

**Міністерство освіти і науки України
Національний університет “Чернігівська політехніка”**

English for Law Enforcement

Методичні вказівки до практичних 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 практичних занять з англійської мови для підготовки здобувачів вищої освіти освітнього ступеня «бакалавр» спеціальності 262 «Правоохоронна діяльність» І частина / Укл.: Шевченко Ю.В., Литвин С.В. – Чернігів: НУ ”Чернігівська політехніка”, 2022. – 61с.

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Content

Introduction	4
Module 1. Law and Order	
Unit 1. Law and Order in Society. Historical Aspects	5
Unit 2. Legal Systems and Sources of Law	14
Module 2. Human Rights Protection	
Unit 1. Human Rights. Protection of Human Rights in Ukraine	21
Unit 2. Protection of Human Rights at the International Level	27
Module 3. Constitutional Law	
Unit 1. The Nature of Constitutional Law.....	32
Unit 2. Types and Functions of Constitutions.....	36
Module 4. Administrative Law	
Unit 1. The Nature of Administrative Law	40
Unit 2. Administrative Offenses and Responsibility.....	44
Module 5. Judiciary	
Unit 1. Judicial System in Ukraine.....	48
Unit 2. Judiciary in the UK and the USA	53
References	61

ВСТУП

Методичні вказівки призначені для проведення практичних занять із здобувачами вищої освіти спеціальності “Правоохоронна діяльність” та укладені відповідно до чинної робочої програми з дисципліни “Іноземна мова”.

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

Методичні вказівки містять 5 модулів, в які входять 10 тем із текстами для читання, завданнями для перевірки прочитаного, лексичними та граматичними вправами, завданнями на розвиток умінь усного мовлення та письма. Граматичні вправи розроблені на лексичному матеріалі з фаху. Підібраний текстовий матеріал є органічним компонентом професійної підготовки здобувачів вищої освіти спеціальності “Правоохоронна діяльність”. Різноманітність та варіативність завдань сприятимуть реалізації диференційованого та індивідуального підходів до здобувачів вищої освіти. Фахові тексти та система вправ допоможуть майбутнім правоохоронцям оволодіти відповідною термінологічною лексикою, підготують їх до спілкування іноземною мовою у професійному середовищі.

Module 1. Law and Order

Unit 1. Law and Order in Society. Historical Aspects

“Law and order exist for the purpose of establishing justice and when they fail in this purpose they become the dangerously structured dams that block the flow of progress.”

Martin Luther King Jr.

1.1 Answer the questions:

1. Read the quote above and comment it. Do you agree with it?
2. What role does law and order play in a society?
3. Who is responsible for public order?

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

1. to prevent	a) самозахист
2. self-protection	b) поведінка
3. behaviour	c) покластися на
4. well-armed bodyguard	d) вимагати
5. to rely upon smb/smith	e) забезпечувати
6. to demand	f) суспільство
7. to provide for	g) озброєний охоронець
8. society	h) попереджувати
9. to murder	j) грабувати
10. to rob	k) вбивати

1.1.3 Make up your sentences with words and expressions from 1.1.2

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

Law and Society

Mr. Jones, having murdered his wife, was burying her in the garden one night, when his neighbour, hearing the noise, asked him what he was doing.

"Just burying the cat," said Mr. Jones.

"Funny sort of time to bury a cat," said the neighbour.

"Funny sort of cat," said Mr. Jones.

Now it is obvious to everyone that, in a community such as the one in which we live, some kind of law is necessary to try to prevent people like Mr. Jones from killing their wives. When the world was at a very primitive stage, there was no such law, and, if a man chose to kill his wife or if a woman succeeded in killing her husband, that was their own business and no one interfered officially.

But, for a very long time now, members of every community have made laws for themselves in self-protection. Otherwise it would have meant that the stronger man could have done what he liked with the weaker, and bad men could have joined together and terrorized the whole neighborhood.

If it were not for the law, you could not go out in broad daylight without the fear of being kidnapped, robbed or murdered. There are far, far more good people in the world than bad, but there are enough of the bad to make law necessary in the interests of everyone.

There is no difficulty in understanding this but it is just as important to understand that law is not necessary just because there are bad people in the world. If we were all as good as we ought to be, laws would still be necessary. If we never told lies, never took anything that didn't belong to us, never omitted to do anything that we ought to do and never did anything that we ought not to do, we should still require a set of rules of behaviour to enable us to live in any kind of satisfactory state.

How is one good man in a motor-car to pass another good man also in a motor-car coming in the opposite direction, unless there is some rule of the road? People sometimes hover in front of one another when they are walking on the pavement before they can pass, and they may even collide. Not much harm is done then, but, if two good men in motor-cars going in the opposite directions hover in front of one another, not knowing which side to pass, the result will probably be that there will be two good men less in the world.

So you can see that there must be laws, however good we may be. Unfortunately, however, we are none of us always good and some of us are bad, or at any rate have our bad moments, and so the law has to provide for all kinds of possibilities. Suppose you went to a greengrocer and bought some potatoes and found on your return home that they were mouldy or even that some of them were stones. What could you do if there were no laws on the subject? In the absence of law you could only rely upon the law of the jungle. You could go back to the shop, demand proper potatoes and hit the shopkeeper on the nose if he refused to give them to you.

You might then look round the shop to try to find some decent potatoes. While you were doing this, the shopkeeper might hit you on the back of the neck with a pound weight. Altogether not a very satisfactory morning shopping.

You might pay your money to go to see a film at a cinema. You might go inside, sit down and wait. When the cinema was full, there might be flashed on the screen: "You've had it, guys". And that might be the whole of the entertainment. If there were no law, the manager could safely remain on the premises and, as you went out, smile at you and say: "Hope you've enjoyed the show, sir. That is to say, he could do this safely if he were bigger than you or had a well-armed bodyguard.

Every country tries, therefore, to provide laws which will help its people to live as safely and as comfortably as possible. This is not at all an easy thing to do, and no country has been successful in producing laws which are entirely satisfactory. But we are far better off with the imperfect laws which we have, than if we had none at all.

(from "Just English")

1.1.5 Answer the questions to the text above:

1. Whom did Mr. Jones murder?
2. What did he tell to the neighbour?
3. What does the law of jungle mean?
4. What could happen if there were no laws ?

1.1.6 Divide the text 1.1.4 into logical parts and supply a title for each of them

1.1.7 Make your own arguments regarding the role of law and order in society using the following vocabulary:

to prevent from, self-protection, to demand something, to rely upon something or somebody, to provide for, to require, to suppose

1.2 Answer the following questions:

1. Why is it difficult to judge about the earliest laws?
2. Where and why did the first laws appear?
3. What association does the word "Hammurabi" call into your mind?

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

1. crime	a) смертна кара
2. punishment	b) правопорушник
3. principle of revenge	c) помста
4. harsh	d) суворий
6. revenge	e) принцип помсти
7. offender	f) покарання
8. death penalty	g) злочин
9. to accuse	h) забороняти
10. to ban	i) обвинувачувати

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

Laws of Babylon

One of the most detailed ancient legal codes was drawn up in about 1758 B.C. by Hammurabi, a king of Babylonia. The entire code, consisting of 282 paragraphs, was carved into a great stone pillar, which was set up in a temple to the Babylonian god Marduk so that it could be read by every citizen.

The pillar, lost for centuries after the fall of Babylon in the 16th century B.C., was rediscovered by a French archaeologist in 1901 among the ruins of the Persian city of Susa. Hammurabi's words were still legible. The pillar is now in the Louvre museum in Paris.

The laws laid down by Hammurabi were more extensive than any that had gone before. They covered crime, divorce and marriage, the rights of slave owners and slaves, the settlement of debts, inheritance and property contracts; there, were even regulations of taxes and the prices of goods.

Punishments under the code were often harsh. The cruel principle of revenge was observed: an eye for an eye and a tooth for a tooth, which meant that criminals had to receive as punishment precisely those injuries and damages they had inflicted upon their victims. Not only murderers but also thieves and false accusers faced the death penalty. And a child who hit his father could expect to lose the hand that struck the blow. The code outlawed private blood feuds and banned the tradition by which a man could kidnap and keep the woman he wanted for his bride. In addition, the new

laws took account of the circumstances of the offender as well as of the offence. So a lower-ranking citizen who lost a civil case would be fined less than an aristocrat in the same position — though he would also be awarded less if he won. Nevertheless, Hammurabi's laws represented an advance on earlier tribal customs, because the penalty could not be harder than the crime.

1.2.3 Answer the following questions:

1. Why do you think Hammurabi decided to have his laws “carved into a pillar”?
2. Why was the pillar set up in a temple?
3. What spheres of human life were covered by Hammurabi's code?
4. How do you understand the principle "an eye for an eye and a tooth for a tooth"?
5. In your opinion, were punishments always fair?

Vocabulary practice

1.3 Give the English equivalents of the following and make up your sentences with some of them:

суспільство, самозахист, поведінка, покластися на, вимагати, забезпечувати, суспільство, попереджувати, грабувати, вбивати смертна кара, правопорушник, помста, суворий, принцип помсти, покарання, злочин, забороняти, обвинувачувати, затримувати правопорушників, розслідувати злочини, забезпечувати дотримання закону, органи правопорядку.

1.3.1 Read the abstract and fill in the gaps with the following words and word phrases:

to enforce the law/ who violate the rules/ who investigate crimes/ by the police/ the umbrella term of law enforcement

Law Enforcement is the activity of some members of government or corporate who act in an organized manner 1. _____ by discovering, deterring, rehabilitating, or punishing people 2. _____ and norms governing that society. Although the term encompasses police, courts, and corrections, it is most frequently applied to those who directly engage in patrols or surveillance to dissuade and discover criminal

activity, and those 3._____and apprehend offenders, a task typically carried out 4._____, sheriff or another law enforcement organization.

Modern state legal codes use the term peace officer, or law enforcement officer to include every person vested by the legislating state with police power or authority, traditionally, anyone "sworn or badged, who can arrest, or any public official authorized by statute, to detain any person for a violation of criminal law, is included under 5._____.

1.4 Answer the following questions:

1. What is the role of law enforcement bodies?
2. What do you know about the origin of law enforcement bodies?
3. What police system became the pattern for police in other countries?

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

From the History of Law Enforcement

The conception of the police force as a protective law enforcement organization developed from the use of military bodies as **guardians of the peace**, such as the Praetorian Guard - bodyguard of the ancient Roman emperors. The Romans achieved a high level of law enforcement, which remained in effect until the decline of the empire and the onset of the Middle Ages.

