

**МІНІСТЕРСТВО ОСВІТИ І НАУКИ УКРАЇНИ
ЧЕРНІГІВСЬКИЙ НАЦІОНАЛЬНИЙ ТЕХНОЛОГІЧНИЙ
УНІВЕРСИТЕТ**

Англійська мова у сфері кримінального права та правоохоронної діяльності

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262 "Правоохоронна діяльність"

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ВСТУП

Методичні вказівки призначені для проведення практичних занять зі студентами юридичного факультету спеціальності 081 “Кримінальна юстиція” 262 “Правоохоронна діяльність” та укладені відповідно до чинної навчальної програми з дисципліни “Іноземна мова за професійним спрямуванням”.

Мета пропонованих методичних вказівок – сприяти формуванню професійно-орієнтованої компетенції в читанні, усному і писемному мовленні, що здійснюється в межах ситуативного професійного контексту.

Методичні вказівки містять 3 модулі, в які входять 9 тем із текстами для читання, завданнями для перевірки прочитаного, лексичними та граматичними вправами, завданнями на розвиток умінь усного мовлення та письма. Підібраний текстовий матеріал є органічним компонентом професійної підготовки студентів юристів у сфері кримінального права і правоохоронної діяльності. Фахові тексти та система вправ допоможуть майбутнім спеціалістам оволодіти відповідною термінологічною лексиною, підготують їх до спілкування іноземною мовою у професійному середовищі. Різноманітність та варіативність завдань сприятимуть реалізації диференційованого та індивідуального підходів до студентів.

У кінці методичних вказівок подано короткі детективні історії з тестовими завданнями і граматичний коментар, ілюстрований прикладами з лексичним наповненням зі спеціальності.

Unit 1. Basic Concepts of Criminal Law

“Bad laws are the worst sort of tyranny”

Edmund Burke, British statesman and political philosopher

1.1 Read and comment on the quotation by Edmund Burke. How do you understand it?

1.2 Answer the questions:

1. What is the main task of criminal law?
2. How do criminal law cases and civil law cases differ in the way they are initiated?

1.3 Match the following English words and expressions with their Ukrainian equivalents:

1. to be tempted to	a) типовий злочин
2. to threaten with punishment	b) забороняти
3. conduct	c) на відміну від
4. archetypal crimes	d) намагатись розв'язати правові спори
5. disturbance of the public peace and order	e) призвести до шкідливих наслідків
6. to forbid	f) бути схильним до чогось
7. lead to harmful results	g) бути ув'язненим
8. unlike	h) загрожувати покаранням
9. to seek to resolve legal disputes	i) поведінка
10. to be incarcerated	j) порушення суспільного миру й порядку

1.3.1 Make up your sentences with words and expressions from 1.3

1.4 Read the following text to understand what information is new for you and do the tasks below

Criminal Law

Criminal law is the body of law that deals with crime and the legal punishment of criminal offenses. It seeks to protect the public from harm by inflicting punishment upon those who have already done harm and by threatening with punishment those who are tempted to do harm. The harm that criminal law aims to prevent varies. It may be physical harm, death, or bodily injury to human beings; the loss of or damage

to property; disturbance of the public peace and order; or injury to the public health. Criminal law also often tries to avoid harm by forbidding conduct that may lead to harmful results.

Criminal punishment, depending on the offense and jurisdiction, may include execution, loss of liberty, government supervision (parole or probation), or fines. There are some archetypal crimes, like murder, but the illegal acts are not wholly the same between different criminal codes, and even within a particular code lines may be blurred, as civil law violations sometimes give rise also to criminal consequences. Criminal law typically is enforced by the government, unlike the civil law, which may be enforced by private parties.

Criminal law involves prosecution by the government of a person for an act that has been classified as a crime. Civil cases, on the other hand, involve individuals and organizations seeking to resolve legal disputes. In a criminal case, the state, through a prosecutor, initiates the suit, while in a civil case the victim brings the suit.

1.4.1 Answer the following questions using the information from the text

1. What does the term “criminal law” denote?
2. What way does criminal law seek to protect the public from harm?
3. What can criminal punishment include?
4. Are illegal acts the same in different criminal codes?
5. What is criminal law / civil law usually enforced by?
6. Who initiates the suit in the civil case / criminal case?

1.4.2 Match the two parts of the sentences (number and letter)

- 1) Criminal law often tries to
- 2) Criminal law typically is enforced
- 3) Civil law may be enforced
- 4) Criminal law involves
- 5) Civil cases involve
- 6) In a criminal case,
- 7) In a civil case
- 8) Persons convicted of a crime
- 9) Persons found liable in a civil case

A. by the government.

B. the victim brings the suit.

C. prosecution by the government of a person for an act that has been classified as a crime.

D. may only have to give up property or pay money, but are not incarcerated.

e. may be incarcerated, fined, or both.

- F. avoid harm by forbidding conduct that may lead to harmful results.
- G. individuals and organizations seeking to resolve legal disputes.
- H. the state initiates the suit
- I. by private parties.

1.5 Read the text and do the tasks below

Criminal Law

A crime is an act that a legislature has defined as socially harmful. To be found criminally responsible, a person must commit a criminal act and also intend to commit the act. Classifications of crime may depend on the seriousness of the act as determined by the duration of punishment or by the type of social harm the statute intends to prevent or deter. The former classification thus categorizes crimes as felonies and misdemeanors while the latter classification categorizes crimes as offenses against the person and offenses against property.

To be found guilty of a criminal offense, it is not necessary to commit the intended crime. An attempt to commit the crime is punishable as well. However, a person cannot be convicted of an attempt to commit a crime unless he could have been convicted of the crime itself had his attempt been successful. It is also a criminal offense to work with others toward the commission of a crime. Thus, when two or more people combine to carry out an unlawful purpose, they may be found guilty of conspiracy. Just as the guilt of one party may be imputed to the participants in a conspiracy, the criminal act of an agent may be imputed to his principal, if the principal shares the agent's intent. When a corporation is involved, the guilt of individual employees may in some circumstances be imputed to the corporation.

Before criminal responsibility can attach, the accused must have intended in some way the criminal consequences of his act. This criminal intent requirement, known as *mens rea*, is in some instances dispensed with. Many regulatory codes dealing with public health and safety, for example, prescribe that failure to adhere is a criminal violation, irrespective of the violator's intent. There are, however, no precise lines or comprehensive criteria for distinguishing between crimes that require a mental element and crimes that do not.

The criminal law recognizes certain excuses that may limit or overcome criminal responsibility. In rare instances, mistake of law may serve as an excuse; more common is ignorance or mistake of fact. The defense of entrapment may also be used to escape criminal responsibility. While the police may employ undercover agents or decoys, they are permitted to use such techniques only to detect criminal activity, not to instigate it. Lack of mental capacity can also operate as a defense to

criminal prosecution. Thus, infancy, insanity and intoxication may in some cases serve as an excuse for the commission of a crime.

A criminal prosecution begins when there is probable cause to believe that the accused committed the crime. The accused is then arrested – either with or without a warrant, depending upon the circumstances – and is brought before the magistrate for a preliminary hearing to determine whether there are sufficient grounds to hold the accused for trial. Subsequent to this hearing, the prosecutor must either file an information stating the charge or ask the grand jury for an indictment, a formal declaration of charges. Thereafter, the defendant is arraigned, brought before a judge to enter his plea. If he pleads not guilty, the case goes to trial; if he pleads guilty, the judge will impose a sentence.

The defendant in a criminal case is entitled to certain protections spelled out in the Constitution. These include the right to be free from unreasonable searches and seizures; the prohibition on government against prosecuting a person twice for the same offense (double jeopardy); the right against self-incrimination; the right to a speedy trial; the right to cross-examine; the right to counsel; and the prohibition against cruel and unusual punishment.

1.5.1 Choose the correct option according to the text

1. Crime

- a) is an act that a legislature has defined as socially harmful;
- b) is something your Daddy tells you not to do;
- c) is the official interpretation of a socially unacceptable activity.

2. Felonies and misdemeanors

- a) are the classification of crime by the type of social harm the statute intends to prevent;
- b) are the classification of crime by the time when it was committed;
- c) are the classification of crime by the seriousness of the act.

3. To conspire

- a) is to combine with other people to carry out an unlawful purpose;
- b) is to talk to other people about the possibility of committing an unlawful purpose;
- c) is to egg on other students to miss the lecture.

4. Mens rea

- a) is the wrong way of writing the plural of "men";
- b) is the premeditation by the accused, in some way, of the criminal consequences of his act;
- c) is the harmful action or failure to carry out one which endangers the safety of other people.

5. The Defense of Entrapment

- a) is the concept that police may not instigate the crime;
- b) is the plea of being framed up by one's own friends (accomplices);
- c) is the act of counter entrapment, used by criminals to frame up police officers.

6. Insanity

- a) is the state of being not-particularly sane;
- b) is the state when the person does not fully comprehend what he/she is doing;
- c) is the one of the pleas based on the lack of mental capacity.

7. Intoxication

- a) is the state of being drunk;
- b) is the state of being toxic;
- c) is the state of being poisoned by soft drinks.

8. Warrant

- a) is a formal authorization needed for the arrest of the accused;
- b) is a partial justification of the actions undertaken by the police;
- c) is a pardon granted by the grand jury to the accused on the grounds of his/her mental incapacity.

Vocabulary focus

1.6 Give the English equivalents for the following word combinations and make up your sentences with them:

Кримінальне право, кримінальний кодекс, злочин, правопорушення, покарання, призначати покарання, загрожуючи покаранням, запобігати злочину, тілесні ушкодження, забороняти, втрата свободи, нагляд, умовне покарання, типові злочини, призвести до шкідливих наслідків, бути схильним до чогось, бути ув'язненим, порушення громадського порядку.

1.6.1 Find synonyms for the following words and word combinations: criminal offense, civil offence, damage, penalty, prohibited, human being, disagreement, to be imprisoned, responsible, criminal code, control, be found guilty.

1.6.2 Arrange the letters in the following legal terms; then match these terms with their definitions:

1. IMCRE	a. the crime of killing another person deliberately and not in self-defense
2. EIOCUTEXN	b. the early release of a prisoner, conditioned on good behavior and regular reporting to the authorities for a set period of time
3. FEIN	c. an action prohibited by law
4. MDREUR	d. case brought to a law court
5. APLERO	e. somebody who is hurt or killed
6. OPTIRBNAO	f. a sum of money that somebody is ordered to pay for breaking a law or rule
7. UTIS	g. lawyers trying to prove somebody's guilt
8. SECOIUTPRON	h. the supervision of the behavior of a young or first-time criminal offender by a probation officer
9. CTIMVI	i. the killing of somebody as part of a legal or extralegal process

1.6.3 Choose the word that best completes the sentence

1) *Criminal / Civil* law is the branch of law that defines crimes, treats of their nature, and provides for their *probation / punishment*.

2) A *Criminal Code / Execution* is a compilation of government laws that outline a nation's laws regarding criminal offenses, and the maximum and minimum punishments that courts can *suit / impose* upon offenders when such crimes are committed (for example: vandalism, retail theft, theft of property etc.).

3) A *tort / crime* is a civil wrong committed against an individual; a *tort/ crime*, on the other hand, is regarded as an offense committed against the public, even though only one individual may have been wronged.

4) It'll be some weeks before your *offence / case* comes to trial.

5) A *penalty / supervision* is a legal or official punishment for committing a crime or other offense, e.g. a fine or imprisonment.

1.6.4 Complete the text with the words from the box

Penalties law	Roman enforcement	criminal codes	theft offences	civil
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The first written _____ of law were produced by the Sumerians around 2100-2050 BC. Another important early code was the Code Hammurabi, which formed the core of Babylonian _____. Neither set of laws separated _____ codes and civil laws.

Law of the Twelve Tables, earliest code of _____ law, was formalized in 451-450 BC from existing oral law by ten magistrates and inscribed on tablets of bronze or wood, which were posted in the principal Roman Forum. The Twelve Tables covered all categories of the law and also included specific _____ for various _____. This code conflated the _____ and criminal aspects, e.g. treating _____ as a tort.

The first signs of the modern distinction between crimes and civil matters emerged during the Norman Invasion of England. The special notion of penalty, at least concerning Europe, arose in Spanish Late Scholasticism, when the theological notion of God's penalty became transfused into canon law first and, finally, to secular criminal law.

The development of the state provided justice emerged in the eighteenth century when European countries began maintaining police services. From this point, criminal law had formalized the mechanisms for _____, which allowed for its development as a recognized entity.

SPEAKING

1.7 Read the questions and discuss them in the groups

1. What is the difference between criminal and civil law?
2. Can an event be both a criminal and civil offence?
3. Can being present at the scene of a crime make you guilty?
4. What is the definition of "criminal trespass?"
5. What does the term "eluding a police officer" mean?
6. When is a person considered to be arrested?
7. Is the use of physical restraint or handcuffs always necessary? Give the examples.
8. In which of the following circumstances can a police officer arrest a person?
 - a) a police officer personally observes a crime

- b) a police officer has a reasonable belief, based on facts and circumstances, that a person has committed or is about to commit a crime
- c) a police officer suspects but is not sure that a person has committed or is about to commit a crime
- d) a police officer receives a report of an armed robbery that has just occurred at a liquor store, then sees a man who matches the suspect's exact description running down the street near the store
- e) an arrest warrant has been issued
- f) a police officer has a reasonable belief, based on facts and circumstances, that a person has committed or is about to commit a crime, but he hasn't obtained a valid warrant to arrest this person.

Writing

1.8 Write a short report on the main differences between a crime and a tort including the following points: the parties, the outcomes, the procedure, the standard of proof.

GRAMMAR FOCUS: Active Voice

1.9 Open the brackets using the verbs in correct forms of Active Voice

1. In a criminal case the state (to initiate) the suit.
3. In a civil case the victim (to bring) the suit.
4. There (to be) no courts in ancient societies.
5. He (to commit) a grave crime yesterday.
6. A defense-lawyer (to represent) the accused.
7. The policeman (to arrest) a robber yesterday.
8. Experts (to examine) the fingerprints in 10 minutes.
9. The suspect (to enter) the shop 5 minutes ago.
10. The police (to arrest) already the suspected.
11. He (to receive) the judicial decision by tomorrow.
12. You (to meet) the accused in court by the beginning of the trial tomorrow.
13. Notary public (to examine) the case carefully and consulted them.
14. He (to attack) the victim the day before yesterday.
15. Criminal punishment (to include) execution, loss of liberty or fines.

Unit 2. Crimes and Criminals

2.1 Answer the following questions

1. What action can be considered as a crime?
2. What is the main difference between a tort and a crime?
3. What crimes are the gravest from the point of view of the Ukrainian law?

2.2 Match the following English words and expressions with their Ukrainian equivalents:

1. mens rea	a) бездіяльність
2. actus reus	b) на відміну від
3. injurious to society	c) намір
4. as distinguished	d) злочинний намір
5. be accomplished by	e) злочинна дія
6. omission	f) шкідливий для суспільства
7. intent	g) супроводжуватися (чимось)

2.3 Read the following text to understand what information is new for you and do the tasks below

Definition and Elements of a Crime in English Law

In English legal tradition crime is defined as an act or omission that violates the law and is punishable by the state. Crimes are considered injurious to society or the community, as distinguished from torts and breach of contract.

As defined by law, a crime includes both the act, or actus reus, and the intent to commit the act, or mens rea.

Actus reus is Latin for "guilty act" and is the physical element of committing a crime. It may be accomplished by an action, by threat of action, or exceptionally, by an omission to act. For example, a parent's failure to give food to a young child also may provide the actus reus for a crime.

Where the actus reus is a failure to act, there must be a duty. A duty can arise through contract, a voluntary undertaking, a blood relation with whom one lives, and occasionally through one's official position.

Mens rea is another Latin phrase, meaning "guilty mind." A guilty mind means an intention to commit some wrongful act. Intention under criminal law is separated from a person's motive. If Mr. Hood robs a rich Mr. Nottingham because his motive is to give the money to poor Mrs. Marion, his "good intentions" do not change his criminal intention to commit robbery.

Unless the act of which a defendant is accused is defined by statute as a crime, no indictment or conviction for the commission of such an act can be legally sustained.

2.3.1 Answer the following questions using the information from the text

1. What is a crime?
2. What does a crime include?
3. What is actus reus / mens rea?
4. Give an example of actus reus / mens rea.

2.3.2 Complete the sentences using the information from the text

1. Crimes are considered injurious to ...
2. Actus reus may be accomplished by ...
3. Where the actus reus is a failure to act...
4. A guilty mind means ...
5. Unless the act of which a defendant is accused is expressly defined by statute as a crime...

