

**9. Put each of the following words and phrases into its correct place in the passage below.**

<b>common market</b>	<b>economic integration</b>
<b>customs duties</b>	<b>free trade area</b>
<b>regulations and directives</b>	<b>Common Customs Tariff</b>
<b>free movement of goods</b>	<b>quotas</b>
<b>subsidiarity</b>	

The original aim of the European Community was 1. \_\_\_\_: to create a 2. \_\_\_\_, later defined as a Single Internal Market, in which there could be 3. \_\_\_\_, persons, services and capital. This was to be achieved by the creation of 4. a \_\_\_\_, where Member States agreed to remove all 5. \_\_\_\_ (import taxes) and 6. \_\_\_\_ (restrictions on the amount of goods imported across Member States' frontiers, or borders) between themselves, in which all members agreed to impose on goods coming into the area from non-member states a common level of duty (the 7. \_\_\_\_, or CCT).

The three sources of EU law are the Treaties (EC, TEU, etc), secondary legislation enacted by the EC (such as 8. \_\_\_\_), and general principles,

including fundamental human rights, 9. \_\_\_\_, and citizenship of the EU for every national of a Member State.

**10. Read and translate the vocabulary consulting a dictionary. Decide whether the statements (1–5) are true or false.**

### LEGAL ACTS

<b>regulations</b>	<b>recommendations and opinions</b>	<b>directives</b>
<b>decisions of the European Court of Justice</b>	<b>communications</b>	

1. *Regulations* have general application and are binding in their entirety on all

Member States and have direct effect, meaning they automatically become law in Member States.

2. *Decisions of the European Court of Justice (ECJ)* are binding on Member States as to their result but do not bind individuals until they have been transposed into national law (implemented).

3. *Directives* are binding on those to whom they are addressed.

4. *Communications* have no binding force but may be persuasive, that is, have influence.

5. *Recommendations and opinions* are published by the Commission and set out the background to a policy area. They indicate the Commissions' intended course in this area.

**11. Read the information on strategies and missions of the EU. Fill in the gaps with the words from the box.**

sustainable	solidarity	forstering
globalization	resource efficient	

The European Union aims to:

– respond to 1. \_\_\_\_, and the economic crisis by making the European economy competitive again (telecommunications, services, energy, new green technologies for 2. \_\_\_\_ development);

– ensure smart growth: 3. \_\_\_\_ knowledge, innovation, education and digital society; sustainable growth: promoting a more 4. \_\_\_\_, greener and more competitive economy;

- promote economic and social 5. \_\_\_;
- preserve European identity and diversity in a globalised world;
- promulgate the values that Europeans share.

## **READING**

### ***PRE-READING TASKS***

***1. Match the questions with the information on the topic. Give the full answer.***

1. What is the European Union?
2. What is the aim of the European Union?
3. What are the results of the European Union?

A. Peace, prosperity and freedom for its 498 million citizens.

B. Frontier-free travel and trade, the euro /'jʊərəʊ/ (the single European currency), safer food and a greener environment, joint action on crime and terror, cheaper phone calls, millions of opportunities to study abroad.

C. A unique economic and political partnership between 28 democratic European countries.

***2. Look through the list of proper names used in the text. Pay attention to their pronunciation and translation.***

Europe /'jʊərəp/	Європа
the European Union /jʊərə'pi:ən 'ju:njən/	Європейський Союз
the European Community	Європейська Спільнота
the European Parliament /'pɑ:ləm(ə)nt/	Європейський Парламент
the Council of the European Union	Європейська Рада
the European Commission	Європейська Комісія
Court of Justice	Європейський Суд

Court of Auditors /'ɔ:dtə/

Рахункова Палата

Maastricht /'mɑ:striht, 'mä-,strikt/

Маастрихтський договір

Luxemburg /'lʌksəmbə:g/

Люксембург

- *Read the text and fulfill the post-reading tasks.*

## THE EUROPEAN UNION

The European Union is an intergovernmental and supranational union of 27 European countries. The United Kingdom, which had been a founding member of the EU, left the organization in 2020. The EU was created by the Maastricht Treaty, which entered into force on November 1, 1993. The treaty was designed to enhance European political and economic integration by creating a single currency (the euro), a unified foreign and security policy, common citizenship rights and by advancing cooperation in the areas of immigration, asylum, and judicial affairs.

