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Національний університет “Чернігівська політехніка”**

English for Law Enforcement

Методичні вказівки до самостійних занять
з англійської мови
для підготовки здобувачів вищої освіти освітнього ступеня «бакалавр»
спеціальності 262 «Правоохоронна діяльність»
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English for Law Enforcement. Методичні вказівки до самостійних занять з англійської мови для підготовки здобувачів вищої освіти освітнього ступеня «бакалавр» спеціальності 262 «Правоохоронна діяльність» освітньо-професійної програми «Правоохоронна діяльність». Укл.: Гречок Л.М. Чернігів: НУ «Чернігівська політехніка», 2020. – 64 с.

Укладач: Гречок Лідія Михайлівна,
старший викладач кафедри іноземних мов
професійного спрямування
Національного університету “Чернігівська
політехніка”;

Відповідальна за випуск: Литвин Світлана Володимирівна,
кандидат педагогічних наук, доцент кафедри
іноземних мов професійного спрямування
Національного університету “Чернігівська
політехніка”;

Рецензент: Лашук Наталія Моколаївна,
кандидат педагогічних наук, викладач
кафедри іноземних мов професійного
спрямування Національного університету
“Чернігівська політехніка”

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MODULE 1. Judicial Systems

UNIT 1. Judicial System in Ukraine

I. LEAD-IN

1. Read and translate the text.

The Court System of Ukraine

Under the Constitution the judiciary in Ukraine is administered by the Constitutional Court and by the courts of general jurisdiction.

The Constitutional Court has the right to declare unconstitutional any law passed by Supreme Council of Ukraine or any order issued by the President. It consists of 18 judges who are elected by the President of Ukraine, the Verkhovna Rada and the congress of judges.

Courts of general jurisdiction have three tiers, like a pyramid: the district courts, the courts of appeals and the Supreme Court of Ukraine.

The Supreme Court of Ukraine is the highest body of general jurisdiction. It only examines cases of particular complexity of special public significance, and does so either upon its own decision, or upon the initiative of the Procurator - General of Ukraine.

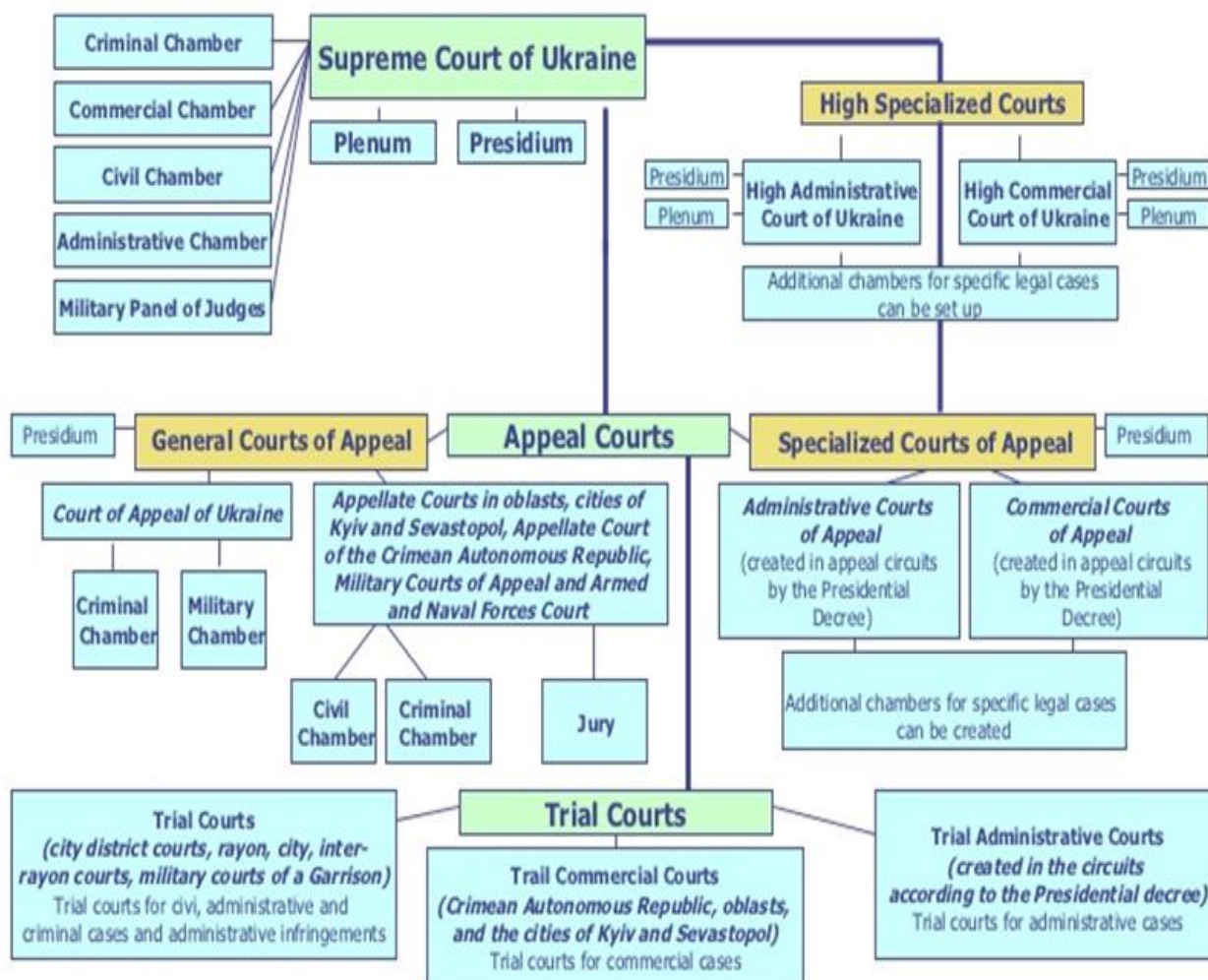
Appellate courts are divided into regional, territorial and military courts of appeals. The courts of appeals review decisions of the district courts within their areas.

At the bottom of the judicial pyramid are the district (town) courts and military tribunals where litigation begins. Most litigation occurs in these courts (97 % of all criminal cases and 99 % of all civil cases are examined in the principal link of Ukrainian judicial system - the courts of districts and towns).

There are also special trial courts that have jurisdiction over certain types of cases. The special trial courts are organized in a system that looks like the system of courts of general jurisdiction with a Supreme Court at the top. The structure is the following: there are district administrative and economic courts, appellate administrative and economic courts, and high appellate administrative and economic courts.

The first appointment to the office of the judge is done by the President of Ukraine. All the other judges except the judges of the constitutional court are elected by the Verkhovna Rada. Judges shall hold office until they die, retire, or resign.

Current Judicial System



2. Read and memorize the active vocabulary to the text *The Court System of Ukraine*.

Judiciary	судочинство
general jurisdiction	загальна юрисдикція
order	наказ
to issue	видавати
tier	ярус; ряд
appellate court	апеляційний суд
litigation	судовий позов
trial	суд, судовий процес
to retire	іти у відставку

to resign	відмовлятися від посади
cases of particular complexity	справи особливої складності
public significance	суспільне значення
principal link	головна ланка
economic courts	господарські суди

3. Answer the following questions.

1. What courts is the judiciary in Ukraine administered by?
2. Whose privilege is to declare unconstitutional any law passed by Supreme Council of Ukraine?
3. Can the Constitutional Court or the Supreme Court declare unconstitutional any order issued by the President?
4. How many judges does the Constitutional Court consist of?
5. What way are the judges elected?
6. Can you describe the pyramid of courts of general jurisdiction?
7. What are the main functions of the Supreme Court of Ukraine?
8. What body examines cases of particular complexity of special public significance?
9. What may be done upon the initiative of the Procurator-General of Ukraine?
10. Whose decisions do the courts of appeal review within their areas?
11. Where does usually litigation begin?
12. Why are the district (town) courts at the bottom of the judicial pyramid?
13. What kind of courts are considered the special trial courts?
14. Who is the first appointment to the office of the judge done by?

II. DEVELOPMENT

1. Complete the following expressions choosing a suitable proposition from the list below.

Over, by (2), of (3), on, into, within, at, to

1. The judiciary in Ukraine is administered the Constitutional Court.
2. The Constitutional Court consists 18 judges.
3. The Supreme Court examines cases of particular complexity its own decision.
4. Appellate courts are divided regional, territorial and military courts of appeals.
5. The courts of appeals review decisions of the district courts ... their areas.
6. The district (town) courts and military tribunals are the bottom the judicial pyramid.
7. Special trial courts have jurisdiction certain types of cases.
8. The first appointment the office the judge is done the President of Ukraine.

2. Translate the following sentences and pay special attention to the underlined

words or phrases.

1. За Конституцією України від 28 червня 1996 року однією з трьох гілок влади є судова влада.
2. Судочинство в Україні здійснюється Конституційним Судом та судами загальної юрисдикції.
3. Конституційний Суд дає офіційне тлумачення Конституції та законів України.
4. В Україні існує декілька типів судів: загальної юрисдикції, конституційний, апеляційний та верховний.
5. Система судів загальної юрисдикції (regular courts) складається з районних судів, міських, обласних та Верховного Суду України.
6. Більшість справ вперше слухаються районними міськими судами.

3. Make the following sentences complete by translating the phrases given in brackets.

1. (The only source of law) в Україні є український народ.
2. Державна влада в Україні (is divided) на три гілки: законодавчу, виконавчу та судову.
3. Конституція України регламентує (the activity of different branches of power), а також визначає межі їх повноважень.
4. (Chapter II) of the Constitution of Ukraine (protects the rights of a person and a citizen in Ukraine) від державного втручання.
5. Конституційний Суд має право переглядати нормативно- правові акти гілок влади (executive and legislative) і скасовувати ті з них (which contradict the articles of the Constitution of Ukraine).
6. В Україні існує три основних джерела права. (They are constitutional law, enactments of legislature and administrative regulations).
7. Право є складним явищем соціального життя; (while there exist many ways of defining it), немає жодного поняття, яке б могло б (include every aspect of law.)
8. Конституція України (provides for the protection) особистих прав і свобод.

4. Translate the following sentences and pay special attention to the underlined words or phrases.

1. At the bottom of the judicial pyramid are the district (town) courts and military **tribunals** where litigation begins.
2. It consists of 18 judges who **are elected** by the President of Ukraine, the Verkhovna Rada and the congress of judges.
3. Courts of general jurisdiction **have** three tiers, like a pyramid: the district courts, the courts of appeals and the Supreme Court of Ukraine.
4. The Supreme Court of Ukraine examines cases of **particular** complexity.
5. Under the Constitution the judiciary in Ukraine **is administered** by the

Constitutional Court and by the courts of general jurisdiction.

5. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

1.Law	a) is one of the major sources of law;
2.Constitutional Law	b) is the set of values, institutions and concepts that permit civilization to exist exists and people to live orderly lives;
3. trial	c) the highest judicial court;
4.Supreme Court	d) any court proceeding in which an individual seeks a decision;
5.Court of Appellate jurisdiction	e) the court in which a legal proceeding is first started;
6.Court of original jurisdiction	f)the court which reviews cases removed by appeal from a lower court;

GRAMMAR FOCUS

1. Make the following sentences interrogative and negative:

Example: *I have received some information about the suspect. — Have I received any information about the suspect? — I have not received any information about the suspect.*

1. The expert has just examined his fingerprints.
2. I have questioned three witnesses but I haven't got any useful information.
3. He has lived here all his life.
4. The Parliament has passed an important law.
5. The police have found stolen things.
6. I have known the witness for a long time.

2. Put questions to the words in italics:

Example: The policeman hasn't told *the criminal* of his right to remain silent. — *Who hasn't told the criminal of his right to remain silent?*

1. *The Congress* has divided the country into 95 federal judicial districts.
2. The party has failed to carry out *its legal duty* and injured our company through carelessness.
3. If the parties have chosen a jury trial, *it begins with the selection of jurors.*
4. The judge has made an error *in interpreting the law.*
5. The parties have settled their civil case *out of court.*
6. They have considered *the sources of international law.*

3. Put the verbs in brackets into the correct form (Present Perfect or Past Simple): Example: *He (has worked/ worked) in court for 5 years. — He has worked in court for 5 years.*

1. The jury (didn't determine/ hasn't determined) yet that he committed a crime.
2. The plaintiff (filed/ has filed) a complaint against the defendant a week ago.
3. The attorney (told/ has told) already a grand jury about the evidence that indicated a specific person.
4. The grand jury (issued/ has issued) a formal accusation the day before yesterday.
5. The defendant already (presented/ has presented) his most persuasive arguments.

MODULE 1. Judicial Systems

UNIT 2. Judiciary in the UK and USA.

I. LEAD-IN

1. Answer the following questions:

1. What are types of jurisdiction in the UK courts?
2. What is the relationship between different courts?
3. What is the role of the Monarch in the judicial system?

