

МИНИСТЕРСТВО СЕЛЬСКОГО ХОЗЯЙСТВА РОССИЙСКОЙ ФЕДЕРАЦИИ
Федеральное государственное бюджетное образовательное учреждение
высшего образования
«КУБАНСКИЙ ГОСУДАРСТВЕННЫЙ АГРАРНЫЙ УНИВЕРСИТЕТ
имени И.Т. ТРУБИЛИНА»

Юридический факультет
Иностранных языков



УТВЕРЖДЕНО:

Декан, Руководитель подразделения
Куемжиева С.А.
07.05.2024

**РАБОЧАЯ ПРОГРАММА ДИСЦИПЛИНЫ (МОДУЛЯ)
« ИНОСТРАННЫЙ ЯЗЫК В СФЕРЕ ЮРИСПРУДЕНЦИИ»**

Уровень высшего образования: бакалавриат

Направление подготовки: 40.03.01 Юриспруденция

Направленность (профиль): Гражданско-правовой

Квалификация (степень) выпускника: Бакалавр

Формы обучения: очная, очно-заочная

Год набора: 2024

Срок получения образования: Очная форма обучения – 4 года
Очно-заочная форма обучения – 4 года 8 месяца(-ев)

Объем: в зачетных единицах: 3 з.е.
в академических часах: 108 ак.ч.

Разработчики:

Старший преподаватель, кафедра иностранных языков
Криворучко И.С.

Рабочая программа дисциплины (модуля) составлена в соответствии с требованиями ФГОС ВО по направлению подготовки Направление подготовки: 40.03.01 Юриспруденция, утвержденного приказом Минобрнауки России от 19.07.2022 №1011, с учетом трудовых функций профессиональных стандартов: "Специалист по конкурентному праву", утвержден приказом Минтруда России от 16.09.2021 № 637н; "Специалист по операциям с недвижимостью", утвержден приказом Минтруда России от 10.09.2019 № 611н.

Согласование и утверждение

№	Подразделение или коллегиальный орган	Ответственное лицо	ФИО	Виза	Дата, протокол (при наличии)
1		Руководитель образовательно й программы	Гряды Э.А.	Согласовано	07.05.2024

1. Цель и задачи освоения дисциплины (модуля)

Цель освоения дисциплины - формирование комплекса знаний умений и навыков, необходимых для повышения исходного уровня владения иностранным языком, достигнутого на предыдущей ступени образования, и овладение студентами необходимым и достаточным уровнем иноязычной коммуникативной компетенции для решения социально-коммуникативных задач в различных областях профессиональной, научной, культурной и бытовой сфер деятельности, при общении с зарубежными партнерами, а также для дальнейшего самообразования.

Задачи изучения дисциплины:

- - формирование способности выбирать на государственном и иностранном (-ых) языках коммуникативно приемлемые стиль делового общения, вербальные и невербальные средства взаимодействия с партнерами;;
- - формирование способности использовать информационно- коммуникационные технологии при поиске необходимой информации в процессе решения стандартных коммуникативных задач на государственном и иностранном (- ых) языках;;
- - формирование способности вести деловую переписку, учитывая особенности стилистики официальных и неофициальных писем, социокультурные различия в формате корреспонденции на государственном и иностранном (-ых) языках;;
- - формирование умения использовать диалогическое общение для сотрудничества в академической коммуникации общения;;
- - формирование способности выполнять перевод профессиональных текстов с иностранного (- ых) на государственный язык и обратно..

2. Планируемые результаты обучения по дисциплине (модулю), соотнесенные с планируемыми результатами освоения образовательной программы

Компетенции, индикаторы и результаты обучения

УК-4 Способен осуществлять деловую коммуникацию в устной и письменной формах на государственном языке Российской Федерации и иностранном(ых) языке(ах)

УК-4.1 Выбирает на государственном и иностранном (-ых) языках коммуникативно приемлемые стиль делового общения, вербальные и невербальные средства взаимодействия с партнерами.

Знать:

УК-4.1/Зн1

Уметь:

УК-4.1/Ум1

Владеть:

УК-4.1/Нв1

УК-4.2 Использует информационно- коммуникационные технологии при поиске необходимой информации в процессе решения стандартных коммуникативных задач на государственном и иностранном (- ых) языках.

Знать:

УК-4.2/Зн1

Уметь:

УК-4.2/Ум1

Владеть:

УК-4.2/Нв1

УК-4.3 Ведет деловую переписку, учитывая особенности стилистики официальных и неофициальных писем, социокультурные различия в формате корреспонденции на государственном и иностранном (-ых) языках

Знать:

УК-4.3/Зн1

Уметь:

УК-4.3/Ум1

Владеть:

УК-4.3/Нв1

УК-4.4 Демонстрирует интегративные умения использовать диалогическое общение для сотрудничества в академической коммуникации общения:

- внимательно слушая и пытаясь понять суть идей других, даже если они противоречат собственным воззрениям;
- уважая высказывания других как в плане содержания, так и в плане формы;
- критикуя аргументированно и конструктивно, не задевая чувств других;
- адаптируя речь и язык жестов к ситуациям взаимодействия.

Знать:

УК-4.4/Зн1

Уметь:

УК-4.4/Ум1

Владеть:

УК-4.4/Нв1

3. Место дисциплины в структуре ОП

Дисциплина (модуль) «Иностранный язык в сфере юриспруденции» относится к обязательной части образовательной программы и изучается в семестре(ах): Очная форма обучения - 3, Очно-заочная форма обучения - 3.

В процессе изучения дисциплины студент готовится к видам профессиональной деятельности и решению профессиональных задач, предусмотренных ФГОС ВО и образовательной программой.

4. Объем дисциплины и виды учебной работы

Очная форма обучения

Период обучения	Общая трудоемкость (часы)	Общая трудоемкость (ЗЕТ)	Контактная работа (часы, всего)	Внеаудиторная контактная работа (часы)	Лекционные занятия (часы)	Практические занятия (часы)	Самостоятельная работа (часы)	Промежуточная аттестация (часы)
Третий семестр	108	3	39	3	4	32	15	Экзамен (54)
Всего	108	3	39	3	4	32	15	54

Очно-заочная форма обучения

Период обучения	Общая трудоемкость (часы)	Общая трудоемкость (ЗЕТ)	Контактная работа (часы, всего)	Внеаудиторная контактная работа (часы)	Лекционные занятия (часы)	Практические занятия (часы)	Самостоятельная работа (часы)	Промежуточная аттестация (часы)
Третий семестр	108	3	25	3	10	12	56	Экзамен (27)
Всего	108	3	25	3	10	12	56	27

5. Содержание дисциплины

5.1. Разделы, темы дисциплины и виды занятий
(часы промежуточной аттестации не указываются)