During the Middle Ages, policing authority was the responsibility of local nobles on their individual estates. Each noble generally appointed an official, known as a constable, to carry out the law. The **constable's duties** included keeping the peace and arresting and guarding criminals. (For many decades constables were unpaid citizens who took turns at the job, which became increasingly burdensome and unpopular. By the mid-16th century, wealthy citizens often resorted to paying deputies to assume their turns as constables; as this practice became widespread, the quality of the constables declined drastically. Police forces developed throughout the centuries, taking various forms. In France during the 17th century King Louis XIV maintained a small central police organization consisting of some 40 inspectors who, with the help of numerous **paid informants**, supplied the government with details about the conduct of private individuals. The king could then exercise the kind of justice he saw fit. This system continued during the reigns of Lois XV and Louis

XVI. After the French Revolution, two separate police bodies were set up, one **to handle ordinary duties** and the other to deal with political crimes. In 1663 the city of London began **paying watchmen** (generally old men who were unable to find other work) to guard the streets at night. Until the end of the 18th century, the watchmen as inefficient as they were – along with a few constables, remained the only form of policing in the city.

The inability of watchmen and constables to curb lawlessness, particularly in London, led to a demand for a more effective force to deal with criminals and to protect the population. After much deliberation in Parliament, the British statesman Sir Robert Peel in 1829 established the London Metropolitan Police, which became the world's first modern organized police force.

The force was guided by the **concept of crime prevention** as a primary police objective; it also embodied the belief that such a force should depend on the consent and cooperation of the public, and the idea that police constables were to be civil and courteous to the people. The Metropolitan Police force was well organized and disciplined and, after an initial period of public skepticism, became the model for other police forces in Great Britain. Several years later the Royal Irish Constabulary was formed, and Australia, India, and Canada soon established similar organizations. Other countries followed, impressed by the success of the plan, until nations throughout the world had adopted police systems based on the British model. The development of the British police system is especially significant because the pattern that emerged had great influence on the style of policing in almost all industrial societies.

1.4.1 Decide if the following statements are true or false

1. The Romans had a high level of law enforcement.
2. For many decades constables were unpaid citizens.
3. By the mid-16th century, constables started to get paid.
4. After the French Revolution, two separate police bodies were set up, one to handle ordinary duties and the other to deal with political crimes.
5. The Metropolitan Police force was well organized and disciplined.
6. The Metropolitan Police became the model for other police forces.

1.4.2 Answer the following questions:

1. How did the police force as law enforcement organization arise ?
2. Why did the quality of the constables in England decline?

3. How were policing functions performed in France?
4. What was the form of policing London in the 17th century?
5. Why was there a need for more effective force to deal with criminals ?
6. What principles were the British police guided by?
8. Why is the development of the British police system especially significant?

Vocabulary practice

1.4.3 Explain the following phrases from the text 1.4 in English:

guardians of the peace, constable's duties, paying watchmen, crime prevention, primary police objective, paid informants, bodyguard.

1.4.4 Read the abstract and fill in the gaps with the following word phrases:

law enforcement, community conduct, responsibility of the military, punishment of offenders, in the need for police, Body guards, enforced by the Roman army, civil responsibilities

965-925 BC Ancient Hebrews influenced the development of 1.____- following the death of “King Solomon” the Hebrew people meticulously prescribed 2.____ and administered savage 3.____ - the laws were based on a monotheism and the Ten Commandments - (Torah and Pentatuch and later less severe laws were prescribed in the Talmud) 639-559 bc Solon (The Law Giver) Devised a legal system in Athens which applied laws in a democratic manner - Law enforcement was the 4.____. Greeks used “kin police” in which the victim’s family would be empowered to bring the wrong-doer before the magistrate - resulted in wide spread lawlessness and resulted 5.____and a large security force of body guards acting as the police. 6.____were widely used as police throughout much of the early history of Greece Sparta - first secret police created under the rule of Ephori 451 BC Rome - citizens and conquered peoples were ruled by laws provided within the Twelve Tablets which were instituted in and 7.____ Strong kinship lines where rigid distinctions were made between domestic and 8.____.

Speaking

1.5 In pairs discuss the quotation by Edmund Burke “Bad laws are the worst sort of tyranny”

Writing

1.6 Write the essay “The role of law and order in our society”

Grammar Focus: Present, Past, Future Indefinite

1.7 Put the verbs in brackets into the correct form of the verb “to be”

1. There (to be) no courts in ancient societies. 2. Revenge (to be) a major component of early law. 3. After the Norman Conquest English courts (to begin) to take part in lawmaking. 4. Robber (to be) a person who steals money from a person or place. 5. Between 55 BC and AD 412 English people (to be) under Roman control.

1.7.1 Put the verbs in brackets into the correct form of Present Indefinite :

1. A policeman usually (to detain) an offender. 2. He (to work) as a detective. 3. Experts (to examine) the fingerprints every day. 4. He (to interrogate) the suspects every week. 5. She (to work) as a lawyer. 6. They (to want) to be policemen. 7. The policemen (to interrogate) the suspect every day. 8. They (to make) reports about crimes every day. 9. When policemen (to interrogate) the suspects? 10. Why they (to want) to be policemen? 11. Does he (want) to a patrol officer?

1.7.2 Put the verbs in brackets into the correct form of Future Indefinite:

1. Next year he (to become) a postgraduate student of Law Academy. 2. Next month there (to be) 2,500 graduates of the National Law Academy. 3. After the graduating he (to become) a defense lawyer. 4. He (to write) the essay “The role of order in our society” tomorrow. 5. The policemen (to interrogate) the suspect in ten minutes. 6. When he (to make) reports about the crime? 7. When you (to write) the essay “The role of order in our society”? 8. When he (to interrogate) the suspects?

1.7.3 Put the verbs in brackets into the correct form of Past Indefinite:

1. The policeman (to arrest) the suspect ten minutes ago. 2. He (to write) the essay “The role of order in our society” last week. 3. He (to read) the text about Hammurabi Code two days ago. 4. The policemen (to interrogate) the suspect ten

minutes ago. 5. When he was fifteenth years old he (to want) to be a policeman. 6. Experts (to examine) the fingerprints of a suspect the day before yesterday. 7. The policemen (to arrest) the dangerous criminal last week, didn't he? 8. The patrol officer (to make) a report about a serious car accident last week.

Unit 2. Legal Systems and Sources of Law

2. 1 Answer the following questions:

1. What legal systems do you know?
2. What type of legal system is used in Ukraine?
3. What type of legal system is used in the UK and the US?
4. What sources of law do you know?

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

1. to determine	a) успадкований
2. to settle	b) справедливість
3. common law	c) уряд
4. adherence to	d) існуючі джерела
5. derive from	e) походить від
6. existing sources	f) дотримання
7. government	g) звичаєве право
8. equity	h) вирішувати
9. inherited	i) визначати

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

Modern Legal Systems

There are hundreds of legal systems in the world. Although each system has its own individuality, it is possible to group many of them into legal 'families'.

In general, legal systems around the world can be split into civil law jurisdictions, systems using common law and equity, religious and customary law.

The specific system that a country follows is often determined by its history, its connection with countries abroad, and its adherence to international standards.

The sources that jurisdictions recognize as binding are the defining features of legal systems. Yet classification of different systems is a matter of form rather than substance, since similar rules often prevail.

Civil law (Continental European Law or Romano-Germanic law) is the legal system used in most countries around the world today. In civil law the sources recognized as authoritative are, primarily, legislation – especially codifications in constitutions or statutes passed by government – and, secondarily, custom. Even the most ancient peoples compiled law codes. The earliest legal code known in its entirety is the Code of Hammurabi. But modern civil law systems essentially derive from the legal practice of the Roman Empire, whose texts were rediscovered in medieval Europe. In the 6th century Emperor Justinian I appointed a commission to collect and consolidate existing sources of Roman law. This commission published three books that were collectively known as the *Corpus Juris Civilis* or the Justinian Code. The Code embodied many generations of legal documents as well as interpretations by great jurists.

The revival of the Roman civil law tradition eventually formed the basis for a common legal language throughout Europe.

Common law and equity (also called Anglo-American law) are systems of law whose special distinction is the doctrine of precedent. Alongside this "judge-made law", common law systems always have governments who pass new laws and statutes. But these are not put into a codified form. Common law comes from England and was inherited by almost every country that once belonged to the British Empire. Common law had its beginnings in medieval England, influenced by the Norman conquest of England which introduced legal concepts and institutions from the Norman and Islamic laws.

Religious law is based on scriptures and their interpretations. The source of religious law is the deity, legislating through the prophets. Examples include the Jewish law and Islamic Sharia, both of which mean the "path to follow". Religious laws are eternal and immutable because the word of God cannot be amended or legislated against by judges or governments. However religion never provides a thorough and detailed legal system. In a religious legal system disputes are usually settled by an officer of that religion, so the same person is both judge and priest.

Customary law. In many parts of the world unwritten local or tribal custom sets the standard of behaviour and provides for conciliation and dispute settlement. Most of the African countries, for instance, have a formal constitutional and commercial law inspired by French, Belgian or British models but the relations between private individuals are regulated by customary law. This also applies to China and India.

2.1.4 Answer the following questions using the information from the text above

1. What are the main legal ‘families’ in the world today?
2. What factors determine the type of legal system a country follows?
3. What are the defining features of legal systems?
4. What sources are recognized as authoritative in civil law systems?
5. How was the Corpus Juris Civilis created?
6. Who makes laws in the common law countries?
7. What is the source of law in religious law system?
8. What is characteristic of customary law?

2.1. 5 Find in the text words and expressions which mean:

1. something that is done by people in a particular society because it is traditional;
2. to choose someone for a position or a job;
3. the principle that a fair judgment must be made in a situation where the existing laws do not provide an answer;
4. to arrange laws, principles, facts etc in a system;
5. to correct or make small changes to something that is written or spoken;
6. an action or official decision that can be used to give support to later actions or decisions.

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

1. binding precedent	a) адвокат
2. counsel	b) посилатися на справу
3. to cite a case	c) розрізняти
4. to distinguish	d) правове обґрунтування
5. legal reasoning	e) суд нижчої інстанції

6. to argue	f) доводити
7. lower court	g) прецедент, що має обов'язкову силу
8. to overturn the decision	h) скасувати рішення

2.2.1 Before reading the text try to predict the right answers:

1. What is a precedent?

- a) a previous decision made in court which informs future cases
- b) a senior judge
- c) a set of written rules
- d) a jury's decision

2. What does stare decisis mean?

- a) decision is made based on legislation
- b) words said in passing
- c) stand by things decided
- d) once made the decision must not be changed.