2. Match the following words and phrases with their Ukrainian equivalents:

1) county court	a) судовий секретар
2) magistrates' court	b) умова надання права займати посаду
3) Crown Court	c) суд графства
4) recorder	d) суд корони
5) clerk to the justices	e) магістратський суд, суд магістрату
6) qualification	f) рикордер, міський мировий суддя
7) tort	g) делікт, цивільне правопорушення

3. Read the text to find out if you have answered correctly in exercise 1.

JUDICIAL SYSTEM IN ENGLAND AND WALES

Notes:

The Queen's Bench Division – відділення Королівської Лави

The Chancery Division – канцлерське відділення

The Family Division – відділення в сімейних справах

The High Court of Justiciary – Суд юстиціарію, Вищий кримінальний

Privy Counselor – член Таємної Ради

The Ministry of Justice is a department of the government in the UK, created under the Constitutional Reform Act 2005. The Lord Chief Justice is the head of the Judiciary.

The Supreme Court of the United Kingdom is the court of last resort, highest appellate court in all matters under English law, Welsh law, Northern Irish law and Scottish civil law (the High Court of Justiciary is the supreme criminal court in Scotland). The Supreme Court started work on 1 October 2009. It replaced the Appellate Committee of the House of Lords as the highest court in the UK.

The court hears appeals on arguable points of law of the greatest public importance. There are 12 Justices of the Supreme Court; one of them is the President. The Court of Appeal, the High Court of Justice and Crown Court are senior courts in the English legal system. The Court of Appeal consists of two divisions: the Civil Division hears appeals from the High Court and County Courts, and some superior *tribunals*, while the Criminal Division may hear appeals from the Crown Courts connected with *a trial on indictment* (i.e. trial by judge and jury, (the jury is present if the defendant *pleads «not guilty»*)). Three Lord Justices of Appeal hear an appeal, reaching a decision of majority. The decisions are binding on all courts apart from the Supreme Court of the United Kingdom. Lords Justices are selected from the ranks of senior judges.

The High Court of Justice or the High Court functions both as a civil court of first instance and a criminal appellate court. It consists of three divisions: the Queen's Bench Division mainly deals with civil actions based upon contract law or tort, and *appeals on points of law* from Crown Courts; the Chancery Division is concerned with matters relating to business law, intellectual property and some others; the Family Division hears cases connected with family law. High Court Judges are normally Privy Counselors.

The Crown Court is the higher court of first instance in serious criminal cases, which also hears criminal appeals from Magistrates' Courts, and handles a number of civil cases both at first instance and on appeal. The court carries out four principal types of activity: appeals from decisions of magistrates, *sentencing* of defendants *committed* from Magistrates' Courts, *jury trials*, and the sentencing of those who are *convicted* in the Crown Court, either after trial or on pleading guilty. High Court Judges, Circuit Judges and Recorders may sit in the Crown Court. Circuit Judges are the same ones who sit in the County Courts, and have had a seven-year qualification, or from Recorders. Recorders are barristers or solicitors in private practice, who sit as *part-time judges*.

Magistrates' Court is the court where all criminal prosecutions are initiated. Though they hear only minor criminal *offences*, 95% of all criminal *cases are tried* there. These courts have a limited jurisdiction in civil matters relating to family law

(Family Proceedings Court) and licensing applications. Youth Courts, special magistrates' courts, deal with offenders under 18 years old. Magistrates' Courts *are presided over* by three lay magistrates (*Justices of the Peace*) who are unpaid but trained volunteers, or by a District Judge. The magistrates are assisted by a professional legal adviser or Clerk to the Justices, and there is no jury. District Judges are barristers or solicitors of 5 years' general practice. Deputy District Judges, i.e. practising *solicitors* or barristers, can sit as part-time judges in Magistrates' and County Courts.

The *County Courts* are courts of purely civil jurisdiction. They are local courts and deal mostly with certain kinds of actions concerning land. Most matters are decided by a District Judge or Circuit Judge sitting alone. Civil cases (with some exceptions, e.g. in some actions against the police) do not have juries. Judges in the County Courts are either former barristers or solicitors.

The independent Judicial Appointment Commission selects candidates for judges, who are appointed on behalf of the Monarch.

II. DEVELOPMENT

1. Find in the text the information on:

- a) courts of appellate jurisdiction;
- b) courts of original jurisdiction;
- c) courts of both original and appellate jurisdiction;
- d) judges and their appointment.

2. Draw up a diagram, which shows the hierarchy and jurisdiction of the courts in England and Wales. Start with the highest court in the country.

3. Complete the table with the information from the text and rearrange it from superior to inferior judges. Pay attention that some types of judges may sit in different types of courts.

Judicial Office	Court(s)	Qualifications
Deputy District Judges		
	The Supreme Court of the UK	
		Barrister or solicitor, 5 years' general practice
Circuit Judges		
	County Court	
	High Court of Justice	
Recorders		

4. Fill the gaps of the text with suitable words and entitle it.

The first and sometimes the last letters of the missing words are given. The Courts of Northern Ireland are **c...l** and **c...l** courts responsible for the administration of **j...e** in Northern Ireland. The UK Supreme Court is the **h...t** court of appeal. The Supreme **C... of Judicature** (відправлення правосуддя) is the most superior court of **N...n I...d**. It **c...s** of the following courts: the Court of Appeal, the High Court, and the Crown Court. The Court of **A...** is the highest court of Northern Ireland. It hears **a...s** from the lower courts and tribunals. The **H...** Court, like its English equivalent, consists of the Queen's Bench, **F...y** and Chancery Divisions. The Crown Court **h...** more serious criminal cases. The County Courts are the main **c...l** courts. They hear different civil **c...s** and appeals from **m...s'** courts. Magistrates' Courts (including Youth Courts and Family Proceedings Courts) hear less serious **c...l** cases.

5. Arrange the following sentences logically to make up the paragraph on the courts in Scotland.

- 1) The Court of Session is the supreme civil court and both a court of first instance and a court of appeal.
- 2) District Courts sitting in each local area handle less serious criminal cases.
- 3) The High Court of Justiciary is the supreme criminal court and both a court of the first instance and a court of appeal.
- 4) The Sherriff Court is the other civil court.
- 5) The UK Supreme Court is the highest civil court of appeal in Scotland.
- 6) The Sherriff Court is the main criminal court
- 7) The civil, criminal and heralidic Courts of Scotland are responsible for the administration of justice.

6. Read the definitions and put the letters in order to make up the words connected with the English judicial system.

- | | |
|--|------------------|
| 1) Not allowed by law | eglilal |
| 2) A law made by a government | tca |
| 3) A type of lawyer in the UK | iolsrtico |
| 4) A lawyer trained to speak for you in higher courts | tarebisrr |
| 5) An illegal action | cfenfoe |
| 6) A court which decides who is right in some types of cases | urtaibln |

III. PRACTICE AND EXPERIENCE

1. Compare the judicial system of the USA and that of England and Wales. Make up a plan. At first find all similar points and then the different ones.

2. Explain the difference between a magistrate and a judge.

3. Mrs George is a witness to the robbery. The judge is questioning her. Complete the dialogue with the answers given below.

Notes:

witness – свідок

robbery – грабіж

inscription – напис

wig – перука

Judge: Now, Mrs George, you saw the shop robbery, didn't you?

Mrs George: Yes, I did.

– Did you see a man?

– Can you see that man in the courtroom?

– Was he alone when he went into the shop?

– Look around the court. Can you see that woman?

– Now look at the man and woman again. This is very important. Are you absolutely sure about them?

– Mrs George, what was the man wearing when he went into the shop?

– Look at the bags on the table. Can you see it?

– Do you remember anything about the woman?

– How do you know that it was a wig?

– Which of the wigs on the table?

– Thank you, Mrs George. Mrs George's answers:

– Yes. A red coat and a blond wig.

– Yes, that's the man I saw.

– Absolutely.

– I don't remember everything... but I remember his grey coat and a large black bag.

– That's right. I saw him when he came into the shop and when he came out.

– On the left, with short blond curly hair.

– Yes, that woman over there.

– It fell off when she was running to the car.

– No, he was with a woman.

– The large black bag with the golden inscription.

Why does the judge ask such detailed questions?

Now speak about the case as 1) a judge; 2) Mrs George 3) one of the robbers.

IV. WRITING

1. Prepare a report on the route of a criminal or civil case from the lowest court to the highest one in the UK.

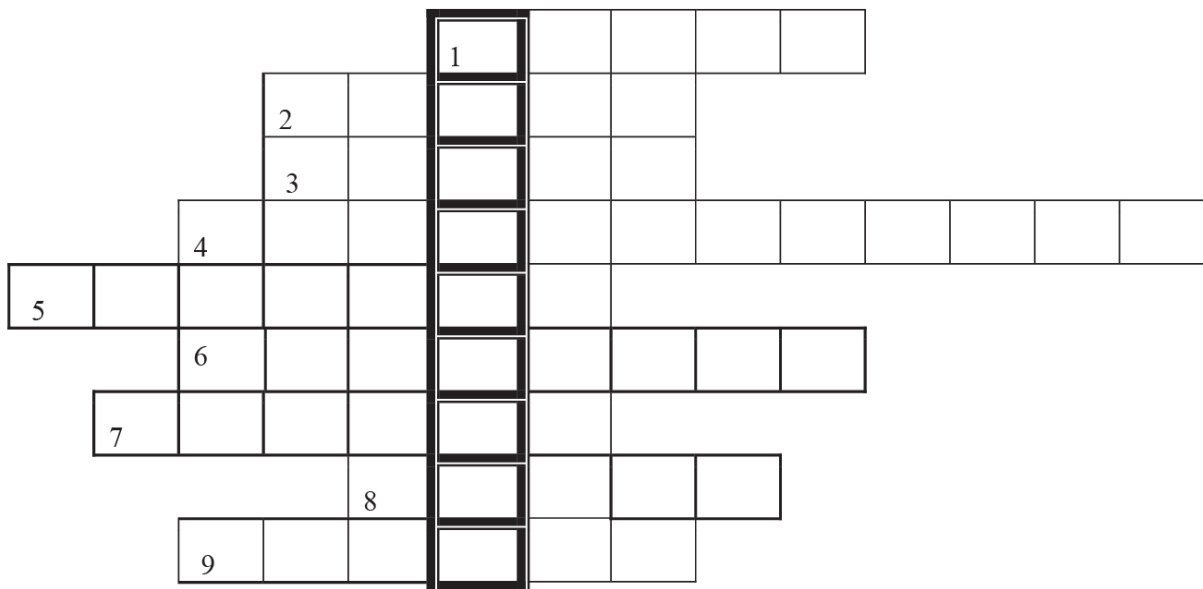
V. OVER TO YOU

1. Use the clues on the left to complete the words on the right.

- 1) Senior official in a court of law. _ u _ _ e
- 2) The branch of law dealing with crime. c _ _ _ i _ a _ l _ a _
- 3) A country's body of judges. j _ _ _ _ i _ _ y
- 4) A panel of twelve people who decide whether the accused committed a crime. _ _ _ y
- 5) Untrained lawyer who presides over the lowest criminal court. _ a _ _ _ t _ _ t _

2. Read the definitions and write the words in the grid to find the mystery word.

- 1) A member of a jury;
- 2) The place where a trial is held;
- 3) The chief official in control of a court of law;
- 4) The right to use an official power to make legal decisions, or the area where this right exists;
- 5) An official decision made in a court of law, especially about whether someone is guilty of a crime or how a death happened;
- 6) Relating to law, judges or their system;
- 7) A formal request to a court or someone in authority asking for a decision to be changed;
- 8) A legal process in which a judge and often a jury examine information to decide whether a person is guilty of a crime;
- 9) A person who has a certificate in law.



GRAMMAR FOCUS

1. Underline the correct tense

- 1. Liz and I are good friends. We *know/have known* each other for four years.
- 2. Sarah is very tired. She *has been working/is working* hard all day.

3. 'Where is John?' 'He's upstairs. He *does/is doing* his homework.'
4. I can't go to the party on Saturday. I *am leaving/have been leaving* for Spain on Friday night.
5. Jane *has finished/is finishing* cleaning her room, and now she is going out with her friends.
6. I didn't recognise Tom. He *looks/is looking* so different in a suit.
7. I don't need to wash my car. Jim *washes/has washed* it for me already.
8. Ian *has been talking/is talking* to his boss for an hour now.
9. Claire's train *arrives/has arrived* at 3 o'clock. I must go and meet her at the station.
10. 'Would you like to borrow this book?' 'No, thanks. I *have read/have been reading* it before.'
11. 'Where *are you going/do you go*?' 'To the cinema. Would you like to come with me?'
12. Have you seen my bag? I *am searching/have been searching* for it all morning. .
13. 'Is Colin here?' 'I don't know. I *haven't seen/ haven't been seeing* him all day.'
14. Sophie is very clever. She *is speaking/speaks* seven different languages.
15. We *are moving/have moved* house tomorrow. Everything is packed.
16. The plane *leaves/has left* at four o'clock. We must be at the airport by two o'clock.
17. It *gets/is getting* colder and colder every day.
18. Have you seen Linda? I *have been looking/am looking* for her for almost an hour.
19. Sam is a very interesting person. He *knows/has known* all kinds of unusual facts.
20. First, you *are heating/heat* the oven to a temperature of 180°C.
21. Have you heard the news? They *have just elected/have been electing* a new club chairman!
22. Martha *is finding/has found* a new job. She is starting next week.
23. The teacher *has been correcting/has corrected* essays for three hours.
24. Michael's car broke down last week, so he *uses/is using* his father's for the time being.
25. It rarely *gets/is getting* hot in Britain.