Очная форма обучения

Наименование раздела, темы	Всего	Внеаудиторная контактная работа	Лекционные занятия	Практические занятия	Самостоятельная работа	Планируемые результаты обучения, соответствующие результатам освоения программы
Раздел 1. Grammar Topics	8		4		4	УК-4.1
Тема 1.1. Passive Voice	4		2		2	УК-4.2
Тема 1.2. Modal verbs	4		2		2	УК-4.3
						УК-4.4
Раздел 2. English in the field of jurisprudence	43			32	11	УК-4.1
Тема 2.1. Origins of the Jury	8			6	2	УК-4.2
Тема 2.2. Jury Duty	8			6	2	УК-4.3
Тема 2.3. Selection of the Trial Jury	8			6	2	УК-4.4
Тема 2.4. In the Courtroom	8			6	2	
Тема 2.5. Kinds of Cases	6			4	2	
Тема 2.6. Steps of the Trial	5			4	1	
Раздел 3. Промежуточная аттестация	3	3				УК-4.1
Тема 3.1. Экзамен	3	3				УК-4.2
						УК-4.3
						УК-4.4
Итого	54	3	4	32	15	

Очно-заочная форма обучения

Наименование раздела, темы	Всего	Внеаудиторная контактная работа	Лекционные занятия	Практические занятия	Самостоятельная работа	Планируемые результаты обучения, соотношенные с результатами освоения программы
Раздел 1. Grammar Topics	30		10		20	УК-4.1
Тема 1.1. Passive Voice	14		4		10	УК-4.2
Тема 1.2. Modal verbs	16		6		10	УК-4.3 УК-4.4
Раздел 2. English in the field of jurisprudence	48			12	36	УК-4.1
Тема 2.1. Origins of the Jury	8			2	6	УК-4.2
Тема 2.2. Jury Duty	8			2	6	УК-4.3
Тема 2.3. Selection of the Trial Jury	8			2	6	УК-4.4
Тема 2.4. In the Courtroom	8			2	6	
Тема 2.5. Kinds of Cases	8			2	6	
Тема 2.6. Steps of the Trial	8			2	6	
Раздел 3. Промежуточная аттестация	3	3				УК-4.1
Тема 3.1. Экзамен	3	3				УК-4.2 УК-4.3 УК-4.4
Итого	81	3	10	12	56	

5. Содержание разделов, тем дисциплин

Раздел 1. Grammar Topics

(Очная: Лекционные занятия - 4ч.; Самостоятельная работа - 4ч.; Очно-заочная: Лекционные занятия - 10ч.; Самостоятельная работа - 20ч.)

Тема 1.1. Passive Voice

(Очная: Лекционные занятия - 2ч.; Самостоятельная работа - 2ч.; Очно-заочная: Лекционные занятия - 4ч.; Самостоятельная работа - 10ч.)

1. English tenses in the passive voice
2. Methods of translating sentences in the passive voice

Тема 1.2. Modal verbs

(Очная: Лекционные занятия - 2ч.; Самостоятельная работа - 2ч.; Очно-заочная: Лекционные занятия - 6ч.; Самостоятельная работа - 10ч.)

1. Ways of expressing obligation in English
2. Ways of expressing skills, capabilities in English

Раздел 2. English in the field of jurisprudence

(Очная: Практические занятия - 32ч.; Самостоятельная работа - 11ч.; Очно-заочная: Практические занятия - 12ч.; Самостоятельная работа - 36ч.)

Тема 2.1. Origins of the Jury

(Очная: Практические занятия - 6ч.; Самостоятельная работа - 2ч.; Очно-заочная: Практические занятия - 2ч.; Самостоятельная работа - 6ч.)

1. Jury system
2. The function of the first juries
3. The purpose of ordeal in early ages
4. The main types of ordeals

Тема 2.2. Jury Duty

(Очная: Практические занятия - 6ч.; Самостоятельная работа - 2ч.; Очно-заочная: Практические занятия - 2ч.; Самостоятельная работа - 6ч.)

1. The job of a juror
2. The job of a judge
3. Qualities of a good juror
4. Requirements to be eligible for jury service
5. Jury pool

Тема 2.3. Selection of the Trial Jury

(Очная: Практические занятия - 6ч.; Самостоятельная работа - 2ч.; Очно-заочная: Практические занятия - 2ч.; Самостоятельная работа - 6ч.)

1. The aim of Voir Dire
2. The procedure of Voir Dire
3. Challenging a juror
4. Types of challenge
5. Alternate jurors

Тема 2.4. In the Courtroom

(Очная: Практические занятия - 6ч.; Самостоятельная работа - 2ч.; Очно-заочная: Практические занятия - 2ч.; Самостоятельная работа - 6ч.)

1. A juror's working day
2. Settlement

Тема 2.5. Kinds of Cases

(Очная: Практические занятия - 4ч.; Самостоятельная работа - 2ч.; Очно-заочная: Практические занятия - 2ч.; Самостоятельная работа - 6ч.)

1. Civil cases
2. Burden of proof
3. Criminal cases
4. Preponderance of evidence
5. Presumption of innocence

Тема 2.6. Steps of the Trial

(Очная: Практические занятия - 4ч.; Самостоятельная работа - 1ч.; Очно-заочная: Практические занятия - 2ч.; Самостоятельная работа - 6ч.)

1. Steps of trial
2. Physical exhibit
3. Objections
4. Closing arguments
5. Jury deliberations

Раздел 3. Промежуточная аттестация

(Очная: Внеаудиторная контактная работа - 3ч.; Очно-заочная: Внеаудиторная контактная работа - 3ч.)

Тема 3.1. Экзамен

(Очная: Внеаудиторная контактная работа - 3ч.; Очно-заочная: Внеаудиторная контактная работа - 3ч.)

1. Письменный перевод текста со словарем объемом 1200 знаков (время подготовки 45 минут).
2. Чтение и перевод текста без словаря объемом 900 знаков (время подготовки 10-15 минут).
3. Беседа с преподавателем по пройденной тематике.

6. Оценочные материалы текущего контроля

Раздел 1. Grammar Topics

Форма контроля/оценочное средство: Задача

Вопросы/Задания:

1. Put the words in the correct order to make a sentence.
Who, speak, about, will, particular, points?
2. Put the words in the correct order to make a sentence.
Do, to, people, or, inform, about, you, your, product, want, service?
3. Put the words in the correct order to make a sentence.
Different, target, have, different, products, markets.
4. Put the words in the correct order to make a sentence.
They, for, their, about, are, information, the, looking, competitors.
5. Put the modal verbs in Past Simple Tense.
 1. A buyer can maximize utility but he prefers to have less rather than more.
 2. We must know the effect of a price change on the whole output for making economic forecasts.
 3. The consumer has to solve the problem of choice.
 4. Not all partners in a firm must take an active part in management.
 5. Provided additional inputs are to be obtained, producers must have smaller risks of a fall of price.
6. Complete the sentences with the correct form of the verbs in brackets:
 1. Last year I (to go) to Canada.
 2. You (to see) Helen today?
 3. I (to know) this client for three years.
 4. We (to invest) a lot of money in the training courses.
 5. When she (to hear) the results, Mary (to begin) to feel more confident.
 6. I'm sorry. I (to change) my plans.
 7. The team (to start) the project two months ago.
 8. I (just, to phone) Mark. He is on his way.
 9. At last I (to translate) the article, now I can have little rest.
 10. I (never, to speak) to him.
7. Open the brackets using the correct participle form.
 1. In a dynamic economy, the factors (to influence) the level of demand and supply, are changing.
 2. Expenditure is an amount of money (to spend).
 3. When (to ask) important questions, he frowned and answered silly things.
8. Choose the correct option and justify your choice
He gave me ... message for you.
A the
B an
C –
D a