2.4 Answer the questions:

1. How are crimes classified in the Ukrainian legislation?
2. Have you ever witnessed any crime? What was it?

2.5 Read the text to tell what information is new for you

Classification of Crimes

Crimes are usually classified as treason, felony, or misdemeanor. The fundamental distinction between felonies and misdemeanors rests with the penalty and the power of imprisonment. In general, a misdemeanor is an offence for which a punishment other than death or imprisonment in the state prison is prescribed by law. The term "degree of crime" refers to distinctions in the culpability of an offense because of the circumstances surrounding its commission. Crimes are sometimes divided according to their nature into crimes mala in se and crimes mala prohibita; the former class comprises those acts that are thought to be immoral or wrong in themselves, or naturally evil, such as murder, rape, arson, burglary, larceny, and the like; the latter class embraces those acts that are not naturally evil but are prohibited by statute because they infringe on the rights of others. For example, in the United States, the power to define crimes and set punishment for them rests with the legislatures of the United States, the several states, and the territories, the principal authority being that of the individual states. This power in the states is restricted by

the federal Constitution, e.g., in the Fourteenth Amendment and in prohibitions against acts of attainder (an act of attainder is a legislative declaration that a particular individual is guilty of a crime) and against ex post facto laws (laws that retroactively declare certain actions to be criminal). State constitutions may also limit state legislative action. The courts cannot look further into the propriety of a penal statute than to ascertain whether the legislature has the power to enact it. Administrative rules may have the force of law, and violations of such rules are punishable as public offenses, provided that the legislature has made such violations misdemeanors.

2.5.1 Are the following statements true or false according to the text above

- 1) The fundamental distinction between felonies and misdemeanors is in the type of punishment.
- 2) The term "degree of crime" refers to distinctions in the culpability of an offense because of the person committing this crime.
- 3) Crimes mala in se are thought to be naturally evil.
- 4) Crimes mala prohibita include murder, rape, arson, burglary, larceny etc.
- 5) In the United States, the power to define crimes and set punishment for them rests with the judiciary of the United States
- 6) The federal Constitution restricts the power of the state to define laws.
- 7) State constitutions may also limit state legislative action.
- 8) The violations of administrative rules are not punishable as public offenses.

2.5.2 Using the information from the text, give the definitions to the following legal terms:

- a misdemeanor
- a degree of crime
- crimes mala in se
- crimes mala prohibita
- an act of attainder
- ex post facto laws

2.5.3 In the text find the crimes which are:

- against people;
- against property;
- against state.

2.6 Match the following headings with the sections of the text below

A. Psychological and psychiatric theories

- B. Biological theories
- C. Multiple causation theory
- D. Social environment theories
- E. Theological and ethical theories
- G. Climatic theory

The Causes of Crime

(1) No one knows why crime occurs. The oldest theory, based on theology and ethics, is that criminals are perverse persons who deliberately commit crimes or who do so at the instigation of the devil or other evil spirits. Although this idea has been discarded by modern criminologists, it persists among uninformed people and provides the rationale for the harsh punishments still meted out to criminals in many parts of the world.

(2) Since the 18th century, various scientific theories have been advanced to explain crime. One of the first efforts to explain crime on scientific, rather than theological grounds was made at the end of the 18th century by the German physician and anatomist Franz Joseph Gall, who tried to establish relationships between skull structure and criminal proclivities. This theory, popular during the 19th century, is discredited and has been abandoned. A more sophisticated theory — a biological one — was developed late in the 19th century by the Italian criminologist Cesare Lombroso, who asserted that crimes were committed by persons who are born with certain recognizable hereditary physical traits. Lombroso's theory was disproved early in the 20th century by the British criminologist Charles Goring. Goring's comparative study of jailed criminals and law-abiding persons established that so-called criminal types, with innate dispositions to crime, do not exist. Recent scientific studies have tended to confirm Goring's findings. Some investigators still hold, however, that specific abnormalities of the brain and of the endocrine system contribute to a person's inclination toward criminal activity.

(3) Another approach to an explanation of crime was initiated by the French political philosopher Montesquieu, who attempted to relate criminal behavior to natural, or physical environment. His successors have gathered evidence tending to show that crimes against person, such as homicide, are relatively more numerous in warm climates, whereas crimes against property, such as theft, are more frequent in colder regions. Other studies seem to indicate that the incidence of crime declines in direct ratio to drops in barometric pressure, to increased humidity, and to higher temperature.

(4) Many prominent criminologists of the 19th century, particularly those associated with the Socialist movement, attributed crime mainly to the influence of poverty. They pointed out that persons who are unable to provide adequately for themselves and their families through normal legal channels are frequently driven to

theft, burglary, prostitution, and other offences. The incidence of crime especially tends to rise in times of widespread unemployment. Present-day criminologists take a broader and deeper view; they place the blame for most crimes on the whole range of environmental conditions associated with poverty. The living conditions of the poor, particularly of those in slums, are characterized by overcrowding, lack of privacy, inadequate play space and recreational facilities, and poor sanitation. Such conditions engender feelings of deprivation and hopelessness and are conducive to crime as a means of escape. The feeling is encouraged by the example set by those who have escaped to what appears to be the better way of life made possible by crime.

Some theorists relate the incidence of crime to the general state of a culture, especially the impact of economic crises, wars, and revolutions and the general sense of insecurity and uprootedness to which these forces give rise. As a society becomes more unsettled and its people more restless and fearful of the future, the crime rate tends to rise. This is particularly true of juvenile crime, as the experience of the United States since World War II has made evident.

(5) The final major group of theories is psychological and psychiatric. Studies by such 20th century investigators as the American criminologist Bernard Glueck and the British psychiatrist William Healy have indicated that about one-fourth of a typical convict population is psychotic, neurotic, or emotionally unstable and another one-fourth is mentally deficient. These emotional and mental conditions do not automatically make people criminals, but do, it is believed, make them more prone to criminality. Recent studies of criminals have thrown further light on the kinds of emotional disturbances that may lead to criminal behavior.

(6) Since the mid-20th century, the notion that crime can be explained by any single theory has fallen into disfavor among investigators. Instead, experts incline to so-called multiple factor, or multiple causation theories. They reason that crime springs from a multiplicity of conflicting and converging influences — biological, psychological, cultural, economic and political. The multiple causation explanations seem more credible than the earlier, simpler theories. An understanding of the causes of crime is still elusive, however, because the interrelationship of causes is difficult to determine.

2.7 You are going to read a magazine article about burglar-friendly houses. Choose from the list A-I the sentence which best summarizes each part (1-5) of the article. There are two extra sentence which you do not need to use.

- A Houses which are very private are less safe.
- B Make your possession easy to identify.
- C Burglars look at our houses differently to the way we do.

- D Burglars are attracted by signs of absence.
- E Large homes suggest large bank accounts.
- F “The first time you have your house broken into probably won’t be the last”.
- G Call the police if you have been burgled.

Do you Live in a Burglar-Friendly House?

1 _____ It's the last thing you want to hear when you've just been burgled, but the awful truth is that if you've been burgled once, you'll probably be burgled again. Why? Because some of us have 'burglar-friendly' houses.

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

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

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

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

Vocabulary focus

2.7 Choose the words which best complete the text below

The criminal law generally prohibits undesirable 1)_____. Thus, proof of a 2)_____ requires proof of some act. Scholars label this the requirement of an actus reus or 3)_____ act. Some crimes require no more, and they are known as strict liability offenses. Nevertheless, because of the potentially severe consequences of criminal conviction, judges at common law also sought proof of an 4)_____ to do some bad thing, the 5)_____ rea

or guilty mind. As to crimes of which both actus reus and mens rea are requirements, judges have concluded that the elements must be present at precisely the same moment and it is not enough that they occurred sequentially at different times.

- 1) a. acts b thoughts c. words
- 2) a. law b. indictment c. crime
- 3) a guilty b. motive c. innocent
- 4) a. crime b. intent c. wrongful
- 5) a. Actus b. Mens d. Reus

2.8 Complete the extract below using the verbs in the box. There are two extra ones you do not need to use

are tried/ is committed/ is committed/ is fined /is punished / is put is resolved/
was caused

A crime is a wrong which 1).....against society. The wrongdoer 2).....: he or she 3).....in prison or 4)..... a sum of money. A tort, on the other hand, is a wrong which 5).....against an individual. The injured party-can sue the wrongdoer and receive damages from the court. Criminal sanctions exist to make society safer and to keep people from committing certain acts. Tort remedies exist to make the injured party whole again for the harm which 6).....by the wrongdoer. A key difference between the two is that a crime requires a criminal intent, whereas a tort can result without intent to cause harm on the wrongdoer's part.

2.9 In the sentences below complete the de-voweled legal terms with the missed letters

1. A "crime" is any act or __m__ ss__ __n in violation of a public l__w forbidding or commanding it.
2. Though there are some common law cr__m__s, most crimes in the United States are established by local, state, and federal governments.
3. American cr__m__n__l laws vary significantly from state to state.
4. In the USA there is a Model P__n__l Code which serves as a good starting place to gain an understanding of the basic structure of criminal l__ __b__l__t__.
5. Crimes include both f__l__n__s (more serious __ff__ns__s like murder or rape) and misdemeanors (less serious offenses like petty th__ft or jaywalking).
6. Felonies are usually crimes punishable by imprisonment of a year or more, while m__sd__m__ __n__rs are crimes punishable by less than a year.
7. No act is a crime if it has not been previously established as such either by st__t__t__ or c__mm__n law.

2.10 Match each word on the left with the appropriate definition on the right

- | | |
|---------------------|--|
| 1) an arsonist | a) attacks and robs people, often in the street |
| 2) a shop-lifter | b) sets fire to property illegally |
| 3) a mugger | c) is anyone who breaks the law |
| 4) an offender | d) breaks into houses or other buildings to steal |
| 5) a vandal | e) steals from shops while acting as an ordinary customer |
| 6) a burglar | f) kills someone |
| 7) a murderer | g) deliberately causes damage to property |
| 8) a kidnapper | h) steals things from people's pockets in crowded places |
| 9) a pickpocket | i) gets secret information from another country |
| 10) an accomplice | j) buys and sells drugs illegally |
| 11) a drug dealer | k) takes away people by force and demands money for their return |
| 12) a spy | l) helps a criminal in a criminal act |
| 13) a terrorist | m) uses violence for political reasons |
| 14) an assassin | n) causes damage or disturbance in public places |
| 15) a hooligan | o) hides on a ship or plane to get a free journey |
| 16) a stowaway | p) takes control of a plane by force and makes the pilot change course |
| 17) a thief | q) murders for political reasons or a reward |
| 18) a hijacker | r) is someone who steals |
| 19) a forger | s) makes counterfeit (false) money or signatures |
| 20) a robber | t) is a member of a criminal group |
| 21) a smuggler | u) steals money, etc. by force from people or places |
| 22) a traitor | v) marries illegally, being married already |
| 23) a gangster | w) is a soldier who runs away from the army |
| 24) a deserter | x) brings goods into a country illegally without paying tax |
| 25) a bigamist | y) illegally carries drugs into another country |
| 26) a drug smuggler | z) betrays his or her country to another state |

2.11 Give the English equivalents for the following word combinations and make up your own sentences with them:

Злочин, правопорушення, суспільно небезпечна дія, бездіяльність, обвинувачуваний, умисел, суспільно небезпечний умисел, обвинувальний висновок, засудження.

2.12 Render into English:

Злочини в кримінальному праві підлягають класифікації в залежності від ступеня вини, мети, покарання, яке може бути за нього призначено, стадії

скоєння злочину тощо. Відповідно до ч.1 ст. 11 КК України, злочином є суспільно небезпечне винне діяння (дія чи бездіяльність), вчинене суб'єктом злочину. Під дією розуміється активна, свідома та суспільно небезпечна поведінка, а під бездіяльністю — невчинення винною особою певних дій, які вона мала вчинити за даних обставин.

GRAMMAR FOCUS

2.13 Open the brackets using the verbs in correct forms of Passive Voice

1. The criminal code (to read) now.
2. The criminal code (to read) at this time yesterday.
3. Criminal law typically (to enforce) by the government.
4. Hammurabi code (to draw up) in about 1758 B.C.
5. The Greeks believed that laws (to make) by the people for the people.
6. He (to punish) already for being drunk while driving a car.
7. The principle of limited government (to establish) by the Magna Carta.
8. The document (to study) by the time the Dean came into the room.
9. Crimes (to classify) a felony or misdemeanor.
10. The final version of the Magna Charter (to draft) by John in 1215.
11. The famous criminal (to arrest) the day before yesterday.
12. The verdict (to announce) when he came in the court room.
13. The opening statement (to announce) five minutes ago.
14. The fingerprints (to indentify) when chief officer came into the room.
15. Our relations with one another (to govern) by many rules of conduct.

Unit 3. Criminal Law of the UK and the USA

“Ignorance of the law excuses no man; not that all men know the law, but because it is an excuse every man will plead, and no man can tell how to confute him” John Selden, English historian and a lawyer

3.1 Read and comment on the quotation above

3.2 Match the following English words and expressions with their Ukrainian equivalents:

- | | |
|---------------------|---|
| 1. diverse sources | a) бути виправленим |
| 2. summary offences | b) злочини, що переслідуються в порядку сумарного провадження |
| 3. unifying factor | c) обвинувачення |
| 4. to be remedied | d) об'єднуючий чинник |
| 5. impartial jury | e) різноманітні джерела |
| 6. accusation | f) безпристрасний суд присяжних |

3.3 Read the following text to understand what information is new for you and do the tasks below

Criminal law of England and the USA

Criminal law in England derives from a number of diverse sources. The definitions of the different acts that constitute criminal offences can be found in the common law (murder, manslaughter, conspiracy to defraud) as well as in thousands of independent and disparate statutes and more recently from supranational legal regimes such as the EU. As the law lacks the criminal codes that have been instituted in the United States and civil law jurisdictions, there is no unifying factor to how crimes are defined, although there have been calls from the Law Commission for the situation to be remedied. Criminal trials are administered hierarchically, from magistrates' courts, through the Crown Courts and up to the High Court. Appeals are then made to the Court of Appeal and finally the House of Lords on matters of law.

Procedurally, offences are classified as indictable and summary offences; summary offences may be tried before a magistrate without a jury, while indictable offences are tried in a crown court before a jury. The distinction between the two is broadly between that of minor and serious offences. At common law crimes are classified as either treason, felony or misdemeanor.

The way in which the criminal law is defined and understood in England is less exact than in the United States as there have been few official articulations on the

subject. The body of criminal law is considerably more disorganised, thus finding any common thread to the law is very difficult. A consolidated English Criminal Code was drafted by the Law Commission in 1989 but, though codification has been debated since 1818, as of 2007 has not been implemented. Scotland has a completely separate legal system.

In the United States, criminal prosecutions typically are initiated by complaint issued by a judge, or by indictment issued by a grand jury. Regarding the felonies in Federal court, the Fifth Amendment to the United States Constitution requires indictment. The Federal requirement does not apply to the states, which have a diversity of practices. Three states (Connecticut, Pennsylvania, and Washington) and the District of Columbia do not use grand jury indictments at all. The Sixth Amendment guarantees a criminal defendant the right to a speedy and public trial, in both state and Federal courts, by an impartial jury of the State and district wherein the crime was committed, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of Counsel for his defense. The interests of the state are represented by a prosecuting attorney. The defendant may defend himself pro se, and may act as his own attorney, if desired.

3.3.1 Divide the following sentences into two groups: those relating to the criminal law of England and those relating to the criminal law of the USA

- 1) The law lacks the criminal codes.
- 2) The criminal codes have been instituted.
- 3) The defendant may defend himself pro se, and may act as his own attorney, if desired.
- 4) Offences are classified as indictable and summary offences.
- 5) The criminal law is not strictly defined and is rather disorganised.
- 6) Criminal prosecutions are initiated by complaint issued by a judge, or by indictment issued by a grand jury.
- 7) Different states have a diversity of practices.
- 8) The Sixth Amendment guarantees a criminal defendant the right to a speedy and public trial
- 9) The interests of the state are represented by a prosecuting attorney.
- 10) There is no common idea to how crimes are defined
- 11) Criminal trials are administered by magistrates' courts, Crown Courts, High Court and the Court of Appeal.

3.4 Writing

This is a part of a letter that a 19-year old law student has sent to you

Dear

I've just found out that I've failed my exam in Criminal law. The question I had to answer was not very difficult: "The sources of criminal law in the USA". I was sure that it's worth speaking about precedent – and that's all, but the lecturerer wasn't satisfied with my answer and gave me bad mark; he even didn't explain what my mistake was. The good thing is that I will be able to retake the exam in two weeks, but I'm so scared to fail it again! What can I do? Please, help me!