The European Union is a family of democratic European countries committed to working together for peace and prosperity. The EU was awarded the Nobel Prize for Peace in 2012, in recognition of the organization's efforts to promote peace and democracy in Europe. The European Union's activities cover all areas of the economy, industry, politics, citizen's rights and foreign policy.

The Member States have set up common institutions to run the EU and adopt its legislation: the European Parliament, the Council of the European Union, the European Commission, Court of Justice and Court of Auditors.

Law-making in the EU involves various European institutions, in particular the European Commission, the European Parliament (EP), the Council of the European Union. In general, the European Commission proposes new legislation, the Council and Parliament pass the laws.

The European Union is based on the rule of law. This means that all legal acts are derived from treaties, which are agreed on voluntarily and democratically by all the Member States. Based on the Treaties, EU institutions can adopt legislation, which is then implemented by the Member States. The main forms of EU law are directives and regulations.

The Court of Justice makes sure that EU legislation is interpreted and applied in the same way in all EU countries. It ensures that national courts do not give different rulings on the same issue. The Court has the power to settle legal disputes between EU member states, EU institutions, businesses and individuals. The Court of Justice sits in Luxemburg and comprises 28 judges and 8 Advocates-General.

### ***VOCABULARY***

intergovernmental – міжурядовий, міждержавний

supranational – наднаціональний, наддержавний

to enhance – підвищувати

integration – інтеграція

prosperity – процвітання

to set up – створити

to run (an organisation) – керувати, управляти

treaty – договір

directive – директива

regulation – постанова

ruling – рішення суду, судова постанова

to implement – виконувати, здійснювати, забезпечувати виконання

to propose – пропонувати

to pass – приймати

to interpret – тлумачити

to apply – застосовувати

Member State – держава-член, держава-учасниця

to ensure – забезпечувати, гарантувати

to settle legal disputes – вирішувати (врегулювати) правові спори

### ***POST-READING TASKS***

#### ***COMPREHENSION***

***3. Answer the following questions using the information from the text.***

1. What is the European Union?
2. When was it founded?

3. What was the aim of signing the Maastricht Treaty?
4. What are the areas of the European Union's activities?
5. What are the main EU institutions?
6. What institutions of the EU take part in the law-making process?
7. What is the legislation of the EU based on?
8. What institution of the EU is responsible for the implementation of the EU laws?
9. What is the composition of the Court of Justice?

***4. Complete the following sentences according to the information from the text.***

1. The European Union is ...
2. The EU was established ...
3. The European Union's activities cover ...
4. The Member States have set up ...
5. Law-making in the EU involves ...
6. All legal acts of the EU are ...
7. The main forms of EU law are ...
8. The Court of Justice has the power ...

***VOCABULARY STUDY***

***5. Match the verbs with their synonyms:***

- |                 |                            |
|-----------------|----------------------------|
| 1) to enhance   | a) to suggest              |
| 2) to run       | b) to ensure, to assure    |
| 3) to adopt     | c) to accept               |
| 4) to propose   | d) to improve, to increase |
| 5) to make sure | e) to decide, to resolve   |
| 6) to apply     | f) to manage, to operate   |
| 7) to settle    | g) to put into operation   |

**6. Word formation. Analyze how these words are formed. Complete the table.**

-an	... (n.)	European (adj.)
-al	... (n.)	political (adj.)
-al	nation (n.)	... (adj.)
Supra- -al	nation (n.)	... (adj.)
Inter- -ment -al	to govern (v.)	... (adj.)
-ic	economy (n.)	... (adj.)
-ic	... (n.)	democratic (adj.)
-tion	... (v.)	integration (n.)
-tion	... (v.)	institution (n.)
-tion	to legislate (v.)	... (n.)
-tion	to regulate (v.)	... (n.)