Раздел 2. English in the field of jurisprudence

Форма контроля/оценочное средство: Задача

Вопросы/Задания:

1. Match the words with their definitions.

1. Master of the Rolls
2. Lord Chief Justice
3. Trial court

a. the head of the Judiciary of England and Wales and the president of the Courts of England and Wales

b. the President of the Civil Division of the Court of Appeal of England and Wales and Head of Civil Justice

c. a court having original jurisdiction, in which trials take place

2. Match the words with their definitions.

1. High Court
2. Recorder
3. County Court

a. deals at first instance with all high-value and high-importance civil law (non-criminal) cases; it also has a supervisory jurisdiction over all subordinate courts and tribunals, with a few statutory exceptions, though there are debates as to whether these exceptions are effective

b. a senior Circuit Judge sitting at the Central Criminal Court (the Old Bailey)

c. a court based in or with a jurisdiction covering one or more counties, which are administrative divisions (subnational entities) within a country

3. Match the words with their definitions.

1. Crown Court
2. Magistrates' Court
3. Criminal Law

a. any of the inferior courts with primarily criminal jurisdiction covering a wide range of offenses from minor traffic violations and public-health nuisances to somewhat more serious crimes, such as petty theft or assault

b. a court system sitting in England and Wales and dealing largely with criminal cases
the body of law that relates to crime, prescribes conduct perceived as threatening, harmful, or otherwise endangering to the property, health, safety, and moral welfare of people inclusive of one's self.

c. the body of law that relates to crime, prescribes conduct perceived as threatening, harmful, or otherwise endangering to the property, health, safety, and moral welfare of people inclusive of one's self.

4. Insert the appropriate concept

... is a societal response to wrongdoing, intended to impose consequences on individuals who violate established rules, laws, or moral codes.

5. Insert the appropriate concept

... is a legal proceeding in which a case is presented before a judge or jury to determine whether the accused is guilty or innocent of the charges brought against them.

6. Insert the appropriate concept

... is a sworn body of people convened to hear evidence, make findings of fact, and render an impartial verdict officially submitted to them by a court, or to set a penalty or judgment.

7. Choose the correct option and justify your choice

I am sorry to say, I have read very ... books by Walter Scott.

- A much
- B many
- C little
- D few

8. Choose the correct option and justify your choice

I thought the film ... interesting and decided to go to the cinema.

- A had been
- B is
- C would be
- D will

Раздел 3. Промежуточная аттестация

Форма контроля/оценочное средство:

Вопросы/Задания:

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7. Оценочные материалы промежуточной аттестации

Очная форма обучения, Третий семестр, Экзамен

Контролируемые ИДК: УК-4.1 УК-4.2 УК-4.3 УК-4.4

Вопросы/Задания:

1. What is a jury?
2. How were cases resolved before jury system emerged?
3. Why was there a need for jury system?
4. What was the function of the first juries?
5. What was the purpose of ordeal in early ages?
6. What were the main types of ordeals?
7. What did ordeal by divination consist of?
8. What did ordeal by fire have to prove?
9. In what way was ordeal by water devised?
10. What concept was at the basis of ordeal by combat?
11. In what conditions were jurors kept in colonial days?
12. What is the job of a juror?

13. What is a job of a judge?
14. What qualities should a good juror have?
15. What requirements should one meet to be eligible for jury service?
16. What are the reasons for a person to be excused from jury service?
17. What is a jury pool?
18. What is the aim of Voir Dire?
19. What does the procedure of Voir Dire consist of?
20. What is challenging a juror?
21. What are the types of challenge?
22. What is the number of jurors sitting on a case?
23. Who are alternate jurors?
24. What does a juror's working day depend on?
25. What is a settlement?
26. When and why are jurors sent out of the courtroom during trial?
27. What is a civil case?
28. Who is a plaintiff?
29. Who is a defendant?
30. What is a complaint?
31. What is a counterclaim?
32. What is a burden of proof?
33. What is a criminal case?
34. What is preponderance of evidence?
35. What is meant by the presumption of innocence?
36. What are the steps of trial?
37. What is a physical exhibit?

38. What are objections?
39. Who presents closing arguments?
40. What happens during jury deliberations?
41. Translate the text using a dictionary

Text 1

Criminal Justice

The Government's strategy for dealing with crime is to sustain the rule of law by preventing crime where possible; to detect culprits when crimes are committed; to convict the guilty and acquit the innocent; to deal firmly, adequately and sensibly with those found guilty; and to provide more effective support for the victims of crime. It is also concerned with ensuring that public confidence in the criminal justice system is maintained and that a proper balance between the rights of the citizen and the needs of the community as a whole is maintained.

With continuing concern in Britain, as in many other countries, over rising crime rates, public expenditure on the law and order programs reflects the special priority given to the Government to these services. Recent increases have been made to cover, in particular, greater police manpower, the probation service and extra spending on prison building. More than two-thirds of total expenditure is initially incurred by local authorities (with the help of central government grants), mainly on the police service.

A number of measures to strengthen the criminal justice system have been taken. The Drug Trafficking Offences Act 1986 provides for the pretrial freezing of suspected drug trafficker's assets, backed up on conviction by immediate confiscation of the assets to the value of the proceeds of the crime similar provisions are included in the Criminal Justice (Scotland) Act 1987.

42. Translate the text using a dictionary

Text 2

Status and Duties

A British police officer is subject to the law and may be sued or prosecuted for any wrongful act committed in carrying out duties. Police discipline codes are designed to prevent any abuse of the considerable powers enjoyed by a police officer, to ensure the impartiality of the service in its dealings with the public and to maintain public confidence. Statutory procedures, including an independent element, govern the way in which complaints from the public against the police are handled. The establishment in 1985 of the independent Police Complaints Authority, with powers to supervise the investigation of any serious complaint against a police officer, substantially reformed the complaints system in England and Wales. In Scotland complaints against police officers involving allegations of any form of criminal conduct are investigated by independent public prosecutors.

In Northern Ireland the Independent Commission for Police Complaints is required to supervise any case involving death or serious injury and has the power to supervise the formal investigation of any other complaint if it so wishes; in certain circumstances the Secretary of State may direct the Commission to supervise the investigation of matters that are not the subject of a formal complaint.

Police work ranges from the protection of people and property, road or street patrolling and traffic control to crime prevention, criminal investigation and arresting offenders.