Best regards

Mark Brown

Write him a letter giving your advice. Use the following useful expressions and the following plan

Useful expressions:

Start with: I just got your letter; I think I can help you; I was sorry to hear about your problem.

Giving advice: You should...; Why don't you...? It would be a good idea...; The best thing you can do is...; I strongly advice you to...; Your mistake was...; If I were you, I'd...

Finish with: I hope this helps you; Let me know what happens; Hope this advice is of some help to you; Things will get better soon.

Plan

Introduction:

Dear....

Para 1: Express sympathy

Main body

Para 2: Give your advice

Conclusion

Para 3: End the letter offering some encouragement

GRAMMAR FOCUS: Active or Passive Voice

3.5 Open the brackets using the verbs in correct forms of Active or Passive Voice

1. Probation (to use) for minor offences.
2. Magistrates (to guide) on points of law by a clerk.
3. The house (to search) when the chief investigator called.
4. He (to find) innocent and the case (to close) last week.
5. The burglar (to break) into the house and (to steal) a new TVset.
6. The famous criminal (not to arrest) the day before yesterday.
7. The verdict (to announce) by the time he came in the court room.
8. A defense-lawyer (to represent) the accused in five minutes.
9. A drug dealer (to sell) drugs when a police caught him.
10. Experts (to examine) the fingerprints by noon yesterday.
11. A jury (to consist) of twelve men and women from the local community.
12. Offenders between 10 and 17 (to try) by special juvenile courts.
13. Criminal prosecutions typically (to initiate) by complaint issued by a judge.
14. He (to commit a crime) being drunk and (imprison) last month.
15. The case is rather complicated. The jury (to decide) a verdict after break.

Module 2. Crime Investigation

Unit 1. Forensic Science

1. Answer the following questions:

1. What is meant by investigation in the Criminal-Procedure Code of Ukraine?
2. What is the main task of forensic science?

1.2 Match the following English words and expressions with their Ukrainian equivalents:

1. Subdivision	a) свідчення свідків
2. DNA profiling	b) аналіз ДНК
3. crime lab	c) аналіз за допомогою мікроскопа
4. testimonial	d) криміналістична
5. evidence	e) лабораторія
6. microscopic examination	f) підрозділ, сфера
7. court appearance	g) виступ в суді

1.2.1 Read the text to understand what information on crime investigation is new for you

CRIME INVESTIGATION: FORENSIC SCIENCE

Forensic science and scientific expertise serves the administration of justice by providing scientific support in the investigation of crime and providing evidence to the courts.

When a crime is reported to the police, patrol officers are usually the first to arrive at the scene. They perform the initial investigation; fill out the forms, such as the complaint; interview witnesses; make an arrest if there is a suspect. If a crime requires expert investigation, detectives are called in. The detective's first task usually is to examine the facts in order to determine whether a crime has actually been committed and whether further investigation is required. If a full investigation is initiated, detectives collect evidence, interview witnesses and victims, contact informants. After an arrest is made, investigative work is extremely important to the outcome of a court case. Case preparation includes reviewing and evaluating all evidence and reports on the case; re-interviewing witnesses and assisting in their preparation for court appearances; and preparing the final report.

Legal detectives and investigators in common-law countries have a wide variety of techniques available in conducting investigations. However, the majority of cases are solved by the interrogation of suspects and the interviewing witnesses, which takes time. Besides interrogations, detectives may rely on a network of informants they have processed over the years. Informants often have connections with persons a detective would not be able to approach formally. The best way is to obtain a confession from the suspect, usually this can be done in exchange for entering plea bargain for a lesser sentence. Evidence collection and preservation can also help in identifying a potential suspect.

Criminalistics as a subdivision of forensic science is the application of various sciences to answer questions relating to examination and comparison of different types of evidence in criminal investigations. Typically, evidence is examined in a crime lab.

A Crime Laboratory (often Crime Lab), is a scientific laboratory where scientists examine evidence from a criminal case. A typical crime lab has two sets of personnel. These are the investigators who go to crime scenes and collect evidence and process the scene. The second type of personnel in a crime lab is the people who run experiments on the evidence once it is brought to the lab.

Each type of evidence has a specific value in an investigation. Evidence used to resolve an issue can be split into 2 areas. The testimonial evidence refers to any

witnessed records of an incident. The physical evidence is any material item that is on the crime scene. How will evidence collected at a scene do for the investigation:

- May prove that a crime has been committed.
- Establish any key elements of a crime.
- Link a suspect with a scene or a victim.
- Establish the identity of a victim or suspect.
- Confirm verbal witness testimony.
- Release the innocent.

Among the identification methods there are fingerprinting, DNA profiling and microscopic examination.

1.2. 2 Answer the following questions using the information from the text

1. What is the principle objective of forensic science and scientific expertise?
2. What does an initial investigation include?
3. What may detectives rely on?
4. What is a crime lab?
5. What are two types of evidence? What is physical evidence?
6. In what way does evidence help in an investigation?

1.2.3 Complete the following sentences according to the information from the text

1. Forensic science serves...
2. Majority of criminal cases are solved by...
3. When a detective has a suspect in mind the next step is...
4. Evidence from a criminal case is usually examined in...
5. In a crime laboratory staff there are investigators who... and...
6. Evidence collected at a scene of a crime helps to...

Vocabulary focus

1.3 Match the following legal terms with their definitions:

1. confession	a) the judgement of a criminal court stating what punishment is to be given to a person
2. testimony	b) questioning witnesses
3. sentence	c) witness's statement under oath
4. interrogation	d) objects, statements, documents which help to show how a crime happened
5. evidence	e) declaration (of one's guilt)

1.3.1 Translate the pairs of sentences and explain the difference in the meanings of the following words

1. accident/incident

- a. A bomb exploded in a department store but no one was killed in the incident.
- b. Her father was killed in a car accident.

2. matter/case

- a. This piece of land is the main matter of dispute.
- b. He needed 2 months to solve Martin's murder case.

3. crime/offence

- a. This act of terrorism is considered as a crime against humanity.
- b. Most prosecutions of crimes are brought by police.
- c. I think it is a real offence against the law.

4. proof/evidence

- a. This evidence is reliable and can be admissible.
- b. This requires no proof.
- c. Evidence consists of testimony, documentary evidence, physical evidence, and, when admissible, hearsay evidence.

5. inquiry/investigation

- a. The investigator has made inquiries about the suspects.
- b. An inquiry into a death the cause of which was unknown was conducted by a coroner.
- c. Who is responsible for the results of the investigation?

6. scene/place

- a. What place do you come from?
- b. Most investigators begin at the scene of a crime.
- c. It was a striking scene.

1.3.2 Substitute the words in italics with the words from the active vocabulary

- 1. This physical evidence confirms *the witness's words*.
- 2. An investigator has a right to make a search and *question* witnesses.
- 3. *Criminal offence* is defined as an illegal act for which a person may be punished by the State.
- 4. A crime scene sketch (малюнок) is a drawing that shows the appearance of a *crime place*.
- 5. Mrs. Smith *who saw the accident* tells that the suspect looked rather strange.
- 6. Mr. Black said he was ready to *tell of his guilt*.
- 7. After the long considerations he was *set free*.

1.3.3 Give the English equivalents for the following word combinations and make up your own sentences with them:

Допит свідків, отримати визнання, скоїти злочин, підтвердити свідчення, звільнити невинного, встановити ідентичність, місце злочину, представити речні докази, покластися на інформаторів, вирішити справу, перевірити докази, потенційний підозрюваний.

Speaking

1.4 Work in groups:

1. Discuss what the necessary aspects are to be considered in the investigation of a crime? Use key words: *scene, evidence, witness, informant, to rely on, to collect, to arrest, to question.*

2. What is the main function of a crime laboratory?

3. What questions of investigation does a scientific lab help to answer?

4. Why is an investigation of a crime scene so important?

5. Explain in other words what testimonial evidence is.

6. Is there any link between IQ and crime?

7. A crime was reported last night. Look at the list of the objects, then in pairs decide how these objects are related to the incident reported: picture frame, CD, purse with cash, golden bracelet. What do you think happened?

GRAMMAR FOCUS : Modal verbs and their equivalents

1.5 Speak about the duties of the following people using appropriate modal verbs or their equivalents a judge, a prosecutor, a lawyer, a lawmaker, an investigator, a criminologist, an expert, a criminal psychologist.

1.5.1 Translate the following sentences into English using appropriate modal verbs or their equivalents:

1. Він може найняти адвоката. 2. Де тут можна знайти поліцейський відділок? 3. Завтра я буду вільний і зможу тобі допомогти знайти інформацію кримінальне право Великої Британії. 4. Можна подивитись відбитки пальців? 5. Слідчий говорить, що я вже вільний. 6. Він, можливо, працює адвокатом. 7. Поліцейський зміг заарештувати небезпечного злочинця вчора. 8. Не може бути, щоб він вбив свою дружину. 9. Йому слід було викликати поліцію. 10. Вона змушена була звернутись до поліцейського відділку, щоб повідомити про крадіжку.

Unit 2. Investigators and Detectives

2.1 Answer the question:

1. What do you know about the work of an investigator?
2. Would you like to be an investigator? Why? Why not?

2.2 Read the text and decide if the statements below the text are true or false

Investigator

In accordance with the new national criminal legislation all criminal cases pass through the stage of preliminary or pre-trial investigation before they are heard in court.

The Prosecutor's Office of Ukraine, Ministry of the Interior, Security Service of Ukraine, and Tax Police have their own investigation departments. Their competence is briefly as follows:

1) investigators from the Prosecutor's Office have the right to investigate any case but actually they carry out inquiries into the gravest crimes, such as murder, embezzlement on a large scale, rape, banditry, malfeasance, crimes committed by workers of law-enforcement bodies;

2) investigators from the Ministry of the Interior have the right to institute proceedings against persons who have committed any crime, e.g. burglary, theft, swindling, disorderly conduct, economic crimes, juvenile delinquency, etc. But in cases of gravest crimes they only perform urgent actions and then transfer the case to the investigators of the Prosecutor's Office;

3) investigators from the Security Service of Ukraine conduct pretrial investigation in crimes committed against the national security of the state, e.g. treason, espionage, smuggling, drug trafficking, organized crime, acts of terrorism, and also crimes against peace, security of mankind and international law and order;

4) Investigators from the Tax Police investigate crimes related to evasion of taxes, illegal use of foreign currency accounts abroad, money laundering etc.

The new criminal legislation also envisages definite peculiarities of investigating a number of crimes against justice.

The investigator's job is to detect crimes, to disclose and expose persons guilty of them. Every person who commits a crime shall suffer a just punishment.

While fulfilling his duties the investigator has the right to detain a person suspected of a crime, make a requisite search and inspection, question citizens and officials as witnesses of a crime, order an expert examination, etc.

The investigator's job is to prepare the materials of the case for court hearing.

Pretrial investigation is called upon to facilitate the objective and comprehensive administration of justice.

2.2.1 Decide if the sentences true or false according to the text

1. Only some criminal cases pass through the stage of preliminary investigation before they are heard in court.

2. Investigators from the Ministry of the Interior have the right to institute proceedings against persons who have committed any crime.

3. Investigators from the Tax Police conduct pretrial investigation in crimes committed against the national security of the state.

4. Investigators from the Security Service of Ukraine investigate crimes related to evasion of taxes, illegal use of foreign currency accounts abroad.

5. The investigator's job is to pass a sentence.

Vocabulary focus

2.3 Give the Ukrainian equivalents of the following:

pretrial investigation, inquiry, to commit a crime, to detect a crime, grave crime, embezzlement, malfeasance, to institute proceedings (against), swindling, disorderly conduct, juvenile delinquency, evasion of taxes, illegal use of foreign currency accounts abroad, money laundering, to suffer a punishment.

2.3.2 Give the English equivalents of the following and make up your own sentences with them:

вчинити злочин, розкрити злочин, тяжкий злочин, привласнення майна; розтрата, посадовий злочин, порушувати справу (проти), шахрайство, дрібне хуліганство, злочинність неповнолітніх, ухилення від сплати податків, незаконне використання валютних рахунків за кордоном, відмивання грошей, зазнати покарання, затримувати, проводити необхідний обшук та огляд.

2.2.4 Insert one of the following words into the text in an appropriate form

What Makes an Investigator?

*instinct, competent, search, intelligence,
field-criminalist, witnesses, fingerprints, evidence*

Investigation means a That's why the duty of an investigator is to search for the truth, for the offender, for ... who help to reconstruct the event and will present evidence of it in court.

The duties of the investigator together with the ... are to find, to collect and to protect evidence, such as ..., footprints, and other traces of the criminal act.

Every good investigator should be intelligent, ..., patient, tactful, composed, and persistent, but he should be firm if it is necessary. He must also possess special investigative aptitudes and professional The quick and accurate solution of crime depends largely on the personal efforts. It also depends on his education, his ... and his decision-making judgements.

2.3 Read the text about detectives and be ready to speak about their duties

Detectives

In most countries detectives may obtain their position by competitive examination covering such subjects as principles, practices and procedures of investigation; interviewing and interrogation; criminal law and procedures; applicable law governing arrests, search and seizures, warrants and evidence; police department records and reports; principles, practices and objectives of courtroom testimony; and police department methods and procedures.

Detective Police, also called Investigations Police (USA) are responsible for investigations and detective work. Detectives are plainclothes investigators who gather facts and collect evidence for criminal cases. They conduct interviews, examine records, observe the activities of suspects, and participate in arrests.

Mass media have done much to create a romanticized version of the detective. Their counterparts do exist in real life but the modern detective may easily be someone who sits at a computer screening lots of methods used in commission of a crime or who tests samples for DNA identification. Most detectives are trained in modern investigative techniques and in the laws of evidence and criminal procedure. They spend most of their time on paperwork and hours of interviewing.

2.4 Read the extract from “If Tomorrow Comes” by Sydney Sheldon and do the tasks below

...The seven-storey headquarters building of Interpol, the International Criminal Police Organization, is at 26 Rue Armengaud, about six miles west of Paris. The extraordinary security is mandatory, for within this building are kept the world's most elaborate dossiers with files on two and a half million criminals.

The inspector was in his mid-forties, an attractive figure, with an intelligent face, dark hair, and shrewd brown eyes behind black horn-rimmed glasses. Seated in the office with him were detectives from England, Belgium, France and Italy.

‘Gentlemen,’ Inspector Trignant said, ‘I have received urgent requests from each of your countries for information about the rash of crimes that has recently sprung up all over Europe. Half a dozen countries have been hit by an epidemic of ingenious swindles and burglaries, in which there are several similarities. The victims are of unsavoury reputation, there is never violence involved, and the perpetrator is always a female. We have reached the conclusion that we are facing an international gang of women. We have identi-kit pictures based on the descriptions by victims and random witnesses. As you will see, none of the women in the pictures is alike. Some

are blonde, some brunette. They have variously been reported as being English, French, Spanish, Italian, American – or Texan.’

Inspector Trignant pressed a switch, and a series of pictures began to appear on the wall screen. ‘Here you see an identi-kit sketch of a brunette with short hair.’ He pressed the button again. ‘Here is a young blonde with a shag cut...Here is another blonde with a perm...a brunette with a pageboy...Here is an older woman with a French twist...a young woman with blonde streaks...an older woman with a coup sauvage.’ He turned off the projector. ‘We have no idea who the gang’s leader is or where their headquarters is located. They never leave any clues behind, and they vanish like smoke rings. Sooner or later we will catch one of them, and when we do, we shall get them all. In the meantime, gentlemen, until one of you can furnish us with some specific information, I am afraid we are at a dead end...’

2.4.1 Answer the questions

1. Where is the building of Interpol situated?
2. What is kept in the building?
3. What kind of information did the inspector tell?
4. Who was a perpetrator of all felonies? Was ever violence involved?
5. Which conclusion have the detectives reached?
6. Were the women of the gang alike? What was their nationality?
7. Describe the women’s appearance.
8. Who is the gang’s leader?

2.5 Speak about the main duties of an investigator and detective

Writing

2.6 Make up and write a short detective story

Grammar focus: Sequence of Tenses. Reported Speech

2.7 Choose the correct option

1. The solicitor said that his case difficult.
a) was b) is c) had been
2. He asked me what types of legal profession in the UK I
a) knew b) knows c) know
3. The judge said that the suspected man ...guilty.
a) had been found b) is found c) has been found
4. He said that hea barrister the next week.
a) had hire b) will hire c) would hire
5. He wondered if the judge ...already.... the sentence.

- a) had passed b) is passing c) has passed

2.7.1 Change questions into Reported Speech start like this:

I am asked or I was asked.....