**7. Match the following English words and expressions with their Ukrainian equivalents:**

- |   |   |
|---|---|
| 1) to run the EU  | a) добровільно і демократично                                 |
| 2) democratic European countries                          | b) зовнішня політика  |
| 3) intergovernmental and supranational union              | c) установи (інституції) ЄС                                   |
| 4) the rule of law  | d) демократичні Європейські держави                           |
| 5) voluntarily and democratically                         | e) працювати разом заради миру та процвітання                 |
| 6) foreign policy   | f) верховенство права   |
| 7) to set up common institutions                          | g) підвищувати Європейську політичну та економічну інтеграцію |
| 8) EU institutions  | h) держави-члени, держави-учасниці                            |
| 9) to enhance European political and economic integration | i) міждержавний та наднаціональний союз                       |
| 10) Member States   |   |
| 11) to work together for peace and prosperity             |   |
| 12) to settle legal disputes                              |   |

- j) вирішувати правові спори
- k) встановити спільні установи (інституції)
- l) управляти ЄС

**8. Compare the meanings of the following legal terms. Fill in the sentences with an appropriate word:**

<b>ruling</b>	an official decision made by a judge (a court);
<b>regulation</b>	an official rule or law that says how something should be done;
<b>legislation</b>	a law or set of laws made by a government;
<b>act</b>	the formal product of a legislative body;
<b>treaty</b>	an agreement or arrangement made by negotiation; a document in which a contract is set down;
<b>directive</b>	an authoritative instrument issued by a high-level body or official.

1. The countries of the summit have signed a peace ... .
2. They introduced/proposed ... for protecting the environment.
3. They received a written ... instructing them to develop new security measures.
4. The program was created by ... of Congress/Parliament.
5. It is the recent Supreme Court ... on defendants' rights.
6. Each agency has its own set of rules and ... .

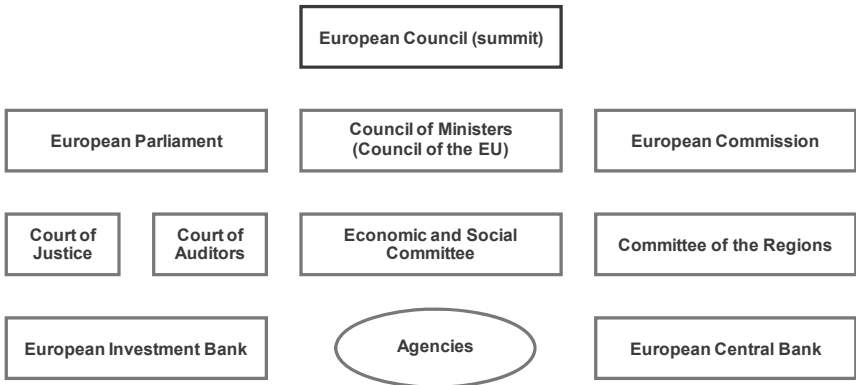
**9. Make up all possible word combinations and translate them. Compose your own sentences.**

to adopt	legislation
to propose	laws
to implement	legal acts
to apply	treaty
to pass	directives
to interpret	regulations
	ruling



**10. A. Study the scheme of the EU institutions and learn more information about the bodies of the EU.**

### INSTITUTIONS OF THE EU



**B. Match the items on the right to the items on the left.**

### WHO DOES WHAT IN THE EU?

1. The European Commission	A. is the institution checking that EU funds, which come from the taxpayers, are properly collected and that they are spent legally, economically and for the intended purpose
2. The European Economic and Social Committee (EESC)	B. is the institution in which all the European Union's citizens are represented
3. The European Parliament	C. is a non-political body that gives representatives of Europe's socio-economical interest groups, and others, a formal platform to express their points of view on EU issues