43. Translate the text using a dictionary

Text 3

Children in Trouble (England and Wales)

The age of criminal responsibility in England and Wales is ten years and it is not possible to bring criminal proceedings against children below this age. Children between the ages of 10 and 17 charged with committing a criminal offence may be brought before a court, usually a juvenile court. A local authority may bring a child of any age under the age of 17 to a juvenile court in a procedure known as care proceedings if, for example, it suspects that he or she is in mortal danger or beyond the control of his or her parents. Under both care and criminal proceedings a court may make a care order or a supervision order or, if the parents consent, an order requiring them to exercise proper care or control over the child. Before an order may be made in care proceedings or a care order made in criminal proceedings, it must be shown that the child is in need of care or control, which he or she is unlikely to receive unless the order is made.

Under a care order a local authority becomes responsible for deciding where the child should be accommodated. It may allow him or her to remain at home under supervision or place him or her with foster parents or in a voluntary or community home.

For children too severely disturbed or disruptive to be treated in local authority homes, there are two special Youth Treatment Centers run by the Department of Health. The authority must review each care order every six months and consider whether an application should be made to the court to end it; the order normally expires when the child reaches 18 or 19.

44. Translate the text using a dictionary

Text 4

Scotland

Discharging his duties through the Crown Office, the Lord Advocate is responsible for prosecutions in the High Court of Justiciary, sheriff courts and district courts. There is no general right of private prosecution; with a few minor exceptions crimes and offences may be prosecuted only by the Lord Advocate or his deputies or by the procurators fiscal, who are the Lord Advocate's local officials. The permanent adviser to the Lord Advocate on prosecution matters is the Crown Agent, who is head of the procurator fiscal service and is assisted in the Crown Office by a staff of legally qualified civil servants, all of whom have had experience as deputy procurators fiscal. Prosecutions in the High Court are prepared by procurators fiscal and Crown Office officials and prosecuted by the Lord Advocate, the Solicitor-General for Scotland (the Lord Advocate's ministerial deputy) and advocates deputy who are collectively known as Crown Counsel. Crimes prepared and tried before the sheriff and district courts, procurators fiscal prosecute them. The police and other law enforcement agencies investigate crimes and offences and report to the procurator fiscal, who decides whether or not to prosecute, subject to the directions of Crown Counsel.

The Secretary of State for Scotland recommends the appointment of all judges other than the most serious ones, appoints the staff of the High Court of Justiciary and the Court of Session, and is responsible for the composition, staffing and organization of the sheriff courts.

45. Translate the text using a dictionary

Text 5

Courts in England and Wales

Criminal offences may be grouped into three categories. Offences triable only on indictment — the very serious offences such as murder, manslaughter, rape and robbery — are tried only by the Crown Court presided over by a judge sitting with a jury. Summary offences — the least serious offences and the vast majority of criminal cases — are tried by unpaid lay magistrates sitting without a jury. Offences of the third category (such as theft, burglary, or malicious wounding) are known as 'either way' offences and can be tried either by magistrates or by the Crown Court depending on the circumstances of each case and the wishes of the defendant.

In addition to dealing with summary offences and the 'either way' offences which are entrusted to them, the magistrates' courts commit cases to the Crown Court either for trial or for sentence.

Committals for trial are either of indictable offences or of 'either way' offences, which it has been determined, will be tried in the Crown Court. Committals for sentence occur when the defendant in an 'either way' case has been tried summarily but the court has decided to commit him or her to the Crown Court for sentence.

Magistrates must as a rule sit in open court to which the public and the media are admitted. A court normally consists of three lay magistrates — known as justices of the peace — advised on points of law and procedures by a legally qualified clerk or a qualified assistant.

46. Translate the text using a dictionary

Text 6

Trial

Criminal trials in the United Kingdom take the form of a contest between the prosecution and the defense. Since the law presumes the innocence of an accused person until guilt has been proved, the prosecution is not granted any advantage, apparent or real, over the defense. A defendant (in Scotland, called an accused) has the right to employ a legal adviser and may be granted legal aid from public funds. If remanded in custody, the person may be visited by a legal adviser to ensure a properly prepared defense. In England, Wales and Northern Ireland during the preparation of the case, the prosecution usually tells the defense of relevant documents which it is not proposed to put in evidence and discloses them if asked to do so. The prosecution should also inform the defense of witnesses whose evidence may help the accused and whom the prosecution does not propose to call. The defense or prosecution may suggest that the defendant's mental state renders him or her unfit to be tried. If the jury (or in Scotland, the judge) decides that this is so, the defendant is admitted to a specified hospital.

Criminal trials are normally in open court and rules of evidence (concerned with the proof of facts) are rigorously applied. If evidence is improperly admitted, a conviction can be quashed on appeal. During the trials the defendant has the right to hear or cross-examine witnesses for the prosecution, normally through a lawyer; to call his or her own witnesses who, if they will not attend voluntarily, may be legally compelled to attend; and to address the court in person or through a lawyer, the defence having the right to the last speech at the trial.

47. Translate the text using a dictionary

Text 7

Custody

The Government believes that custody should be a sanction of last resort used only when the gravity of the offence means that there is a positive justification for a custodial sentence, or where the public needs to be protected from a dangerous offender. The Court of Appeal has stated that sentences in England and Wales should examine each case in which custody is necessary to ensure that the term imposed is as short as possible, consistent with the courts' duty to protect the interests of the public and to punish and deter the criminal. A magistrates' court in England and Wales cannot impose a term of more than six months' imprisonment for each offence tried summarily, but may impose consecutive sentences subject to an overall maximum of 12 months' imprisonment. If an offence carries a higher maximum penalty, it may commit the defendant for sentence at the Crown Court, which may impose — within the permitted statutory maximum — any other custodial penalty. As in the rest of Britain there is a mandatory sentence of life imprisonment for murder: this is also the maximum penalty for a number of serious offences such as robbery, rape, arson and manslaughter.

The death penalty has been repealed for almost all offences. It remains on the statute book for the offences of treason, piracy with violence and some other treasonable and mutinous offences; it has, however, not been used for any of these offences since 1946.

48. Translate the text using a dictionary

Text 8

Probation

At present in the United Kingdom the number of offenders subject to supervision in the community considerably exceeds the number in custody. The purpose of probation is to protect society by the rehabilitation of the offender, who continues to live a normal life in the community while subject to the supervision of a probation officer. Before placing an offender on probation, which may last from six months to three years, the court must explain the order in ordinary language, ensuring that the offender consents to the requirements of the order and understands that a failure to comply with them will make him or her liable to a penalty or to be dealt with for the original offence. In England and Wales such an order can be made only for offenders aged 17 years or more. In Scotland the minimum age is 16 years and in Northern Ireland 10 years. About 17 per cent of orders in England and Wales contain a variety of additional requirements concerning place of residence, attendance at day centres or treatment for mental illness.