3. What is the Latin for a logical basis for a decision made by a court which may bind all future cases?

- a) ratio ultima
- b) modus vivendi
- c) ratio – decidendi
- d) jus strictum

2.2.2 Read the text and to check your answers in 2.2.1

Judicial Precedent

Judicial precedent is one of the **sources of law**, particularly English Common Law which, itself, is the basis of legal systems in many parts of the world (e.g. the USA and Commonwealth countries). Essential to the **common law** is the hierarchy of the courts and the principle of binding **precedent**. In practice, this means that the decision of a higher court is binding on a lower court, and in the course of a trial the judges must refer to existing precedents. This is known as stare decisis 'stand by what has been decided'. The judges will also consider decisions made by a lower court,

although they are not **bound to** follow them. However, a rule set by **a court** of greater or equal status must be applied if it is relevant. During a trial, a counsel will cite cases and either attempt **to distinguish** the case at trial from those referred to, or alternatively, argue that the rule established in a previous case is applicable and should be followed. At the end of each legal case the Judge gives a summary of the facts of the case; then **a review of the arguments** (defence and prosecution) and an explanation of the principles of law he/she is using to come to a decision. Only the legal principles used to come to a decision are referred to as the ratio – decidendi' which means 'the reason for deciding'. Sometimes the Judge will consider what his/her decision would have been if the facts of the case had been different; this hypothetical situation is referred to as the «obiter dicta» (i.e. other things said) and the legal reasoning put forward may be used in future cases. The great body of **legal precedent** contained in law books is the result of appeals to **higher courts** against the decisions of lower courts. The appeals have resulted in the clarification of specific principles, either by improving them or by overturning the original **court's decision** through the introduction of a new precedent. So, put in broad terms, judicial precedent is the body of legal principles established by past court decisions which have survived the process of **appeal to higher courts** and have consequently become binding on all courts.

2.2.3 Answer the following questions using the information from the text:

1. What are the distinctive features of common law?
2. What does the principle of binding precedent mean?
3. Should rules set by courts of equal status be applied if they are relevant?
4. What is the role of the judge at the end of the case?
5. How would you define the «obiter dicta»?

Vocabulary practice

2.3 Match an adjective to a noun

- | | |
|---------------|-----------------|
| 1. government | a) authority |
| 2. primary | b) legislature |
| 3. written | c) arrangements |
| 4. state | d) order |
| 5. topical | e) agency |
| 6. civil | f) enactment |

2.3.1 Complete the chart with the different parts of speech (noun, verb and adjective). Use dictionary to help you with the pronunciation

Noun	Verb	Adjective
1. order	1.	1.
2.	2. organize	2.
3.	3. agree	3.
4.	4.	4. executive
5.	5.	5. existing
6. code	6.	6.
7. government	7.	7.

2.3.2 Make the following sentences complete by translating the words and phrases in bold:

The two great law families of modern Western civilization are *цивільне право* (also called Romano-Germanic law) and *звичаєве право* (also called Anglo-American law). They *походять від* ancient Roman law and *стародавнього* Germanic tribal law and have been altered by various customary, ecclesiastical, feudal, commercial, and sociopolitical influences. *Прецедент* is strong in English law, and means that *рішення* of higher courts are *обов'язкові до виконання* for judges of *судів нижчої інстанції*.

2.3.3 Render into English

1. Кожна країна має власну систему права. Статутне право є системою законів, які приймаються парламентом, а також підзаконних нормативних актів, прийнятих на виконання законів.

2. У країнах англо-саксонської правової сім'ї прецедент є основою правової системи, тоді як у деяких інших країнах (наприклад, у Франції) прецеденти використовуються для заповнення прогалін у законодавстві.

3. Існує ієрархія прецедентів, відповідно до якої рішення, які були прийняті судами вищих інстанцій (наприклад, палатою лордів у Англії), є обов'язковими для використання нижчими в аналогічних ситуаціях.

4. В Україні прецедент офіційно не вважається джерелом права, але на практиці рішення судів вищих інстанцій часто беруться до уваги при вирішенні спорів.

Speaking

2.4 Characterize legal systems on the basis of the following criteria: a) the sources of law; b) specific features of the legal system.

Grammar Focus: Present, Past, Future Continuous

2.5 Put the verbs in the brackets into the appropriate form of Present, Past, Future Continuous:

1. The judge (to pass) the sentence now. 2. The police officer (to inform) about the robbery now. 3. The police officer (to tell) him about his rights when I came into police office. 4. The detective (to look for) the evidence of the grave crime now. 5. My groupmates (to read) the text about the role of order in our society when I came into the University. 6. The policeman (to make) the report about the shoplifting now.

2.5.1 Put the verbs in the brackets into the appropriate form of Present Indefinite or Present Continuous:

1. We (to have) the lesson in legal English now. 2. Our University lessons (to start) at 8:00 every Monday. 3. I think my English skills (to improve) day after day. 4. A policeman usually (to detain) an offender. 5. He (to work) as a detective. 6. Ann never (to ask) any questions at our lectures. 7. Experts (to examine) the fingerprints every day. 8. We (to gather) today after classes to discuss the project. 9. Look, the suspect (to enter) the shop now. 10. He (to interview) the suspects now.

2.5.2 Put the verbs in the brackets into the Past Indefinite or Past Continuous

A: What 1. _____ (happen) at the time of the robbery?

B: Well, I 2. _____ (sit) in my office. I 3. _____ (talk) to an employee. Some of the staff 4. _____ (put) food onto the shelves. Several customers 5. _____ (do) their shopping and a cashier 6. _____ (stand) behind the till.

A: Can you tell me anything about the robbers?

B: Yes. They 7. _____ (wear) black masks and they 8. _____ (hold) guns. They 9. _____ (shout).

A: How did they get away?

B: They drove off in a car which 10. _____ (wait) outside.

2.5.3 Choose the appropriate form of Past Indefinite or Past Continuous

1. A student (was writing/wrote) a test from 9.40 till 10.00 yesterday. 2. The dean of the Faculty (came/was coming) when students were writing the test. 3. The policeman (arrested/ was arresting) the suspect ten minutes ago. 4. The policeman (was interrogating / interrogated) the suspect from 1 till 2 yesterday. 5. The officer (told/ was telling) him of his rights when I came into police office. 6. I (was waiting/waited) in the queue when I saw the man in front of me pulling out a gun.

Module 2. Human Rights Protection

Unit 1. Human Rights. Protection of Human Rights in Ukraine

1.1 Answer the following questions

1. What do you know about human rights?
2. Give your examples of human rights.

1.1.2 Read the text to understand what information is new for you and be ready to explain what human rights are

What Are Human Rights

Human rights are the rights that one has simply because one is human. This deceptively simple idea has profound social and political consequences. Human rights, because they rest on nothing more than being human, are universal, equal, and inalienable. They are held by all human beings, universally. One either is or is not human and thus has or does not have human rights. And one can no more lose these rights than one can stop being a human being - no matter how inhuman the treatment one may suffer. One is entitled to human rights and is empowered by them. Human rights, being held by every person against the state and society, provide a framework for political organization and a standard of political legitimacy. In a context in which they are systematically denied, claims of human rights may be positively revolutionary. Even in societies where human rights are generally well respected, they provide constant pressure on governments to meet their standards.

1.2 Answer the following questions

1. What are the main documents which promote human rights in Ukraine?
2. What articles of the Ukrainian Constitution are devoted to human rights?

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

1. inviolability	a) конфіденційність листування
2. the highest social value	b) недоторканність
3. to endow with	c) невід'ємний
4. inalienable	d) наділяти
5. confidentiality of correspondences	e) найвища соціальна цінність
6. physical entity	f) фізична особа
7. personal non-property rights	g) особисті немайнові права

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

Inalienability of Human Rights under the Constitution and the Civil Code of Ukraine

The Constitution of Ukraine establishes that the rights and freedoms of an individual and their guarantees determine the essence of the spirit of the state. Unlike the slogan “The human being is for the state”, the Constitution of Ukraine states that “The state is for the human being”. So, the establishment and guarantee of human rights and freedoms is one of main duties of the state, and this is natural, as the human being, his\her life and health, honour and dignity, inviolability and security are recognized in Ukraine to be the highest social value (Article 3).

About 30 per cent of the articles of the Fundamental law of Ukraine belong to the chapter “Human Rights and Freedoms and Duties of the Citizen of Ukraine”. It is worth recognizing that in the Constitution the very notion of human rights has been changed – from the rights given to him\her by the state to the rights and freedoms that every individual is endowed with just by the fact of his\her birth and existence that makes human rights and freedoms inalienable and natural.

The bodies which guarantee the fundamental rights and freedoms stipulated by the Constitution are: the Verkhovna Rada of Ukraine, the President of Ukraine, the

Authorized Representative of the Verkhovna Rada of Ukraine on Human Rights, the Cabinet of Ministers, and other bodies of central executive power, the Constitutional Court of Ukraine, offices of the Prosecutor General, courts, local power and local self governments, advocates offices and other law-enforcement bodies.

The Verkhovna Rada of Ukraine adopted the new Civil Code of Ukraine (2003), which came into force in 2004. The Civil Code is the second main law of the country after the Constitution. According to the norms of the new Civil Code, actions of the state executive bodies, bodies of local self government, other institutions, officials and high level civil servants which violate the personal non-property rights, should be considered as actions against the law.

The Civil Code gives the possibility for physical entities to defend their personal non-property rights, in case the latter are violated, indicating that these rights can be protected by all civil and legal means, as envisaged by the existing legislation.

Among others, the following personal non-property rights which provide for the social existence of the physical entity are mentioned: the right to have a name, right to respect, honour and dignity, right to individuality, right to personal life and its privacy, right to information, right to confidentiality of correspondences, right to a place of residence, right to inviolability of housing, right to freedom of movement, right to freedom of association into unions, right to peaceful meetings, etc.

The issue of human rights is one of the important ones in national legislation. Adherence to the same is an indicator of a state where there is rule of law, and democracy. Respect to every human being should be something natural, and human rights as inalienable should be considered fundamental of all values set forth by the Constitution and other laws of the state.

1.2.3 Find in the text the information on

- a) changing the notion of human rights in the Constitution;
- b) the bodies which guarantee the fundamental rights and freedoms stipulated by the Constitution.

1.2.4 Complete the sentences with the information from the text

1. One of main duties of the state is
2. About 30 per cent of the articles of the Constitution of Ukraine....
3. The Civil Code is the second main law of.....

Vocabulary practice

1.3 Fill in the gaps with the following words and phrases:

to provide for, natural, inviolability, non-property, care, Civil, personal, right

A special part of the 1. _____ Code is composed into a book entitled “Personal 2. _____ rights of the physical entity”, and this shows how important 3. _____ non-property rights are in the structure of the Civil Code. A separate chapter in the book is devoted to those rights which 4. _____ the 5. _____ existence of the individual such as the right to life, health 6. _____, medical assistance 7. _____ to freedom and 8. _____ of a person, right to family, etc.