4. The Committee of Regions (CoR)	D. is the political assembly that provides local and regional authorities with a voice at the heart of the European Union
5. The Council of the European Union	E. is the institution that promotes the general interest of the European Union and ensures the application of European treaties
6. Court of Auditors	F. is the institution in which the governments of the member states are represented

***11. A. Read the passage.***

**HOW EU LAWS ARE MADE**

The EU's decision-making process involves three main institutions:

- the European Commission, which upholds the interests of the Union as a whole;
- the European Parliament (EP), which represents the EU's citizens and is directly elected by them;
- the Council of the European Union, which represents the individual member states.

This 'institutional triangle' produces the policies and laws that apply throughout the EU. The Commission and the member states then implement them, and the Commission ensures that the laws are properly taken on board.

Two other institutions have a vital part to play: the Court of Justice upholds the rule of European law, and the Court of Auditors checks the financing of the Union's activities.

***B. Test your knowledge answering the questions of the quiz.***

**QUIZ**

1. Which institution proposes European laws?  
A. European Commission

- B. Council of the European Union
  - C. Member States
  - D. European Parliament
2. What institutions amend the law proposal?
- A. Council of Europe, European Council
  - B. Council of the European Union, European Parliament
  - C. European Court of Justice, Court of Auditors
  - D. European Economic and Social Committee, Committee of the Regions
3. The co-decision procedure involves two European Institutions that jointly adopt laws. What are they?
- A. the European Economic and Social Committee and the European Commission
  - B. the European Commission and the European Parliament
  - C. the Committee of Regions and the European Commission
  - D. the Council of the European Union and the European Parliament

**12. Using the scheme, tell your fellow-students about the law-making process in the EU.**



**13. Read the passage, translating the words and word-combinations in brackets.**

### EUROPEAN COMMISSION

The European Commission is a politically (незалежна інституція) which embodies and defends the (спільні інтереси) of the (Європейського Союзу). Its right of initiating European legislation makes it the driving force of (Європейської інтеграції). It prepares and then implements the legislative instruments adopted by the (Радою Європейського Союзу) and the European (Парламентом). The (Комісія) also has (повноваження) of implementation, management and control. It is responsible for planning and implementing (спільної політики) executing the budget and managing Community programmes. As “guardian of the Treaties”, it also ensures that European (законодавство, закон) is applied.

**14. Rearrange the underlined letters to make words in the extracts below.**

### EUROPEAN PARLIAMENT

The aeropenu Parliament is the assembly of the representatives of the European oninu citizens. The bememrs of the European aarlimpent (MEPs) have directly been tedlece by citizens since 1979. The European Parliament shares the ilsltiegvea power with the unicocil, in particular through the co-decision procedure.

**15. Fill in the missing words.**

### COUNCIL OF THE EUROPEAN UNION

<p><b>co-decision represents decision legislative Member decisions national security foreign</b></p>
--

The Council of the European Union (“Council of Ministers” or “Council”) is the Union’s main ...-making body. Its meetings are attended by ... State ministers, and it is thus the institution which ... the Member States.

... are prepared by the Committee of Permanent Representatives of the Member States (Coreper), assisted by working groups of ... government officials. The Council has ... and budgetary functions, jointly with the European Parliament. It is also the lead institution for decision-making on the common ... and ... policy (CFSP). In most cases, the Council's decisions, based on proposals from the Commission, are made jointly with the European Parliament under the ... procedure.

**16. Learn more about the symbols of the EU. Match the EU symbols with information about them.**

- |                        |   |
|------------------------|---|
| 1. The European anthem | A. The 12 stars in a circle symbolize the ideals of unity, solidarity and harmony among the peoples of Europe.  |
| 2. Europe Day, 9 May   | B. This is the motto of the EU.   |
| 3. The European flag   | C. The ideas behind what is now the European Union were first put forward on 9 May 1950 in a speech by the then French Foreign Minister, Robert Schuman. Each year, 9 May is celebrated as the EU's birthday. |
| 4. United in diversity | D. The melody comes from the Ninth Symphony by Beethoven. When this music is used as the European anthem, it has no words.  |

**17. Read the passage to get more information on the enlargement of the EU.**

Enlargement is the process whereby countries join the EU. Since it was founded in 1957, the EU has grown from 6 countries to 27.