The probation service in England and Wales also administers supervision orders, the community service scheme and parole. In addition, social work services are provided in custodial establishments. In England and Wales the cost of the probation service is shared between central and local government and it is administered locally by probation committees of magistrates and members from the local community.

49. Translate the text using a dictionary

Text 9

Discharge and After-care in Prisons

All prisons in England and Wales make pre-release preparations. Prisoners serving four years or more are considered for outside employment before release. For those selected, work is found outside the prison for about the last six months of sentence: during the period prisoners may live in a separate part of the prison or in a hostel outside. Normal wages are paid so that they resume support for their families. (In Scotland pre-release arrangements differ from these in some respects.) Periods of home leave may be granted to those serving medium- or longer-term sentences to help them maintain family ties and to assist them with their resettlement. In Northern Ireland arrangements exist for prisoners serving fixed sentences to have short periods of leave near the end of their sentences and at Christmas; life sentence prisoners are given a nine-month pre-release program which includes employment outside the prison.

The aim of after-care, run by the probation service (in Scotland, the local authority social work departments), is to assist offenders on return to society. Compulsory supervision is given to most offenders under 21 when released, adult offenders released on parole, and those released on license from a life sentence. A voluntary system is offered to others. Assistance is also provided by voluntary societies, some of which are affiliated to the National Association for the Care and Resettlement of Offenders. There is also a Scottish Association for the Care and Resettlement of Offenders.

50. Translate the text using a dictionary

Text 10

Prison Industries, Physical Education and Education

Prison industries aim to give inmates work experience which will assist them when released and to secure a return which will reduce the cost of the prison system. The main industries are clothing and textile manufacture, engineering, woodwork, laundering, farming and horticulture. Most production caters for internal needs and for other public services. A few prisoners are employed outside prison. Small payments are made for work; in some prisons, schemes provide an opportunity for higher earnings on the basis of output and skill.

Education is financed by the prison service and staffed by local education authorities. In every establishment the education officer is assisted by a team of teachers. Education is compulsory, full-time, for young offenders below school-leaving age. For older offenders it is voluntary. Some prisoners study for public examinations (including those of the Open University). Within the

resources available there is an adult education curriculum. Library facilities, provided through the local public library authority, are available in all establishments. Vocational training courses are taught by civilian instruction officers. Physical education is voluntary for adult offenders but compulsory for young offenders. Some 50 per cent of prisons have purpose-built physical education facilities while all but two of the remainder use gymnasia converted from other buildings.

51. Translate the text using a dictionary

Text 11

Young Adult Offenders

Offenders aged 17 to 20 years (16 to 20 years in Scotland) form a separate category from juvenile and adult offenders. In England and Wales the penalties for young adults are fines and compensation, attendance centre orders and probation orders; offenders may also be sentenced to up to 240 hours of community service. As in the case of juvenile offenders, a custodial sentence may be imposed only when no other measure would be appropriate. The custodial sentences for offenders of this age are the detention centre order (for young men sentenced to a term of four months or less) and the youth custody sentence (for both sexes). For the most serious offences young adults may be sentenced to custody for life. Detention centers, which receive offenders directly from the courts, operate a consistent regime, which is geared to the short sentences involved. This inculcates a high standard of discipline and effort; in senior centers it includes a full working week; younger offenders receive at least 15 hours of education a week. Both junior and senior centers provide one hour of physical training each day. The youth custody centre regime is designed for offenders who are usually serving a minimum sentence of over four months and for those allocated from a local prison. The aim is to provide flexible but coherent programs of activities which are as constructive as possible and can include an element of vocational training. Some young offenders sentenced to youth custody are held in local prisons and remand centers in special accommodation where as full a regime as possible is provided.

52. Translate the text using a dictionary

Text 12

Civil Courts England and Wales

The limited civil jurisdiction of magistrates' courts extends to matrimonial proceedings for custody and maintenance orders, adoption orders and affiliation and guardianship orders. The courts also have jurisdiction regarding nuisances under the public health legislation and the recovery of rates. Committees of magistrates license public houses, betting shops and clubs.

The jurisdiction of the 274 county courts covers actions founded upon contract and tort; trust and mortgage cases; and actions for the recovery of land. Cases involving claims exceeding set limits may be tried in the county court by consent of the parties or in certain circumstances on transfer from the High Court.

Other matters dealt with by the county courts include hire purchase, the Rent Acts, landlord and tenant, and adoption cases. Divorce cases are determined in those courts designated as divorce county courts, and outside London bankruptcies are dealt with in certain county courts. The courts also deal with complaints of race and sex discrimination. Where small claims are concerned (especially those involving consumers), there are special arbitration facilities and simplified procedures.

All judges of the Supreme Court (comprising the Court of Appeal, the Crown Court and the High Court) and all circuit judges and recorders have power to sit in the county courts, but each court has one or more circuit judges assigned to it by the Lord Chancellor, and the regular sittings of the court are mostly taken by them.

53. Translate the text using a dictionary

Text 13

Civil Proceedings

An action in a magistrates' court is begun by a complaint on which the court may serve the defendant with a summons. This contains details of the complaint and the date on which it will be heard. Parties and witnesses give their evidence at the court hearing. Domestic proceedings are normally heard by not more than three lay justices including, where practicable, a woman; members of the public are not allowed to be present. The court may order provision for custody, access and supervision of children, as well as maintenance payments for spouses and children.

Judgments in civil cases are enforceable through the authority of the court. Most are for sums of money and may be enforced, in cases of default, by seizure of the debtor's goods or by a court order requiring an employer to make periodic payments to the court by deduction from the debtor's wages. Other judgements can take the form of an injunction restraining someone from performing an illegal act. Refusal to obey a judgement may result in imprisonment for contempt of court. Arrest under an order of committal may be affected only on a warrant.

Normally the court orders the costs of an action to be paid by the party losing it, but, in the case of family law maintenance proceedings, a magistrates' court can order either party to pay the whole or part of the other's costs.

In Scotland proceedings in the Court of Session or ordinary actions in the sheriff court are initiated by serving the defender with a summons (an initial writ in the sheriff court).

54. Translate the text using a dictionary

Text 14

Administrative Tribunals

Administrative tribunals exercise judicial functions separate from the courts. Generally, they are set up under statutory powers, which govern their constitution, functions and procedure. Compared with the courts, they tend to be more accessible, less formal and less expensive. They also have expert knowledge in their particular jurisdictions.

The expansion of the tribunal system in the United Kingdom is comparatively recent, most tribunals having been set up since 1945. Independent of the Government, tribunals rule on certain rights and obligations of private citizens towards one another or towards a government department or other public authority. A number of important tribunals decide disputes between private citizens — for example, industrial tribunals have a major part to play in employment disputes. Some (such as those concerned with social security) resolve claims by private citizens against public authorities. A further group (including tax tribunals) decide disputed claims by public authorities against private citizens, while others decide issues and disputes which do not directly affect financial rights and liabilities (such as the right to enter or visit the United Kingdom).