1.3.1 Give the English equivalents of the following and make up your sentences with some of them: недоторканність, невід’ємний, наділяти, найвища соціальна цінність, фізична особа, особисті немайнові права, законодавство, юридична допомога, захист проти обвинувачення, визначений законом, моральна шкода, обмеження, безпідставне незаконне ув’язнення.

1.3.2 Give synonyms to the following: human being, adherence, legal assistance, to provide, legal liability, innocence, groundless conviction, unjust, to testify, envisaged by law, to execute, suspect, an accused, a defendant.

1.3.3 Read and translate the Articles from the Constitution of Ukraine

Everyone has the right to legal assistance. Such assistance is provided free of charge in cases envisaged by law. Everyone is free to choose the defender of his or her rights. In Ukraine, the advocacy acts to ensure the right to a defense against accusation and to provide legal assistance in deciding cases in courts and other state bodies. (*Article 59*)

No one is obliged to execute rulings or orders that are manifestly criminal. For the issuance or execution of a manifestly criminal ruling or order, legal liability arises. (*Article 60*)

For one and the same offence, no one shall be brought twice to legal liability of the same type. The legal liability of a person is of an individual character. (*Article 61*)

A person is presumed innocent of committing a crime and shall not be subjected to criminal punishment until his or her guilt is proved through legal

procedure and established by a court verdict of guilty. No one is obliged to prove his or her innocence of committing a crime. An accusation shall not be based on illegally obtained evidence as well as on assumptions. All doubts in regard to the proof of guilt of a person are interpreted in his or her favor. In the event that a court verdict is revoked as unjust, the State compensates the material and moral damages inflicted by the groundless conviction. (*Article 62*)

A person shall not bear responsibility for refusing to testify or to explain anything about himself or herself, members of his or her family or close relatives in the degree determined by law. A suspect, an accused, or a defendant has the right to a defense. A convicted person enjoys all human and citizens' rights, with the exception of restrictions determined by law and established by a court verdict. (*Article 63*)

Speaking

1.4 A. Tell what personal non-property rights providing for the social existence of the physical entity are mentioned in the Civil Code of Ukraine.

B. Explain why it is humane to maintain rights of military wounded and sick of any side.

Writing

1.5 Imagine that you are a reporter for a famous Ukrainian newspaper. Write a report “Human Rights Violations in Ukraine”.

Grammar focus: Present, Past, Future Perfect

1. 6 Make the following sentences interrogative and negative. Pay attention to Present Perfect

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 do not have any useful information.
3. He has worked as a police officer 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.

1.6.1 Put the verbs in brackets into appropriate form (Past Indefinite or Present Perfect):

1. The judges (passed/have passed) the sentence ten minutes ago. 2. The police (arrested/ have arrested) a famous criminal this week. 3. The police officer (informed/ has informed) him of robbery ten minutes ago. 4. The police officer already (told/ has told) him of his rights. 5. The detective (found/has found) the evidence of the crime yesterday. 6. We (read/have read) the text about the role of law enforcement last week. 7. The policeman (arrested/has arrested) a famous criminal yesterday.

1.6.2 Choose the correct form (Present Perfect or Past Simple):

1. The jury (did not 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. 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.

1.6.3 Put the verbs in brackets into appropriate form (Past Indefinite or Past Perfect):

1. The judges (to reach/had reached) a decision after he (had discussed/ discussed) the case privately. 7. They (had finished/ finished) the examination when the chief expert (to ask) for the results. 8. By the time the train (to reach) the city, he (had received/ received) five calls informing him of robbery from the bank. 9. When we (to come) into the room, the last meeting of the Supreme Court (had already finished/ already finished). 10. He (had accepted/ accepted) any possible penalty when the officer (to start) to tell him of his rights.

1.6.4 Put the verbs in brackets into the correct form (Future Indefinite or Future Perfect):

1. He (to receive) the judicial decision by tomorrow. 2. They (to inform) him of the penalty by noon. 3. They (to inform) him of the penalty tomorrow. 4. You (to meet) the accused in court by the beginning of the hearing. 5. You (to take) your examination in Criminal Procedure next week. 6. He (to prepare) his presentation by the end of the week. 7. The police officer (to interrogate) a suspect tomorrow. 8. They (will search/will have searched) the house by the end of the day. 9. The policeman (will make/ will have made) the report about theft in 10 minutes.

Unit 2. Protection of Human Rights at the International Level

2.1 Answer the following questions:

1. What documents promote human rights at the international level?
2. What do you know about European Convention on Human Rights?

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

1 supra-national court	А засоби судового захисту прав
2 judicial remedies	В порушення Конвенції
3 subsequent protocol	С надціональний суд
4 grievance	Д поневолення
5 servitude	Е наступні протоколи
6 breach of the Convention	Ф скарга
7 to enforce	Г брати до уваги
8 to take account of	К запроваджувати в дію
9 to supervise	Л порушення
10 violation	М наглядати

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

European Convention on Human Rights (ECHR or EHR Treaty)

The Convention has been referred to as “the jewel in the crown” of the Council of Europe. New member states are obliged to sign ECHR on becoming members and to ratify within one year.

The direct predecessor of the Convention is the Universal Declaration of Human Rights of 1948. Other notable historical precedents include “England’s Magna Carta of 1215, which asserted the right to a fair trial and a just legal system; the Declaration of Independence of the United States of America of 1776; and the French Declaration of the Rights of Men and the Citizen of 1789. While inadequate for today, these represented important stages on the road towards full and equal rights for all human beings. The ECHR was signed on 4 November, 1950 and entered into force on 3 September, 1953. The European Convention on Human Rights represents ” the first steps of the collective enforcement of certain of the rights stated in the

Universal Declaration". Contracting States undertake to secure to everyone within their jurisdiction a number of civil and political rights and freedoms set out in the Convention. Some of them are: the right to life (Art.2), freedom from torture and from inhuman or degrading treatment or punishment (Art.3), freedom from slavery and servitude (Art. 4), the right to liberty and security of the person (Art. 5), the right to a fair trial (Art. 6), the right to respect for one's private and family life, one's home and one's correspondence (Art. 8), freedom of thought, conscience and religion (Art. 9), freedom of assembly and association (Art. 11).

Subsequent protocols have extended the initial list of rights, and the case-law of European Court has reinforced and developed these rights, demonstrating the dynamic and evolutive nature of the system. The first Protocols of 20 March 1952 added the following rights: the right to property (Art 1), the right to free elections (Art. 3). The Fourth Protocol adds some more rights: freedom from imprisonment for debt (Art. 1), liberty of movement and freedom to choose one's residence (Art. 2).

All the Contracting States, with the exception of Ireland, Norway and the United Kingdom, have incorporated the Convention into their own law, enabling the domestic judiciary to take full account of its provisions when considering a grievance. Once domestic judicial remedies have been exhausted, an individual may still seek redress in Strasbourg for a breach of the Convention by a Contracting State. The Strasbourg machinery is not a substitute for national courts, but is an extension of them. The agreement of sovereign states to allow a supra-national court to review a judgement of the domestic judiciary represented a historic and unprecedented step in international law. It puts into practice the theory of the fundamental nature of human rights, placing rights firmly above the laws and practice of a state.

The most famous conventional body is the European Court of Human Rights, which enforces the European Convention on Human Rights. The European Court of Human Rights, created under the European *Convention* on Human Rights of 1950, is composed of a judge from each member state elected for a renewable term of six years by the Parliamentary Assembly and is headed by the elected President of the Court. Since 2007, Jean-Paul Costa from France is the President of the Court. Under the new Protocol No. 14 to the European Convention on Human Rights, the terms of office of judges shall be nine years but non-renewable. According to the Convention and the Statute the Court deals with cases related to the violation of the Convention and protocols. When a case is referred to the Court, there will be a public hearing. The Court's judgement, reached by majority vote, is final. The Court may require a

state to pay financial compensation, including damages and the costs of the proceedings. The Committee of Ministers supervises the execution of the judgement where a violation has been found.

2.1.3 Mark these statements true or false according to the text. Find the part of the text that gives correct information

1. The direct predecessor of the European Convention on Human Rights is the Constitution of the USA.
2. Contracting States undertake to protect human rights set out in the Convention.
3. All the Contracting States have incorporated the Convention into their own law.
4. The Court's judgement reached by majority vote is ultimate.
5. The Strasbourg Court is a substitute for every national court.
6. A Contracting State has no right to bring a case against another Contracting State.
7. The Court may require a state to pay financial compensation, including damages and the costs of the proceedings.

2.1.4 Make up 5 questions to the text and write summary

Vocabulary practice

2.1.5 Give the English equivalents of the following and make up your sentences with some of them: засоби судового захисту прав, порушення Конвенції, надціональний суд, поневолення, наступні протоколи, скарга, брати до уваги, запроваджувати в дію, порушення, наглядати, голосувати.

2.1.6 Insert the following words in an appropriate form into the abstract

convention, detention areas, human rights, force, experts, adopt, access, politics, make up, include

The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment was 1.____ in 1987 and came into 2.____ in 1989. The 3.____ supplements the protection available under the European Convention on

Human Rights by establishing a European Committee for the Prevention of Torture (CPT)

This Committee is 4.____ of independent and impartial 5.____ from a variety of backgrounds, including law, medicine, prison affairs and 6.____

The Committee visits places of detention, which may 7.____ prisons, police stations, aliens' holding centres, 8.____ at army barracks or psychiatric institutions, to see how detainees are treated. The Committee has unlimited 9.____ to places of detention and can interview, in private, detainees or any other persons who can provide relevant information, including non-governmental organizations (NGOs) concerned with 10.____ as well as the authorities themselves.

The aim of collecting this information is to strengthen the protecting of detainees against torture and inhuman or degrading treatment or punishment.

2.1.7 Choose the right preposition:

by, for, with, without, according to, in, on

1. ... recent years number of cases considered by the Court has increased considerably as the Convention's reputation has grown.

2. The European Convention on Human Rights represents "the first steps ... the collective enforcement of certain of the rights stated ... the Universal Declaration".

3. The Convention provides ... a European Court of Human Rights to deal ... individuals' petitions and their interstate cases.

4. The right to a fair trial, both in civil and criminal proceedings, is guaranteed ... Art. 6 of the ECHR.

5. The Additional Protocol of 1998 included the right to equal opportunities and treatment with regard to employment and careers, ... discrimination based ... sex.

6. Everyone charged ... a criminal offence shall be presumed innocent until proved guilty ... the law (Art. 5 of ECHR).

7. Men and women of marriageable age have the right to marry and found a family ... the national laws governing the exercise of this right. (Art. 12 of ECHR).