MODULE 2. Law Enforcement Bodies

UNIT 1. Law-enforcing in Ukraine.

I. LEAD-IN

1. Answer the following questions:

What do you know about the Prosecutor's Office of Ukraine?

What do you know about penal system of Ukraine?

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

1) The rule of law	a) від імені держави
2) Observance of laws	b) єдина державна політика
3) On behalf of the state	c) дотримання законів
4) Penal Department	d) органи виконання покарань
5) Sole state policy	e) пенітенціарне відомство
6) Organs of Executing Penalties	f) верховенство права

3. Read the text to understand what information is of primary importance or new for you.

THE PROSECUTOR'S OFFICE

The Prosecutor's Office of Ukraine is a part of the law-enforcement system of Ukraine. It composes a centralized system of organs united by common tasks, functions, principles of organization and activity. The head of this system is the Prosecutor General of Ukraine. He is appointed to the post for a five-year term by the President of Ukraine. But Verhovna Rada must approve this appointment. His resignation from the office may be made either by the President of Ukraine or by Verhovna Rada as a result of a vote of no confidence.

Units of the Prosecutor's Office are created and function according to the administrative and territorial principle and their specialization.

The Prosecutor's Office activity is directed at comprehensive consolidation of the rule of law and keeping law and order. Its task is to protect various public and personal values by preventing any offence. While fighting crime the Prosecutor's Office also defends the foundations of our state and society: democratic order, sovereignty, independence, humanity, law and order and so on.

In accordance with the Constitution of Ukraine the Prosecutor's Office is entrusted with the following functions:

- 1) *supervision of the observance* of laws by agencies conducting detective and search activity, inquiry and preliminary investigation;
- 2) supervision of the observance of laws while executing court decisions on criminal cases and applying other enforcement measures as for the restriction of personal liberty of citizens;
- 3) upholding prosecution in court on behalf of the state;
- 4) representation of the interests of the State and its citizen in cases fixed by the law.
- 5) supervision of the observance of personal rights and freedoms, observance of laws relating to these problems by executive bodies their officials and office workers

Activity of the Prosecutor's Office of Ukraine is based on principles of unanimity and centralization, independence, publicity, equal defense of rights and freedoms of citizens, priority of rights of an individual, legality and the rule of law.

PENAL SYSTEM IN UKRAINE

Notes: Transgressor- правопорушник

From the beginning of human history, society has a problem of crime and criminal. At first to keep a criminal in prison was not profitable. It was easier just to kill a **transgressor**. With development of industry crimes not only increased in number but became more various. Governments found economic advantages in convict labor. As the laws increased so did correctional labor institutions and penal system. Now in many countries including Ukraine the most severe form of punishment is life imprisonment.

In 1998 Penal Department was created in independent Ukraine.

Ukrainian State Department Executing *Penalties* (USDEP) is a centralized state executive organ with a special status which realizes state policy as for executing criminal punishments. It subordinates territorial *Organs of Executing Penalties* and Inspection on criminal performance. Among Institutions Executing Penalties there are prisons, special bringing up institutions and institutions on criminal performance divided into: correctional labor institutions and correctional labor settling.

The main tasks of USDEP are:

- to realize sole state policy according to executing criminal punishments; – to work out recommendations as for
 - 1) arrested persons,
 - 2) executing court decisions and
 - 3) using correctional and bringing up means provided for by the law;
- to supervise executing court decisions on separate kinds of complementary punishments;
- to provide forced medical treatment of alcohol and drug addict;
- to provide the observance of laws by Organs and Institutions of Executing Penalties (OIEP), prevention crimes among convicts, disclosing and exposing crimes committed in OIEP, carrying out inquiries and operational search activity;
- to head OIEP: to organize working activity for convicts, to provide them with professional training and education;
- to protect rights and freedoms of an individual in conditions of serving criminal punishment.

II. DEVELOPMENT

1. Find in the text information about:

- a) activity of the Prosecutor's Office;
- b) system of the Prosecutor's Office;
- c) crimes and punishments;

d) structure of the penal system.

2. Fill in the table with the information from the text, concerning

Tasks of the Prosecutor's Office	Functions of the Prosecutor's Office

3. State your opinion about Institutions of Executing Penalties in Ukraine.

Do you agree with the statement that a convict must only feel lack of freedom?

Does this statement work for our society and our mentality?

4. Compare the Prosecutor's Office of Ukraine and Penal System of Ukraine as for their tasks, functions, structure and others.

	Tasks	Functions	Structure	Other information
The Prosecutor's Office of Ukraine				
Penal System of Ukraine				

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

Prosecutor.

To examine, to inspect, to supervise indictment, supervision, court, direction, prosecution, speech, fixed

Prosecutor's job is complicated and has different 1... . First of all he 2... comprehensive, impartial and full investigation of cases. He also approves the 3... . In court he presents public 4... . His rights in the trial are the following: to submit and 5... evidence, to question witnesses, to challenge the members of the At the end of court hearing he pronounces his 6... for the prosecution where he explains applicable criminal law and 7... punishment. One more duty of the prosecutor is 8... over the observance of laws by penal system. For this purpose he 9... places of confinement, questions convicts, checks living and working conditions and so on.

6. Look through the list of functions performed by the Ukrainian prosecutor. Put them in order they are performed. Translate these word combinations into Ukrainian.

- 1) to pronounce speech for the prosecution ;
- 2) to question the defendant ;
- 3) to interview witnesses ;
- 4) to study the documents to the case ;

- 5) to submit evidence ;
- 6) to examine evidence accumulated by an investigator ;
- 7) to appeal against a court decision in a higher court.

Using the list above tell about the prosecutor’s responsibilities.

7. Translate the text about Penal Institutions of the USA.

Виправні установи у Сполучених Штатах

Типова в’язниця у Сполучених Штатах сьогодні – це фортеця зі сталі та каменю. У ній знаходяться будівлі з камерами для засуджених, адміністрація, школи, каплички (chapels), фабрики, майстерні, їдальня, лікарня та подвір’я для прогулянок. Інколи в’язниці містять спортивні майданчики. Поза стінами фортеці розташовані головні офіси адміністрації, будинки охоронців, допоміжного складу та їх сімей. Деякі в’язниці мають особисті фермерські господарства. Кількість в’язнів зазвичай становить від декількох сотень до тисячі. Але існують виправні установи, де засуджених три і навіть шість тисяч. Зазвичай уночі засуджених тримають в одиночних камерах, а вдень вони працюють у майстернях. Спілкуватися в’язні не мають права. Разом вони тільки харчуються. Така система організації американських в’язниць була створена у XIX сторіччі і має назву Обурнська система.

III. PRACTICE AND EXPERIENCE

1. Imagine that you are a prosecutor.

A. Give instructions to a young investigator who has just been appointed to the post. Use the following key-words:

PART III.

Judicial Systems and Law Enforcement Bodies

To be	a good actor; patient; calm;
To ask	direct questions; one question at a time; continually;
To dominate	the situation;
To use	psychological gestures; several lines of attack;
To change	the line often;
To prepare	a list of questions;
To control	your mood; emotions; the interrogation;

To demand	the truth;
To let	the suspect think that you know all

B. Question a prisoner. Start your questions with:

1) what (at least 5); 2) when (at least 3); 3) where (at least 3); 4) who (at least 2); 5) how oft en (at least 2); 6) how many (at least 2).

C. Question a witness of the prosecution. Start your questions with:

1) what (at least 4); 2) when (at least 3); 3) where (at least 3); 4) whom (at least 2); 5) who (at least 2); 6) how (at least 2)

D. Question a witness of the defense. Start your questions with:

1) what (at least 4); 2) when (at least 3); 3) where (at least 3); 4) who (at least 2); 5) whom (at least 2); 6) how (at least 2)

2. Compose speech for the prosecution at the trial over an accused of murder a) which was committed during hunting; b) which was committed at self-defense; c) of his wife during family brawl; d) of his friend who got a big sum of money.

IV. WRITING

1. Prepare reports on the following topics: – “Role of the Law-Enforcement System in Ukraine” – “The Most Famous Spies of the XX Century”

V. OVER TO YOUR

1. Read the abstracts and give the names of law-enforcement bodies and institutions mentioned in them.

1. Although enforced degradation and hopelessness have proven a failure in the war against crime this institution has not changed greatly. In our country it is a state institution used to correct persons who have been convicted by court. It is subordinated to the Penal Department. The observance of legality in this institution is supervised by the Prosecutor’s Office of Ukraine.

2. This organ performs different kinds of law enforcing activity: detection and disclosing crimes; supervision; upholding state prosecution in court; representing interests of citizens or state.

3. History of this body was always connected with different myths. Its workers often lived double lives and had pseudonyms. This is the law enforcing agency of Ukraine. Its main aim is to protect state sovereignty, territorial integrity, state secrets and so on.

4. The workers of this structure sometimes get into criminal sphere in order to disclose criminal activity of the criminal group. This organization is a part of law

enforcing agencies. Its activity has many directions and there are many departments in this bodies.

2. Read the abstract from Sydney Sheldon “If Tomorrow Comes” about life in American prison and be ready to speak about:

A. the education in prison;

B. an ordinary day in the prison;

C. a prison cell.

Tracy soon learned why inmates referred to a term in the penitentiary as ‘going to college’.

Prison was an educational experience, but what the prisoners learned was unorthodox. The prison was filled with experts of every conceivable type of crime. They exchanged methods of grafting, shoplifting, and rolling drunks. They brought one another up to date on games and exchanged information on snitches and undercover cops.

In the recreation yard one morning, Tract listened to an older inmate give a seminar on pick pocketing to a fascinated young group.

‘The real pros come from Columbia. They got a school in Bogota, called the school of the ten bells, where you pay twenty-five hundred bucks to learn to be a pickpocket. They hang a dummy from the ceiling, dressed in a suit with ten pockets, filled with money and jewelry’.

‘What’s the gimmick?’

‘The gimmick is that each pocket has a bell on it. You don’t graduate till you kin empty every damn pocket without ringing the bell’.

Lola sighed, ‘I used to go with a guy who walked through crowds dressed in an overcoat, with both his hands out in the open, while he picked everybody’s pockets like crazy’.

‘How the hell could he do that?’

‘The right hand was a dummy. He slipped his real hand through a slit in the coat and picked his through pockets and wallets and purses.’

In the recreation room the education continued.

‘I like the locker-key rip-off.’ a veteran said. ‘You hang around a railway station till you see a little old lady trying to lift a suitcase or a big package into one of them lockers. You put it in for her and hand her the key. Only it’s the key to an empty locker. When she leaves, you empty her locker and split.’

In the yard another afternoon, two inmates convicted of prostitution and possession of cocaine were talking to a new arrival, a pretty young girl who looked no more than seventeen.

‘No wonder you got busted, honey,’ one of the older women scolded. ‘Before you talk price to a John, you have got to pat him down to make sure he isn’t carrying

a gun, and never tell him what you are going to do for him. Make him tell you what he wants. Then if he turns out to be a cop, it's entrapment, see?'

The other pro added, 'Yeah. And always look at their hands. If a trick says he is a working man, see if his hands are rough. That's the tip-off . A lot of plainclothes cops wear working men's outfits, but when it comes to their hands, they forget, so their hands are smooth.'

Time went neither slowly nor quickly. It was simply time. Tracy thought of St Augustin's aphorism: 'What is time? If no one asks me, I know. But if I have to explain it, I do not know.'

The routine of the prison never varied:

4.40 a.m. Warning bell

4.45 a.m. Rise and dress

5.00 a.m. Breakfast

5.30 a.m. Return to cell

5.55 a.m. Warning bell

lineup

10.00 a.m. Exercise yard

10.30 a.m. Lunch

11.00 a.m. Work detail lineup

3.30 p.m. Supper

4.00 p.m. Return to cell

5.00 p.m. Recreation room

6.00 p.m. Return to cell

8.45 p.m. Warning bell

9.00 p.m. Lights out

The rules were inflexible. All inmates had to go to meals, and no talking was permitted in the lines. No more than five cosmetic items could be kept in the small cell lockers. Beds had to be made prior to breakfast and kept neat during the day.

3. Answer the questions using the information from the text:

1. Who was the prison filled with?
2. What education did the inmate get in prison?
3. What kind of information did they exchange?
4. Which seminar did an older inmate give in the yard?
5. How much did people pay to learn to become a pickpocket?
6. What was the school of the ten bells like? Why was it called in such a way?
7. What was the trick with a locker?
8. What was 'time' for Tracy?
9. What was the timetable in prison?

4. Describe the situation in which these words were used:

- 1) methods of shoplifting;
- 2) seminar on pick pocketing;
- 3) ten bells;
- 4) jewellery;
- 5) overcoat;
- 6) suitcase;
- 7) key to an empty locker;
- 8) aphorism;
- 9) routine.