Tribunal members are normally appointed by the minister concerned with the subject, but other authorities have the power of appointment in some cases. For example, the Lord Chancellor (in Scotland the Lord President of the Court of Session) makes most appointments where a lawyer chairman or member is required.

55. Translate the text using a dictionary

Text 15

England and Wales

The Lord Chancellor is the head of the judiciary (and sometimes sits as a judge in the House of Lords): he is concerned with court procedure and is responsible for the administration of all courts other than magistrates' and coroners' courts, and for a number of administrative tribunals. He appoints magistrates, and has general responsibility for the legal aid and advice schemes. He is also responsible for the administration of civil law reform.

The Home Secretary is concerned with the criminal law, the police service, prisons, and the probation and after-care service; and has general supervision over magistrates' court, together with

some specific responsibilities (such as approving the appointment of justices' clerks). Prison policy and the administration of custodial centers are functions of the Home Office Prison Department, and the Home Secretary appoints to each prison establishment a Board of Visitors representing the local community who need to satisfy themselves as to the state of prison premises, administration and treatment of inmates. They are required to report to the Home Secretary abuse or matter of concern which comes to their attention. Boards have disciplinary powers in relation to serious breaches of discipline and hear applications or complaints from inmates. The Home Secretary is advised by a special Parole Board on the release of prisoners on license.

Responsibility for the treatment of offenders under 17 is shared between the Home Office and the Department of Health.

56. Translate the text using a dictionary

Text 16

Originations of Fingerprinting

Recorded history reveals fingerprints were first used as a true form of individual identification a millennium ago in China where they were used apart of seals, illustrating the long union between fingerprints and the law. Although the notion of fingerprints being unique biological signatures has remained, they were not studied with scrutiny until the late 1800s in Western Europe when justice systems for the first time sought to scientifically catalogue criminals. In this tumultuous environment of criminological change Francis Galton crafted his seminal work on the biometric examination of fingerprints, demonstrating that topographical features of a fingerprint could be described precisely by an analysis of the following morphological themes: arches, loops and whorls. After the initial observational filtering, more precise inspection then could be made by tracing friction ridge paths, looking for specific breaks, enclosures, bifurcations, and islands.

Scotland Yard in 1901 took these axioms and incorporated them into the Henry System which utilized all ten fingerprints and described each within one of the three thematic codes. Based on the code and relative finger position, numeric values would then be assigned creating 1,024 divisions for administrative filing and tracking. The motifs of these categorical procedures were then subsequently transplanted globally and remain the logical foundation underpinning fingerprint classification systems to date.

57. Translate the text using a dictionary

Text 17

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58. Translate the text using a dictionary

A Legal Definition for Honour Crimes

A watertight provision, clearly embodied in a criminal statute with certain objective ingredients, would help prevent further dilution of the concept of honour crimes. A number of alleged perpetrators use this defence, abusing the inherent ambiguity of it, to secure reduced sentences or even acquittals in respect of their crimes. What is proposed, therefore, is a compromise: admitting the insuperable weight of patriarchy, especially in certain tribal societies and communitybased dispute resolution mechanisms, the notion of 'honour' should be definitively laid down along with appurtenant penal provisions. Depending upon the relative success or failure of this enterprise, in terms of securing justice for victims under this framework, the proposed 'pilot' definition could be phased out later, once the surrounding legal system matures.

It is not the responsibility of a criminal statute to define culture. In that sense, a penal code has no business defining. Nor can a law, however succinctly drafted, ever hope to re-create historically prevalent ideas of masculinity, especially when certain acts are believed to be permissible and sacrosanct. However, if 'honour' is used in a court to establish diminished responsibility or justify loss of control, the statute itself should specify what the scope of such defence is. It can be merely a legal definition, enshrined in statutory law, for the purposes of sentence reduction alone. Effective legislation can precede custom and become instruments of change where the prevalent morality offers a skewed system of justice.

59. Translate the text using a dictionary

Text 19

Hating Criminals

The eminent English judge and jurist Sir James Fitzjames Stephen once famously said that it was desirable that criminals should be hated, and that the punishments inflicted on them should be contrived so as to give expression to that hatred, and to justify it in so far as the public provision of means for expressing and gratifying a "healthy natural sentiment" could justify and encourage it

The essence of Stephen's argument is that the purpose of the criminal law is not merely to deter criminals, but also to give what he calls a "definite expression and a solemn ratification and justification" to the hatred which is excited by the commission of the offence. Thus for Stephen punishment serves an important expressive function, providing a legitimate outlet for hatred and other vindictive feelings entertained towards the offender by victims and by members of the public at large. The existence of these emotions cannot be denied; they can be demonstrated by media analysis, by scientific experiments, and not least by introspection.

Stephen may have been right in saying that the criminal law stands to the passion of revenge in much the same relation as marriage to the sexual appetite, but it cannot be right for politicians or the courts to indulge in penal promiscuity.

Psychological studies by Kennedy-Moore and Watson (1999) have suggested that the expression of negative emotions has no therapeutic value in itself, and that it is only worthwhile if it leads to constructive action. Could the same not be said of the hatred of criminals?

60. Translate the text using a dictionary

Text 20

International Criminal Justice

The case of Operation Ghost Stories, involves 10 individuals who were part of the Russian Federation who was charged and found guilty with conspiracy to act as an agent of a foreign government. These men went undercover, some with stolen identities, inside the United States in hopes of getting their hands on classified government documents. Under their plea agreements, which completely dropped the charge of money laundering, the individuals had to disclose their real

identities and forfeit any assets they accumulated while living in the United States. Also, the United States government decided to exchange these ten individuals with the Russian Federation if the Russian Federation agreed to release four United States citizens held in their facility for alleged contact with other intelligence agencies, which they ended up agreeing to.

The implications of the procedural laws when mitigating domestic and international criminal activity includes both domestic and international laws which are based on a lot of the same traditions, including common law, civil law, adversarial systems, and inquisitorial systems. Defendants are read their rights when arrested and before questioning, and are given an opportunity to contact their countries consulate for counsel, as well as given a fair trial. There is a prosecutor that is independent, and a defense attorney who represents the defendant(s) where each side represents them and their cases, show evidence, and can cross examine any witnesses.

61. Translate the text using a dictionary

Text 21

War Crime Probe in Syria

A comprehensive definition of War Crimes can be found in the Rome Statute. Even if the Statute's broad definition is designed in the context of international armed conflict, one of the major accomplishment of the Rome Statute is its inclusion of war crimes committed during non-international armed conflicts. Based on Common Article 3 and customary law, the statute includes a prohibition of acts such as violence to life and person, in particular, murder of all kinds, mutilation, cruel treatment and torture. In its prohibited weapons section, the Statute unequivocally bans the use of poison or poisoned weapons, asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices, and the use of certain types of bullets. Such an express but otherwise limited provision on a selected group of weapons reflects greater reliance on customary law. Regrettably, the Statute opted for the non-inclusion of provisions on the use of prohibited weapons regarding non-international armed conflicts. For many commentators, this is in contravention with what has already been settled by the Appellate Chamber of the ICTY in the Tadic case that customary law rules prohibiting the use of specific weapons are equally applicable to non-international armed conflicts.