1. Do you want to become an investigator?
2. Have you watched any detectives?
3. What is your favorite detective?
4. Have you ever witnessed any crimes?
5. What are two types of evidence?

2.7.2 Translate into English:

1. Вона запитала, чи хочу я стати прокурором.
2. Він запитав, хто розслідує його справу.
3. Вона сказала, що не знає свідка.
4. Слідчий запитав, чи є свідки вбивства.
5. Поліцейський наказав не рухатись.
6. Поліцейський наказав підняти руки вгору.

Unit 3. Methods of Criminal Identifications

3.1 Answer the question:

1. What methods of criminal identifications do you know?
2. Have you ever witnessed the scene of a crime? What was it?

3.2 Read the text and find the information about

- a) types of evidence at the scene of a crime;
- b) methods of identification of crimes
- c) lineup identification

Identifications

Most police investigations begin at the scene of a crime. There are some types of evidence that is located and recovered at a scene: 1) Impression evidence includes fingerprints, tool marks, footwear, fabric impressions, tire marks and bite marks. 2) Biological evidence includes blood, body fluids, hair, nail. 3) Trace evidence includes paint, glass and fibres. 4) Firearms include weapons, gun powder patterns, casings, projectiles, and cartridges. Experts are particularly adept in the microscopic examination of spent bullets and cartridge cases.

The use of DNA profiling is regarded as reliable as fingerprinting to check the unique characteristics of an individual. Fingerprints (also includes palm prints and bare footprints) are the best evidence to place an individual at the scene of a crime. The identifying fingerprint pattern dusted with powder could be seen and photographed or digitally recorded. By comparing fingerprints at the scene of a crime with the fingerprint record of suspected persons, absolute proof of the presence or identity of a person can be established.

If using the method of DNA analysis, then blood can be matched back to an individual with a high degree of probability. DNA profiling can positively identify an individual from a specimen of blood, hair roots etc.

Police often ask eyewitnesses to identify a suspect from a lineup or an array of photos. A lineup or photo array involves placing a suspect or a photo of a suspect among people who are not suspected of committing the crime (fillers) and asking the eyewitness to identify the perpetrator.

Misidentification by eyewitnesses has played a role in a high number of wrongful convictions and has led criminal justice experts to look more closely at the effectiveness of identifying suspects from live and photographic lineups.

Most U.S. law enforcement agencies use the simultaneous lineup, in which the eyewitness views a lineup of individuals or a photo array; that is, all individuals are viewed at the same time. However, some research has indicated that a sequential lineup, in which photographs are presented to the witness one at a time, produces fewer false identifications as well as fewer true identifications

The two types of lineups require different mental processes from the witness: For sequential lineups, witnesses must exercise "absolute judgment," comparing each photograph or person only to their memory of what the offender looked like. In simultaneous lineups, witnesses must use "relative judgment" to compare lineup photographs or members to each other.

3.2.1 Complete the following sentences according to the information from the text:

1. To obtain a position of an investigator one has to pass an examination on such legal subjects as...
2. Investigator's job includes...
3. At a scene of a crime some types of physical evidence may be recovered such as...
4. Fingerprinting is a method of....
5. A lineup or photo array involves.....

3.2.2 Explain why recovering and collecting physical evidence is important in the investigation of a crime

3.3 Render into English:

Для розслідування справи слідчі та детективи використовують різні методи і засоби. Для розкриття злочину необхідно враховувати багато аспектів. Важливим завданням є збір свідчень та доказів і пошук потенційного підозрюваного. В процесі допиту свідків слідчий може отримати важливу інформацію щодо винності особи, присутності підозрюваного на місці злочина. Цей факт може бути підтверджений чи навпаки завдяки перевірці фізичних доказів. Існують спеціальні методи встановлення ідентичності особи: аналіз відбитків пальців та ДНК. Шляхом порівняння відбитків пальців на місці злочину та відбитків підозрюваного можна встановити абсолютний доказ присутності або ідентичності особи.

Speaking

3.4 To obtain testimonial evidence an investigator has to deal with different types of people. Here are some psychological types of witnesses indicated in scientific literature: 1) honest and cooperative witness; 2) silent, knowing, or uninterested witness; 3) hostile and deceitful witness; 4) timid or bashful witness; 5) talkative or boastful witness; 6) “under the influence” witness. Try to characterize these types of witnesses. Explain why it is difficult/ easy/ necessary/ important to interrogate each type of witnesses.

3.5 You are at the scene of a crime. Explain the steps you would take to collect evidence from a criminal case

Grammar focus: Modal verbs

3.6 Give instructions to a young specialist how he should carry out an interrogation and what he should not do to get necessary information using the following key-expressions:

- to collect information (suspect: name, age, criminal history)
- to find out (a suspect, at a scene of a crime)
- to be a good listener
- to control emotions
- to hurry
- to show sympathy
- to blame society
- to be friendly
- to offer cigarettes

- to observe physical reaction
- to let the suspect tell...without interruption
- to confront with physical evidence
- to lie (physical evidence has been found...)
- to use unexpected questions
- to tell that anybody could do the same in the similar situation

Module 3. Criminal Justice and Punishment

Unit 1. Criminal Proceedings

1.1 Answer the following questions

1. What are the main steps in criminal proceedings?
2. What is the difference between ‘arrest’ or ‘apprehension’ and ‘detention’?

1.2 Match the following English words and expressions with their Ukrainian equivalents:

1. to plead guilty	a) очікувати на вирок
2. to acquit the defendant	b) адвокат правопорушника
3. offender’s counsel	c) виправдати підсудного
4. to await sentencing	d) велике журі
5. to impose a sentence	e) визнати винним
6. formal charging document	f) офіційний обвинувальний документ
7. grand jury	g) винести вирок

1.3 Read the text to understand what information on crime investigation is new for you

Notes: adversarial system – змагальна система процесу
inquisitorial system – система дізнання в кримінальному процесі
information - обвинувальна заява прокурора (the USA)
arraignment – пред'явлення обвинувачення, притягнення до суду

Criminal Proceedings

The adversarial system is generally adopted in common law countries. On the continent of Europe among some civil law systems (i.e. those deriving from Roman law or the Napoleonic Code) the inquisitorial system may be used for some types of cases.

The adversarial system is the two-sided structure under which criminal trial courts operate that opposes the prosecution against the defense. Justice is done when the most effective adversary is able to convince the judge or jury that his or her perspective on the case is the correct one.

Crime Reported (1)

In most common-law jurisdictions the criminal process normally includes a largely uniform set of procedures and begins when the police set out to investigate a crime either because they have received a report that a crime was committed.

Pre-Arrest Investigation (2)

Further investigation takes place. This often means the police stop and question the individuals whose actions seem suspicious and other people in the area, known as field investigation, and perform other operational-search actions.

Arrest (3)

Their next action is to determine who the violator was and *apprehend* the individual. When a police officer has obtained a valid warrant to arrest a person, the arrest is lawful. At all stages of the criminal process including arrest, police officers must protect citizens' constitutional rights, such as the right to remain silent and the right to be free from unreasonable searches. A criminal suspect may question the lawfulness of an arrest when it is happening.

Booking (4)

Within a reasonable time after the arrest, the accused must be taken before a magistrate and informed of the charge. After arrest the individual is taken into *custody* and 'booked', that is the defendant's name and other relevant information about the defendant is recorded (telephone number and address, etc.), the arrest is registered and the suspect fingerprinted and photographed.

Post-Arrest Investigation (5)

The next step is in-custody investigation which involves *interrogation*. After in-custody investigation, the suspect is taken to a court for what is called the 'initial bail phase'. The judge can set a certain amount of *bail* or free the person on his word of honor to appear for later proceedings.

The Charging Decision (6) and Filing a Complaint (7)

While the suspect is free on bail or waiting in jail for the first appearance, the police prepare a *complaint* against the suspect. The complaint is a document that describes the crime. It is passed to the prosecutor for a decision on whether *to charge* the suspect with criminal activity, and then it is submitted to the court. The court reviews the complaint to determine if there is sufficient legal basis to hold the person in custody. The magistrate may otherwise dismiss the complaint and order to release the person from custody.

First Appearance (8)

The next step is 'initial appearance before a judge'. In minor misdemeanour cases the initial appearance may be the only one, if the defendant pleads guilty. When the charge is more serious, the accused at the initial appearance may be informed of the charges, advised of the right to counsel and the right to remain silent, warned that any statement made may be used against the suspect in court, and advised of how to seek release on bail. In some jurisdictions, including the federal courts, a plea may be entered and bail may be set at this first appearance. If the plea is not guilty, a time is set for the *trial* and once again bail is reconsidered or the defendant is returned to jail to await trial. If the plea is guilty and the court accepts it, the defendant is usually sent to jail to await sentencing. 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 lesser sentence. In other jurisdictions, the suspect will not be allowed to make a plea if the offense is a felony or gross misdemeanour, and a preliminary hearing will be promptly scheduled.

Preliminary Hearing (9)

Preliminary hearing only occurs in felony offenses. A preliminary hearing is best described as a "trial before the trial" at which the judge decides, not whether the defendant is "guilty" or "not guilty," but whether there is enough evidence to force the defendant to stand trial. In reaching this decision, the judge listens to arguments from the government (through a government attorney, or "prosecutor"), and from the defendant (usually through his or her attorney). The prosecutor may call witnesses to testify, and can introduce physical evidence in an effort to convince the judge that the case should go to trial. The defence usually cross-examines the government's witnesses and calls into question any other evidence presented against the defendant, seeking to convince the judge that the prosecutor's case is not strong enough, so that the case against the defendant must be dismissed before trial.

Grand Jury Decision (10) and Filing of the Information of Indictment (11)

In some states, review by a grand jury is also required before a felony prosecution may continue. Where the grand jury system is used, the prosecutor appears before a grand jury, presenting some of the evidence and asking the grand jury to issue an indictment (a formal charging document describing in legal language the crime of which the defendant is accused). As an alternative to grand jury indictment in those jurisdictions where the grand jury system is not used, the prosecutor can issue information, a document roughly equivalent to an indictment. If the judge has determined that there is probable cause to support charges, the prosecutor will file Information in the Superior Court.

Arraignment on the Indictment or Information (12)

During the arraignment, the defendant is taken before a Superior Court and informed of the charges. At that time, the defendant will answer to the charges by pleading not guilty, guilty or no contest. At the Superior Court Arraignment the amount of bail may be reviewed (increased or decreased).

Pre-Trial Conference (13)

At a pre-trial stage the parties exchange information about the evidence and arguments they will offer at trial, they also negotiate to obtain the best possible plea for the defendant.

Trial (14)

A trial determines the question of the defendant's guilt. The verdict of the jury is either "guilty" or "not guilty" on each charge given to the jury for determination.

Sentencing (15)

If the defendant is *acquitted* at trial, he is freed. If *convicted*, by trial or plea, the defendant is returned to court for sentence. At sentencing the judge listens to whatever the offender or the offender's counsel wishes to say, and ordinarily requests a sentence recommendation from the prosecutor. The judge then imposes *sentence* on the convicted person.

Appeal (16)

After conviction of a crime, the defendant has a right to appellate proceeding which may be available to determine whether all substantive and procedural law issues were properly conducted at the trial.

1.3.1 Answer the following questions using the information from the text

1. What is the starting point of the criminal process?
2. What does 'booking a suspect' include?
3. What is a complaint?
4. What is the defendant informed of at 'first appearance'?
5. What does the judge decide at preliminary hearing?
6. What is the role of the jury at different stages of criminal process?
7. At which stage(s) does the defendant plead?

8. What does a trial determine?
9. What is 'appeal'?

1.3.2 Give the definitions for the following terms and expressions or explain them in other words:

- to release / free on bail; trial; sentence; to book a suspect; to charge; to convict; to acquit; plea.

1.3.3 Complete the following sentences according to the information from the text:

1. After arrest the suspect is usually taken
2. Booking means recording all the information about the suspect..
3. The suspect may be released on bail or freed on....
4. While the suspect is waiting in jail, the police reports are passed on to the prosecutor for....
5. The prosecutor presents some evidence to the grand jury and the grand jury is to....
6. If the defendant pleads guilty he is....
7. A person is called convicted after....
8. Trial is a stage of a criminal process when...
9. 'A person is acquitted' means that a person is found...by....

1.3.4 Use the information from the text and choose the right item to complete the sentences:

1. In fact the criminal process starts from the
 - a) preliminary hearing;
 - b) crime reported;
 - c) booking a suspect.
2. When a suspect is fingerprinted and photographed it means that a suspect is
 - a) interrogated;
 - b) booked;
 - c) charged.
3. A formal charging document by the grand jury describing the crime of which the defendant is accused is called
 - a) information;
 - b) charge;
 - c) indictment.
4. After the defendant is charged with a specific crime he is asked to
 - a) plead charges;
 - b) to accept charges;

c) to listen to the sentence.

Vocabulary focus

1.4 Choose the words that best complete the sentences:

1. If the defendant pleads guilty he is sent to jail to await *verdict/ sentencing*.
2. After conviction a person has a right *to charge/ to appeal*.
3. When the charges are read the defendant is asked *to consider/ plead them*.
4. Indictment describes *the verdict/ the crime* of which the defendant is accused.
5. A suspect may be freed *on plea/ bail*.

1.4.1 Substitute the words in italics with the words from the active vocabulary:

1. A *person who is brought before a court of law* may be convicted or acquitted.
2. *Declaration in a law court that a person is guilty* is followed by judge's sentence.
3. The judge imposes his *decision as for the punishment*, and the defendant has a right to appeal.
4. *The body of persons who passed on a verdict* found the offender not guilty.
5. A *formal charging document by grand jury* is to be issued after a prosecutor presents some evidence to the jury.
6. A *formal charging document by a prosecutor* is issued in those jurisdictions where the grand jury system is not used.

1.4.2 Complete the text using the words from the box:

<i>Murderer</i>	<i>hospital</i>	<i>mind</i>	<i>plea</i>
<i>Prosecutor</i>	<i>insanity</i>		

Not Guilty by Reason of Insanity

Psychiatrists who evaluated Milwaukee serial ... Jeffrey Dahmer gave many reasons for his strange behaviour: "The drugging was done to satisfy his sexual need for a not-fully cooperative partner". "Death was an unintended by-product of his efforts to create a zombie". But it was Dahmer who summed it up best, "I carried it too far, that's for sure".

Defendants who enter a ... of not guilty by reason of ... are claiming that they cannot be held criminally responsible for their acts. The issue in the insanity defence is whether the defendant had the requisite guilty ... – or whether it was obliterated by mental illness. When a plea is not guilty because insane is entered, the defendant,

upon the request of the ..., is commonly sent to mental ... for psychiatric examination, with the trial time fixed for a date following this diagnosis interval.

1.5 Give the English equivalents for the following word combinations and make up your own sentences with them

Визнати себе винним, бути виправданим, засуджений злочинець, винести вирок, видати обвинувальний висновок великого журі, посадити до в'язниці, винести офіційне обвинувачення проти підозрюваного, затримати особу, звільнити під заставу.

1.6 Render the article of the Criminal Procedure Code of Ukraine into English

Стаття 94. Приводи і підстави до порушення кримінальної справи
Приводами до порушення кримінальної справи є:

1) заяви або повідомлення підприємств, установ, організацій, посадових осіб, представників влади, громадськості або окремих громадян; 2) повідомлення представників влади, громадськості або окремих громадян, які затримали підозрювану особу на місці вчинення злочину або з поличним; 3) явка з повинною; 4) повідомлення, опубліковані в пресі; 5) безпосереднє виявлення органом дізнання, слідчим, прокурором або судом ознак злочину.

Справа може бути порушена тільки в тих випадках, коли є достатні дані, які вказують на наявність ознак злочину.

Grammar points: Infinitive

1.7 Find the Infinitives and translate the sentences:

1. I would like to see the witness. 2. I expect him to be always fair in presenting evidences. 3. Their duty is to detain criminals. 4. He has just finished his speech to read the text on criminal law. 5. We asked to be given convincing evidence.

1.7.1 Fill in the gaps with the participle to where necessary:

1. Have you ever heard him ... break the law? 2. She seems ... know a great deal about criminal law in the USA. 3. Let him ...help you with the presentation about methods of crime identifications. 4. Have you enough information ...sue for compensation. 5. He would rather die than ... betray his country.

1.7.2 Translate into English using Infinitive and Infinitive Complexes:

1. Ви чули, щоб він коли-небудь порушував закон? 2. Він почув як суддя говорив латиною. 3. Вони раді, що їх визнали невинними. 4. Здається, його

оштрафували, тому що він був у стані сп'яніння за кермом. 5. Він вимагав, щоб йому надали поговорити з адвокатом. 6. Бачили, як він грабував банк. 7. Повідомили, що вбивцю знайшли. 8. Припускають, що він не сам скоїв злочин. 9. Чули, що терористи захопили літак вчора. 10. Відомо, що цей слідчий розслідує справу про вбивство зараз.