5. What crimes were mentioned in the text? Give their definitions.

GRAMMAR FOCUS

1. Put the verbs in brackets into the correct form of the present continuous or the present simple

- 1 A: Where's James?
B: He (play) football in the garden right now.
- 2 A: Bill(dance) very well.
B: Yes, he's a good singer, too.
- 3 A: Lucy is very busy.
B: Yes. She.....(work) very hard these days.
- 4 A: What(you/do) on Saturdays?
B: I clean the house and go shopping.
- 5 A: Why.....(you/pack) your suitcase?
B: Because I(fly) to Paris tomorrow morning.
- 6 A: Fred.....(not/know) how to swim.
B: That's because he's only three.
- 7 A: Max looks very fit.
B: Yes. He(take) a lot of exercise these days.

2. Put the verbs in brackets into the present simple or the present continuous.

Dear Martin, How are you and Sally? I 1) ...*hope*... (hope) you're well. I 2).....
(write) to give you some good news. I have got a summer job for the holidays! I 3)
.....(repair) telephone lines for a telephone company. I
4).....(usually/ride) my bicycle to work because it's only a ten minute ride
from home. We 5).....(start) work at 8:30. We 6)(finish) at 4:30 on
Mondays to Thursdays, but at 2:30 on Fridays, so I 7)..... (have) long
weekends. I 8)..... (work) very hard at the moment. To tell you the truth, I 9)

.....(be) a bit nervous because my boss 10)..... (leave) for Scotland on business next week, so I'll be on my own. Lizzie says I 11).....(worry) about it too much. She's probably right! Please write with your news. Say hello to Sally for me.

Best wishes,
Richard.

3. Read the text and put the verbs in brackets into the present simple or the present continuous.

Michael Barns 1) ..is... (be) a very busy man. Every morning, he 2).....(leave) home at 8 o'clock, and 3).....(go) to his office. He 4).....(usually/have) meetings until lunchtime, and in the afternoon, he 5)..... (often/visit) the people of Madewell. He really 6).....(enjoy) talking to people. At the moment, he and his team 7).....(organise) his election campaign. There are elections in June and he 8)(hope) to persuade lots of people to vote for him.

Next month, he 9)..... (go) to London to meet the Prime Minister. They 10)..... (have) a meeting to discuss future plans for Madewe

4. Correct the mistakes

1. Steve goes fishing tomorrow.
2. Rebecca wash her hair every day.
3. I am visiting my grandparents every week.
4. Tim doesn't wants to do his homework.
5. He sits on the floor at the moment.
6. Do you watch TV in the evenings always?
7. Sarah is drinking coffee every morning.
8. They don't go usually on holiday in May.
9. Does she work late? No, she does never.
10. Peter looks for a new house at the moment.

MODULE 2. Law Enforcement Bodies

UNIT 2. Law-Enforcement Agencies in the UK and USA.

I. LEAD-IN

1. Answer the questions:

1. What law-enforcement agencies in Ukraine do you know?
2. What agencies in the USA can exercise law-enforcement powers?
3. Could a society exist without law-enforcement agencies?

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

- 1) domestic intelligence agency
- 2) to seek fugitives
- 3) monetary instruments
- 4) first aid rendering
- 5) foreign intelligence threat
- 6) primary responsibility
- 7) counterfeiting crimes
- 8) terrorist threat
- a) загроза з боку іноземної розвідки
- b) злочини, пов'язані з фальсифікацією
- c) пряма відповідальність
- d) надання першої допомоги
- e) внутрішня контррозвідка
- f) інструменти грошової та кредитної політики
- g) розшукувати втікачів
- h) терористична загроза

3. Read the text to understand what information is of primary importance or new for you.

LAW-ENFORCEMENT AGENCIES IN THE USA

Notes:

The Federal Bureau of Investigation (FBI) – Федеральне бюро розслідувань.

The Department of Justice (DOJ) – Міністерство юстиції (в США); федеральний виконавчий департамент Сполучених Штатів, відповідальний за засто сування закону та відправлення правосуддя, дорівнює Міністерству юстиції або Міністерству внутрішніх справ інших країн.

The Drug Enforcement Administration (DEA) – Управління з боротьби з наркотиками; федеральний правоохоронний орган, завданням якого є боротьба з контрабандою та вживанням наркотиків на території Сполучених Штатів.

The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) – Бюро з боротьби з незаконною торгівлею та використанням алкогольних та тютюнових виробів, вогнепальної зброї та вибухових речовин.

The United States Marshals Service – Служба федеральних маршалів США.

The United States Department of Homeland Security (DHS) – Міністерство внутрішньої безпеки США.

The federal government of the United States established a wide range of law-enforcement agencies to maintain law and public order related to matters affecting the country as a whole.

The Department of Justice (DOJ) is the most prominent group of law-enforcement agencies, and handles most law-enforcement duties at the federal level. It includes **the Federal Bureau of Investigation (FBI), the Drug Enforcement**

Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), the United States Marshals Service, and others. The Marshals Service is the oldest federal law-enforcement agency. It is a part of the executive branch of government, and the enforcement department of the United States federal courts, and is responsible for the protection of court officers and buildings and the effective operation of the judiciary. The service assists with court security, protects federal witnesses, transports federal convicts, and seeks fugitives.

The Federal Bureau of Investigation (FBI) is a law-enforcement and *domestic intelligence agency* charged with protecting and defending the United States against *terrorist and foreign intelligence threats*; upholding and enforcing the criminal laws of the United States; and providing leadership and criminal justice services to federal, state, municipal, and international agencies and partners. The FBI has investigative jurisdiction over violations of more than 200 categories of federal crime. Its motto is "Fidelity, Bravery, Integrity" – FBI.

The United States Department of Homeland Security (DHS) is a department of the United States federal government, created in response to the September 11 attacks, and with the *primary responsibility* of protecting the territory of the U.S. from terrorist attacks. It now includes the United States Secret Service, which protects the President and the Vice President of the United States, their families as well as investigating counterfeiting crimes involving U.S. currency and monetary instruments; U.S. Immigration and Customs Enforcement and others.

An agency that maintains order, prevents and detects crime is the Police. Federal law-enforcement officers have the power to enforce various laws not only at the federal level, but also state, county, and local in many circumstances. The federal government is prohibited from exercising general police powers due to restrictions in the constitution, because the United States is organized as a union of sovereign states, which each retain their police, military and domestic law-making powers. Police functions are as follows: crime fighting; order maintenance; first aid rendering. Because police agencies are traditionally available year-round, 24 hours a day, citizens call upon police departments not only in times of trouble, but also when just inconvenienced. As a result, police services may include roadside auto assistance, finding lost pets or property, or checking locks on vacationers' homes.

In the United States, a sheriff is a county official and is typically the top law-enforcement officer of a county. Historically, the sheriff was also a commander of the militia in that county. Distinctive to law-enforcement in the United States, sheriffs are usually elected. The political election of a person to serve as a police leader is an almost uniquely American tradition. The law-enforcement agency headed by a sheriff is typically referred to as a sheriff's office or sheriff's department.

II. DEVELOPMENT

1. Find in the text the information on

- a) the United States Marshals Service;
- b) the Federal Bureau of Investigation (FBI);
- c) the United States Department of Homeland Security (DHS).

2. Complete the names of the U.S. law-enforcement bodies:

Homeland, Firearms, Service, Immigration, Administration, Federal, Department

- the U. S. ... of Justice;
- the U. S. ... Bureau of Investigation;
- the U. S. Drug Enforcement ... ;
- the U. S. Bureau of Alcohol, Tobacco, ... , and Explosives;
- the U. S. Marshals ... ;
- the U. S. Department of ... Security;
- the U. S. ... and Customs Enforcement.

3. Give the Ukrainian equivalents to the following English word combinations:

a) federal witness, federal convict, federal level, federal law-enforcement agency, the Federal Bureau of Investigation, the United States federal court, the United States federal government.

b) law-enforcement agency, law-enforcement duties, the Drug Enforcement Administration, enforcement department, to enforce the criminal laws, the top law-enforcement officer.

4. Match the beginnings with the endings consulting the text:

1. The federal government of the United States established lawenforcement agencies to...
2. The most prominent group of lawenforcement agencies is...
3. The Marshals Service assists with ...
4. The Federal Bureau of Investigation is...
5. The FBI motto is...
6. The United States Department of Homeland Security was created ...
7. An agency that maintains order, prevents and detects crime is ...
8. Police agencies are traditionally available ...
9. The political election of a person to serve as a police leader is ...

- a) in response to the September 11 attacks.
- b) an almost uniquely American tradition.
- c) the Police.

- d) the domestic intelligence agency.
- e) year-round, 24 hours a day.
- f) maintain law and public order.
- g) court security, protects federal witnesses, transports federal convicts, and seeks fugitives.
- h) "Fidelity, Bravery, Integrity".
- i) the Department of Justice (DOJ).

5. a) Complete the table (some combinations may be used not once):

The Department of Homeland Security	The Federal Bureau of Investigation	The Police	The sheriff

domestic intelligence agency, currency and monetary instruments, the September 11 attacks, inconvenienced, terrorist threat, foreign intelligence threat, available year-round, 24 hours a day, a commander of the police, the United States Secret Service, counterfeiting crimes, election of a person, international agencies, checking locks on vacationers' homes, to protect the President and the Vice President of the United States, to maintain order, to find lost pets or property, county official, "Fidelity, Bravery, Integrity", first aid rendering, to provide leadership, U.S. Immigration and Customs Enforcement, sheriff's office or sheriff's department, to prevent and detect crime, roadside auto assistance, almost uniquely American tradition.

b) Speak about the Department of Homeland Security (DHS), the Federal Bureau of Investigation (FBI), the Police, a sheriff.

6. Translate into Ukrainian:

- The FBI's top investigative priorities are: Protect the United States from terrorist attack (counter-terrorism);
- Protect the United States against foreign intelligence operations and espionage (counter-intelligence);
- Protect the United States against cyber-based attacks and hightechnology crimes;
- Combat public corruption at all levels;
- Protect civil rights;
- Combat transnational/national criminal organizations and enterprises;
- Combat major white-collar crime*;
- Combat significant violent crime*;
- Support federal, state, local and international partners;
- Upgrade technology for successful performance of the FBI's mission.

* A white-collar crime is a crime committed by a person at a the place of work using his/her related powers;

* A violent crime is a crime in which the offender uses or threatens to use violent force upon the victim.

III. PRACTICE AND EXPERIENCE

1. Describe the main functions of the following law-enforcement agencies of the USA. Consult the Note above the text:

- a) the Department of Justice (DOJ);
- b) the Federal Bureau of Investigation (FBI);
- c) the United States Marshals Service;
- d) the United States Department of Homeland Security (DHS);
- e) the Police;

2. Read about the process of hiring FBI agents and do the tasks.

In order to apply to become an FBI agent, an applicant must be between the ages of 23 and 37. The applicant must also hold American citizenship; have a clean record, and a four-year bachelor's degree. All FBI employees require a Top Secret (TS) security clearance. Special Agents candidates also have to pass a Physical Fitness Test (PFT) that includes a 300-meter run, one-minute sit-ups, maximum push-ups, and a 1.5-mile (2.4 km) run. There is also a polygraph test that personnel have to pass, with questions including possible drug use.

After potential special agent candidates are cleared with TS clearance and a non-disclosure agreement is signed, they attend the FBI training facility located on Marine Corps Base Quantico in Virginia. Candidates spend approximately 21 weeks at the FBI Academy, where they receive over 500 classroom hours and over 1,000 simulated law enforcement hours to train. Upon graduation, new FBI Special Agents are placed all around the country and the world, depending on their areas of expertise.

A. Guess about the meanings of the following combinations:

to have a clean record, a Top Secret (TS) security clearance, one-minute sit-ups, maximum push-ups, a polygraph test, to be cleared (with TS clearance), a non-disclosure agreement, training facility, simulated law enforcement hours, areas of expertise.

B. Answer the questions:

1. What are the requirements for a potential FBI agent? (Age, citizenship, quality of a record, education).
2. Why is a Top Secret (TS) security clearance so important for FBI employees?
3. What does a Physical Fitness Test include?
4. Why do personnel have to pass a polygraph test?

5. What documents do candidates sign before attending FBI training facility?
6. What does FBI agents training consist of?

IV. WRITING

Prepare a report on “The Structure of Law-Enforcement Agencies in Ukraine”.

V. OVER TO YOU

1. Read the information about the FBI Motto – “Fidelity, Bravery, Integrity”. Do you agree that this variant of the motto is the best?

What your own variant of the FBI Motto can you suggest?

The origins of the FBI's motto may be traced to a brief comment by Inspector W. H. Drane Lester, the editor of the employee magazine, *The Investigator*, in September 1935: "F B I"

At last we have a name that lends itself to dignified abbreviation the Federal Bureau of Investigation, which quite naturally becomes "FBI." In the past our nicknames, which the public are so prone to give us, have been many and varied. "Justice Agents", "D.J. Men", "Government Men" are but a few of them, with the Bureau itself incorrectly referred to as "Crime Bureau", "Identification Bureau" and "Crime Prevention Bureau." The latest appellation, and perhaps the one which has become most widespread, is "G-Men", an abbreviation itself for "Government Men." But "F B I" is the best and one from which we might well choose our motto, for those initials also represent the three things for which the Bureau and its representatives always stand: "Fidelity – Bravery – Integrity."