The EU began life as the European Economic Community with six founding members – Belgium, Germany, France, Italy, Luxembourg and the Netherlands. They created a new way of coming together to manage their joint interests, based essentially on economic integration. They were joined by Denmark, Ireland and the United Kingdom in 1973, Greece in 1981, and Spain and Portugal in 1986.

In 1992, a new treaty gave more responsibilities to the Community institutions and introduced new forms of cooperation between national governments, thus creating the European Union as such. The EU was enlarged in 1995 to include Austria, Finland and Sweden.

The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia joined in 2004, followed in 2007 by Bulgaria and Romania. Croatia joined the EU on 1 July 2013, bringing the total number of Member States to 28. The United Kingdom left the European Union on 31 January 2020.

In time the European Union may grow to 30 member states. The process of enlargement is sometimes referred to as European integration.

In order to join the European Union, a state needs to fulfill the economic and political conditions generally known as the Copenhagen criteria. Also, according to the EU Treaty, each current member state and the European Parliament have to agree.

***A. Answer the following questions.***

1. When was the European Union established?
2. What were the purposes of the European Union creation?
3. How many states were the first members of the European Union?
4. How many states are there in the European Union nowadays?
5. What should a state do in order to join the EU?

***B. Fill in the table using the information from the text.***

1952	... , France, ... , Italy, Luxembourg, ...
...	Denmark, ... , ....
1981	...
...	... , Spain
1995	Austria, ... , Sweden
2004	Cyprus, ... .. , Estonia, ... , Latvia, ... , Malta, ... , Slovakia, Slovenia
...	..., Romania
2013	...

**C. Practise the pronunciation of the proper names and numerals (dates) from the table. Revise the rules of reading the dates.**

30 March 1993 = 'March the thirtieth, nineteen ninety-three'  
1200 = 'twelve hundred'  
1305 = 'thirteen hundred and five' or 'thirteen O five'  
1910 = 'nineteen (hundred and) ten'  
1946 = 'nineteen (hundred and) forty six'  
2000 = 'two thousand'  
2005 = 'two thousand and five' or 'twenty O five'  
2012 = 'two thousand and twelve' or 'twenty and twelve'.

**D. Pay attention to the usage of articles with geographical names.**

### **Countries, states**

**No article:** *England, Great Britain, Britain, Ireland, Holland, France, Denmark, Belgium, Luxembourg, Spain, Italy, Switzerland, Germany, Poland, Russia, Hungary, Greece, America, Canada, Mexico, Australia, New Zealand, Saudi Arabia, Israel, Egypt, Morocco, Turkey, Iran, Iraq, India, Mongolia, China, Japan, Brazil, Argentina, Chile, Texas, California, Mississippi.*

**But: the Congo.**

**Article the:** *the United States of America (the U. S. A.) / the United States (the U. S.), the United Kingdom (the UK), the Russian Federation, the Netherlands, the Philippines; the Federal Republic of Germany, the Republic of Cuba, the Kingdom of Denmark, the Kingdom of Spain, the State of California.*

**E. Using the table tell your fellow-students what states and when joined the EU.**

### **OVER TO YOU**

**18. Learn more facts about the EU.**

### **DID YOU KNOW THAT...**

- The EU has banned animal testing for making cosmetics and laid down rules for labelling all consumer goods so you always know exactly what you are buying.