Even if no war crimes prosecution has yet been brought against individuals, the death toll due to the siege and bombing in Aleppo and elsewhere in Syria constituted "crimes of historic proportions" that have caused heavy civilian casualties amounting to war crimes.

62. Translate the text using a dictionary

Text 22

Criminal Justice System of the USA

Unlike in most countries, the United States criminal justice system is not represented by a single, all-encompassing institution. Rather, it is a network of criminal justice systems at the federal, state, and special jurisdictional levels like military courts and territorial courts. Criminal laws at these levels vary, although these are all based on the US Constitution.

The federal criminal justice system handles cases that are national in scope: treason, espionage, assassination of top-level government officials, among others. Meanwhile, state criminal justice systems handle crimes that have taken place or, in certain situations, have evident involvement in the state. The same process goes for the criminal justice systems within special jurisdictions.

As with any mechanism, the criminal justice system involves the coordinated functioning of its distinct parts. The ideal result is making offenders pay for, and repent, their criminal acts while delivering recompense to the victims. The three components of the criminal justice system are: Law Enforcement, Adjudication and Corrections.

The wheels of law enforcement start grinding when a crime is detected. Detection takes place when the concerned law enforcement body (police force or specialized agency) receive a report from the

victim or a witness, or catch the crime perpetrator. Thereafter, the law enforcers verify the information furnished and proceed with the investigation.

63. Translate the text using a dictionary

Text 23

Criminal justice

Criminal justice is the method of institutions and practices of governments which upholds deterring, mitigating crime and social control. The system ensures that those who violate laws are compelled to pay penalties for the crimes committed or are taken for rehabilitation in prisons. Those who are accused of crimes have protections against any form of abuse of investigatory and prosecution powers. In the United States of America, the criminal justice procedure is guided by the President's Commission on Law Enforcement and Administration of Justice which was established in 1967. The Commission advocates for a 'systematic' approach to criminal justice, which strives to improve the coordination amongst law enforcement, correctional agencies and the courts Walker. The President's Commission defines the criminal justice method as the way for the society of enforcing the standards of manner which are deemed as necessary in protecting the community and individuals. The criminal justice system in Wales and England and aspires to lessen crime by taking in additional offences to court, and to increase the public confidence in the system and make it fair to deliver justice for all the citizens who abide by the law. In Canada, the criminal justice method seeks to balance the objectives of crime prevention and control, and justice which include fairness, equity and the protection of all individual rights. In general, the criminal justice plays an enormous role in the society in every country worldwide.

64. Translate the text using a dictionary

Text 24

Defense lawyer

A defense lawyer or attorney advocates for the accused and counsels on the legal procedure, which is likely to be the outcome for the accused and suggests the relevant strategies. The accused person, and not the lawyer, has the right to make the final decisions as regards a number of essential points, including if to accept a plea offer or testify, and or demand to have a jury trial in some appropriate cases. It is the defense lawyer's or attorney's responsibility to represent the interests of their client, and to raise evidentiary and procedural issues, and to make sure that the prosecution lives to its burden of proving that the accused is guilty beyond all reasonable doubts. The defense advocate, lawyer or counsel can challenge the evidence presented by the prosecution or it may present the exculpatory evidence and also argue on their client's behalf.

In the United States of America, an accused individual is entitled to be allocated a government-paid defense attorney if she or he is in difficulty of losing her or his life or/and liberty. Those who are not able to afford a private lawyer or attorney can be provided with one by the state. Historically, though, the right to a defense lawyer or attorney has not at all times been accepted worldwide.

The final determination of innocence or guilt is normally made by a third party, who is hypothetically must be disinterested. This function can be made by a panel of judges, a judge, or a panel of a jury which is composed of some unbiased citizens.

65. Translate the text using a dictionary

Text 25

Capital punishment

Capital punishment is the most irreparable crime governments perpetrate without consequence, and it must be abolished. "We're only human, we all make mistakes," is a commonly used phrase, but it

is tried and true. Humans, as a species, are famous for their mistakes. However, in the case of the death penalty, error becomes too dangerous a risk. The innocent lives that have been taken with the approval of our own government should be enough to abolish capital punishment.

According to Amnesty International, "The death penalty legitimizes an irreversible act of violence by the state and will inevitably claim innocent victims." If there is any chance that error is possible (which there always is), the drastic measure of capital punishment should not be taken. Also, it is too final, meaning it does not allow opportunity for the accused to be proven innocent, a violation of the Fifth Amendment which guarantees due process of law.

District Judge Jed S. Rakoff of the United States Second Circuit Court of Appeals in Manhattan argued against the death penalty: "In brief, the Court found that the best available evidence indicates that, on the one hand, innocent people are sentenced to death with materially greater frequency than was previously supposed and that, on the other hand, convincing proof of their innocence often does not emerge until long after their convictions. It is therefore fully foreseeable that in enforcing the death penalty a meaningful number of innocent people will be executed who otherwise would eventually be able to prove their innocence."

66. Translate the text without a dictionary

Text 1.

Early Juries

A jury is a body of lay men and women randomly selected to determine facts and to provide a decision in a legal proceeding. Such a body traditionally consists of 12 people and is called a petit jury or trial jury. The exact origin of the jury system is not known; various sources have attributed it to different European peoples who at an early period developed similar methods of trial.

The jury is probably of Frankish origin, beginning with inquisition, which had an accusatory and interrogatory function. Trial by jury was brought to England by the Normans in 1066. In medieval Europe, trials were usually decided by ordeals, in which it was believed God intervened, revealing the wrongdoer and upholding the righteous. In the ordeal by water, for instance, a priest admonished the water not to accept a liar. The person whose oath was being tested was then thrown in. If he floated, his oath was deemed to have been perjured. If he was telling the truth, he might drown but his innocence was clear. In 1215, however, the Catholic Church decided that trial by ordeal was superstition.

67. Translate the text without a dictionary

Text 2.

Ordeal

Ordeal is a judgement of the truth of some claim or accusation by various means based on the belief that the outcome will reflect the judgement of supernatural powers and that these powers will ensure the triumph of right. Although fatal consequences often attend an ordeal, its purpose is not punitive.

The main types of ordeal are ordeals by divination, physical test, and battle. A Burmese ordeal by divination involves two parties being furnished with candles of equal size and lit simultaneously; the owner of the candle that outlasts the other is adjudged to have won his cause. Another form of ordeal by divination is the appeal to the corpse for the discovery of its murderer.

The ordeal by physical test, particularly by fire or water, is the most common. In Hindu codes a wife may be required to pass through fire to prove fidelity to her jealous husband; traces of burning would be regarded as proof of guilt. The practice of dunking suspected witches was based on the notion that water, as the medium of baptism, would 'accept', or receive, the innocent and 'reject' the guilty.