2. The Police Jokes. 1) Act out the situations:

A. The sheriff of a small town was also the town's animal Vet. One night the phone rang, and his wife answered. A sharp voice shouted: "Is your husband there?" "Do you require his services as a sheriff or as a vet?" the wife asked. "Both!" was the reply. "We can't get our dog's mouth open, and there's a burglar in it."

B. An elementary school class goes on a trip to the police station. Officer points to the 10 MOST WANTED list and tells them that these are the most wanted fugitives in the USA. Little Boy says pointing to one of the photos " He is the MOST WANTED in the USA?!" Officer says "Yes." Little Boy asks "Why didn't you keep him when you were taking his picture?"

2) Read the anecdote. Describe the driver's behaviour. Predict the end of the story.

A police officer stops a guy over for speeding (перевищення швидкості).

Officer: May I see your driver's license?

Driver: I don't have one. I had it suspended when I got my 5th DUI (керування транспортним засобом у нетверезому стані).

Officer: May I see the owner's card for this vehicle?

Driver: It's not my car. I stole it.

Officer: The car is stolen?

Driver: That's right. But I think I saw the owner's card in the glove box when I was putting my gun in there.

Officer: There's a gun in the glove box?

Driver: Yes, sir. That's where I put it after I shot and killed the woman who owns this car and stuffed her in the trunk.

Officer: There's a BODY in the TRUNK?!?!?

Driver: Yes, sir.

Hearing this, the officer immediately called his captain. The car was quickly surrounded by police, and the captain approached the driver to handle the tense situation.

Captain: Sir, can I see your license?

Driver: Sure. Here it is.

It was valid.

Captain: Whose car is this?

Driver: It's mine, officer. Here's the registration.

Captain: Could you slowly open your glove box so I can see if there's a gun in it?

Driver: Yes, sir, but there's no gun in it.

Sure enough, there was nothing in the glove box.

Captain: Would you mind opening your trunk? I was told you said there's a body in it.

Driver: No problem.

Trunk is opened; no body in it.

Captain: I don't understand it. The officer who stopped you said you told him you didn't have a license, stole the car, had a gun in the glove box, and that there was a dead body in the trunk.

Driver: Yeah, sir. I'll bet he told you I was speeding, too.

IV. GRAMMAR FOCUS

1. Underline the correct tense

A Next Saturday, Daisy 1) *is flying/flies* to Paris for a business meeting. Her secretary has already booked the flight. The plane 2) *will leave/leaves* at nine o'clock in the morning and one of her business clients 3) *will have met/will be meeting* her at the airport when the plane lands. She doesn't know how long the meeting will last, but she 4) *will have returned/will have been returning* home by Thursday evening.

B Florence 1) *is going to become/will be becoming* a doctor when she finishes medical school. She thinks she 2) *will probably work/will have probably worked* in a hospital for most of her career. This time next month, she 3) *will have revised/will be revising* hard for her exams. By the time she gets her degree she 4) *will have been studying/will have studied* medicine for five years. Florence hopes she 5) *will have passed/will pass* all the exams with excellent grades.

C Next Monday, Amanda 1) *will have been starting/ is starting* work. She 2) *is going to work/will work* for a large company in the city centre. By the end of next week, she 3) *will be finishing/will have finished* her training.

D My parents have been married for almost thirty years. In fact, this time next month, they 1) *will be celebrating/will have been celebrating* their 30th wedding anniversary. They 2) *will have been living/will be living* in the same house for twenty-five years by next Thursday, and, by the time my father is sixty, he 3) *will work/will have been working* for the same company for forty years.

MODULE 3. Criminal Proceedings

UNIT 1. Criminal Justice.

I. LEAD-IN

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. 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

3. Read the text to understand what information is of primary importance or new for you.

TRIAL

Notes:

petit jury – мале журі, суд присяжних (колегія дванадцяти присяжних, що розглядають справу по суті)

The USA's common law heritage makes it possible for all the states to follow in criminal trials a uniform 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. Next 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.

II. DEVELOPMENT

1. Find in the text the information on

- a) the role of the prosecutor at trial;
- b) the role of the defence counsel;
- c) reaching a jury's verdict.

2. Match the beginnings with the endings:

1. The function of a trial court is	a. the judge is to determine the sentence.
2. After the opening statements by the prosecutor	b. to determine the guilt or innocence of the accused person.
3. Cross examination includes	c. summarize the case to the jury
4. In closing arguments the two opposing lawyers	d. questioning the defendant/ witnesses by the opposing party.
5. After the verdict is announced	e. he presents evidence against the defendant.

3. 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.

4. Give 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

5. 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.

6. 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 **1...** until **2...** proves each element of the crime beyond a reasonable doubt. Thus, the law requires the jury **3...** the defendant unless it is convinced of the defendant's guilt beyond **4...** The jury in a criminal case may not convict on a finding that the defendant's **5...** 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 **6...** of proof.

7. Translate 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 в своєму слові пояснює присяжним, що при винесенні вердикту вони повинні:

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

III. PRACTICE AND EXPERIENCE

1. Describe and discuss the principle of reasonable doubt and the presumption of innocence as they are applied to criminal trials.

- 2. A) Look at the dialogue at the trial. Who do the replies A belong to?**
B) Fill in the gaps describing the rights of the defendant (key words are below).
C) Reproduce the dialogue on behalf of the a) judge; b) defendant; c) defence lawyer; d) prosecutor.

Judge: Mr. Rogers, you have just heard your attorney say you wish to plead guilty to burglary. Is that how you wish to plead?

A: Yes sir.

Judge: How old are you?

A: 26.

Judge: Have you ever been treated for mental problems?

A: No sir.

Judge: Are you now under the influence of any alcohol, drugs, or medication of any kind?

A: No.

Judge: You do not have to plead guilty. You have the right to plead not guilty and have the following rights at trial: the rights to a jury, to see and hear witnesses testify and have your lawyer question them for you, to call witnesses and present evidence you want the jury to consider; the right to refuse to testify yourself or not to testify; the right to require the prosecution to prove your guilt by the evidence before you can be found guilty. Do you understand these rights?

A: Yes sir.

Judge: Do you understand that if I accept your plea, you give up each of these rights, that there will be no trial and all I have to do is sentence you, and that you give up your right to an appeal?

A: Yes sir.

Judge: Mr. Schuffertal, have any agreements been made between the state and the defendant relative to any plea or any sentence?

Counsel: Yes, Your Honour. My client has agreed to plead guilty to a single charge of burglary in exchange for the prosecution's promise to drop additional charges.

Judge: Mrs. Prosecutor, is this correct?

Prosecutor: Yes, Your Honour.

Judge: Mr. Rogers, has anyone, including your lawyer, or the prosecuting attorney, or anyone else forced or pressured you into entering this plea?

A: No sir.

Judge: Are you pleading guilty because you are guilty?

A: Yes sir.

Key words: jury, prosecutor, evidence, testify, witnesses.

- 3. Read the extract from "If Tomorrow Comes" by Sydney Sheldon and do exercises.**

He came to visit Tracy the following morning. She saw the smile on his face, she knew there was good news. 'We got lucky', he exclaimed. 'I've just left Judge Lawrence and Topper, the district attorney. Topper screamed like a dog, but we've got a deal'. 'A deal?' 'I told Judge Lawrence your whole story. He's agreed to accept a guilty plea from you.' Tracy stared at him in shock. 'A guilty plea? But I'm not-' He raised a hand. 'Hear me out. By pleading guilty, you save the state the expense of a trial. I've persuaded the judge that you didn't steal the painting. He knows Joe Romano, and he believes me'. 'But...if I plead guilty,' Tracy asked slowly, 'what will they do to me?' 'Judge Lawrence will sentence you to three months in prison with-' 'Prison!' 'Wait a minute. He'll suspend the sentence, and you can do your probation out of state'. 'But then I'll-I'll have a record,' Perry Pope sighed. 'If they put you on trial for armed robbery and attempted murder during the commission of a felony, you could be sentenced to ten years.' Ten years in Jail!

Perry Pope was patiently watching her. 'It's your decision,' he said. 'I can only give you my best advice. It's a miracle that I got away with this. They want an answer now. You don't have to take a deal. You can get another lawyer and-' 'No.' She knew that this man was honest. Under the circumstances, considering her insane behaviour, he had done everything possible for her. If only she could talk to Charles. But they needed an answer now. She was probably lucky to get off with a three-month suspended sentence. 'I'll - I'll take the deal,' Tracy said. She had to force the words out.

He nodded. 'Smart girl.'

A. Answer the questions:

1. What kind of deal did Perry Pope talk about?
2. What was going to happen to Tracy if she accepted a proposed idea?
3. Did Tracy have any time to think it over?
4. Do you think she was innocent?
5. What was the charge going to be?

B. Describe the situation in which these words were used:

- 1) to plead guilty;
- 2) to sentence to 10 years;
- 3) in shock;
- 4) miracle;
- 5) three months in prison;
- 6) smile;
- 7) I'm not...;
- 8) smart girl;
- 9) another lawyer.

C. Explain in other words:

- 1) to suspend a sentence;
 - 2) insane behaviour;
 - 3) commission of felony;
 - 4) attempted murder;
 - 5) to take a deal.
4. Predict the end of the story.

4. 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:

knife, glass of whiskey, gloves, cigarette. What do you think happened?

You can start with: "It was reported that Mr. Stivenson had been murdered in his apartment last night..."

5. Read the dialogue. Who are the three speakers? What is meant by "Are all parties in agreement?"

- The court has been informed that the defendant wishes to change her plea from not guilty to guilty. Is that correct?
- Yes, Your Honour.
- Are all parties in agreement?
- Yes, Your Honour.
- The state agrees, Your Honour.

IV. WRITING

Do researches on "Typical Trial in Ukraine".

V. OVER TO YOU

Do the Criminal Law Quiz (the American style). Then check your answers.

Introduction:

"Police officers have to make quick judgements in all kinds of situations. They don't have the luxury of carrying law books or having weeks and months to make up their minds when deciding to arrest someone. Let's see how much you know about the law."

1. When a police officer makes an arrest without a warrant he/she must have obeyed this rule of law.
 - a) The facts
 - b) General suspicion
 - c) Probable cause
 - d) Preponderance of evidence

2. What is first degree murder?

- a) It is when there is premeditation or when the murder happens during the commission of a felony.
- b) It is when the person is caught red handed.
- c) It is when someone shoots another in cold blood.
- d) It is when the defendant makes a complete confession.

3. Which one of these calls for service would the police probably NOT respond to?

- a) When a credit card company calls to complain that someone has not paid their monthly balance.
- b) When someone complains that the neighbours radio is too loud.
- c) When someone calls the police about a barking dog that keeps them awake.
- d) When someone complains about a hole in the street.

4. Aunt Tillie and Mr. Jones have a minor traffic accident in the parking lot of the mall. One of them calls the police but the dispatcher says that the police would not be coming. Why is that?

- a) Officers can't be bothered with accidents involving old people.
- b) The mall security guards would probably handle the accident and arrest whoever was at fault.
- c) A traffic accident, especially when there is no major damage, is a civil matter.
- d) The police don't go onto mall property unless there is a murder.

5. Joe Smith is walking down the street and finds a wallet on the sidewalk. It contains two hundred dollars and the driver's license of Mary Jones. Joe considers this a stroke of luck and keeps the money. This is called finder's keepers and Joe gets to keep the money.

- a) True b) False

6. What crime has been committed when a man confronts someone on a sidewalk, hit them over the head knocking them down, and then takes their wallet?

- a) Robbery
- b) Theft
- c) Larceny
- d) Coercion

7. What crime has been committed when someone goes into a store, hides a twenty dollar item under their coat, and leaves without paying?

- a) Robbery
- b) Encroachment
- c) Embezzlement
- d) Theft

8. What is one test that an officer might give to a driver who is suspected of driving while drunk?

- a) Saying the alphabet backwards

- b) Walking on a straight line heel to toe
 - c) The hop, skip, and jump test
 - d) Spelling the names of five U.S. senators
9. When someone has been arrested and is due to appear in court he/she is called: a) The prosecutor b) The suspect c) The defendant d) The plaintiff

Answers: 1.c) 2. a) 3 a) 4 c) 5 b) 6 a) 7 d) 8 b) 9 c)

GRAMMAR FOCUS

The Past Simple Tense

1. Make the sentences interrogative and negative:

Example: *The jury consisted of local citizens.* — *Did the jury consist of local citizens?* — *The jury didn't consist of local citizens.*

1. The defendant had no right to appeal.
2. Two witnesses watched a burglary.
3. The photograph was very important for the investigator.
4. Scottish civil law didn't differ from that of England.
5. Her mother was guilty of murder.
6. She threatened him with the gun and forced him to write out a confession.

2. Put questions to the words in italics:

Example: They trial started *at 9 o'clock this morning.* — *When did the trial start?*

1. His brother worked as a judge *last year.*
2. The doctor examined the victim *in the morning.*
3. The suspect told *about the place of the crime.*
4. He missed a lot of classes *in Criminology.*
5. Every year Parliament passed *about hundred laws.*
6. *The judge* sentenced the accused to 15 years in prison.
7. Yesterday in the evening the jury *passed the verdict on the suspect.*

3. Rewrite the following sentences using the Past Simple:

1. His father works at a police station.
2. I often see him in the court.
3. He always takes a gun with him.
4. The investigator questions prisoners.
5. Their parents are in legal profession.
6. They don't change their opinion.