- The EU has helped more than 2 million young people to study in another country.
- The EU has made Europe the world leader in using and making mobile phones, thanks to its common technical standards.
- The EU is the biggest donor of aid for development around the world.
- The EU has ensured that there has been no war between its members for last 60 years.
- EU regional aid has raised living standards in the poor regions in Europe.
- The EU allows you to travel, live and work in any EU-country, in most cases without border controls or paperwork.
- The EU is leading the “Kyoto” drive to reduce the air pollution that causes global warming.
- The EU has implemented a clear-cut rule that men and women must have equal pay for equal work.
- The EU has slashed the price of telephone calls and air tickets, because the single market and a common currency reduce prices and increase choice.

***19. Test your knowledge of the European Union with this quiz. Find the information on the Internet.***

1. How many countries have adopted the euro?
2. Can you name the capitals of the EU’s member states?
3. What is the biggest country of the EU?
4. What the EU’s member state has the largest economy?
5. What highly developed European countries haven’t joined the European Union?
6. How many countries do the member states of the EU have land borders with?
7. What are the main institutions that govern the EU?
8. What city is considered to be the capital of the EU?
9. What is the official seat of the European Parliament?
10. How many cities of the EU have the populations over one million inhabitants?
11. What city has the largest population?



12. How many official and working languages does the European Union have?

13. What is the most widely spoken mother tongue (about 100 million people)?

**20. Use the Internet to find out more about:**

- **policies and activities of the European Union**
- **EU Languages and Language policy**
- **history of the EU**
- **EU-Ukraine relations**

### **SPEAKING**

**1. Work with the news sites and prepare a brief oral report on problematic issues of the European Union.**

There are a lot of problems the European Union faces currently:

**Brexit.** On June 23, 2016, the United Kingdom voted to leave the European Union.

**Refugee Crisis.** In 2015, 1.2 million refugees from Africa and the Middle East poured through its borders.

**Greek Debt Crisis.** In 2011, the Greece debt crisis threatened the concept of the eurozone. That is because it nearly triggered sovereign debt crises in Portugal, Italy, Ireland, and Spain.

**2. Panel discussion. Work in groups. Discuss the following questions. Give your own opinion.**

- Do you believe that the European Union is beneficial to Europe?
- Is it a good policy for the EU and NATO to expand in Eastern Europe?
- Is Great Britain justified in leaving the European Union?
- Challenges of immigration policies in the EU.

## **WRITING**

### *Argumentative Composition “Positive and Negative Sides of Globalization”.*

*A. Read the example. Consider how the use of linking words and phrases helps to provide more points, arguments, information.*

In the present age, globalization is playing an increasingly important role in our lives. But in the meantime a heated debate has sparked. Some people argue that globalization has a fundamentally beneficial influence on our lives, while many others contend that it has a detrimental effect as well.

**A convincing argument can be made about** globalization not only playing a pivotal role in the development of technology and economy, but also promoting the cultural exchange between different countries. **To start with**, it is the globalization that impelled many corporate to become an international group, thereby making a contribution to the local technology and employment. **Specifically**, when a multinational group establish a factory in a developing country, the new equipment, the new management skills and the job vacancies are all in the best interest of the local society. **Moreover**, people worldwide can get to know each other better through globalization. It is easy to see that more and more Hollywood blockbusters show cultures different from American.

**Admittedly**, profit driven globalization has severely affected young people. Today, in the metropolises in different countries, it is very common to see teenagers wearing NIKE\* T-shirts and Adidas footwear, playing Hip-Hop music on Apple iPods and eating fast food. The culture that took a thousand years to form just seems similar in these cities; it looks like you can only distinguish them by their language. Meanwhile, in some developing countries, sweat workshops are always a concerning issue. For instance, reports show that some teenagers employed by NIKE’s contractors work in smelly factories over 14 hours a day, but are only paid fifty cents per hour.

**In summary**, I would concede that globalization does come with some adverse effects. **Despite that fact**, benefits created by it far outweigh the disadvantages. **Overall, I am convinced that** we should further promote

globalization and meanwhile the local government should take measures to combat culture assimilation and sweat workshops.