Speaking

2.2 Read the case and discuss this topic with your groupmates. Prove that child labour is not only a problem facing humanity nowadays but it is a serious violation of the human rights

Case: Child labour is a very serious problem in many third world countries. In general, they are used for low skill and labour intensive jobs, such as agriculture, mining, food processing, and manufacturing good such as carpets, garments and furniture. Employers prefer children, as they are more obedient than their adult counterparts, and less likely to complain about their poor treatment. There have been reports of children not receiving their promised pay. As the children are unable to receive a proper education, it is difficult for them to rectify their situation. As little as the children are earning, it enables them to financially support their families. Many of the child workers are satisfied with their payment, and enjoy the special working status that they hold.

Writing

2.3 Prepare a petition to the International Court of Justice or to the European Court of Human Rights about serious violations of the Universal Declaration of Human Rights or accordingly the European Convention on Human Rights, referring to the articles of these international documents

Grammar focus: Present and Past Perfect Continuous

2.4 Put the verbs in brackets into appropriate form:

1. The detective (to look for) the evidence of the crime since last week. 2. They (to read) the text about the role of law enforcement for ten minutes when the Dean entered the room. 3. The police officer (to interrogate) a suspect for one hour and twenty minutes. 4. They (to search) the house since 10 o'clock. 5. The policeman (to make) the report about theft for 10 minutes when a woman came into the police office. 6. The kidnapper has stolen the child and a small girl (to cry) all morning.

2.4.1 Put the verbs in brackets into appropriate form (Present Perfect or Present Perfect Continuous):

1. The judges (to passed) already the sentence. 2. The police (not to arrest) a famous criminal yet. 3. The police officer (to interrogate) a suspect since 8 o'clock. 4. The police officer already (to tell) him of his rights. 5. He is in the court. He (to give) statements for 10 minutes. 6. The victim's eyes are red. She (to cry). 7. The police officer (not to interrogate) a victim yet. 8. The detective (to find) already the evidence

of the crime. 9. We (to discuss) already the European Convention on Human Rights.
10. They (to discuss) the European Convention on Human Rights for half an hour.

2.4.2 Put the verbs in brackets into appropriate form (Past Perfect or Past Perfect Continuous):

1. The judges (to reach) a decision after (to discuss) the case privately. 2. By the time the train (to reach) the city, he (to receive) five calls informing him of robbery from the bank. 3. The police officer (to interrogate) a suspect for one hour and twenty minutes when a chief officer entered the room. 4. He (to accept) any possible penalty when the officer started to tell him of his rights. 5. When the police officer came to the scene of a crime he saw that the victim's eyes were red. She (to cry). 6. He (to prepare) his presentation on the European Convention on Human Rights by 6 o'clock yesterday. 7. He (to prepare) his presentation on the European Convention on Human Rights for 1 hour when his friend called him.

Module 3. Constitutional Law

Unit 1. The Nature of Constitutional Law

1.1 Read the definition given below and add one sentence of your own

Constitution is defined as a set of basic laws and principles that a country is governed by.

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

1) implementation	a) трактування
2) interpretation	b) впровадження
3) to maintain	c) впливати
4) mandatory	d) законодавство
5) citizen	e) здійснювати правосуддя
6) to administer justice	f) обов'язковий
7) legislature	g) забезпечувати
8) to influence	h) громадянин
9) circumstances	i) умови
10) conformity	j) відповідність

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

Constitutional Law: Outline of History and Development

We may begin by asking the question: “What is constitutional law and what part does it play in our constitution?” One motive for seeking a definition of constitutional law is simply to settle conventional questions of usage within the legal system for purposes of exposition: to mark, for example, the boundaries of constitutional law and administrative law, or public law and private law. Another point of asking this question is to establish the existence of clear distinction between rules of strict law and rules established by political practice or constitutional convention.

So, constitutional law is the law which establishes, empowers and regulates institutions of government. Simple as it may seem, there is a complication because constitution has three meanings. First, it means all the laws regulating government. From this first meaning comes a second meaning where constitution refers to a system of government. Finally, constitution is used in a narrow sense to mean a document or statute, called “Constitution” containing basic constitutional rules.

The concept of constitution was first outlined in Aristotle’s classification of governments identified with constitution. He believed that the best form of constitution is the combination of monarchy, aristocracy and democracy so that citizens could realize their rights and carry out the duties for the benefit of the whole society.

The modern ideological roots of the idea of constitutional law are connected with the names of Thomas Hobbes, John Locke and other scholars who claimed the concept of concentration of powers and separation of powers and developed the notion of social contract. According to the above-mentioned notion, people in society willingly give up absolute freedom for sake of security and prevention of rule of “the law of the jungle” (the principle that only the strongest will survive).

The works of these philosophers influenced upon the authors of the US Constitution and the French Declaration of the Rights of Man and the Citizen.

As the constitution is the framework for government then constitutional law is the study of foundational laws of nation states. Constitutions may limit or define the

authority and procedure of political bodies to provide for enforcement of new laws and regulations.

Constitutional law is the body of law governing the implementation and interpretation of the constitution. It defines the range and application of the terms of the Constitution and covers fundamental aspects of the application of government authority in the nation states. It is a field of law that is both complex and broad. Some constitutional lawyers maintain that the Constitution purposely remains vague and subject to interpretation so that it may be adopted to the circumstances of a changing society. Other constitutional scholars however, maintain that the provisions of the Constitution should be strictly construed and their provisions applied in a very literal manner.

Constitution is usually understood as the main formal document of the state but, of course, dealing with constitutional law the constitutional lawyer must not only consider constitutional history and political practice but also conventions of various kinds that are closely linked with the constitution itself.

1.1.4 Answer the questions:

1. What are the motives for seeking the definition of constitutional law?
2. What form of government was the best possible, according to Aristotle?
3. Why is this field of law broad and complex?
4. What two points of view of the constitution are mentioned in the text?
5. Why does a constitutional lawyer have to take into consideration the existing conventions and extralegal rules?

Vocabulary practice

1.2 Translate into Ukrainian:

the boundaries of constitutional law, distinction between rules, political practice, classification of forms of governments, the notion of social contract, “the law of the jungle”, foundational laws of nation states, enforcement of new laws and regulations, application of the terms, subject to interpretation, the main formal document of the state.

1.2.1 Define the meaning of the word combinations:

Legal provision

Legal system

1.2.2 Choose the word on the right that is associated with the word on the left:

Definition – term, exposition, custom
Constitution – work, document, tradition
Democracy – convention, custom, government
Provision – article, subject, influence
Enforcement – authority, court, regulation
Scholar – school, scientist, circumstances

1.2.3 State the part of speech for the following words and use them in the word combinations of your own:

to constitute, constitution, constitutional, unconstitutional, constitutionally, constitutionality.

1.2.4 Put in the missing prepositions:

1. These provisions of the Constitution are not subject ... amendment. 2. The main sources ... English constitutional law are statutes and judicial precedents. 3. According ... the Constitution, the Prime Minister carries ... the domestic policy of the state. 4. The procedure ... conducting elections of the President of Ukraine is established ...law. 5. The Verkhovna Rada of Ukraine assembles ... its first session no later than ... the thirtieth day... the official announcement ... the election results.

Speaking

1.3 Work in pairs and discuss the following

1. How does constitutional meaning shift with other changes in political structure?
2. In what ways are rights and freedoms of people embodied in constitutions?

Grammar Focus: Passive Voice

1.4 Open the brackets using the verbs in correct forms (Present, Past, Future Indefinite)

1. Our relations with one another (to govern) by many rules of conduct. 2. He (to punish) for being drunk while driving a car. 3. The principle of limited government (to establish) by the Magna Carta. 4. Crimes (to classify) a felony or

misdemeanor. 5. The famous criminal (to arrest) the day before yesterday. 6. Our relations with one another (to govern) by many rules of conduct. 7. Probation (to use) for minor offences. 8. Magistrates (to guide) on points of law by a clerk. 9. The police report (to make) tomorrow. 10. That case (to close) last week, wasn't it?

1.4.1 Open the brackets using the verbs in correct forms (Present, Past, Continuous)

1. The verdict (to announce) now. 2. The opening statement (to announce) when he came in the court room. 3. The fingerprints (to identify) when chief officer came into the room. 4. The house (to search) now. 5. A drug dealer (to sell) drugs when a police caught him. 6. Experts (to examine) the fingerprints at noon yesterday. 7. The verdict (to announce) now. 8. The protocol about shareholders meeting (to read) at this time yesterday. 9. The house (to search) when the chief investigator called. 10. The verdict (to announce) when he came in the court room.

Unit 2. Types and Functions of Constitutions

2.1 Answer the questions:

1. What is the role of the constitution in establishing state and legal structure?
2. What is the role of the constitution in protection human rights?
3. What types of constitutions do you know?

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

1) authority	a) змінювати
2) to alter	b) повноваження
3) unrestricted authority	c) необмежені повноваження
4) mandatory	d) визначати
5) to identify	e) судочинство
6) judiciary	f) обов'язковий
7) law-enforcement authorities	g) правоохоронні органи
8) lawful authority	h) законна влада

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

Types and Functions of Constitutions

Constitutions are the framework for government and may limit or define the authority and procedure of political bodies to execute new laws and regulations. Not all nation states have codified constitutions though all law-governed states have law of land consisting of various imperative and consensual rules. They may include common law, conventions, statutory law and international rules.

Codified constitutions are considered rulemaking fundamentals, or rules about making rules to exercise power. They govern the relationships among the judiciary, the legislature and the executive bodies. One of the key tasks of constitutions within this context is to indicate hierarchies of power. For example, in a unitary state the constitution will vest ultimate authority in the central administration and legislature, and judiciary, though there is often a delegation of authority to local or municipal bodies. When a constitution establishes a federal state it will identify several levels government coexisting with exclusive or shared areas of jurisdiction over lawmaking, application and enforcement.

Human rights or liberties for citizens form a crucial part of a country's constitution and govern the rights of the individual against the state. Most jurisdictions, like the US, Ukraine and France, have a single codified constitution. A recent example is the Charter of Fundamental Rights of the European Union, which was intended to be included in the Treaty establishing a Constitution of Europe.

Some countries, like the United Kingdom, have no entrenched document setting out the fundamental rights – in this jurisdiction the constitution is composed of statute, case law and convention. Inspired by a famous philosopher John Locke, the fundamental constitutional principle is that the individual can do anything but that is forbidden by law, while state may do nothing but that is which authorized by law.

The function of codified constitution is also to describe the procedure by which parliaments may legislate. For instance, special majorities may be required to alter the constitution. In two-chamber legislatures there may be a process laid out for second or third readings of bills before a new law can be passed.

2.1.3 Answer the following questions:

1. Do all state nations have codified constitutions?

2. In what way does a constitution defend human rights?
3. What is jurisdiction of the UK composed of?
4. What is one of the fundamental constitutional principles?
5. How can you describe the role of the constitution in establishing central-local relations of authorized bodies in a unitary state?