4. Use the appropriate form of the verb (Past Continuous or Past Simple):

Example:

They (were discussing, discussed) the sentence when the telephone rang. — They were discussing the sentence when the telephone rang.

1. They (carried out/ were carrying out) the expert examination an hour ago.
2. She (studied/ was studying) the report of the policeman when he came in.
3. The investigator (questioned/ was questioning) the suspect from 5 till 6 p.m.
4. The prisoner (was telling/ told) about the circumstances of the crime when his mother came to see him.
5. The judge (was calling/ called) the witnesses of the defence after the testimony of the plaintiff's witness.
6. After the direct examination the defendant's lawyer (was having/ had) a chance to question the witness.

5. Make the following sentences interrogative and negative:**Example:**

He had studied particular subjects at university before he started teaching law.

Had he studied particular subjects at university before he started teaching law?

He had not studied particular subjects at university before he started teaching law.

1. We had got the expert evidence by the end of the working day.
2. Pretrial examination had been over by the end of last week.
3. After they had finished analyzing the handwriting, we came to an important conclusion.
4. They had found the escaped prisoner before the sunset.
5. I had known the witness for a long time before she committed the crime.
6. They had passed 3 property laws before going on holiday.

6. Put questions to the words in italics: Example: This lawyer had won *100 cases* by the beginning of this year. — *How many cases had this lawyer won by the beginning of this year?*

1. He had studied Law *for 5 years* before he entered Law Academy.
2. By the time the train reached the city, he had received 5 calls *informing him of murders*.
3. The young officer wanted to act the main part in the investigation *because he had collected all necessary material evidence*.
4. When we came into the courtroom, *the last meeting of the trial* had already finished.
5. The lawmaker had proven *the necessity of enforcing the law* by the time the President decided to take necessary measures.
6. The new law limited the powers of government *which before had given them the right to use foreign bank accounts*.
7. The criminal had committed *two murders* before the police detained him.

MODULE 3. Criminal Proceedings

UNIT 2. Punishment.

I. LEAD-IN

1. Agree or disagree with the statements:

- Prisons will never be empty
- The debate about capital punishment will never finish
- Let the punishment fit the crime

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

1) stoning	a) закидання камінням
2) burning at the stake	b) зупиняти, утримувати
3) impaling	с) відплата, кара d) садити на кіл
4) retribution	e) спалювання на стовпі
5) to deter 6) capital offence	f) відродження
7) Enlightenment	г) злочин, що карається смертною карою

3. Read the text to understand what information is of primary importance or new for you.

Notes: crucifixion – распятие

Capital Punishment

Capital punishment is legal *infliction* of death as a penalty for violating criminal law. Throughout history people have been put to death for various forms of *wrongdoing*. Methods of execution have included such practices as **crucifixion**, stoning, drowning, burning at the stake, impaling, and beheading. Today capital punishment is typically accomplished by lethal gas or injection, electrocution, hanging, or shooting.

The first significant movement to abolish the death penalty began during the era known as the Age of Enlightenment. Critics of capital punishment contend that it is brutal and degrading, while supporters consider it a necessary form of retribution (revenge) for terrible crimes. Executions were public involving cruel methods. Opponents of capital punishment assert that it is degrading to the humanity of the person punished. Early opponents of capital punishment also argued that inflicting death was not necessary to control crime and properly punish wrongdoers. Instead, alternative punishment—such as imprisonment—could effectively isolate criminals from the community, deter other potential offenders from committing offenses.

Supporters of capital punishment countered that the ultimate penalty of death was necessary for the punishment of terrible crimes because it provided the most complete retribution and condemnation. Furthermore, they argued that the threat of execution was a unique deterrent. Supporters and opponents of capital punishment still debate its effectiveness.

Modern opposition to the death penalty is seen as a reaction to the political history of the 20th century, most notably the Holocaust—the systematic mass killing of Jews and others during World War II (1939-1945). Some of the nations involved in the war supported the abolition of capital punishment. Italy formally abolished the death penalty in 1947 and the Federal Republic of Germany did so in 1949. The British government instituted a Royal Commission to study capital punishment in 1950 and abolished the death penalty in 1965.

By the early 1980s every major country in Western Europe had stopped executing criminals. Canada abolished the death penalty in 1976. New Zealand held its last execution in 1957. By 2005, 83 countries all over the world no longer authorized the penalty of death for any crimes. Another 13 countries authorized capital punishment only for exceptional crimes, such as crimes under military law and crimes committed in exceptional circumstances, such as during wartime. Asian countries and Islamic nations tend to practice capital punishment. The majority of countries in Africa also authorize the death penalty. Only two advanced industrial democracies, the United States and Japan, retain the death penalty. A number of newly industrialized Asian nations, such as South Korea, also practice capital punishment.

Execution of criminals and political opponents has been used by nearly all societies—both to punish crime and to suppress political dissent. In most places that practice capital punishment it is reserved for murder, espionage, treason, or as part of military justice. In some countries sexual crimes, such as *rape*, *adultery*, and *incest* carry the death penalty. In many countries that use the death penalty, *drug trafficking* is also a capital offense. The following is a list of countries with statutory provisions for the death penalty for drug-related offenses: United States, Iran, Singapore, India (no execution carried out for such offenses), Kuwait, Bangladesh, Indonesia, Egypt, Saudi Arabia, Pakistan, Afghanistan, Zimbabwe, Brunei, Vietnam, Laos, Iraq, Oman, Republic of China.

II. DEVELOPMENT

1. Find in the text the information on

- a) the methods of execution;
- b) the history of debate;
- c) the countries that retain the death penalty.

2. Match the beginnings with the endings:

1. Capital punishment is	a) tend to practice capital punishment.
2. The death penalty is the most	b) still debate its effectiveness.
3. Supporters of the capital punishment consider it	c) legal infliction of death as a penalty.
4. Supporters and opponents of death penalty	d) a necessary form of retribution.
5. Asian countries	e) controversial penal practice.

3. A. Form nouns from the following verbs and translate them:

To deter –

To abolish –

To punish –

To debate –

To offend –

To execute –

B. Make up word combinations with following words:

To deter; punishment of; execution; to abolish; supporters; retribution; brutal; exceptional crimes; political opponents; treason.

C. Explain the following in English:

– death row;

– capital offense;

– crime;

– execution;

– electrocution;

– crime deterrence;

– isolation of criminals;

– threat of execution.

4. Give Ukrainian equivalents to the following English expressions:

Кара, скасування смертного вироку, засуджувати до смерті, жорстокі методи, потенційний злочинець, утримання від учинення дій залякуванням, ізолювати злочинців, захисники та опоненти, суперечлива практика, здійснювати страту, виключні обставини, придушувати політичну незгоду.

5. Fill in the gaps in the text below with the appropriate words from the box

criticize abolished serious controversial practice capital punishment
--

In the late 18th century, social commentators began to **1...** penal practices they considered brutal and unnecessary. Many of these philosophers condemned the use of **2...**, initiating a debate that has continued to modern times. During the 19th century, legal reformers in England and the United States helped enact laws limiting the death penalty to the most **3...** crimes. Shortly after World War II (1939-1945), many countries in Western Europe, beginning with Italy and Germany, **4...** capital punishment. Britain, Canada, and Australia followed suit. A similar abolition movement coincided with the breakup of the Union of Soviet Socialist Republics in 1991, when several nations in Eastern Europe eliminated capital punishment. The use of the death penalty has become increasingly **5...**, especially in the United States and Japan, the only industrialized democracies that continue to **6...** capital punishment.

6. Translate into Ukrainian:

Göring's Death Sentence

German field marshal Hermann Göring, second only to dictator Adolf Hitler in the National Socialist (Nazi) government, stands trial before the International Military Tribunal, held in Nürnberg, Germany, in 1945 and 1946. Göring was convicted of all the charges brought against him and sentenced to death by hanging. He committed suicide hours before his scheduled execution on October 15, 1946.

III. PRACTICE AND EXPERIENCE

1. Find the information on different views on death penalty and give your own reasons FOR and AGAINST it. Key words below may help you.

FOR	AGAINST
1.	1.
2.	2.

Key words:

to support, to defend, to revenge, retribution, to punish, (in)effective, to argue against, to maintain human dignity, brutal, alternative punishment, to threaten, to (dis)agree, to oppose.

2. What are *capital offences*? Name all the crimes that deserve death penalty as a punishment.

3. Capital punishment has been executed in different ways. Here is the list of methods. Divide them into and still used: electrocution, stoning, beheading, shooting, gassing, hanging, crucifixion, drowning, impaling and lethal injection. **Why have the methods changed?**

Out-dated	Still used

4. Name different types of punishment and present your own view: which punishment fit the following crimes:

- rape
- drug-trafficking
- pick-pocketing
- homicide
- hooliganism
- bribery
- bigamism
- speeding

5. JUSTICE or INJUSTICE? World War II was the bloodiest period of the human history. Massive killing occurred as the resolution of war. Here are some acts considered as crimes by Soviet Union’s military government and punished by death during that period: desertion, cowardice, marauding (мародерство), shirking under enemy fire (to shirk – увилывать). Present your own view on each offence.

6. What is the religious context of capital punishment? Read the following quotes and comment on the religious views of different nations. Explain, if they forbid or permit death as a penalty.

Buddhism: “Everyone fears punishment; everyone fears death, just as you do. Therefore do not kill or cause to kill. Everyone fears punishment; everyone loves life, as you do. Therefore do not kill or cause to kill” (Chapter 10 of Dhammapada);

Islam: “If anyone kills person – unless it be for murder or for spreading mischief in the land – it would be as if he killed all people. And if anyone saves a life, it would be as if he saved the life of all people” (Qur'an 5:32).

Christianity The sixth commandment is preached as “Thou shalt not kill” (Do not kill).

IV. WRITING

Do researches on “Current Executions”.

V. OVER TO YOU

Read the text and tell about executing of war criminals

NÜRNBERG TRIALS

The most important war crimes trials following World War II were held in Nürnberg, Germany, under the authority of two legal instruments signed by representatives of the United States, the United Kingdom, France, and the Union of Soviet Socialist Republics (USSR) in 1945. On October 18, 1945, the chief prosecutors lodged an indictment with the tribunal charging 24 individuals with a variety of crimes and atrocities (зверства), including the deliberate instigation of aggressive wars, extermination of racial and religious groups, murder and mistreatment of prisoners of war, and the murder, mistreatment, and deportation to slave labour of hundreds of thousands of inhabitants of countries occupied by Germany during the war.

Among the accused were Nationalist Socialist leaders Hermann Göring and Rudolf Hess, diplomat Joachim von Ribbentrop, munitions maker Gustav Krupp von Bohlen und Halbach, Field Marshal Wilhelm Keitel, Grand Admiral Erich Raeder, and 18 other military leaders and civilian officials. Seven organizations that formed part of the basic structure of the Nazi government were also charged as criminal. These organizations included the SS (Schutzstaffel, German for “Defense Corps”), the Gestapo (Geheime Staatspolizei, “Secret State Police”), the SA (Sturmabteilung, “Storm Troops”), and the General Staff and High Command of the German armed forces.

The trial began on November 20, 1945. The judgment of the International Military Tribunal was handed down on September 30-October 1, 1946. With respect to war crimes and crimes against humanity, the tribunal found overwhelming evidence of a systematic rule of violence, brutality, and terrorism by the German government in the territories occupied by its forces. Millions of persons were destroyed in concentration camps, many of which were equipped with gas chambers for the extermination of Jews, Roma (Gypsies), and members of other ethnic or religious groups. Under the slave labour policy of the German government, at least 5 million persons had been forcibly deported from their homes to Germany. Many of them died because of inhuman treatment. The tribunal also found that atrocities had been committed on a large scale and as a matter of official policy.

Twelve defendants were sentenced to death by hanging, seven received prison terms ranging from ten years to life, and three, including the German politician and diplomat Franz von Papen and the president of the German Central Bank Hjalmar

Horace Greeley Schacht, were acquitted. Those who had been condemned to death were executed on October 16, 1946. Göring committed suicide in prison a few hours before he was to be executed.

Subsequent Trials After the conclusion of the first Nürnberg trial, 12 more trials were held and provided for war crimes trials in each of the four zones of occupied Germany. About 185 individuals were indicted in the 12 cases. Those indicted included doctors who had conducted medical experiments on concentration camp inmates and prisoners of war, judges who had committed murder and other crimes under the guise of the judicial process, and industrialists who had participated in the looting of occupied countries and in the forced labour program. Other persons indicted included SS officials who had headed the concentration camps, administered the Nazi racial laws, and carried out the extermination of Jews and other groups in the eastern territories overrun by the German army; and high military and civilian officials who bore responsibility for these and other criminal acts and policies of the Third Reich. A number of doctors and SS leaders were condemned to death by hanging, and approximately 120 other defendants were given prison sentences of various durations. The tribunals acquitted 35 defendants.