\*NIKE /'naɪki/ «Найкі» (товарний знак популярного спортивного одягу та взуття виробництва компанії Nike)

***B. Give your own opinion on globalization using the following hints.***

<b>Linking Words and Phrases</b>
In addition, besides, however, nevertheless, despite the fact that, furthermore, moreover, similarly, on the other hand, in contrast, due to, owing to, on account of, as a result, consequently, therefore.

**Word-combinations on the topic:**

- lower transport costs;
- competition from low-cost economies;
- information technologies;
- monopoly of the trans-national corporations;
- potential threat to the national identity;
- to get access to new markets and sources of finance and technology;
- to have access to a larger variety of goods at lower prices;
- to migrate to other countries;
- to get a well-paid job;
- to encourage global trade;
- to manage migration as a source of workers;
- to rise international economic integration.

***C. Write down an argumentative composition on the topic “Positive and negative sides of globalization”.***

## APPENDIX A

### ARTICLE PRESENTATION STEPS

#	<i>The list of the main points to be mentioned</i>	<i>Useful vocabulary</i>
1.	Headline	The headline of the article is ... (The article is headlined ..., The headline of the article I've read is...)
2.	Author or source of information	The author of the article is...
3.	Place and date of publication	The article is taken from (the newspaper)... It was published on (September 14, 2013)
4.	The main idea and purpose of the article	The central idea of the article is... (The main idea of the article is... the article is devoted to... the article deals with... the article touches upon... the purpose of the article is to give the reader some information on... the aim of the article is to provide a reader with some material on...)
5.	Summary of the article (no more than 10 sentences)	<p>The article begins (opens) with a (the) description of (introduction of, the mention of, the analysis of, a summary of, the characterization of, (author's) opinion of, the enumeration of, the criticism of, some (few) critical remarks about (concerning, etc.), the accusation of, the exposure of, the praise of, the generalization of an excursus into)</p> <p><i>Стаття починається з опису (знайомства, згадки, аналізу, короткого викладу, характеристики, (авторської) думки про, перерахування, критики, (деяких) критичних зауважень про, звинувачення, викриття, вихваляння, введення в екскурс)</i></p> <p>Then (after that, further, further on, next) the author passes on to (goes on from ... to, goes on to say that, gives a detailed analysis (description, etc.) of, digresses from the subject, depicts, dwells on, touches upon, explains, introduces, mentions, recalls, characterizes, points out, generalizes, makes a few critical remarks on, reveals, exposes, accuses, blames, condemns, ridicules, praises, sympathizes with, gives a summary of, gives his account of, makes an excursus into, etc).</p>

		<p><i>Потім (після того, далі, потім) автор переходить до (переходить від ... до ..., говориться), робить детальний аналіз/розбір (опис і т. п.), відхиляється від теми, змальовує, детально зупиняється на, зачіпає, пояснює, представляє, згадує, характеризує, вказує на, узагальнює, робить декілька критичних зауважень про, показує, надає, винить, звинувачує, засуджує, висміює, хвалить, співчуває, коротко описує, дає звіт, робить екскурс в і т. п.</i></p>
6.	Conclusion	<p>In conclusion the author depicts (dwells on, touches upon, explains, introduces, mentions, recalls, characterizes, points out, generalizes, makes a few critical remarks on, reveals, exposes, accuses, blames, condemns, ridicules, praises, sympathizes with, gives a summary of, gives his account of, makes an excursus into).</p> <p><i>На закінчення автор змальовує (детально зупиняється на, торкається, пояснює, представляє, згадує, характеризує, вказує на, узагальнює, робить декілька критичних зауважень про, показує, надає, винить, звинувачує, засуджує, висміює, хвалить, співчуває, коротко описує, дає звіт, робить екскурс в)</i></p>
7.	Your own point of view on the problem discussed	<p><u><i>Giving an opinion</i></u> In my opinion /to my mind this problem is of great value/ up-to-date/outdated a bit/ of great importance for...</p> <p><u><i>Agreeing</i></u> I quite/totally/absolutely agree with...</p> <p><u><i>Disagreeing</i></u> I completely/totally/disagree with...</p>

## APPENDIX B

### WRITING A SUMMARY OF AN ARTICLE

#### WHAT IS A SUMMARY?

A **summary** is a brief, concise description of a piece of writing, such as an essay or article. A summary restates the main ideas of an author in your own words. It keeps the essential information from the original passage while eliminating most supporting details, such as the examples and illustrations.