Vocabulary practice

2.2 Match the words:

To interpret	state
Appellate	of powers
Constitutional	law
Legal	Court
Bill	courts
The form	of Rights
Rights	provision
Separation	and freedoms
Nation	branch
Judicial	of government

2.2.1 Join the English expressions containing the term “authority” with their Ukrainian equivalents:

1) law-enforcement authorities	a) влада парламенту
2) lawful authority	b) підривати авторитет
3) to abuse one’s authority	c) законна влада
4) authority of Parliament	d) передавати повноваження
5) to delegate one’s authority	e) правоохоронні органи
6) unrestricted authority	f) з надійних джерел
7) on good authority	g) посилатися на надійні джерела
8) To quote one’s authority	h) необмежені повноваження

2.2.2 Translate into Ukrainian. Use these word combinations in sentences of your own: key task, statutory law, special majorities, crucial part, forbidden by law, authorized by law, setting out the rights, imperative and consensual rule.

2.2.3 Open the brackets choosing a suitable word

1. Ukraine has a (democratic, federal) political system. 2. A President can (make, issue) orders without the (approval, adoption) of the Verkhovna Rada in some matters. 3. The people elects a president to a (four-year, five-year) term. 4. Ukrainian (16,18) years old or older may vote. 5. Ukraine is divided into (24,25) regions and the Crimea. 6. Rukh was established in (1989, 1990) and includes (several, two) political parties. 7. Citizens of Ukraine (perform, are free of) military services. 8. The amount of taxes and duties are determined by the (law, courts of general jurisdiction). 9. Citizens are equal before (the law, regional courts). 10. A president is elected (directly, secretly). 11. A president is elected by (the votes, the people's deputies). 12. The constitution of Ukraine consists of 161 (chapters, articles).

2.2.4 Render the following text in English:

Конституція – це головний закон держави, який визначає її суспільний устрій, порядок та принципи утворення представницьких органів влади, виборчу систему, основи права та обов'язки громадян. Конституція – це основа чинного законодавства.

Конституція – це сукупність актів та конституційних звичаїв, які проголошують права та свободи людини та громадянина, визначають форму керування та територіального устрою, основи організації центральних та місцевих органів влади.

Конституція є головним джерелом права у державі. Конституції розрізняють за формою на кодифіковані, некодифіковані та конституції змішаного типу; за засобом внесення змін на гнучкі та жорсткі; за терміном дії на постійні та тимчасові.

Speaking

2.3 Comment the following saying by Friedrich Hayek

Liberty not only means that the individual has both the opportunity and the burden of choice; it also means that he must bear the consequences of his actions...Liberty and responsibility are inseparable.

Grammar focus: Passive Voice

2.4 A policeman has made a report and now is telling his boss about the event of the day using Passive Voice

1) The famous deputy/ to kill yesterday. Two suspects / to catch near the place of murder. Witnesses / already to question. Evidence / already to find.

2) Famous murderer Stivenson escaped from federal prison. All areas / to search. All roads leading to the city / to take under control. All police headquarters / already to inform. His photoes / to show on TV.

Module 4. Administrative Law

Unit 1. The nature of Administrative Law

1.1 Answer the following questions:

1. What sphere of law does administrative law belong to?
2. What is the main task of administrative law?
3. What offenses can be called administrative ones?
4. What administrative bodies do you know?

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

1) rulemaking	a) винесення судового рішення
2) adjudication	b) Урядові установи
3) regulatory agenda	c) оподаткування
4) taxation	d) нормотворчість
5) government agencies	e) судовий перегляд
6) judicial review	f) суттєвий для оцінки
7) vital in appreciating	g) регулятивна програма
8) common law	h) впроваджувати
9) to implement	i) політика
10) policy	j) звичаєве право

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

Administrative Law

Administrative law is the body of law that governs the activities of administrative agencies of government. Government agency action can include rulemaking, adjudication, or the enforcement of a specific regulatory agenda.

Rulemaking is an agency process for formulating, amending, or repealing a rule. A rule in turn is the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy.

Adjudication is an agency process for the formulation of an order. An order in turn is the whole or part of a final disposition of an agency in a matter other than rule making but including licensing.

Administrative law is considered a branch of public law. As a body of law, administrative law deals with the decision-making of administrative units of government (e.g., tribunals, boards or commissions) that are part of a national regulatory scheme in such areas as police law, international trade, manufacturing, the environment, taxation, broadcasting, immigration and transport.

Administrative law expanded greatly during the twentieth century, as legislative bodies world-wide created more government agencies to regulate the increasingly complex social, economic and political spheres of human interaction.

While administrative decision-making bodies are often controlled by larger governmental units, their decisions could be reviewed by a court of general jurisdiction under some principle of judicial review based upon due process (United States) or fundamental justice (Canada).

Judicial review of administrative decision, it must be noted, is different from an appeal. When sitting in review of a decision, the Court will only look at the method in which the decision was arrived at, whereas in appeal the correctness of the decision itself will be under question. This difference is vital in appreciating administrative law in common law countries.

1.1.4 Answer the following questions using the information from the text:

1. What can government agency action include?
2. What does administrative law deal with?
3. When did administrative law expand greatly? Why?

4. Why could the decisions of administrative decision-making bodies be reviewed by a court of general jurisdiction?

5. How does judicial review of administrative decision differ from an appeal?

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

1. A rule is the whole or a part of an agency statement of general or particular applicability and

2. While administrative decision-making bodies are often controlled by larger governmental units,...

3. When sitting in review of a decision, the Court will only look at the method in which the decision was arrived at, whereas ...

Vocabulary practice

1.2 Explain the following in English:

administrative law, rulemaking, a rule, adjudication, an order, review of administrative decision, administrative unit

1.2.1 The verbs below can be used to form of nouns. Find in the text the words which have similar meanings. Pay special attention to the stress

Example: *To govern (verb) – government (noun)*

To act, to enforce, to state, to adjudicate, to formulate, to broadcast, to immigrate, to decide, to review.

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

Адміністративне право, урядова установа, регулятивна програма, винесення судового рішення, оподаткування, нормотворчість, судовий перегляд, формулювати норму, здійснювати, виконавча влада, державне управління.

1.2.3 Render into English:

Адміністративне право — одна з галузей публічного права, яка регулює суспільні відносини, що виникають у сфері організації, а також діяльності

органів публічної адміністрації, спрямованої на забезпечення та захист прав і свобод громадян. Адміністративне право має декілька кодифікованих законів: Кодекс України про адміністративні правопорушення, Кодекс адміністративного судочинства України, Митний Кодекс України. Джерелами адміністративного права є постанови Верховної Ради України, Укази Президента України, акти Кабінету Міністрів України, накази міністерств та інших центральних органів виконавчої влади, розпорядження голів місцевих державних адміністрацій, рішення органів місцевого самоврядування, накази керівників державних підприємств, установ, організацій.

Speaking

1.3 Imagine that you are a lecturer in a law school. Prepare your presentation on Administrative law and get ready to give a lecture to your students

Grammar focus: Active versus Passive

1.4 Put the verb in brackets into the proper tense form of active or passive. Translate the sentences into Ukrainian:

1. Everyone (to have) with the same human rights. 2. They cannot (to take) away, lost or surrendered whatever a person does or whoever that person is: they (to be) inalienable. 3. A criminal (to entitle) to a fair trial where he (to presume) innocent until proved guilty; if convicted, he (to entitle) to appeal and anyway to (to keep) detained in human conditions. 4. He has this rights and they must (to respect). 5. Human rights law is not about equality, it (to be) about protecting individuals from discrimination. 6. The law (to apply) equally to rich and poor. 7. The migrant worker (to entitle) to equal pay for equal work alongside the national of the country in which he temporarily (to work). 8. Women (to have) the same rights as men. 9. We (to read) the text about human rights last lesson. 10. He (to prepare) a petition to the International Court of Justice about serious violations now.

Unit 2. Administrative Offenses and Responsibility

2.1 Answer the following questions:

1. What do administrative violations mean?
2. What is the task of administrative judiciary?

3. What is administrative offense?

4. What document provides legal provision regarding administrative offenses and administrative responsibility in Ukraine?

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

1) deprivation of the right	a) розрізняти
2) to be vested with	b) законність
3) validity	c) мати право
4) contested cases	d) позбавлення права
5) administrative offense	e) спірні справи
6) to distinguish	f) підлягати
7) incur	g) адміністративні порушення
8) adjudication	h) судові рішення
9) penalties	i) відповідальність
10) responsibility	j) покарання

2.2.2 Read and translate the articles of the Code of Ukraine

Chapter 2. Administrative offense and administrative responsibility

Article 9. Concept of administrative offense

Administrative offense (offense) action or failure to act for which the law provides the administrative responsibility is recognized encroaching on public order, property, the rights and freedoms of citizens, on established procedure of management illegal, guilty (intentional or careless).

The administrative responsibility for the offenses provided by this Code comes if these violations in character do not involve according to the law of criminal liability.

Article 10. Making of administrative offense is intentional

The administrative offense is recognized committed intentionally if person who made it, realized illegal nature of the action or failure to act, provided its harmful effects and wished them or consciously allowed approach of these effects.

Article 11. Making of administrative offense on imprudence

The administrative offense is recognized committed on imprudence when person which made it expected possibility of approach of harmful effects of the action or failure to act, but thoughtlessly expected their prevention or did not expect possibility of approach of such effects though it shall and could provide them.

Article 24. Types of administrative punishments

For making of administrative offenses such administrative punishments can be applied:

- 1) prevention;
- 2) penalty;
- 3) paid withdrawal of subject which became the tool of making or direct object of administrative offense;
- 4) confiscation: subject which became the tool of making or direct object of administrative offense; the money received owing to making of administrative offense;
- 5) deprivation of the special right granted to this citizen (the rights of control of vehicles, the hunting rights).

Deprivation of the right to hold certain positions or to be engaged in certain activities.

Article 25. Main and additional administrative punishments

Paid withdrawal, confiscation of objects and deprivation of the right of control of vehicles can be applied as the main, and additional administrative punishments; deprivation of the right to hold certain positions or to be engaged in certain activities - only as additional, other administrative punishments specified in Article part one 24 of this Code can be applied only as the main.

Article 26. Prevention

The prevention as measure of administrative punishment is taken out in writing. In the cases provided by the law the prevention is fixed by other established method.

Article 27. Penalty

The penalty is cash collection which is imposed on citizens, official and legal entities for administrative offenses in the cases and the size established by this Code and other laws of Ukraine.

(from <https://cis-legislation.com/document.fwx?rgn=8653>)

Vocabulary practice

2.3 Give the definitions for the following terms and expressions :

administrative justice, administrative agency, administrative courts, administrative offenses, administrative tribunals, administrative proceeding, administrative detention, administrative punishment.