Unit 2. Criminal Trial

2.1 Answer the following questions

1. What does a trial begin with?
2. Does a defence counsel have a right to be present at all stages of a trial?
3. Why do you think most accused criminals choose a jury trial in the legal systems where jury is used in criminal proceedings?
4. What is the principle of a jury selection?

2.2 Match the following English words and expressions with their Ukrainian equivalents:

1. to initiate prosecutions	a) звільнити присяжних
2. contentious case	b) призначити покарання
3. to be empowered	c) мати право, повноваження
4. to detain in custody	d) тримати під арештом
5. charge	e) оголосити перерву в суді
6. to free on bail	f) звільнити під заставу
7. to remand	g) повернути під варту
8. writ of habeas corpus	h) судовий наказ про захист недоторканності особи від свавільного арешту
9. to apply for a writ	i) просити про винесення судового наказу
10. to show beyond reasonable doubt	j) довести поза розумним сумнівом
11. to discharge the jury	k) розпочати судове переслідування
12. to adjourn the court	l) обвинувачення
13. impose a penalty	m) спірна справа

2.2.3 Read the following text and be ready to answer the questions below

COURT PROCEDURE IN ENGLAND AND WALES (Criminal Cases)

Although it is possible for any private citizen to institute criminal proceedings, in practice prosecutions are usually initiated by the police. In serious or contentious

cases details are sent to the Director of Public Prosecutions, and it is he who decides whether the case should be proceeded with or not.

Arrests are usually made by police officer. A person can be detained in custody without charge for up to ninety six hours. Once charged a defendant can be freed on bail, although if the police consider that he or she might disappear they are entitled to object to bail, and ask that the defendant be kept in custody. The decision however, is left to the magistrate. If a person is freed on bail, securities must be given, either by the accused or by someone acting for him or her. In serious cases the accused is usually remanded until the case against him or her has been prepared. If a person who is detained considers that this detention is unlawful he or she can apply for a writ of habeas corpus which requires that cause for the detention is shown before the court.

English criminal law assumes that a person is innocent until proved guilty. It is the responsibility of the prosecution to show beyond any reasonable doubt that the defendant has committed the offence of which he or she is accused. If this cannot be done a verdict of not guilty must be returned. Everyone accused of an offence has the right to employ a legal adviser to present the case, and if he or she cannot afford to do so he or she can be provided with legal aid at public expense. All criminal trials, with a few exceptions, such as those involving official secrets, are heard in open court, and the trial is conducted according to strict rules of procedure. All evidence must be given in the presence of the accused, and the defendant, or his or her counsel, has the right to question all the witnesses. The prosecution may also question the defense witnesses, but they cannot cross-question the accused, unless he or she decides to go into the witness-box.

As the terms «prosecution» and «defense» suggest, an English trial is a contest, in which both sides try to convince the jury that the case which they are presenting is the truth. The judge acts as referee in this contest, and when one side thinks that its opponents are breaking the rules it can appeal to the judge for a ruling. The judge's powers of interference are limited, and he or she may only intervene in order to advise on a point of law, or to clarify an obscure point.

After the prosecution and defense have concluded their cases, and both sides have presented their final speeches, it is the judge's duty to sum up. In the summing up speech the judge is expected to outline the case and explain the legal issues involved to the jury. Once the judge has summed up, the jury consider their verdict, and in serious cases this can take quite a long time. Should it become apparent that the jury cannot decide on a verdict they will be discharged and a new jury will be selected to hear the trial all over again. If a verdict of not guilty is arrived at the accused is freed at once. If he or she is found guilty it is the judge's responsibility to pronounce a sentence. This may be done at once, or the judge may in certain circumstances adjourn the court so that he or she has time to consider what penalty should be imposed.

2.2.4 Find answers to the following questions in the text above

1. By whom are prosecutions usually initiated? 2. Can a private citizen institute criminal proceedings? 3. Who is empowered to make an arrest? 4. Who usually makes arrests? 4. Can a person be detained in custody without a charge? For how long? 5. Once charged, can a defendant be freed? On what condition? 6. Who decides the issue of bail? 7. Are the accused usually freed on bail in serious cases? 8. In what cases can the detained person apply for a writ of habeas corpus? 9. Is a person assumed guilty after arrest? 10. What must the prosecution show in court? 11. In what cases is a legal adviser provided at public expense. 12. Are all criminal cases heard in open court? 13. Can the accused be cross-questioned by the prosecution? 14. Why is an English trial considered to be a contest? 15. What is the task of the judge in such a contest? 16. Are the judge's powers of interference in the trial unlimited? What are the limits? 17. What does the judge do after the prosecution and the defence have concluded their cases? 18. When do the jury begin to consider the verdict? 19. What takes place if the jury arrive at a verdict of «not guilty»? 21. What does the judge do if the accused is found guilty?

Vocabulary focus

2.3 Match the English nouns and noun phrases with their Ukrainian equivalents :

- | | |
|-------------------------|------------------------------|
| 1. criminal proceedings | a) ордер на арешт |
| 2. prosecution | b) спірна справа |
| 3. contentious case | c) судове переслідування |
| 4. warrant | d) карне переслідування |
| 5. custody | e) юрисконсульт, адвокат |
| 6. detention | f) розумний сумнів |
| 7. reasonable doubt | j) затримання, арешт |
| 8. legal adviser | k) ув'язнення |
| 9. legal aid | l) доказ; свідчення |
| 10. open court | m) юридична допомога |
| 11. evidence | n) відкрите судове засідання |

* * *

- | | |
|------------------|-----------------------------|
| 1. the accused | a) змагання |
| 2. the defendant | b) свідок |
| 3. witness | c) підсудний, відповідач |
| 4. contest | d) обвинувачений; підсудний |
| 5. point of law | e) покарання |

- | | |
|------------------|------------------------|
| 6. ruling | f) неясне питання |
| 7. obscure point | j) питання права |
| 8. penalty | k) постанова суду |
| 9. legal issue | l) застава |
| 10. trial | m) вирок, рішення суду |
| 11. sentence | n) правове питання |
| 12. bail | o) судовий розгляд |

2.3.1 Match the English verb phrases with their Ukrainian equivalents and make up your own sentences with them:

- | | |
|--|--|
| 1. to institute criminal proceedings | 1. обвинуватити особу в |
| 2. to initiate prosecution | 2. тримати під арештом |
| 3. to detain in custody | 3. розпочати судове переслідування |
| 4. to charge a person (with) | 4. порушити кримінальну справу |
| 5. to free on bail | 5. просити про винесення судового наказу |
| 6. to give securities | 6. повернути особу під варту |
| 7. to remand a person | 7. звільнити під заставу |
| 8. to apply for a writ | 8. надати гарантії |
| 9. to prove a person guilty (not guilty) | 9. довести поза всяким розумним сумнівом |
| 10. to prove beyond any reasonable doubt | 10. довести, що особа винна (невинна) |

* * *

- | | |
|--|---|
| 1. to commit an offence | 1. найняти юрисконсульта |
| 2. to return a verdict | 2. вчинити злочин |
| 3. to employ a legal adviser | 3. винести вердикт |
| 4. to provide with legal aid at public expense | 4. забезпечити юридичною допомогою за рахунок держави |
| 5. to hear a case in open court | 5. вести судові засідання |
| 6. to conduct a trial | 6. слухати справу у відкритому судовому засіданні |
| 7. to give evidence | 7. порушити правила |
| 8. to question witnesses | 8. опитувати свідків |
| 9. to break the rule | 9. втручатися у процес |
| 10. to intervene in the procedure | 10. давати свідчення |

* * *

- | | |
|--|---|
| 1. to clarify an obscure point | 1. звільнити присяжних |
| 2. to outline the case | 2. внести ясність у неясне питання |
| 3. to consider the verdict | 3. розглядати вердикт |
| 4. to discharge the jury | 4. викладати коротко суть справи |
| 5. to arrive at a verdict | 5. визнати обвинуваченого винним (невинним) |
| 6. to free the accused | 6. досягти згоди по вердикту |
| 7. to find the accused guilty (not guilty) | 7. звільнити обвинуваченого |
| 8. to pronounce the sentence | 8. призначити покарання |
| 9. to adjourn the court | 9. оголосити міру покарання |
| 10. to impose a penalty | 10. оголосити перерву в суді |

2.4 Render into English:

СУДОЧИНСТВО (Кримінальні справи)

Кримінальні справи звичайно порушуються поліцією. Кожен має право затримати злочинця, але це звичайно робиться поліцейськими. Особу можна тримати під арештом без пред'явлення обвинувачення протягом 96 годин. Після пред'явлення обвинувачення особа може бути звільнена під заставу. Це рішення приймає магістрат.

Згідно з англійським кримінальним законом, особа вважається невинною, доки її провина не буде доведена судом. Обвинувачення повинно довести поза розумним сумнівом, що обвинувачений вчинив злочин. Якщо цього не можна зробити, виноситься вердикт «не винний». Особа, що звинувачується в злочині, -може найняти адвоката. Якщо вона не має змоги це зробити, юридична допомога буде надана їй за громадські кошти. Всі кримінальні справи, за винятком тих, що торкаються офіційних таємниць, слухаються у відкритому судовому засіданні. Усі свідчення повинні даватися в присутності обвинуваченого. Він або його адвокат мають право опитувати всіх свідків. Обвинувачення може опитувати свідків захисту, але не може піддавати перехресному допиту обвинуваченого, якщо він не погодиться зайняти місце для надання свідчень.

Англійський судовий розгляд — це змагальність, в якій кожна із сторін намагається переконати жюрі, що правда на її боці. Суддя в цієї змагальності є арбітром. Коли будь-яка із сторін вважає, що опоненти порушують правила, вона може апелювати до судді про винесення відповідного рішення. Повноваження судді на втручання в процес обмежені. Він може втрутитися, щоб дати пораду з питання права або внести ясність у незрозуміле питання. Після того як обвинувачення та захист зроблять свої висновки у справі, суддя

підбиває підсумки. В них він коротко викладає суть справи і пояснює присяжним правові питання. Потім присяжні розглядають вердикт. Якщо вони не можуть дійти згоди, їх звільняють. Обирається новий суд присяжних, який знову слухає всю справу. Якщо обвинуваченого визнають винним, міру покарання визначає та оголошує суддя.

2.5 Answer the following questions

1. What American films on trial have you watched?
2. What happens during trial in the USA?

2.6 Match the following English words and expressions with their Ukrainian equivalents:

1.felony charges	a) обирати жеребом або випадково
2.to select by lot or chance	b) обвинувачення у скоєнні тяжкого злочину
3.circumstantial evidence	c) непрямий доказ
4.closing arguments	d) докази на користь
5.applicable points of law	e) застосовані питання права
6.favourable evidence	f) заключні дебати сторін

2.6.1 Read the text to understand what information is new for you

TRIAL IN THE USA

The USA's common law heritage makes it possible for all the states to follow in criminal trials a set of procedures. They have developed over centuries.

It is the function of the trial court to find and express the judgement, under law as to the guilt or innocence of an accused person. Defendants who plead not guilty to felony charges can opt for either a jury or a bench trial. In most cases, a defendant chooses to stand trial before a judge sitting alone. It is called a bench trial.

If he chooses a jury trial the first step is the jury selection (which is called the petit jury). Jury members are ordinarily selected by lot or chance, from a master list of persons in the community where the trial will take place.

After a jury has been seated, the trial begins with an opening statement by a prosecutor, which is an attempt to tell the jury what crime the defendant is charged with. The defence may then make its own opening statement.

Then the prosecutor presents his or her evidence against the defendant – physical evidence such as fingerprints; testimonial evidence of witnesses or experts;

eyewitness evidence; and any circumstantial evidence. This is done by calling witnesses and questioning them (direct examination).

After each witness for the prosecution has testified, defence counsel may carry out a cross-examination in order to test the truth of what each witness says. The prosecution then is allowed to question the witnesses again on redirect examination in order to give the witnesses an opportunity to clarify any issues raised in the cross examination.

At the next stage (defense case-in-chief) the defendant through his attorney introduces witnesses or other evidence that favour the defendant's claim of being not guilty. The defence may begin with opening statements. Then all the defence witnesses are examined and cross-examined. There may be some further witnesses called by both sides.

At this point a recess is taken in the proceedings to allow the judge to prepare instructions to the jury, and the attorneys of both prosecution and defence prepare their closing arguments. In their closing arguments, the two opposing lawyers present a summary of their case to the jury, emphasizing the evidence that is most favourable to their side.

After the closing statements the judge instructs the jury in the applicable points of the law, in the nature and meaning of evidence they have seen or heard. Then the jury retires to a private room to deliberate the guilt or innocence of the accused. If the agreement is reached, they return to the courtroom where their decision will be announced.

The defendant is asked to stand to hear the verdict of the jury. The judge is then to determine the sentence. If the jury cannot reach a verdict the judge declares a mistrial. If this happens, the defendant may be tried for the same offence again before a different jury. If the defendant is found not guilty by the jury he is acquitted. If the verdict is guilty the defence counsel brings out those facts which should be considered by the court before the sentence is announced by the judge.

In a case tried before a judge sitting alone, the decision of the judge constitutes a termination of the trial.

2.6.2 Answer the following questions:

1. What is the role of the prosecutor at trial?
2. What is the role of the defence counsel?
3. How is a jury's verdict reached?

2.6.3 Write your summary to the text "Trial in the USA"

Vocabulary focus

2.7 Find the odd word out:

1. Defendant – convict – accused – prosecutor;
2. Defendant – defence counsel – prosecutor – judge – law;
3. Evidence – witness – experts – not guilty;
4. Indictment – verdict – sentence – arrest.

2.7.1 Give the Ukrainian equivalents to the following English expressions:

A. final verdict; to reach a verdict; to return a verdict; verdict of conviction; verdict of guilty; to agree upon a verdict;

B. convicted defendant; defendant's story; defendant's record; defendant in custody;

C. evidence on oath; false evidence; physical evidence; evidence of guilt; to introduce evidence;

D. trial by jury; bench trial; to stand trial; party to a trial; open trial

2.7.2 Review the information on criminal procedure and explain at which stage or stages of criminal process a person is called:

- 1) a convict;
- 2) an accused;
- 3) a charged offender;
- 4) a sentenced criminal;
- 5) a defendant;
- 6) a suspect;
- 7) an offender;
- 8) criminal.

2.7.3 Insert one of the following words into the text about presumption of innocence in an appropriate form

Innocent, to acquit, guilt, the prosecution, a reasonable doubt, standard

In criminal cases, the defendant is presumed ... until ... proves each element of the crime beyond a reasonable doubt. Thus, the law requires the jury ... the defendant unless it is convinced of the defendant's guilt beyond The jury in a criminal case may not convict on a finding that the defendant's ... is more likely than not. On the other hand, the law does not require absolute certainty. The standard for determining guilt is somewhere in between these two ... of proof.

2.8 Render into English

Вердиктом є рішення колегії присяжних з питання винності підсудного присяжні виносять вердикт

- без стороннього впливу,
- відкритим голосуванням,
- шляхом єдиногосного рішення або більшістю голосів,
- відповіді даються з кожного питання окремо.

Суддя пояснює присяжним, що при винесенні вердикта вони повинні:

- керуватися здоровим глуздом,
- керуватися принципом презумпції невинності,
- оцінювати досліджені в суді докази (свідчення підсудного, потерпілого, свідків, заключення експертів) в їх сукупності.

2.9 Speaking

Tell a school graduate who wants to become a lawyer about criminal trial proceedings paying attention to differences in court proceedings of Ukraine, Britain and the USA.

Grammar points: Conditional Sentences, construction “I wish”

2.10 Open the brackets using the appropriate forms of the verbs

1. If she (to require) legal advice in the future she will have to go to a legal adviser. 2. She has lost the case. But if she (to go) to a defense lawyer she would have not lost it. 3. If you (to approach) a barrister directly you will be sent to a solicitor. 4. If he passes the examination set by the Council of legal Education he (to become) a barrister. 5. If he (to have) money he (hire) a good barrister.

2.10.1 Open the brackets using “I wish”

1. I wish I (to know) Patent Law of the USA. 2. He wishes he (not to drink) alcoholic drinks before going to the party yesterday. 3. He wishes (not to break) the American Law. 4. They wished they (not to see) that horrible scene. 5. The unfortunate student wished he (not to forget) to study the court system of the USA. 6. He wishes he (to appeal) that case last winter. 7. I wish I (to consult) a defense lawyer yesterday. 8. He is a tractor driver. He wishes he (to be) a defense lawyer.