GRAMMAR FOCUS

1. Put the verbs in brackets into the past perfect simple or the past perfect continuous

Yesterday was a bad day for Andrew. He 1) *hadn't slept* (not/sleep) well because there was a terrible storm in the night. After he 2)(have) a shower, he made breakfast. After he 3)(eat), he got into his car and drove to work. He 4)(only/drive) for five minutes when he remembered that he 5)(leave) his briefcase at home. He turned the car around and went home again. Then, he realized that he 6).....(lock) himself out. The keys were still inside the house! Andrew was already late for work, so he decided to leave the briefcase and go to work. When he arrived, his secretary told him that his boss 7)(try) to call him at home. Andrew went to find his boss. When he asked his boss why he(call), he told him that it hadn't been necessary for him to come to work that day after all! Poor Andrew drove all the way home again.

MODULE 4. Administrative Law

UNIT 1. Administrative Justice.

I. LEAD-IN

1. Have you ever seen a customs declaration? What happens if you write the wrong information?

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

1) customs law	a) митні справи
2) customs matters	b) митне право
3) unified form of declaring of export and import of goods	c) прискорення товарообігу
4) customs officers	d) єдина форма декларування товарів, що імпортуються або експортуються
5) acceleration of commodities circulation	e) офіцери митної служби

3. Read the text to understand what information on administrative law is of primary importance or new for you.

UKRAINIAN CUSTOMS LAW

The law of Ukraine on customs matters made great contribution to the evolution of Ukrainian customs law. The present day system of customs law is based on the law which was adopted on 25 June 1991. Since that time customs law has developed significantly. In concordance with the Declaration of State Sovereignty of Ukraine this Law defines the legal issues of managing customs matters in Ukraine, which is oriented towards forming of common market territory in Ukraine, and customs unions with other states.

Article 1. Customs matters

Ukraine as a sovereign state independently creates its own customs system and conducts customs matters. Customs matters are part of foreign political and economic activity of Ukraine.

Customs matters in Ukraine include establishing of order and organization of shipment of goods and other articles through the customs border of Ukraine, taxation, customs clearance and examination, and other measures concerning realization of customs policy in Ukraine.

While actualizing customs matters Ukraine follows recognized in international relations systems of classification and coding of goods, unified form of declaring of export and import of goods, customs information, and other generally accepted norms and standards of international practice. Ukraine takes part in international cooperation in customs matters.

Article 2. Customs territory and customs border

Territory of Ukraine is a single whole of customs territory, within borders of which Ukraine has exclusive jurisdiction concerning customs matters.

Border of customs territory of Ukraine is regarded as customs border of Ukraine. Customs territory also includes territories of artificial islands and constructions that are created in the economic zone of Ukraine, and over which Ukraine has exclusive jurisdiction concerning customs matters.

Article 3. Common customs zones and customs unions

Common customs zones and customs unions with other states are created by Ukraine on the basis of treaties.

Article 4. Management of customs matters

General management of customs matters is executed by the Verhovna Rada (the Parliament) and the Cabinet of Ministers of Ukraine. The State Customs Committee of Ukraine is responsible for direct management of customs matters.

Article 5. Customs bodies of Ukraine

Customs matters are directly executed by customs bodies of Ukraine.

Customs bodies of Ukraine constitute the system of executive organs for managing customs matters (customs system), that consists of the State Customs Committee of Ukraine, regional customs directorates, customs houses, and other customs institutions.

Customs bodies of Ukraine, their means of auto transport, sea and river boats and aircraft bear distinctive emblem and flag. Description of the flag and distinctive emblem is adopted by the Verhovna Rada of Ukraine. The State Customs Committee of Ukraine is created by President of Ukraine. The Statute of the State Customs Committee of Ukraine is adopted by President of Ukraine.

Regional customs directorates are created by the Cabinet of Ministers of Ukraine. Creation, reorganization, and liquidation of customs houses and other customs institutions is conducted by the State Customs Committee of Ukraine provided with agreement of the Ministry of Finance of Ukraine. State bodies, institutions, and public organizations have no right to interfere into service activities of customs bodies of Ukraine, excluding cases envisaged by laws of Ukraine.

Article 6. Competence of customs bodies of Ukraine

Legislation of Ukraine establishes competence of customs bodies concerning performing of the following functions:

- protection of economical interests of Ukraine;
- control of fulfillment of legislation of Ukraine on customs matters;
- performing obligations concerning international treaties of Ukraine on customs matters;
- implementation of means of customs tariff and non-tariff regulation concerning shipment of goods and other items through the customs border of Ukraine;
- customs clearance and taxation of goods and other items shipped through the customs border of Ukraine;
- execution of complex control of currency transactions together with the National Bank of Ukraine, etc.

Article 7. Customs officers

Only citizens of Ukraine can be customs officers.

Customs officers of Ukraine are conferred special ranks, defined by laws of Ukraine. Customs officers committed illegal actions during performance of their duties are prosecuted according to laws of Ukraine.

Article 8. Transfer of commodities and other items through the customs border

Commodities and other items are transferred through the customs border of Ukraine under customs control and are liable to customs clearance.

Article 9. Customs duty and customs fees

Commodities and other items transferred through the customs border of Ukraine are liable to customs duty in compliance with Law of Ukraine "On customs tariff".

Rates of customs duties are determined by the Cabinet of Ministers of Ukraine on the basis of Customs Code of Ukraine.

Customs duties and customs belong to Ukraine if contrary is not stated in international treaties of Ukraine.

II. DEVELOPMENT

1. Are the following statements true or false?

- 1) The law of Ukraine on customs matters in Ukraine was adopted on 24 August 1991.
- 2) The law of Ukraine on customs matters defines the legal issues of managing customs matters in Ukraine, which is oriented towards forming of common market territory in Ukraine, and customs unions with other states.
- 3) Customs matters are a part of home political and economic activity of Ukraine.
- 4) Customs border doesn't coincide with the state border of Ukraine.
- 5) Common customs zones and customs unions with other states are created by the European Union on the basis of treaties.
- 6) General management of customs matters is executed by the Ukrainian Parliament and the Cabinet of Ministers of Ukraine.
- 7) Customs matters are directly executed by tax police of Ukraine.
- 8) The Statute of the State Customs Committee of Ukraine is adopted by the Prime Minister of Ukraine.
- 9) Legislation of Ukraine establishes competence of customs bodies.
- 10) Only citizens of Ukraine can be customs officers.

2. Use the information in the text to give definitions to the following legal terms:

- customs matters;
- customs border ;
- customs territory;
- customs bodies;
- customs officer.

3. Translate into English:

Митне право України: § 5. Система митного права.

Система правових норм, яка регулює формування і здійснення митної політики, а також набір форм і методів її здійснення, порядок використання митними органами інструментів Митного регулювання при її здійсненні, утворює систему митного права. Первинною клітиною митного права є його норми.

Взаємозалежна сукупність митно-правових норм, що регулює певні групи суспільних відносин, які виникають між митними органами й особами з приводу переміщення останніми товарів і транспортних засобів через митний кордон, прийнято називати інститутами митного права. Порядок розташування цих інститутів усередині митного права як комплексної галузі визначається їх положенням у Митному Кодексі (МК) України. Тим часом таке положення зумовлене загальними підходами до систематизації права.

Норми митного права — це встановлені державою правила поведінки в митній сфері, які регулюють зміст митної справи і підтримуються примусовою силою держави. Так, згідно зі ст. 7 МК України законодавство України з питань митної справи становлять Конституція України, цей Кодекс, закони та інші нормативно-правові акти з питань митної справи, видані на основі та на виконання Конституції України, цього Кодексу та законів України.

Зважаючи на динамізм митного законодавства і необхідність вирішення тактичних завдань оперативного регулювання зовнішньоекономічної діяльності, МК України передбачив чітку процедуру набрання чинності новим митним законодавством.

III. PRACTICE AND EXPERIENCE

1. Work in pairs. Each pair should consist of a «smuggler» and a «customs officer». The «customs officer» questions «smuggler» to establish the truth. Using the following word combinations, make up a dialogue.

Customs border ■ taxation of goods ■ transfer of items ■ customs control ■ customs house ■ form of declaring of goods ■ customs information.

2. You are a specialist in Ukrainian Customs Law. Describe it to your colleagues from the UK using following word combinations. Word combinations:

customs officer ■ customs border ■ illegal actions ■ customs control ■ taxation of goods ■ classification and coding of goods ■ form of declaring of export and import of goods ■ customs information.

IV. WRITING

Write a short composition describing your visit to the custom-house and the prevailing atmosphere using active vocabulary.

V. OVER TO YOU

1. Read the passage and try to guess the object of smuggling.

Sam Lewis was a customs officer. He used to work in a small border town. It wasn't a busy town and there wasn't much work. The road was usually very quiet and there weren't many travellers. It wasn't a very interesting job, but Sam liked an easy life. About once a week, he used to meet an old man. His name was Draper. He always used to arrive at the border early in the morning in a big truck. The truck was always empty. After a while Sam became suspicious. He often used to search the truck, but he never found anything. One day he asked Draper about his job. Draper laughed and said, «I'm a smuggler».

Last year Sam retired. He spent his savings on an expensive holiday. He flew to Bermuda, and stayed in a luxury hotel. One day, he was sitting by the pool and opposite him he saw Draper drinking champagne. Sam walked over.

Sam Hello, there!

Draper Hi!

Sam Do you remember me?

Draper Yes . . . of course I do. You're a customs officer.

Sam I used to be, but I'm not any more. I retired last month. I often used to search your truck...

Draper . . .but you never found anything!

Sam No, I didn't. Can I ask you something?

Draper Of course you can.

Sam Were you a smuggler?

Draper Of course I was.

Sam But... the truck was always empty. **What were you smuggling?**

GRAMMAR FOCUS

1. Change the following sentences into reported speech as in the example:

Example:

Are you busy? She asked if I was busy. Where are you going? She asked where I was going. When do you get up? She asked when I got up.

1. Do you work as a defendant or a prosecutor?
2. Where is our expert?
3. Has he presented the evidence?
4. Did he have a personal interest in the case?
5. What does the legislative process involve?

2. Turn these into reported speech, beginning *I didn't know*:

Example: *He is searching for a burglar. — I didn't know he was searching for a burglar.*

1. They have taken his fingerprints.
2. He was released from prison.
3. They will commit a terrible crime.
4. Tomorrow he will appear before the court.
5. This famous advocate will defend James in court.
6. They have arrested the well-known escaped criminal at last.

3. Rewrite the following sentences in reported speech:

Example:

The officer said, 'I held that criminal in my arms for the second time!'
— *The officer said he had held that criminal in his arms for the second time*

1. The judge said, 'I have never faced such an awful mistake'.
2. The students said, 'The professor explained the legal and political system of Great Britain properly'.
3. The policeman said, 'I saw them at the station'.
4. Mary said, 'I studied Criminology at the Academy'.
5. His aunt said, 'Something terrible happened'.
6. The advocate said, 'I'll do all I can'.

MODULE 4. Administrative Law

UNIT 2. Local Authorities.

I. LEAD-IN

1. Answer the following questions:

1. Is the local government concerned with the country as a whole?
2. What is the jurisdiction of local government?

2. Match the following English words with their Ukrainian equivalents:

- 1 Borough
- 2 County
- 3 municipality
- 4 parish

- A місто, яке має самоврядування
- B округ, адміністративне керування
- C містечко; район (США)
- D графство; округ (США)

3. Read the text to understand what information is new for you.

LOCAL AUTHORITIES IN GREAT BRITAIN AND IN THE UNITED STATES

States are societies (organized communities) that occupy large territories and provide authority, security, laws, justice, and *rewards*. Local authorities take many *crucial* decisions that affect the well-being of their community. They are responsible for providing with social services such as education, maintenance of *vulnerable* people, environment, public order, traffic services, providing libraries, cultural and recreational facilities.

Although **the United Kingdom** is a unitary state, a very large part of public services are administrated by local authorities. Scotland and Northern Ireland have their own systems, which are not quite the same as that of England and Wales, though the differences are only superficial.

The *pattern* of local government *in England* is complex. England is subdivided into 9 regions. One of these, London, has an elected Assembly and Mayor. Below the region level and excluding London, England has two different patterns of local government in use. In some areas there is a *county council* responsible for services such as education, waste management and strategic planning within a county, with several *district councils* responsible for services such as housing, waste collection and local planning. Below the district level, a district may be divided into several *civil parishes*. Typical activities undertaken by a parish council include *allotments*, parks, public clocks, and entering Britain in Bloom. They also have a consultative role in planning. Councils such as districts, counties and unitaries are known as principal local authorities in order to differentiate them in their legal status from parish and town councils. In some districts, the rural area is parished and the urban is not.

Local government *in Scotland* is organised through 32 unitary authorities, consisting of elected councillors. Community councils represent the interests of local people. Local authorities have a statutory duty to consult community councils on planning, development and other issues directly affecting that local community.

Northern Ireland is divided into 26 districts for local government purposes. Their functions include waste and recycling services, leisure and community services, building control and local economic and cultural development.