2.3.1 Think about possible word combinations with the following words:

agency, legislative, regulations, courts, government, tribunals, penalties, powers, punishment, jurisdiction.

2.3.2 Give the English equivalents for the following word combinations.

Make up your own sentences with some of them:

адміністративне правосуддя, адміністративні органи, судова влада, законодавча влада, адміністративні норми, адміністративні правопорушення, бездіяльність, протиправна дія, матеріальна або моральна шкода, адміністративний делікт, попередження, адміністративна відповідальність.

2.3.3 Render into English:

Адміністративне правопорушення - протиправна умисна або необережна дія чи бездіяльність, яка посягає на державний або громадський порядок, власність, права і свободи громадян, на встановлений порядок управління і за яку законодавством передбачено адміністративну відповідальність.

Адміністративним деліктом визнається протиправна, умисна або необережна дія чи бездіяльність, яка скоєна особою, наділеною владними повноваженнями (державним службовцем), унаслідок якої було заподіяно матеріальну або моральну шкоду особі (фізичній, юридичній) або суспільству. Особливістю профілактики та попередження вчинення адміністративних деліктів у громадянському суспільстві є публічність органів державної влади,

яка виражається, перш за все, у доступності для населення інформації щодо діяльності органів державної влади, а також можливості для громадян і громадських організацій впливати на їх діяльність.

Speaking

2.4 Imagine that you are at the exam applying for the post of a police officer and the members of the exam commission ask you to tell them about administrative offenses and administrative responsibility in Ukraine

Grammar focus : Active versus Passive

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

1. Probation (to use) for minor offences. 2. Magistrates (to guide) on points of law by a clerk. 3. The house (to search) when the chief investigator called. 4. He (to find) innocent and the case (to close) last week. 5. The burglar (to break) into the house and (to steal) a new TV set. 6. The famous criminal (not to arrest) the day before yesterday. 7. The verdict (to announce) by the time he came in the court room. 8. A defense-lawyer (to represent) the accused in five minutes. 9. A drug dealer (to sell) drugs when a police caught him. 10. Experts (to examine) the fingerprints by noon yesterday.

2.5.1 Choose the appropriate form of the verb. Pay attention to active and passive voice

1. In the USA sheriff (is chosen/ chooses) for the service. 2. The prosecutor (presented/ is presented) the case yesterday. 3. They (carried out/ were carrying out) the expert examination an hour ago. 4. She (studied/ was studying) the report of the policeman when he came in. 5. The prisoner (was telling/ told) about the circumstances of the crime when his mother came to see him. 6. The judge (was calling/ called) the witnesses of the defence after the testimony of the plaintiff's witness. 7. After the direct examination the defendant's lawyer (was having/ had) a chance to question the witness.

2.5.2 Open the brackets using the verbs in correct forms of active or passive

1. The law (to determine) principles of judicial proceedings in courts of specific judicial jurisdiction. 3. The jurisdiction of courts (to extend) to all legal relations that arise in the State. 4. Ukraine's judicial system (to make up) of courts of general jurisdiction and the Constitutional Court of Ukraine. 5. The unified system of courts general jurisdiction (to form) in accordance with the territorial principle and the principle specialization. 6. The Constitutional Court of Ukraine (to decide) on the issues of conformity of laws and other legal acts with the Constitution. 8. When we (to come) into the room, the last meeting of the Supreme Court (to finish).

Module 8. Judiciary

Unit 1. Judicial System in Ukraine

1.1 Answer the following questions:

1. What is a role of judicial system in any country?
2. What types of courts in our country do you know?
3. What people take part in judicial proceedings in Ukraine?

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

1) appointment	a) судові рішення
2) court decisions	b) призначення
3) issues	c) питання
4) mandatory	d) обов'язковий
5) citizen	e) здійснювати правосуддя
6) to administer justice	f) обов'язковий
7) obligatory	g) профспілки
8) trade unions	h) громадянин
9) to resolve disputes	i) вирішувати спори
10) conformity	j) відповідність

1.1.2 Think of the definition of the word ‘judiciary’ and decide in what meaning it can be used in the text

- a) judicial power
- b) judicial system
- c) court organization
- d) all the judges in a country who form part of the system of government.

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

Judicial System

Judicial power in Ukraine is based on the Constitution. It is an independent branch of state power created to solve legal problems between the state and citizens, citizens and legal persons; to supervise over constitutionality of laws; to defend citizens' rights in their relations with bodies of state power and officials; to supervise citizens' rights in the course of investigating crimes and conducting operational search activity; to establish the most significant legal facts. Judicial power is realized by judges in the form of civil, criminal, economic, administrative as well as constitutional legal proceedings. Thus, judicial system is an aggregate of all existing courts in Ukraine. They have jurisdiction over all legal relations that appear in the state. The system provides availability of justice for every person. The courts interpret and apply the laws created according to the Constitution of Ukraine. Their decisions are made on behalf of Ukraine and are obligatory for enforcement on the entire territory of the country. Judicial proceedings are administered by the Constitutional Court of Ukraine and courts of general jurisdiction. The Constitutional Court of Ukraine is the sole body of constitutional jurisdiction. It decides on issues of conformity of laws and other legal acts with the Constitution and provides their official interpretation.

Courts of general jurisdiction form the common system of courts united by aims, tasks, principles of organization and activity, and are headed by the Supreme Court of Ukraine. They are set up according to principles of territoriality and specialization. General courts are local, appellate, Highest Specialized Courts, and the Supreme Court. Economic, administrative and some other courts are defined as specialized. The lowest courts are local which are courts of first instance or trial

courts, decide different types of cases. The appellate courts hear appeals from the local ones. The Highest Specialized Courts deal with cassations and determine the legality and reasoning of the previous court judgments. The Supreme Court, the highest court in their system, administers justice, ensures equal application of legislation by all courts of general jurisdiction. The specialized courts of general jurisdiction consist of administrative and economic courts resolving disputes in the sphere of administrative and economic legal relations. Justice is administered by professional judges and, in cases determined by law, people's assessors and jurors. Judicial proceedings are administered by a judge personally, a board of judges or a jury.

A citizen of Ukraine of at least 25 years old, who has higher legal education and work experience in the sphere of law for not less than 3 years, has resided in Ukraine at least 10 years and speaks state language may be recommended by the qualification commission for the position of a judge. The first appointment is made by the President for a five-year term. All other judges, except for judges of the Constitutional Court, are elected by the Verkhovna Rada for a lifetime. Professional judges must not belong to political parties and trade unions, occupy any other paid positions, and perform other paid work except scientific, teaching and creative activity.

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

Prove your answer with the information from the text above

1. The judicial system consists of courts of general jurisdiction.
2. Court decisions are binding for everybody in Ukraine.
3. Trial courts can hear some types of appeal.
4. President appoints all judges.
5. Judges are allowed to take part in political activity.
6. Professional judges must not belong trade unions.

1.1.5 Answer the following questions:

1. What are the tasks of the judicial system?
2. What does the judicial system consist of?
3. What are the functions of courts?
4. Who can administer justice?
5. Who can become a judge?

Vocabulary practice

1.2 Find in the text 1.1.3 legal terms which have the following meanings:

1. A person with authority to hear and decide disputes brought before a court;
2. An application to a higher court to examine a case decided by a lower court;
3. The power of a court to hear and decide cases;
4. The process of settling a dispute by referring it to an independent third party for decision as an alternative to court proceedings.

1.2.1 Read the sentences and fill in the gaps with the words and phrases given in the box. There are two extra ones you do not need to use

court decision, jury, dispute, arbitration, trial judge, appeal, people's assessor, apply, punishment

1. The...was reduced to three years
2. She is not happy with the ..., and plans to appeal.
3. The dispute is going to
4. Both sides in the ... have agreed to binding arbitration.
5. The problem was settled out of
6. The ... determines the number of years to be spent in prison.
7. The ... plays an important role in the legal system of many countries.

1.2.2 Render into English:

Загальні суди забезпечують захист прав і свобод громадян шляхом розгляду цивільних, кримінальних, адміністративних та інших справ, їх система будується за принципами територіальності і спеціалізації. Принцип територіальності означає, що до системи цих судів входять районні/міські, міжрайонні, обласні і Верховний Суд України. Принцип спеціалізації передбачає спеціалізацію суддів вказаних судів, запровадження відповідних організаційних структур - галузевих судів для розгляду окремих категорій справ, зокрема кримінальних, цивільних, сімейних, як це передбачено Концепцією судово-правової реформи в Україні.

Writing

1.3 Work in pairs. Write notes in the chart, discuss the results in small groups and write your reports about the following courts and their competences

The System of Judicial Power in Ukraine

Name of a Court	Competence
The Constitutional Court	
The Supreme Court	
Court of appeal	
Local Court	

Speaking

1.4 Imagine that you are a judge. Choose a court you work in and describe your job (types of cases, rights and duties, advantages and disadvantages, etc)

Grammar focus: Modal verbs and their equivalents

1.5 Translate the following sentences into English using *can /to be able to*:

1. Вона може пояснити, чому вони подали апеляцію до Верховного Суду. 2. Він може найняти адвоката. 3. Де тут можна знайти поліцейський відділок? 4. Ти зможеш перекласти впізнати злочинця? 5. Завтра я буду вільний і зможу тобі допомогти знайти інформацію кримінальне право Великобританії. 6. Слідчий зміг знайти речові докази вбивства і довести провину підсудного.

1.5.1 Make up sentences with *may* using the following words and word combinations

Example: to touch the gun — May I take the gun?

To come into the courtroom, to read the report of the decision of the Constitutional Court, to take part in lawmaking, to watch the questioning of the accused, to use one's evidence, to speak to the prisoner.

1.5.2 Translate the following sentences into English using *may*:

1. Можна поговорити зі свідком злочину? 2. Слідчий говорить, що я вже вільний. 3. Коли мені дозволять поговорити з адвокатом? 4. Чи може підозрюваний позвонити родичам? 5. Чи можна його звільнити під заставу?

1.5.3 Give a piece of advice using modal verb *should*

Example: She saw her neighbor burying a body (to call the police). – She should call the police immediately.

1. He was ill and missed the lecture in Criminal Law (to study the material himself). 2. She doesn't know the Constitution of her country and wants to be a lawyer (to study the Constitution) 3. The students are unable to follow what the lecturer is saying (not to speak so fast). 4. Her English is bad (to practice more). 5. He recognized the criminal (to tell the investigator).

1.5.4 Tell a person that he *should (shouldn't) have done the following*

Example: A student went to the restaurant spending a lot of money and he doesn't have any to pay for his English courses now. –

He should not have gone to the restaurant and spent so much.