Unit 3. Punishment

3.1 Answer the following questions:

1. What types of punishment do you know?
2. Which of them can be found in Ukraine?
3. What punishment do you consider to be the least/most severe?

3.2 Match the following English words and expressions with their Ukrainian equivalents:

1. fine	a) правопорушення, проступок
2. corporal punishment	b) штраф
3. confinement in jail	c) а також
4. substitute	d) замішувати
5. as well as	e) страта
6. revenge-based	f) тілесне покарання
7. misdemeanour	g) засований на помсті
8. execution	h) заключення до в'язниці, ув'язнення

3.3 Read the text to understand what information on crime investigation is new for you

Types of Punishment

Criminal Punishment is a penalty imposed by the government on individuals who violate criminal law. People who commit crimes may be punished in a variety of ways. Offenders may be subject to fines or other monetary assessments, the infliction of physical pain (corporal punishment), or confinement in jail or prison for a period of time (incarceration). In general, societies punish individuals to achieve revenge against wrongdoers and to prevent further crime—both by the person punished and by others contemplating criminal behaviour. Some modern forms of criminal punishment reflect a philosophy of correction, rather than (or in addition to)

one of penalty. Correctional programs attempt to teach offenders how to substitute lawful types of behaviour for unlawful actions.

Throughout history and in many different parts of the world, societies have devised a wide assortment of punishment methods. In ancient times, societies widely accepted the law of equal retaliation (known as *lex talionis*), a form of corporal punishment that demanded “an eye for an eye.” If one person’s criminal actions injured another person, authorities would similarly maim the criminal. Certain countries throughout the world still practice corporal punishment. For instance, in some Islamic nations officials exact revenge-based corporal punishments against criminals such as amputation of a thief’s hand. Monetary compensation is another historic punishment method. In England during the early Middle Ages payments of “blood money” were required as compensation for death, personal injury, and theft.

Although some societies still use ancient forms of harsh physical punishment, punishments have also evolved along with civilization and become less cruel. Contemporary criminal punishment also seeks to correct unlawful behaviour, rather than simply punish wrongdoers.

Certain punishments require offenders to provide compensation for the damage caused by their crimes. There are three chief types of compensation: fines, restitution, and community service.

A fine is a monetary penalty imposed on an offender and paid to the court. However, fines have not been widely used as criminal punishment because most criminals do not have the money to pay them. Moreover, fining criminals may actually encourage them to commit more crimes in order to pay the fines.

The term restitution refers to the practice of requiring offenders to financially compensate crime victims for the damage the offenders caused. This damage may include psychological, physical, or financial harm to the victim. In most cases, crime victims must initiate the process of obtaining restitution from the offender. Judges may impose restitution in conjunction with other forms of punishment, such as probation (supervised release to the community) or incarceration.

Alternatively, restitution may be included as a condition of an offender’s parole program. Prisoners who receive parole obtain an early release from incarceration and remain free, provided they meet certain conditions.

Offenders sentenced to community service perform services for the state or community rather than directly compensating the crime victim or victims. Some of the money saved by the government as a result of community service work may be diverted to a fund to compensate crime victims.

The most serious or repeat offenders are incarcerated. Criminals may be incarcerated in jails or in prisons. Jails typically house persons convicted of misdemeanours (less serious crimes), as well as individuals awaiting trial. Prisons are

state or federally operated facilities that house individuals convicted of more serious crimes, known as felonies.

The most extreme form of punishment is death. Execution of an offender is known as capital punishment. Like corporal punishment, capital punishment has been abolished in Ukraine.

3.3.1 Read the statements. Are they true or false?

1. Criminal Punishment is imposed by the individuals who violate criminal law.
2. A fine is a kind of a monetary assessment.
3. Confinement in jail or prison for a period of time is called incarceration.
4. The only reason to punish offenders is to achieve revenge against wrongdoers.
5. At present societies widely accept the law of equal retaliation.
6. No societies use the forms of harsh physical punishment nowadays.
7. Community service is one of the three types of compensation for the damage caused by their crimes.
8. Fines are often used as criminal punishment.
9. Restitution may be included as a condition of an offender's parole program.
10. The most serious or repeat offenders are incarcerated.
11. Criminals may be incarcerated in courts or police office.
12. Both corporal and capital punishments have been abolished in Ukraine.

3.4 Read the text and match the headings (A-G) with the paragraphs (1-5) There are two extra ones you do not need to use

- A. Rehabilitative programs*
- B. Psychiatric and case-study methods*
- C. Bentham approach*
- D. Neoclassical school*
- E. Preventive approach*
- F. Marriage approach*
- G. Criminal school*

Treatment of Criminals

(1)_____ Various correctional approaches developed in the wake of causation theories. The old theological and moralistic theories encouraged punishment as retribution by society for evil. This attitude, indeed, still exists. The 19th-century British jurist and philosopher Jeremy Bentham tried to make the punishment more precisely fit the crime. Bentham believed that pleasure could be measured against pain in all areas of human choice and conduct and that human happiness could be attained through such hedonic calculus. He argued that criminals would be deterred from crime if they knew, specifically, the suffering they would experience if caught. Bentham therefore urged definite, inflexible penalties for each class of crime; the pain of the penalty would outweigh only slightly the pleasure of success in crime; it would exceed it sufficiently to act as a deterrent, but not so much as to amount to wanton cruelty. This so-called calculus of pleasures and pains was based on psychological postulates no longer accepted.

(2) The Bentham approach was in part superseded in the late 19th and early 20th centuries by a movement known as the neoclassical school. This school, rejecting fixed punishments, proposed that sentences vary with the particular circumstances of a crime, such as the age, intellectual level, and emotional state of the offender; the motives and other conditions that may have incited to crime; and the offender's past record and chances of rehabilitation. The influence of the neoclassical school led to the development of such concepts as grades of crime and punishment, indeterminate sentences, and the limited responsibility of young or mentally deficient offenders:

(3) At about the same time, the so-called Italian school stressed measures for preventing crime rather than punishing it. Members of this school argued that individuals are shaped by forces beyond their control and therefore cannot be held fully responsible for their crimes. They urged birth control, censorship of pornographic literature, and other actions designed to mitigate the influences contributing to crime. The Italian school has had a lasting influence on the thinking of present-day criminologists.

(4) The modern approach to the treatment of criminals owes most to psychiatric and case-study methods. Much continues to be learned from offenders who have been placed on probation or parole and whose behavior, both in and out of prison, has been studied intensively. The contemporary scientific attitude is that criminals are individual personalities and that their rehabilitation can be brought about only through individual treatment. Increased juvenile crime has aroused public concern and has stimulated study of the emotional disturbances that foster delinquency. This growing understanding of delinquency has contributed to the understanding of criminals of all ages.

(5) During recent years, crime has been under attack from many directions. The treatment and rehabilitation of criminals has improved in many areas. The emotional

problems of convicts have been studied and efforts have been made to help such offenders. Much, however, remains to be done. Parole boards have engaged persons trained in psychology and social work to help convicts on parole or probation adjust to society. Various states have agencies with programs of reform and rehabilitation for both adult and juvenile offenders. Many communities have initiated concerted attacks on the conditions that breed crime. Criminologists recognize that both adult and juvenile crime stem chiefly from the breakdown of traditional social norms and controls, resulting from industrialization, urbanization, increasing physical and social mobility, and the effects of economic crises and wars. Most criminologists believe that effective crime prevention requires community agencies and programs to provide the guidance and control performed, ideally and traditionally, by the family and by the force of social custom. Although the crime rate has not drastically diminished as a result of these efforts, it is hoped that the extension and improvement of all valid approaches to prevention of crime eventually will reduce its incidence.

Vocabulary focus

3.5 Match the parts of the sentences.

Corporal punishment	1) supervised release to the community
Incarceration	2) less serious crimes
Lex talionis	3) a monetary penalty imposed on an offender and paid to the court
Fine	4) the practice of requiring offenders to financially compensate crime victims for the damage the offenders caused
Restitution	5) the infliction of physical pain
Probation	6) performing services for the state or community
Parole	7) execution of an offender
Community service	8) confinement in jail or prison for a period of time
Capital punishment	9) obtaining an early release from incarceration while remaining free, provided an offender meets certain conditions
Felonies	10) more serious crimes
Misdemeanours	11) the law of equal retaliation, a form of corporal punishment that demanded “an eye for an eye”

3.5.1 Match the words with their definitions and with the crimes committed

traffic ticket	remain in one's home for a certain period of time	assault
license suspension	spend the rest of one's life in prison with no chance of going back into society	a young offender who is waiting to go to court
fine	driving rights are removed for a certain period of time	speeding, parking
house arrest	leaves marks on driving record/involves paying a fine	hunting out of season
community service	pay money as punishment for minor/petty crime	a youth that steals a car for the first time
jail time	do volunteer work such as teaching children about crime or cleaning up garbage	homicide
life in prison	spend a certain amount of months or years locked away from society	drunk driving

3.5.2 Complete the text with the words from the box

Criminal/ punished / rehabilitate/ revenge / wrongdoing / impose /crime

Goals of Criminal Punishment

The major driving force underlying all punishment is 1) _____, also referred to as retribution. The word retribution derives from a Latin word meaning “to pay back.” In retaliation for 2) _____, societies seek to punish individuals who violate the rules. Criminal punishment is also intended as a deterrent to future criminality. Offenders who are 3) _____ may be deterred from future wrongdoing because they fear additional punishment. Others who contemplate 4) _____ may also be deterred from 5) _____ behaviour. Societies also 6) _____ punishments in order to incapacitate dangerous or unlawful individuals by restricting their liberty and to 7) _____ these wrongdoers and correct their behaviour.

3.5.3 Give the English equivalents for the following word combinations and make up your sentences with them:

Накладати покарання; порушувати закон; скоїти злочин; тілесне покарання; запобігти злочину; правомірна поведінка; неправомірні дії; грошова компенсація; суворе фізичне покарання; громадські роботи; штрафування злочинців; для того щоб сплатити штраф; компенсувати шкоду жертвам злочину; отримання возміщення; відповідати певним умовам; страта злочинця, смертна кара.

3.6 Render into English:

Коли до засудженого застосовується покарання, то обов'язковою складовою є кара. Кара засудженого становить зміст покарання – позбавлення або обмеження прав і свобод особи, засудженої за вчинення злочину. Це обумовлено суспільством. При вчиненні злочину особою, вона завдає шкоди суспільству, тому це викликає справедливе обурення. Держава, захищаючи суспільство і виправдовуючи його сподівання, карає винного. Щодо самої кари, то важливо, щоб вона відповідала принципіві справедливості. Тобто винний повинен зрозуміти, що він відплачує за вчинені ним протиправні дії і відплачує справедливо, відповідно до шкоди, яку він своїми діями завдав суспільству. Обмеження прав та свобод засудженого повинно бути належно обґрунтованим.

Writing

3.7 Write an esse on the topic “Can crimes be prevented?”

Grammar focus: Participles, Infinitive, Gerund

3.8.1 Make up your sentences according to the model

Model: *To present to the lawyers/ to be not sufficient/ documents.*

The documents presented to the lawyers were not sufficient.

1. To charge with shoplifting/ to listen to the person/ they.
2. To accuse of kidnapping/ may be cross-examined/ Mr.Simpson.
3. Martha Black/ to convict by the court/ to be imprisoned.
4. To be going to appeal the court decision/ William/ to sentence to ten years of imprisonment.
5. The offender/ to bring before a court/ to release on bail.

3.8.2 Open the brackets using the infinitive or the ing-form of the verb:

1. I've never heard him... (to start) legal proceedings.
2. They want him... (to plead guilty) in committing a grave crime.

3. The most offences... (to involve) criminal law are those against the state.
4. They'll look forward to... (to charge) him for the second time.
5. The offence turned out.... (to be) committed while sleepwalking, and this act can't be qualified as a crime.

3.8.3 Translate into Ukrainian paying attention to Gerund and Participle

1. I like your idea of becoming a prosecutor.
2. He remembers having been sentenced to ten months for shoplifting.
3. My friend dreams of becoming a traffic policeman.
4. Having collected all the evidence they were able to start the investigation.
5. The convicted person was standing, with his arms crossed and his head bent.
6. A man speaking to the prosecutor is the father of the accused .
7. He mentioned very interesting facts about the suspected speaking to the police officer.

3.8.4 Translate the following sentences into English using Participle:

1. Кожен заарештований чи затриманий повинен бути поінформований щодо причини його арешту чи затримання. 2. Кожен затриманий має право оскаржити в суді своє затримання. 3. Родичі заарештованої чи затриманої особи повинні бути поінформовані негайно про його чи її арешт. 4. Затримана чи арештована особа повинна бути звільнена відразу, якщо не було відповідного рішення суду.

Short Detective Stories

Task 1. Read a story about a bank robbery. Fill in the gaps and answer the questions below

£5,000 Bank Robbery in the City

There was a bank robbery in central London yesterday. Just before closing time yesterday, a man 1)_____ the Butcher Street Branch of the National Westminster Bank. He was carrying a shotgun, and wearing a stocking mask over his head. There were only a few customers in the bank at the time. He 2)_____ on the floor, and forced the manager to put the money in a sack. 3)_____ he was leaving, the security guard tried ring the alarm. The robber shot him and the guard is now in St. Patrick's Hospital. Surgeons are trying to save 4)_____ 5)_____ the police arrested a man in South London. He is now trying to prove his alibi.

- | | |
|------------------------|---------------------|
| 1. a) entered in | c) left |
| b) entered | d) was entering |
| 2. a) made them to lie | c) made lie to them |
| b) made them lying | d) made them lie |
| 3. a) As | c) After |
| b) As soon as | d) Before |
| 4. a) him alive | c) his life |
| b) his death | d) his from death |
| 5. a) Last at night | c) Lastly night d |
| b) Late night | d) Last night |

1.1 Answer the questions:

1. Which of the following is not true?
- a) there weren't many customers in the Bank when the robber came
 - b) just before closing time yesterday, a man came into the Butcher Street Branch of the National Westminster Bank and deposited £5,000
 - c) when the man went into the Bank, he was carrying a shotgun
 - d) 5,000 was stolen from the National Westminster Bank yesterday

2. When did the robbery happen?

- a) at midnight a day ago
- b) three hours before closing time of the Bank
- c) just before the Bank opened
- d) shortly before closing time of the Bank yesterday

3. How many customers were there in the Bank when the robbery happened?

- a) there weren't many customers there
- b) the Bank was packed with customers
- c) there was only one customer there
- d) there were quite a few customers in the Bank

4. Why did the robber shoot the security guard?

- a) the security guard wanted to escape with the sack full of money
- b) the security guard asked the manager not to put the money in the sack
- c) the security guard tried to ring the alarm
- d) the security guard didn't put the money in a sack

5. Whom did the police arrest last week?

- a) the manager of the bank
- b) the robber
- c) the security guard who didn't manage to ring the alarm
- d) a man trying to prove that he didn't rob the bank

Task 2. Read a story about a murder, fill in the gaps and answer the questions below

Mr. Reilly?

"Mr. Reilly? This is Colonel Montgomery of Scotland Yard. I'm afraid I have some bad news for you. Your brother-in-law has just been murdered."

"Oh, my God," said the voice on 1)_____ end of the line. "I only saw Micky last night. I can't believe this is true. Are you sure it's him?"

"The 2)_____ is positive, Mr. Reilly. I would like to come straight over and talk to you about who would have a motive for killing him."

An hour later, Colonel Montgomery was seated in Reilly's flat.

"It's no secret that Micky had enemies," said Reilly. His business partner, Harold Smith, once 3)_____ him of stealing money from their business. They had some violent arguments. Then there's my sister's husband, Charles Johnes, who thought Micky had 4)_____ with his wife. Charles, I am embarrassed to say, is associated with the underworld. Another person who could have killed Micky is my wife's brother Billy...

There was no need to continue. From what Mr. Reilly said everything was obvious. He gave himself 5)_____ when he mentioned the name of his murdered brother-in-law: he had at least three brothers-in-law.