Local government in **the United States** is generally structured in accordance with the laws of the various individual *states*. Each state constitution provides for the establishment of local governmental entities. In all states, these local entities include *counties* and *cities*, but most states also provide for other types of local government, including *wards*, school districts, *conservation districts*, *townships*, and transportation authorities. These special types of local government have regulatory, administrative, or taxing authority as defined in the state constitution or in state law.

Typically each state has at least two separate tiers: *counties* (known in Louisiana as *parishes* and as *boroughs* in Alaska), and *municipalities*. Some states have their counties divided into *townships*. In turn there are several different types of municipal government, generally reflecting the needs of different levels of population densities; although the types and nature of these municipal entities varies from state to state, typical examples include the *city*, *town*, *borough*, and *village*. Many rural areas and even some suburban areas of many states have no municipal government below the county level. In a few states, there is only one level of local government: Hawaii has no legal municipalities below the county level; while Connecticut and Rhode Island's counties serve no legal function—these being filled by city and town governments.

In addition to the above, there are also often local or regional special districts that exist for specific purposes, such as to provide *fire protection*, *sewer service*, transit service or to manage water resources. In many states, *school districts* manage the schools. Such special purpose districts often encompass areas in multiple municipalities. Finally, in some places the different tiers are merged together, for example as a *consolidated city-county*.

II. DEVELOPMENT

1. Find in the text the information on

- a) What kind of decisions do local authorities take?
- b) The pattern of local government in England.
- c) The local governmental entities in the United States.

2. Complete the following sentences according to the information from the text:

1. Local authorities take many ... that affect the well-being of their
2. A district may be divided into several
3. In all states local governmental entities include ... and
4. Each state has at least two separate tiers: counties known as ... and ... , and
5. Typical municipal government examples include the ..., ..., ..., and
6. Many rural areas and even some suburban areas of many states have no ... below the county level.
7. In some places the different tiers are merged together, for example as

3. Fill in the table with the terms from the text:

Great Britain	The United States
a county council, ...	parishes, ...

4. Match the beginnings with the endings:

1. Mayor functions of county governments include	a. public utilities such as water, electric power, natural gas, and telecommunications;
2. Elected county positions may include	b. by elected officials;
3. Municipalities are	c. sheriff, judge, justice of the peace, medical examiner, comptroller, assessor, or prosecutor;
4. Cities and towns are governed	d. incorporated cities, towns, or villages;
5. Many cities own or regulate	e. recordkeeping, administration of elections, construction and maintenance of local and rural roads, zoning, building code enforcement, and law enforcement.

5. Read the extract and do the assignments:

To govern their inhabitants, states have created several levels of local government. The top level below the state is usually the county – governmental structures that are responsible for particular territorial areas. Below the level of counties, states have evolved municipal forms of government. These are cities, boroughs, towns, villages and hamlets, with cities having the most people and hamlets the least. Most of these government units are incorporated by states, that is, they are granted a state charter. Some small units, such as villages and hamlets, are unincorporated, which means that the inhabitants have not requested a charter from the state.

Forms of government vary a great deal, although most cities have a mayor or city manager, city council or board of aldermen or commissioners, and an independent judiciary that carries to the local level the separation-of-powers doctrine of the national system. Towns often have boards of supervisors usually composed of the supervisors from the villages that make up the town. These boards customarily function as both legislative and executive branches of local government. Very often major local issues, such as school budgets and taxes, are decided at town meetings, even when there are town boards. The boards usually make local laws within the restraints set by county and state governments.

*From “ State and Local Government
Politics and Public Policies ”*

by David C. Saffell

Assignments:

1. Choose the answer that expresses most accurately what is described in the passage.

Only one answer is correct.

- a) The US local government bodies;
- b) Forms of state government;
- c) The functions of state governments;
- d) The functions of mayors;
- e) The structure of state governments.

2. Complete the following.

- a) The county is responsible for
- c) States have evolved
- d) ... are unincorporated units.
- e) Most cities have a ... or ...,
- f) Towns often have ... that make up the town.
- g) The boards usually make

3. Ask the questions to the passage.

III. PRACTICE AND EXPERIENCE

1. Read the information below and make up a dialogue

a) between a mayor and a councillor. Pay attention to their functions. (Great Britain);

b) between the inhabitant of Virginia and Philadelphia's inhabitant (Pennsylvania) (the USA).

I Councils have historically had no split between executive and legislature. Functions are vested in the council itself, and then exercised usually by committees or subcommittees of the council. In 2000, Parliament passed the Local Government Act 2000 to require councils to move to an executive-based system, either with the council leader and a cabinet acting as an executive authority, or with a directly elected mayor – either with a mayor and cabinet drawn from the councillors – or a mayor and council manager. There are now twelve directly elected mayors, in districts where a referendum was in favour of them. Every local council has its presiding officer, and this post is filled by the vote of the whole council. The presiding officer of a county or district council is called the Chairman, but in a borough or city he is called Mayor. (The title of Lord Mayor is a special mark of distinction given to the mayors of the seventeen most important English cities, and of Cardiff in Wales). The chairman of a town council is styled the Town Mayor. Major functions of local governments include recordkeeping (births, deaths, land transfers, etc.), administration of elections (including voter registration), construction and

maintenance of local and rural roads, zoning, building code enforcement, and law enforcement (especially in rural areas). The area which a council covers is divided into one or more electoral divisions – known in district and parish councils as "wards", and in county councils as "electoral divisions". In the election, the candidates to receive the most votes win, in a system known as the multi-member plurality system. There is no element of proportional representation. Councils may be elected wholly, every four years, or "by thirds", where a third of the councillors get elected each year, with one year with no elections. The term of a councillor is usually four years. Councillors cannot do the work of the council themselves, and so are responsible for appointment and oversight of officers, who are delegated to perform most tasks. Councils also have a general power to "promote economic, social and environmental well-being" of their area. However, like all public bodies, they are limited by the doctrine of ultra vires, and may only do things that common law or an Act of Parliament specifically or generally allows for. Local authorities sometimes provide services on a joint basis with other authorities, through bodies known as joint-boards. Joint-boards are not directly elected but are made up of councillors appointed from the authorities which are covered by the service. Typical services run by joint-boards include policing, fire services, public transport and sometimes waste disposal authorities.

II Virginia has special provisions relative to cities and counties. The Commonwealth is divided into 95 counties and 39 cities. Cities are independent cities, which mean that they are separate from, and independent of, any county they may be near or within. Cities in Virginia thus are the equivalent of counties as they have no higher municipal government intervening between them and the state government. The equivalent in Virginia to what would normally be an incorporated city in any other state, e.g. a municipality subordinate to a county, is a town. For example, there is a County of Fairfax as well as a totally independent City of Fairfax, which technically is not part of Fairfax County even though the City of Fairfax is the County seat of Fairfax County. Within Fairfax County, however, is the incorporated town of Vienna, which is part of Fairfax County. **Pennsylvania** has 67 counties. With the exception of Philadelphia and Allegheny, counties are governed by three to seven county commissioners who are elected every four years; the district attorney, county treasurer, sheriff, and certain classes of judge ("judges of election") are also elected separately. Philadelphia has been a consolidated city-county since 1952. Allegheny County has had a council/chief executive government since 2000, while still retaining its townships, boroughs and cities. Each county is divided into municipalities incorporated as cities, boroughs, townships, and towns. The Commonwealth does not contain any "unincorporated" land that is not served by a local government. Townships are divided into one of two classes, depending on their population size.

Townships of the "First Class" have a board made up of five to nine commissioners a particular ward and those of the "Second Class" have a board of three to five supervisors. Both commissioners and supervisors are elected at-large for a four-year term. Boroughs in Pennsylvania are governed by a "mayor-council" system in which the mayor has only a few powers (usually that of overseeing the municipal police department, if the borough has one), while the borough council has very broad appointment and oversight. The council president, who is elected by the majority party every two years, is equivalent to the leader of a council in the United Kingdom; his or her powers are operate within boundaries set by the state constitution and the borough's charter. A small minority of the boroughs have dropped the mayor-council system in favor of the council-manager system, in which the council appoints a borough manager to oversee the day-to-day operations of the borough. Cities in Pennsylvania are divided into three classes: Class 1, Class 2, Class 2A, and Class 3. Class 3 cities, which are the smallest, have either a mayor-council system or a council-manager system like that of a borough, although the mayor or city manager has more oversight and duties. Philadelphia city government also has oversight of county government and as such controls the budget for the district attorney, sheriff, and other county offices that have been retained from the county's one-time separate existence; these offices are elected for separately than those for the city government proper.

From Wikipedia, the free encyclopedia

2. Name the common local governmental functions in Ukraine, Great Britain and the United States.

3. Explain the difference between:

the county and municipal governments (the USA),
the "boroughs" and "parishies",
the British and American local authorities.

4. Read the pairs of sentences and decide which of them correspond to the local government

- a) Counties and county towns are the administrative areas where many public services are provided;
- b) The Cabinet is the main executive body which exercises the government policy;
- a) The powers of government include the right to declare war; the right to borrow and coin money, and to regulate its value;

- b) Transport and connection, building, education, health protection, culture, physical training and sport; social, economic and cultural development, are among the powers of government;
- a) The oldest form of city government is the “Mayor-council”;
- b) The government is divided into three branches;
- a) The Cabinet proposes bills and arranges business of the Parliament;
- b) Councils have a general power to “promote economic, social and environmental well-being” of the area.
- a) The presiding officer of the Senate is the Vice-President of the USA.
- b) Boroughs have not adopted a directly elected mayor, the chairman of a town council is styled the Town Mayor.

IV. WRITING

Choose the topic and prepare a report (written composition) using the given word-combinations:

The powers of the Councillors

The current arrangement, local government, in England, to be, the result, a comprehensive policy, a range of incremental measures, the structure of local government, to be reformed and rationalised, local government areas, to become, fewer and larger; to amend the functions of local councils, not to have historically split, between executive and legislature, functions, to be vested in, the council itself, to be exercised, usually, by committees or subcommittees of the council, the leader, to chair, typically, several important committees, not to have special authority, the chair of the council, to be an honorary position with no real power, councillors, cannot do the work of the council themselves, to be responsible for, appointment and oversight of officers, to be delegated, to perform most tasks, local authorities, nowadays, have to appoint, a "Chief Executive Officer", with overall responsibility, for council employees, and, who, to operate, in conjunction with, department heads, in some areas, much of the work, to be undertaken by, council employees.

The City Manager Plan

The city manager plan, to serve for, a very technical job, in public management, the city manager plan, to foster, professionalization, in the various municipal departments, the city manager, to be, highly, trained and experienced, a professional, to be entrusted, most executive powers, the city manager plan, to be adopted, a number of cities, an elected council, a city manager, to carry out, the decisions, to draw up the city budget, to supervise the departments, a professional administrator, to have power and responsibility, to place at the head, each department, the most capable individual, the city manager, to be interested in, the appointment, a chief of police, the complete separation of the legislative and administration functions, the

city manager form, local government, to be adopted, the smaller communities of the nation, the officials of, local government, to be, civic leaders of, the communities.

The powers of the Governors

The chief executives, many powers, to have the veto power to a bill, to overturn a governor's veto, by a three-fourth majority of both houses of the legislature, in the event, a statewide elected official dies, or to be incapacitated, to have power to appoint a replacement, to serve until the next election, to have control over the administrative apparatus of the state, state agencies, to regulate, health, education, banking, law enforcement, gas, electric, phone utilities, other public services, all states, to have, chief financial officers, some states, the head of school system, an individual, in others, a commission, to be composed of several members, as, the Board of Regents, in, New York, governor, to have, term of office, ten original states, one year, two years, three years, forty-seven states, four year term, most states, to institute, an executive budget, to be prepared by, governors, through their authority, to exercise strong control, the legislature.

V. OVER TO YOU

Extend your knowledge on the topic, read the passage and do the assignments.

John Locke worked a theory of representative government that has become the basis of what we now call democracy. In 1690, Locke published his *Second Treatise of Civil Government* as a defense of limited monarchy and parliamentary supremacy. He too based his argument on man in a state of nature agreeing to a social contract. For Locke individuals in a state of nature enjoyed complete equality, freedom, peace, and the satisfaction of working together for mutual benefit. But, Locke further argued, this harmonious condition was fragile and easily destroyed by the unjust use of force, as when a prince takes away a citizen's right or a thief steals a person's property. To protect themselves against injustice, individuals enter into a "compact", or social contract, in which they give up a portion of the "equality", liberty, and executive power they had in the state of nature". By this contract they form a "commonwealth", or state, and place their trust in a legislative authority. If this authority violates its trust, then the people have the right to rebel and change their government.

He argued that government can justly govern only with the consent of the governed. He called for an electoral system that would provide equal representation to all the people in the state. Finally, he said that the ability of the people to peacefully change their representatives is essential to a just society.

Assignments:

1. What does the passage tell about?

- a) An electoral system;
- b) The authorities;
- c) An indirect democracy;

2. What theories of government do you know? Match the authors from the left column to the essence of their theories with the right:

- | | |
|---------------------|--------------------------------------|
| 1) Plato and Cicero | a) the totalitarian regimes |
| 2) Aristotle | b) the absolute authority; |
| 3) Hobbes | c) government in the public interest |

3. What is the most exact evidence of the Locke's theory?

- a) the authority;
- b) the natural law;
- c) the electoral system.

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