1. He forgot to tell the investigator some facts about the scene of the crime he had seen. 2. He came to the University at 8 o'clock in the morning and his first lecture starts at 9.40 o'clock. 3. He didn't tell his group mates that the first lecture was cancelled. 4. It's time to hand in the course paper in Criminal law to the lecturer but a student have done only a half of it.

Unit 2. Judiciary in the UK and the USA

2.1 Answer the questions:

1. What do you know about the court system of the UK?
2. In what way does it differ from the Ukrainian one?

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

1) inferior court	a) комітет
2) domestic issue	b) вести, керувати
3) debt collection	c) визнання
4) preliminary hearing	d) обвинувачений
5) to commit for trial	e) достатньо доказів
6) sufficient evidence	f) віддати до суду
7) accused	g) попереднє слухання

8) recognition	h) стягнення боргу
9) to conduct	i) сімейна справа
10) committee	j) нижчий, підлеглий суд

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

Notes:

Queen's Bench Division — відділ Королівської лави

Chancery Division — канцелярський відділ (Високого суду)

Divisional Court — Апеляційний суд відділу Королівської лави

Master of the Rolls — голова апеляційного суду та хранитель судових архівів

Administration of Justice in England and Wales

Crown Courts have an exclusively criminal jurisdiction. It is staffed by High Court judges (who try the most serious cases), full-time circuit judges and part-time practicing barristers and solicitors called recorders and assistant recorders. A jury of 12 lay persons selected at random determine whether the defendant is found guilty or not guilty. They also act as appeal courts for people convicted of an offence in the magistrates' court. A person found guilty in a magistrates' court can plead against either conviction or sentence, although if he has pleaded guilty in the lower court he may only appeal against sentence. Appeals from the Crown courts go to the Criminal Division of the Court of Appeal, and in some cases from there to the House of Lords.

County Courts. There are about 300 county courts through England- and Wales hearing smaller civil cases staffed by county court judges (who also sit as circuit judges in criminal cases) and district judges for smaller claims.

The High Court of Justice is made up of three Divisions, the Queen's Bench Division, the Chancery Division and the Family Division. The Family Division deals with all jurisdiction in domestic issues. The Chancery Division deals primarily with company work, trusts and estates and intellectual property. Within the Queens Bench Division there is also a specialized Admiralty Court, a Commercial Court and the Divisional Court, which reviews decisions of governmental and other public bodies.

The Court of Appeal is for most cases the court of final appeal. It has 28 lords Justices presided over by the Master of the Rolls. The Criminal Division of the Court of Appeal sits as a specialized section of the Court of Appeal dealing only with criminal matters. The cases are generally heard by a Lord Justice and two judges

from the Queen's Bench Division. There is normally only one judgment of this court, although each judge may give a separate judgment. A case which has been dismissed by the Appeal Court can be taken to the House of Lords.

The House of Lords is the highest court in the court hierarchy. It hears a small number of cases a year of particular legal importance. It is staffed by the Lord Chancellor, and ten Lords of Appeal in Ordinary who are members of the Upper House of the legislature. Cases are heard by a panel of at least three Law Lords and usually by a Bench of five. Each Law Lord is entitled to express his own opinion in the form of what is called a speech. When the House of Lords appeals from Scotland there is a convention that at least one Scottish law lord will sit on an appeal.

2.2.2 Find the answers to the following questions in the text above:

1. What jurisdiction does the Crown Court have?
2. How many county courts are there in England?
2. Who determines whether the defendant is guilty or not guilty?
3. When do Crown Courts Act as appeal courts?
4. Where do appeals from the crown courts go to?
5. What cases do the county courts hear?

Vocabulary practice:

2.2.3 Give the Ukrainian equivalents of the following words and word combinations:

to administer justice, to select a jury at random, to find a person guilty, to find the defendant not guilty, to convict a person of an offence, to plead against a conviction, to appeal against a sentence, circuit judge, small claim, to dismiss a case.

2.2.4 Give the English equivalents of the following words and word combinations, make up your sentences with some of them:

розглядати справу в суді, укомплектувати штати суддів, штатний суддя, суддя-сумісник, Високий суд, окружний суддя, практикуючий баристер, визнати особу винною у вчиненні злочину, суд магістрату, суд графства, окружний суд, подати апеляцію на вирок, визнати себе виним.

2.2.5 Explain the following in English:

domestic issues, barrister, solicitor, to appeal, pleaded guilty, magistrates' court, to keep in custody, to free on bail, to detain in custody, warrant.

2.2.6 Fill in the gaps with the following word phrases:

to make an arrest, by the police, in custody, ninety six hours, freed on bail

Although it is possible for any private citizen to institute criminal proceedings, in practice prosecutions are usually initiated 1.___. Arrests are usually made by police officers — although in law any citizen is empowered 2.___— with or without a warrant. A person can be detained 3.___without charge for up to 4.___. Once charged a defendant can be 5.___, although if the police consider that he or she might disappear they are entitled to object to bail, and ask that the defendant be kept in custody. The decision however, is left to the magistrate. If a person is freed on bail, securities must be given, either by the accused or by someone acting for him or her.

Speaking

2.3 Imagine that you are a lecturer in a law school. Prepare your presentation on the Court System of the UK and get ready to give a lecture to your students

Writing

2.4 Write a letter to your pen friend who studies in a law school in England asking him about some peculiarities of judiciary in the UK

2.5 Answer the questions:

1. What branch exercises judiciary in the USA?
2. What form of government has the USA?
3. What do you know about the court system of America?
4. What is the highest court in the USA?

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

1) executive branch	a) окружний суд
2) to enforce the laws	b) впроваджувати закони в дію
3) circuit court	c) забезпечувати правосуддя

4) legislative branch	d) звільняти з посади
5) to resolve disputes	e) на розсуд
6) to ensure justice	f) голосувати
7) to remove from office	g) законодавча гілка влади
8) at discretion	h) права та свободи
9) to vote	i) вирішувати спори
10) rights and liberties	j) виконавча гілка влади

2.5.2 Read the following text to understand what information is new for you

The USA Court System

Being the federal republic, the USA has both a federal and a state court system. The federal court system is responsible for interpreting and applying the laws created by the federal government under the authority of the US Constitution. Article III of the US Constitution requires the establishment of a Supreme Court and permits the US Congress to create other federal courts, and place limitations on their jurisdiction.

The Supreme Court is the highest judicial body, the court of last resort and leads the federal judiciary. It meets in Washington, D.C. It is mainly an appellate court and hears only federal appeals which it has chosen. Most of the cases involve the interpretation of the Constitution. It also has the «power of judicial review», i.e. the right to declare laws and actions of the federal, state, and local governments unconstitutional. Besides, the Court has limited original jurisdiction in cases involving foreign diplomats and in those, in which a state is a party. In practice, the only original jurisdiction cases heard by the Court are disputes between two or more states. It consists of the Chief Justice and eight Associate Justices, who serve «during good behaviour», that is while they obey the law. Cases are decided by majority vote of the Justices.

The federal Courts of Appeals (or circuit courts) are the intermediate appellate courts, and must hear all appeals from the district courts within their federal judicial circuits, and in some cases from other designated federal courts and administrative agencies. Now there are thirteen judicial circuits with one court of appeals. They review decisions of trial courts for errors of law and their decisions are binding precedents. An appeal is almost always heard by a panel of three judges who are selected from the available judges but in some cases all judges decide an appeal.

The District Courts are the federal trial courts. They hear both civil and criminal cases, and often decide claims based on state law. There are 94 federal judicial districts with at least one district court for each state, the District of Columbia and Puerto Rico. There is a US bankruptcy court as a unit of the district court.

Besides, some federal courts of special jurisdiction, such as the Tax Court, the Court of International Trade, Courts of Federal Claims and others administer justice in the country.

All federal judges are appointed for life by the President with the approval of the Senate. Each state has an independent system of courts operating under the constitution and laws of the state. The names and jurisdiction of the courts differ from state to state but as a rule they have general jurisdiction. The highest court is the state supreme court, which hears appeals of legal disputes. In most states the lowest courts are the magistrates' courts or police courts.

2.5.3 Answer the following questions:

1. What are the tasks of the federal court system?
2. What types of courts were created according to the US Constitution?
3. What body created other federal courts?
4. What types of cases does the US Supreme Court hear?
5. What do the federal Courts of Appeals do?
6. What is the jurisdiction of the federal District Courts?
7. What is the highest court in the USA?

Vocabulary practice

2.5.4 Choose the meaning of the following words in the meaning used in the text 2.5.2

1. state
 - a) the physical or mental condition that someone or something is in;
 - b) a country considered as a political organization;
 - c) one of the areas with limited law-making powers that together make up a country controlled by a central government.
2. justice
 - a) the system by which people are judged in courts of law and criminals are punished;

- b) the fair treatment of people;
- c) a judge in a law court.

3. case

- a) a question or problem that will be dealt with by a law court;
- b) a special box used as a container for holding or protecting something;
- c) all the reasons that one side in a legal argument can give against the other side.

4. precedent

- a) an official action or decision that can be used to give support to later actions or decisions;
- b) something of the same type that has happened or existed before;
- c) the way that things have always been done.

2.5.5 What nouns can be used with the following adjectives:

judicial, appellate, federal, original, highest, civil, criminal, fair, unconstitutional, domestic, illegal.

Speaking

2.6 Work in small groups and compare the court system of Ukraine, the UK and the USA

Grammar points: Modal verbs and their equivalents. Modal verbs in the meaning of logical assumption

2.7 Paraphrase the following using modal verbs in the meaning of logical assumption:

Example: I am sure the police are questioning the suspect now.-

The police must be questioning the suspect now.

1. I do not think he was involved in kidnapping. 2. I am sure he did not kill his wife. 3. Perhaps the murderer was waiting in her flat that evening. 4. Perhaps he had killed him before his wife arrived home that night. 5. I am sure they are searching the scene of the crime that was committed yesterday. 6. I do not believe he is involved in smuggling. It can't be. 7. Perhaps he will be asked to

testify in court. 8. I am sure he is guilty. 9. Perhaps the driver was speeding that night when his car crashed the lorry last week. 10. I am sure he is a dangerous criminal the police are looking for.

2.7.1 Translate the following sentences using modal verbs or their equivalents:

1. Поліцейський не зміг арештувати злочинця вчора. 2. Слідчий сказав підозрюваному, що він вільний. 3. Відбитки пальців можуть ідентифікувати потенційного підозрюваного. 4. Хоча підозрюваний був озброєний, поліцейський зміг його заарештувати. 5. Ви повинні бути стресостійким, якщо хочете стати поліцейським. 6. Як я можу дістатися до поліцейського відділу? 7. Вона, напевно, залишила відбитки пальців. 8. Не може бути, щоб вона вкрала автомобіль. 9. Можливо, вона знає злочинця. 10. Він, напевно, працює слідчим у поліцейському відділку.

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