2.1 Answer the questions:

1. Which of the following is not true?
 - a) murder was committed and Colonel Montgomery was to investigate the crime
 - b) colonel Montgomery was afraid to break the news to Mr. Reilly
 - c) Mr. Reilly was positive he saw his brother-in-law the day before
 - d) colonel Montgomery was an efficient investigator
2. Mr. Reilly was the only person who:
 - a) had an alibi
 - b) recognized the murderer
 - c) was guilty
 - d) had a motive for murder
3. Judging by Mr. Reilly's evidence:
 - a) he had the motive to kill Micky
 - b) it was impossible to solve the crime
 - c) Micky was murdered by his brother-in-law
 - d) he had connections with the underworld
4. Who murdered Micky?
 - a) Charles
 - b) Billy
 - c) Mr. Reilly
 - d) At least three brothers-in-law
5. The word underworld means:
 - a) the world "down under"
 - b) the world full of ghosts and goblins
 - c) the world of mystery and magic
 - d) part of society that lives by vice and crime

Task 3. Read a story about a theft fill in the gaps and answer the questions below

Who Was the Thief?

Mick, the 1) _____ investigator, was wondering who could steal computer designs. It might have been John Howard. He had recently 2) _____ the designs for a lot of money. He could have stolen them himself in order to collect the money. So, Mick started to look around the office. First, he noticed that the glass from the broken window was outside the office. So the thief must have broken the window from inside the room. He wanted to make it look someone had broken 3) _____. Also, the safe hadn't been, forced open, so the thief must have known the combination. A number of the envelopes in the safe had been opened, although only the designs had been stolen. So, there couldn't have been John Howard or Gerald Wilson because they both knew which envelope the designs were in. And that 4) _____ only one thing: Mr. Howard's secretary, Linda Perkins, must have stolen the designs. She had the key to the office and knew the combination, but didn't know about the exact envelope. It took only a few minutes to get a full 5) _____ from Linda.

1. a) privileged b) private	c) previous d) proposed
2. a) assured b) mentioned	c) adjusted d) insured
3. a) in b) to	c) away d) out of it
4. a) proved to b) seemed	c) associated d) meant
5. a) consideration b) confession	c) contribution d) cooperation

3.1 Answer the questions:

1. Which of the following is not true?

- a) Mick had several suspects, but he knew how to find the criminal
- b) it seemed like the safe was unlocked naturally, no damage had been done
- c) the criminal didn't want others to think that he had entered the building by force
- d) only a few people knew where exactly the designs were.

2. What was the main task of Mick?

- a) he was sorting out the designs in the envelopes
- b) he was trying to guess if the glass had been broken
- c) he wanted to find out who could take the designs
- d) he had to find office clerks

3. Why did Mick decide that John Howard was not to blame?

- a) because he knew about the designs
- b) John couldn't open the safe, so he didn't succeed
- c) there was no need for him to open more than one envelope
- d) Linda told Mick it wasn't John Howard, but Gerald Wilson

4. Which clue did Mick find to catch the real thief?

- a) he asked Linda Perkins about the case
- b) some envelopes had been opened
- c) it was somebody who could invest money into the designs
- d) the glass was everywhere

5. The word design means:

- a) a former sign
- b) a new, fast computer
- c) a plan or a sketch
- d) an expensive envelope

Task 4. Read a story about a robbery, fill in the gaps and answer the questions below

The Least Well-planned Robbery

Three thieves at Billericay in Essex gave hours of 1)_____ in 1971 to raiding the Post Office in Mountnessing Road.

Among the details which they discovered were the times at which there was 2)_____ cash and least security guard on the premises. They also invested in mask, guns and a get-away car. At a 3)_____ time, the Mountnessing gang sped through Billericay and screeched to a halt outside the post office.

It was only 4)_____ they jumped out of the car and ran towards the building that they discovered the one detail which they had omitted to check. The Post Office had been 5)_____ for twelve years.

- | | | | |
|-------------------|------------|------------------|---------------|
| 1. a) thought | b) schemes | c) ideas | d) plots |
| 2. a) least | b) larger | c) bigger | d) most |
| 3. a) pre-ordered | | c) post-arranged | |
| b) pre-arranged | | d) predictable | |
| 4. a) before | b) while | c) after | d) as soon as |
| 5. a) stolen | b) open | c) closed | d) robbed |

4.1 Answer the questions:

1. Which of the following is not true?

- a) the raid on the Post Office was not a success.

- b) the Post Office in Mountnessing Road was to be come a profitable investment for masks, guns and get-away car.
- c) the three thieves could not carry out their raid.
- d) it was the Post Office at Billericay in Essex that th three thieves chose for their raid

2. The thieves discovered:

- a) the Post Office in Mountnessing Road to raid
- b) the times most suitable for the raider
- c) all the necessary details about the Post Office
- d) cash in the Post Office at Billericay in Essex

3. What other headline would you give to the story?

- a) the robbery that wasn't
- b) masks, guns and the get-away car that did it!
- c) the thieves who terrorized the Post Office
- d) post Office raided

4. Why didn't the thieves succeed?

- a) their car couldn't get away from the halt outside the post office
- b) the only detail the thieves didn't check proved to be very important
- c) the gang sped through Billericay and screeched to a halt
- d) there wasn't enough security guard in the Post Office

5. The word premises means:

- a) premium, reward, bonus
- b) lawn near the Post Office
- c) house or building with its land, etc
- d) land of wealth and promise

Task 5. Read a story about a robbery, fill in the gaps and answer the questions below

The Worst Bank Robbers

In August 1975 three men were on their 1)_____ in to rob the Royal Bank of Scotland at Rothesay, when they got stuck in i he revolving doors. They had to be helped free by the staff and, after thanking everyone, sheepishly left the building. A few minutes later they returned and announced their intention of robbing the bank, but 2)_____ staff believed them. When, at first, they demanded i'5000, the

head cashier laughed them, convinced that it was a 3)_____ joke. Disheartened by this the gang leader reduced his demand first to i'500, then i'50 and ultimately to 50 pence. By this stage the cashier could barely control herself for 4_____ .

Then one of the men jumped over the counter and fell awkwardly on the floor. The other two made their get-away, but got trapped in the revolving doors for a second time, desperately pushing the 5)_____ way.

- | | | | |
|-----------------|--------------|----------------|-------------|
| 1. a) road | b) plans | c) way | d) plain |
| 2. a) no | c) nobody of | b) none of the | d) the |
| 3. a) practical | c) humorous | b) theoretical | d) real |
| 4. a) reaction | b) check | c) money | d) laughter |
| 5. a) right | b) left | c) straight | d) wrong |

5.1 Answer the questions:

1. Which of the following is not true?

- a) the staff had to help the thieves free
- b) the revolving doors were an obstacle to the unfortunate thieves: they had to revolve sheepishly
- c) it was in August 1975 that the robbers failed to rob the bank
- d) it was due to the revolving doors that the robbers could not enter the Royal Bank of Scotland for the first time

2. If the staff:

- a) had not given the thieves £500, they would have stolen the money
- b) had not lent the thieves -£5000, they would have asked for more money
- c) had believed the thieves, they would have treated the three men seriously
- d) had not borrowed the money, the gang leader would not have reduced the demand

3. What made the gang leader reduce his demand?

- a) he was disheartened by the joke
- b) he was supposed to demand £5,000 first and reduce the demand to 500 pounds, then to 50 pounds and then to 50 pence
- c) the way the gang was treated by the staff
- d) his generosity

4. What other headline could you give to the story?

- a) the blood-curdling story of Royal Bank of Scotland: panic and terror
- b) the agony and the ecstasy of Royal Bank of Scotland
- c) revolving mysteries of the Royal Scotland
- d) the robbery that wasn't

5. The word counter means:

- a) cash machine
- b) small flat surface on which customers are served
- c) cashier's machine
- d) cashier's stool

Task 6. Read a story about a mugger, fill in the gaps and answer the questions below

The 1)_____Successful Mugger

87-year-old Lady Tucker was walking down New York's East 66th Street. She looked like an easy prey – small, grey-haired and expensively dressed. Ramos came up on his bicycle and grabbed her handbag. Lady Tucker hit him on the head with her umbrella, knocking him off his bicycle, and started screaming.

The 2)_____ mugger tried to get back onto his bicycle and escape, but Lady Tucker 3)_____ hitting him. A lorry driver, hearing her screams, came and joined in the fight. They 4)_____ fighting, until a policeman arrived and took Ramos prisoner. Lady Tucker 5)_____ medical help, saying that she felt fine. But she allowed the policeman to escort her home.

- | | | | |
|------------------|-------------|-----------------|----------------|
| 1. a) less | b) least | c) worse | d) bad |
| 2. a) criminal | b) prolific | c) romantic | d) unfortunate |
| 3. a) kept | b) stayed | c) left | d) advised |
| 4. a) were sorry | b) started | c) went on | c) thought of |
| 5. a) declared | b) detested | c) insisted for | d) refused |

6.1 Answer the questions:

1. Which of the following is not true?

- a) Lady Tucker looked like the previous prey of Ramos — small, grey-haired and expensively dressed
- b) Lady Tucker proved to be a good fighter
- c) Lady Tucker was courageous
- d) Lady Tucker was resourceful

2. Why did Ramos decide to mug Lady Tucker?

- a) because he thought that it won't be difficult to cope with the task
 - b) he liked small, grey-haired and expensively dressed ladies
 - c) he liked Lady Tucker
 - d) New York's East 66th Street was the place where he used to mug
3. Why didn't Ramos retreat?
- a) Lady Tucker didn't want him to leave her at the crucial moment
 - b) He didn't manage to do it
 - c) He was far from his bicycle
 - d) He couldn't do it because of the handbag
4. Why did Lady Tucker shout?
- a) she wanted to frighten Ramos
 - b) Ramos wanted to hit her
 - c) Lady Tucker didn't like the mugger
 - d) she hoped to get help
5. The word mugger means:
- a) person who wins
 - b) member of police force
 - c) person who decides in a contest, dispute, etc
 - d) person who attacks violently and robs.

GRAMMAR GUIDE

Умовні позначення

S – підмет

S₀ – підмет в однині

S_s – підмет у множині

S₁ – підмет головного речення

S₂ – підмет підрядного речення

V₀ – дієслово в першій формі (в інфінітиві)

V₂ – дієслово в другій формі

V₃ /ed – дієслово в третій формі

V_s – дієслово в третій особі однини теперішнього часу

$\frac{?}{W}$ – питальне слово або словосполучення

THE PRESENT INDEFINITE TENSE

REMEMBER THE FOLLOWING ADVERBIALS OF TIME:

every day, every week, as a rule, usually, always, often, seldom, occasionally, etc

So/s + V_s/o...

They work as Prosecutors.

He studies at Law Academy.

**S + do
does + not V₀ ...**

I do not agree with the witness.

This lawyer does not work here.

**Do
Does + (not) S + V₀ ...?**

Do you study at Law Department?

Does Mary live near the University?

**$\frac{?}{W}$ + do
does + (not) S + V₀ ...?**

Where does your brother work?

Why don't you ask your defense lawyer for a piece of advice?

**Who/What + V_s...? Who
What + does not V₀ ...?**

Who investigates this case?

THE PAST INDEFINITE TENSE

REMEMBER THE FOLLOWING ADVERBIALS OF TIME: yesterday, the day before yesterday, last week (night, spring, year), a year (some minutes, two weeks) ago, last April, in 1978

S+ V₂/ ed...

He investigated this case in 1999.

S + did not V₀...

He did not study Criminal Law last year.

Did (not) S+ V₀...?

Did you study Civil Law last year?

Didn't they find him guilty?

$\frac{?}{W} + \text{did (not) S+V}_0 \dots ?$

When did he kill him?

Why didn't you ask me to help you?

Who
What + V₂/ed... ?

Who investigated this case in 1999?

Who
What + did (not) V₀ ... ?

Who didn't fine the offender?

THE FUTURE INDEFINITE TENSE

REMEMBER THE FOLLOWING ADVERBIALS OF TIME: tomorrow, next week (year, month), in 2035, in 5 minutes, etc

S + **shall**
will + V₀ ...

They will question the witnesses tomorrow.

S + **shall**
will + not V₀ ...

He will not go to the police the day after tomorrow.

Shall
Will + (not) S + V₀ ...?

Will you take your exam in Criminal Law tomorrow?

$\frac{?}{W}$ + **shall**
will + (not) S + V₀ ...?

How long will he stay in prison?

Who
What will (not) V₀ ...?

Who will question the witnesses?

У підрядному реченні часу або умови після сполучників after, before, as soon as, till, until, when, if для вираження майбутньої дії вживається Present Indefinite Tense.

S₁ + **shall**
will + V₀ | if (when, etc) + S₂ + V_{s/o} ...

We shall discuss the question when a defense lawyer comes.

THE PRESENT CONTINUOUS TENSE

REMEMBER THE FOLLOWING ADVERBIALS OF TIME: now, at this moment

S + **am**
 is + Ving...

They are listening to the judge now.

S + **am**
 is + not Ving..

The students are not taking the exam.

Am
Is + (not) S + Ving... ?
Are

Is he taking the exam in Civil Law now?

?
W + **am**
 is + (not) S+Ving...?

What is he doing?

What report are you reading?

Who
What + is (not) Ving ...?

Who is waiting for you downstairs?

THE PAST CONTINUOUS TENSE

REMEMBER THE FOLLOWING ADVERBIALS OF TIME: *at 4 o'clock yesterday, from 2 till 5 yesterday, the whole day yesterday, at this time yesterday, while... etc*

S + **was**
were + **Ving**

A lawyer was writing a report at this time yesterday.

S + **was**
were + **not Ving**

He was not watching “ Court Trial ”on TV at this time yesterday.

Was
Were + (not) S + **not Ving** ...?

Was the suspected working in the garden at 4 o'clock yesterday?

?
W **was**
were + (not) S + **Ving** ...?

What was he doing at five o'clock yesterday?

Who
What + **was (not) Ving**...?

Who was giving statements while detective was making the report?

THE FUTURE CONTINUOUS TENSE

REMEMBER THE FOLLOWING ADVERBIALS OF TIME: *at this time tomorrow, from 1 till 2 tomorrow, whe he comes, the whole day tomorrow, etc.*

S + **shall**
will + **be Ving** ...

Ann will be preparing for her exam in Criminal Law the whole day tomorrow.

S + **shall** + **not be Ving** ...

will

He won't be questioning the witnesses at this time tomorrow.

Shall + (not) S + be Ving ...?
Will

Will you be reading for your exam in Labour Law at 3 o'clock tomorrow?

$\frac{?}{W}$ + **shall** + (not) S + be Ving ...?
will

Where will you be waiting for us?

Who + will (not) be Ving ...?
What

Who will be questioning the suspects 3 o'clock?

THE PRESENT PERFECT TENSE

REMEMBER THE FOLLOWING ADVERBIALS OF TIME: already, never, ever, yet, today, this week, How long?etc.

S + **have** + V₃ ...
has

She has already investigated the case.

S + **have** + not V₃ ...
has

He has not finished his work yet.

Have + (not) S + V₃ ...?
Has

Has the judge passed the sentence?

$\frac{?}{W}$ + **have** + (not) S + V₃ ...?
has

Why haven't you explained the reason of your criminal act?

Who
What + has (not) V₃ ...?

Who has mentioned the name of the robber?

THE PRESENT PERFECT CONTINUOUS TENSE

S + **have**
has + been V_{ing}...

We have been studying Criminal Law for 2 years.

S + **have**
has + not been V_{ing}...

The suspects have not been driving their cars since Monday.

Have
Has + (not) S + been V_{ing} ...?

Have you been interviewing the suspects since morning?

?
W + **have**
has + (not) S + been V_{ing} ...?

Why hasn't he been sleeping well lately?

Who
What + has (not) been V_{ing} ...?

Who has been watching us for 2 hours?

THE PAST PERFECT TENSE

S + had V₃ ...

She had passed the exam by 4 o'clock yesterday.

S + had not V₃...

The investigator hadn't made the report by the time the chief inspector called.

Had (not) + S + V₃... ?

Had he found the evidences by the time the Prosecutor called?

$\frac{?}{W}$ + had (not) S + V₃ ...?

What had you done by 9 o'clock last night?

**Who
What + had (not) V₃ ...?**

Who had passed the credit in Labour Law by 10 o'clock yesterday?

THE SEQUENCE OF TENSES

INDIRECT STATEMENTS

При перетворенні речення у прямій мові в речення у непрякій мові, форма дієслова додаткового підрядного речення змінюється відповідно до форми дієслова головного речення:

* Якщо дія, позначена дієсловом підрядного речення, відбувається одночасно з дією головного речення, у підрядному реченні вживається дієслово в *Past Indefinite* або в *Past Continuous Tense*.

* Якщо дія, позначена дієсловом підрядного речення, відбулася раніше дії головного речення, у підрядному реченні – *Past Perfect Tense*.

* Якщо дія, позначена дієсловом підрядного речення, є майбутньою стосовно дії, вираженої дієсловом головного речення, у підрядному реченні вживається дієслово в *Future-in-the-Past*.