#### SUMMARY OUTLINE

##### 1. Introduction

- Start with the information about the author’s name and the title of the article.
- Finish with a sentence that states the main idea of the article.

##### 2. Body Paragraphs

- The number of paragraphs in your summary depends on the length of the original article.
- Your summary should be about one third the length of the original article.
- Start each body paragraph with a topic sentence.
- Each paragraph focuses on a separate main idea and just the most important details from the article.
- Put the ideas from the article into your own words. Avoid copying phrases and sentences from the article.
- Use transitional words and phrases to connect ideas (see the table below).

##### 3. Concluding Paragraph

- Summarize the main idea of the article.

#### Transitional words and phrases

<b>Addition</b>	also, again, as well as, besides, coupled with, furthermore, in addition, likewise, moreover, similarly
<b>Consequence</b>	accordingly, as a result, consequently, for this reason, for this purpose, hence, otherwise, so then, subsequently, therefore, thus, thereupon, wherefore
<b>Contrast and Comparison</b>	conversely, instead, likewise, on one hand, on the other hand, on the contrary, rather, similarly, yet, but, however, still, nevertheless, in contrast
<b>Emphasis</b>	above all, chiefly, with attention to, especially, particularly, singularly
<b>Sequence</b>	at first, first of all, to begin with, in the first place, at the same time, for now, for the time being, the next step, in time, in turn, later on, meanwhile, next, then, soon, the meantime, later, while, earlier, simultaneously,
<b>Summarizing</b>	after all, all in all, all things considered, briefly, by and large, in any case, in any event, in brief, in conclusion, on the whole, in the final analysis, on balance, to sum up, to summarize, finally

#### СПИСОК ЛІТЕРАТУРИ

1. Андріанов С. М. Англо-український юридичний словник / С. М. Андріанов. – Київ: Арий, 2008. – 552 с.
2. Мауриш М. Tests in English. Thematic Vocabulary / М. Мауриш. – Київ: Знання, 2004. – 352 с.
3. Black's Law Dictionary. – West Group. – 7th edition. – 1999. – 1738 p.
4. Brieger N. Test Your Professional English. Law / N. Brieger. – Pearson Education Limited, 2007. – 104 p.
5. Brown G. D. Professional English in Use. Law / G. D. Brown, S. Rice. – Cambridge University Press, 2007. – 128 p.
6. Krois-Lindner A. International Legal English / A. Krois-Lindner, M. Firth. – Cambridge University Press, 2007. – 320 p.
7. Krois-Lindner A. Introduction to International Legal English / A. Krois-Lindner, M. Firth. – Cambridge University Press, 2009. – 160 p.
8. <http://hg.org/crime>.
9. <http://criminal.findlaw.com>.
10. <http://jurisonline.in/2010/03/sources-of-law/>.
11. <http://www.businessdictionary.com/definition/legal-system.html>.

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*Навчальне видання*

**Мельнікова** Тетяна Вячеславівна,  
**Микитюк** Світлана Степанівна,  
**Мороз** Тетяна Юріївна та ін.

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вул. Чернишевська, 80-А, Харків, 61002, Україна  
Тел./факс (057) 716-45-53

Сайт: <https://pravo-izdat.com.ua>

Е-mail для авторів: [verstka@pravo-izdat.com.ua](mailto:verstka@pravo-izdat.com.ua)

Е-mail для замовлень: [sales@pravo-izdat.com.ua](mailto:sales@pravo-izdat.com.ua)

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