Таблиця 1 – Пряма та непряма мова

Кафедра іноземних мов професійного спрямування

Іноземна мова за професійним спрямуванням

Direct Speech	Indirect Speech
Present Simple <i>"I work as an investigator", she says.</i>	Present Simple <i>She says she works as an investigator</i>
Present Continuous <i>"He is making a report", she says.</i>	Present Continuous <i>She says he is making a report.</i>
Present Perfect <i>"He has found the criminal", she says.</i>	Present Perfect <i>She says he has just found the criminal.</i>
Present Simple <i>"I work as an investigator", she said.</i>	Past Simple <i>She said she worked as an investigator.</i>
Present Continuous <i>"He is making a report", she said.</i>	Past Continuous <i>She said he was making a report.</i>
Present Perfect <i>"He has found the criminal", she said.</i>	Past Perfect <i>She said he had found the criminal</i>
Past Simple <i>"He left an hour ago", she said.</i>	Past Perfect <i>She said he had left an hour ago.</i>
Past Continuous <i>"I was searching the house when she rang me", the investigator said</i>	Past Continuous <i>The investigator said that he was searching the house when she rang him.</i>
Past Perfect <i>Tom said: "I had searched the house by 5 o'clock yesterday.</i>	Past Perfect <i>Tom said that he had searched the house by 5 o'clock the day before.</i>
Future Simple <i>"He will be back in an hour", she said.</i>	Future-in-the-Past <i>She said he would be back in an hour.</i>
Future Continuous <i>"He will be questioning the witness in an hour", she said.</i>	Future Continuous-in-the-Past <i>She said he would be questioning the witness in an hour.</i>

	said		+ V ₂ /ed....
S ₁ +	knew	+ (that) S ₂	+was/were Ving
	was sure		had been Ving
			+ had V ₃
			+ should V ₀
			+ would

The judge said that the suspected was guilty.

He said that he was questioning the witnesses at 3 o'clock that morning.

He said that he had killed him for self defense.

They said that they would go to the police the next morning.

При перетворенні прямої мови в непряму відбуваються такі зміни обставин часу:

Пряма мова	Непряма мова
here	there
now	then
today	that day
last night	the night before
yesterday	the day before/the previous day
two days ago	two days before/two days earlier
this	that
these	those

Щоб передати **спонукальні речення** в непрякій мові потрібно вживати дієслово з часткою **to** або **not to-** при заперечному спонуканні

The policeman ordered the criminal to put the hands up.
The policeman ordered not to move.

Щоб передати **запитання** в непрякій мові, після питального слова (*what, where, etc.*) або сполучника (*if, whether*) потрібно поставити підмет підрядного речення, а за ним – присудок. При цьому слід дотримуватися правила узгодження часів.

He asked her when she would go to the police.
He wanted to know if she would enter the Law Academy.

THE PASSIVE VOICE

Щоб виразити дію, спрямовану на підмет (дію в пасивному стані), після підмета потрібно поставити дієслово *to be* у відповідному часі, а за ним – третю форму дієслова.

Present Simple S +	am is are	V₃/ed....
Past Simple S +	was were	V₃ /ed
Future Simple S +	shall will	be V₃ /ed
Present Continuous S +	is/are/ am	being V₃ /ed
Past Continuous S +	Was/ were	being V₃/ed
Present Perfect S +	have has	been V₃/ed
Past Perfect S +	had	been V₃/ed
Future Perfect S +	shall will	+ have has been V₃/ed

The suspects are questioned the police office.

A new law will be passed next week.

The alibi is being discussed now.

Present Simple S +	am is are	+ not + V₃/ed
Past Simple S +	was were	+ not + V₃ /ed
Future Simple S +	shall will	+ not + be V₃/ed
Present Continuous S +	is /am/are	+ not + being+ V₃ /ed

Past Continuous S + Was /were + not + being+ V₃/ed

Present Perfect S + have /has + not + been+ V₃ /ed

Past Perfect S + had + not + been+ V₃ /ed

Future Perfect S + shall /will + have + not + been+ V₃ /ed

A new law has not been passed yet.

The alibi will be discussed in 5 minutes.

The witnesses had been questioned by 3 o'clock yesterday.

Present Simple	Am Is Are	(not) S + V₃ /ed ...?
Past Simple	Was Were	(not) S + V₃ /ed ...?
Future Simple	Shall Will	(not) S + be+ V₃ /ed ...?
Future Simple	Is/ am/ are	(not) S + being +V₃ /ed ...?
Past Continuous	Was /Were	(not) S+ being + V₃ /ed?
Present Perfect	Have Has	(not) S + been+ V₃ /ed ...?
Past Perfect	Had	(not) S + been + V₃ /ed ?

Will the bill be discussed tomorrow ?

Is a new bill being signed now?

Have the witnesses been interviewed yet?

Present Simple ? **am** **(not) S + V₃ /ed ...?**

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Іноземна мова за професійним спрямуванням

		+	is are	
Past Simple	$\frac{?}{W}$	+	was were	(not) S + V ₃ /ed ...?
Future Simple	$\frac{?}{W}$	+	shall will	(not) S + be V ₃ /ed ...?
Present Continuous	$\frac{?}{W}$	+	am/ is/are	(not) S + being V ₃ /ed ...?
Present Perfect	$\frac{?}{W}$	+	have has	(not) S + been V ₃ /ed ...?
Past Perfect	$\frac{?}{W}$	+	had	(not) S + been V ₃ /ed ...?
Future Perfect	$\frac{?}{W}$	+	will (not) have	S + been V ₃ /ed ...?

Where were the fingerprints found?

When will the agreement be signed?

Present Simple	Who What	is	(not) V ₃ /ed ...?
Past Simple	Who What	was	(not) V ₃ /ed ...?
Future Simple	Who What	will	(not) be V ₃ /ed ...?
Present Continuous	Who What	is	(not) S + being V ₃ /ed ...?
Present Perfect	Who What	has	(not) S + been V ₃ /ed ...?
Future Perfect	Who What	will	have (not) S + been V ₃ /ed ...?

What evidence have been found lately?

Who was killed yesterday?

Таблиця 2 – Модальні дієслова та їх еквіваленти

Іноземна мова за професійним спрямуванням

Дієслово	Значення	Present	Past	Future
can	Можливість дії (здатність розумова чи фізична)	can is/am/are able to	could was able to were	will/ shall be able to
may	Дозвіл	may	might was allowed to were	will/ shall be allowed to
must	Обов'язок Заборона	must	-----	-----
to have to	Необхідність, зумовлена обставинами	have/has to	had to	Shall/ will have to
to be to	необхідність, обумовлена розкладом, домовленістю	is/am/are to	was/were to	
need	Необхідність виконання дії. Відсутність неохідності	need	Needn't have Ved/3 (можна було не робити, але зробили) Didn't need to (можна було не робити, і не робили)	need
should	Порада, рекомендація	Should	Should have V ed/3 (критика)	
ought to	моральний обов'язок	ought to	ought have V ed/3 (критика)	

can
S + may + V₀....
must

We can appeal this case to the higher court.

cannot
S + may not + V₀....
must not

You must not cross the street at the red light.

Can
May + S + V₀...?
Must

Cannot + S + V₀...?

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May not
Must not

Can I ask the witnesses?

$$\frac{?}{W} \begin{matrix} \text{can} \\ \text{may} \\ \text{must} \end{matrix} + S + V_0 \dots?$$

$$\frac{?}{W} \begin{matrix} \text{cannot} \\ \text{may not} \\ \text{must not} \end{matrix} + S + V_0 \dots?$$

Where may I make a will ?

Who	+	can	+	V₀...		Who	+	cannot	+	V₀...
What		may				What		may not		
		must						must not		

Who can investigate the situation ?

Who cannot ask the witnesses?

THE INFINITIVE

Інфінітив – це неособова форма дієслова, яка лише називає дію взагалі, безвідносно до того, хто її виконує і коли. У всіх своїх формах і функціях інфінітив має частку *to*.

Таблиця 3 – **Форми інфінітива**

Форми інфінітива	Active	Passive
Simple	to arrest	to be arrested
Continuous	to be arresting	
Perfect	to have arrested	to have been arrested
Perfect Continuous	to have been arresting	

Об’єктна інфінітивна конструкція має у своєму складі інфінітив і вживається у функції додатка. Об’єктна інфінітивна конструкція вживається після дієслів, що виражають

а) сприймання за допомогою органів чуття: *to see, to hear, to feel, to watch, to observe, to notice* (після цих дієслів інфінітив вживається без частки *to*):

Suddenly I heard her call the criminal's name. – Раптом я почув, що вона назвала ім'я злочинця.

б) бажання, намір, почуття: *to want, to wish, to desire, to like, to dislike, to hate, to intend, would like: They wanted him to plead guilty.* – Вони хотіли, щоб він визнав свою провину.

в) думку, припущення, сподівання: *to consider, to believe, to think, to find, to know, to expect, to suppose: They considered him to be the best investigator in London.* – Вони вважали його найкращим слідчим у Лондоні.

г) наказ, прохання, дозвіл, пораду, примус: *to order, to ask, to request, to allow, to permit, to advise, to recommend, to cause, to force, to make, to let* (після дієслів *to let, to make* інфінітив вживається без частки *to*):

The policeman allowed the criminal to have a smoke. – Поліцейський дозволив злочинцю покурити.

Суб'єктна інфінітивна конструкція. До її складу входить інфінітив, а вся конструкція виконує роль підмета речення.

Суб'єктний інфінітивний комплекс вживається:

а) із дієсловами *to say, to report* у пасивному стані:

He is said to deal with this dangerous case. – Кажуть, що він займається цією небезпечною справою.

б) із дієсловами (у пасивному стані), що означають думку, припущення, сподівання: *to think, to know, to consider, to believe, to suppose, to expect:*

The criminal is expected to be arrested tomorrow. – Сподіваються, що злочинця арештують завтра.

в) із дієсловами (в пасивному стані), що виражають сприймання за допомогою органів чуття – *to see, to hear, to feel, to notice, to observe, to watch:*

He was seen to enter the courtroom. – Бачили, як він входив у будинок.

г) із дієсловами *to seem, appear, happen, chance, turn out, prove:*

She seemed not to listen to the sentence. – Здавалося, вона не слухає вирок.

д) із словосполученнями *to be sure, to be certain, to be likely, to be unlikely:*
They are sure to be innocent. – Вони, напевно, невинні.

THE GERUND

Герундій – це неособова форма дієслова, яка має властивості іменника і дієслова. Форми герундія утворюються за допомогою закінчення *-ing*, яке додається до основи дієслова. Герундій має одну просту і три складні форми:

Таблиця 4 – **Форми герундія**

Форми герундія	Active	Passive
Simple	<i>arresting</i>	<i>being arrested</i>
Perfect	<i>having arrested</i>	<i>having been arrested</i>

Simple Gerund, активний і пасивний, виражає дію, що відбувається одночасно з дією, вираженою дієсловом-присудком у реченні в теперішньому, минулому або майбутньому часі:

My friend dreamed of becoming a traffic policeman. – Мій друг мріяв стати офіцером дорожньої міліції.

Perfect Gerund, активний і пасивний, вживається для позначення дії, яка передує дії, вираженій дієсловом-присудком у реченні:

He remembers having been sentenced to ten months for shoplifting. –

Він пам'ятає, як його засудили до 10 місяців тюремного ув'язнення за крадіжку в магазині.

Герундій разом з іменником або присвійним займенником, що стоїть перед ним й позначає діяча, утворює герундіальний зворот і передає самостійну думку:

I remember my friends having helped me then. –

Я пам'ятаю, що мої друзі допомогли мені тоді.

У реченні герундій може бути підметом, частиною присудка, прямим або непрямым додатком чи означенням. Наприклад:

Learning the basic practical skills of police work helps them become more skilful police officers. – Оволодіння основними практичними навичками поліцейської роботи допомагає їм стати досвідченішими офіцерами поліції.

Our aim is helping the community. – Наша мета – допомогати суспільству

Подібно до іменника він часто вживається з прийменниками і присвійними займенниками:

I like your idea of becoming a lawyer. – Мені подобається твоя ідея стати юристом.

THE PARTICIPLE (I, II)

Participle I – це неособова форма дієслова, що має властивості прикметника і прислівника. Participle I утворюється за допомогою закінчення - *ing*, яке додається до основи дієслова. Participle I має такі форми:

Таблиця 5 – **Форми дієприкметника**

Форми Participle I	Active	Passive
Simple	arresting	being arrested
Perfect	having arresting	having been arrested

Participle I відповідає українському дієприкметнику активного стану теперішнього часу та дієприслівнику недоконаного виду:

A man speaking to the prosecutor is his father. – Чоловік, який розмовляє із прокурором його батько.

He mentioned very interesting facts speaking with the students. - Він згадав дуже цікаві факти, розмовляючи із студентами.

Participle I Simple вказує на те, що дія, виражена ним, здійснюється одночасно з дією, вираженою присудком.

Participle I Perfect вказує на передування його дії дії присудка:

Having collected all the evidence they were able to start the investigation. – Зібравши всі докази, вони могли почати розслідування.

Participle II – це неособова форма дієслова, що має властивості дієслова і прикметника. Participle II має тільки одну форму – до правильних дієслів додається закінчення -*ed*, для неправильних дієслів – III форма дієслова.

Незалежна дієприкметникова конструкція може вводитись прийменником **with**:

The convicted person was standing, with his arms crossed and his head bent. – Засуджений стояв зі схрещеними руками та опущеною головою.

CONDITIONAL SENTENCES

В англійській мові слід розрізняти такі типи умовних речень:

1. Умовні підрядні речення першого типу виражають реальні умови в теперішньому чи майбутньому часі для реальних дій чи фактів, виражених у головному реченні:

Таблиця 6 – Умовні речення першого типу

If-clause (hypothesis)	Main clause(result)
if + Present Simple/ Continuous/ Perfect/ Perfect Continuous	Future/ Imperative/can/may/must/should +bare infinitive

e.g. *If we know anything about this crime, we will tell you.*

Якщо ми дізнаємось щось про злочин- ми розкажемо тобі.

2. Умовні підрядні речення другого типу виражають неймовірні або малоймовірні припущення, які відносяться до теперішнього або майбутнього часу:

Таблиця 7 – Умовні речення другого типу

If-clause (hypothesis)	Main clause(result)
If + Past Simple/ Continuous	Would/could/might/+bare infinitive

e.g. *If I were the prosecutor, I would put him into prison.*

Якби я був прокурором – я б відправив його до в'язниці.

У головному реченні вживається допоміжне дієслово **should/would/might** і інфінітив смислового дієслова, а в підрядному реченні — форма, яка збігається з формою **Past Indefinite/Continuous**

3. Умовні підрядні речення третього типу виражають нереальні умови для дій, вказують на те, що могло б відбутися у минулому, але не відбулося:

Таблиця 8 – Умовні речення третього типу

If-clause (hypothesis)	Main clause(result)
If + Past Perfect/ Past Perfect Continuous	Would/could/might/+have+Past Participle

e.g. *If he hadn't left his fingerprints on the gun yesterday, the police would not have found him.*

Якби він не залишив відбитки пальців вчора, поліція не знайшла б його.

У головному реченні вживається допоміжне дієслово **should/would/might/could** і перфектний інфінітив, а в підрядному реченні — форма, яка збігається з формою **Past Perfect/Past Perfect Continuous**

Таблиця 9 – Умовні речення нульового типу

If-clause (hypothesis)	Main clause(result)
If +Present Simple	Present Simple

e.g. *If the accused is found innocent, he is released.* – Якщо обвинуваченого визнають винним, його звільняють..

“I WISH” sentences

В додаткових підрядних реченнях, що залежать від дієслова **to wish**, вживається:

1) **Past Subjunctive** (співпадає по формі з Past Indefinite) та вказує на бажану дію в теперішньому чи майбутньому

e.g., *I wish I were a notary.*

— Я би я хотів, щоб я був нотаріусом.

— Шкода, що я не нотаріус. (Second Conditional)

2) **Past Perfect Subjunctive** (співпадає по формі з Past Perfect) та вказує на бажану дію в минулому

e.g., *I wish you had told us the truth yesterday.*

- Шкода, що ти не розповів нам правду вчора.
- Добре було б, якби ти розповів нам правду. (Third Conditional)

3) В додаткових підрядних реченнях, які залежать від дієслова **to wish** вживається **would + infinitive**, якщо ми хочемо висловити бажання про те, щоб ситуація змінилася або зараз, або в майбутньому, хоча не дуже сподіваємось на це.

В більшості випадків зміна ситуації не залежить від особи, що висловлює побажання

e.g. *I wish he would agree to go to the police.*

- Я б хотів, щоб він погодився піти до поліції. (Would + Infinitive)

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