68. Translate the text without a dictionary

Text 3.

The Fear of Jury Duty

For Americans, serving jury duty has always been a dreaded chore. There is plenty of history behind this fear. In colonial days, jurors were locked in a small room with no ventilation and were denied

food and water in an attempt to inspire a quick verdict. If the jurors returned with the wrong decisions, they too were charged with a crime. As more and more laws were passed, the rules of evidence expanded and trials became longer, which resulted in more technical and increasingly boring hours for jurors. Trial lawyers have tried to change the boredom by replacing endless hours of testimony with computer animation, video reconstructions, color charts and graphics to better explain the evidence.

The judicial system depends on juries. The United States Constitution guarantees its citizens the right to a trial by jury of their peers. When summoned for jury duty, Americans should look upon it as an opportunity to serve their country, their community and their fellow citizens. Each year, over 5 million Americans are summoned for jury duty to render verdicts in approximately 120,000 trials.

69. Translate the text without a dictionary

Text 4.

Jury Service — an Important Job and a Rewarding Experience

The right to trial by a jury of our fellow citizens is one of our most important rights and is guaranteed by the Constitution of the United States. By serving as a jury, you are helping to guarantee one of our most important freedoms.

Your job as a juror is to listen to all the evidence presented at trial and to ‘decide the facts’ — that is, to decide what really happened. The judge, on the other hand, ‘decides the law’ — that is, makes decisions on legal issues that come up during the trial. For example, the judge may have to decide whether you and the other jurors may hear certain evidence or whether one lawyer may ask a witness a certain question.

You should not try to decide these legal issues, sometimes you will even be asked to leave the courtroom while they are being decided. Both your job and that of the judge must be done well if our system of trial by jury is to work. In order to do your job you do not need any special knowledge or ability. It is enough that you keep an open mind, concentrate on the evidence being presented, use your common sense, and are fair and honest.

70. Translate the text without a dictionary

Text 5.

Selection of the trial jury

The first step in the selection of the trial jury is the selection of a jury panel. When you are selected for a jury panel you will be directed to report, along with other panel members, to a courtroom in which a case is to be heard once a jury is selected. The judge assigned to that case will tell you about the case and will introduce the lawyers and the people involved in the case.

You will also take an oath, by which you promise to answer all questions truthfully. Following this explanation of the case and the taking of the oath, the judge and the lawyers will question you and the other members of the panel to find out if you have any personal interest in it, or any feelings that might make it hard for you to be impartial. This process of questioning is called Voir Dire, a phrase meaning to speak the truth.

Many of the questions the judge and lawyers ask you during Voir Dire may seem very personal to you, but you should answer them completely and honestly. Remember that the lawyers are not trying to embarrass you, but are trying to make sure that the jurors do not have opinions or past experiences which might prevent them from making an impartial decision.

71. Translate the text without a dictionary

Text 6.

Selection of the trial jury

During Voir Dire the lawyers may ask the judge to excuse you or another member of the panel from sitting on the jury for this particular case. This is called challenging a juror. There are two types of challenges.

The first is called a challenge for cause, which means that the lawyer has a specific reason for thinking that the juror would not be able to be impartial. For example, the case may involve theft of a

car. If one of the jurors has had a car stolen and still feels angry or upset about it, the lawyer of the person accused of the theft could ask that the juror be excused for that reason. There is no limit on the number of the panel members that the lawyers may have excused for cause.

The second type of challenge is called a peremptory challenge, which means that the lawyer does not have to state a reason for asking that the juror be excused. Like challenges for cause, peremptory challenges are designed to allow lawyers to do their best to assure that their clients will have a fair trial. Unlike challenges for cause, however, the number of peremptory challenges is limited.

72. Translate the text without a dictionary

Text 7.

In the courtroom

The number of the days you work as a juror and your working hours depend on the jury selection system in the county in which you live. Working hours may also be varied by the judge to accommodate witnesses coming from out of town or for other reasons.

Regardless of the length of your working day, one thing that may strike you is the amount of waiting. For example, you may have to wait a long while before you are called for a jury panel. You also may be kept waiting in the jury room during trial while the judge and the lawyers settle a question of law that has come up.

This waiting may seem like a waste of time to you and also may make it seem as if the court system isn't working very well. In reality, however, there are good reasons for the waiting you do both before and during trial.

You having to wait before trial is important for the efficient operation of the system. Because there are many cases to be heard and because trials are expensive, judges encourage people to come to an agreement in their case before trial. These agreements, called settlements, can occur at any time even a few minutes before the trial is scheduled to begin.

73. Translate the text without a dictionary

Text 8.

In the courtroom

It is impossible to know exactly how many trials there will be on a particular day or when they will start. Jurors are kept waiting, therefore, so that they are immediately available for the next case that goes to trial.

Your waiting during trial helps to assure the fairness of the proceedings. You will remember that the jurors decide the facts and that the judge decides the law. If you are sent out of the courtroom during the trial, it is probably because a legal issue has come up that must be decided before more evidence can be presented to you.

You are sent out because the judge decides that you should not hear the discussion about the law, because it might interfere with your ability to decide the facts in an impartial way. Sometimes the judge will explain why you were sent out, but sometimes he may not be able to do so. Please be assured, however, that these delays during the trial explained or not, are important to the fairness of the trial. In any case, judges and personnel do whatever they can to minimize the waiting before and during the trial. Your understanding is appreciated.

74. Translate the text without a dictionary

Text 9.

A View from Behind Bars

I want to talk about the way that courtrooms are laid out. I think that by their design, it already puts the defendant at a disadvantage when he goes to trial. Maybe you think that it is ridiculous to claim that the way a courtroom is laid out has an impact on a trial, but let me explain. When you walk into a courtroom in California, the floor plan is basically the same as any other. If you sit in the jury box and look out over the courtroom, here is what you will see. Closest to the jury is a witness stand where the witnesses sit when they testify.

On the other side of the witness stand is the Judge's Bench sitting high above everything else, so as to give an air of authority. Facing the Bench and witness stand are the tables where the prosecutor

and defence sit during the course of the trial. In between the prosecutor and defence table is a podium that the lawyers stand at when they address the court and the jury. Sitting closest to the jury box is always the prosecutor's table, then the podium, and on the other side of that is the defence table. The person on trial is as far away from the jury as it is possible.

75. Translate the text without a dictionary

Text 10.

Presentation of Evidence

All parties are entitled to present evidence. The testimony of witnesses who testify at trial is evidence. Evidence may also take the form of physical exhibits, such as a gun or a photograph. On occasion, the written testimony of people not able to attend the trial may also be evidence in the cases you will hear.

Many things you will see and hear during the trial are not evidence. For example, what the lawyers say in their opening and closing statements is not evidence. Physical exhibits offered by the lawyers, but not admitted by the judge, are also to be disregarded, as it is testimony that the judge orders stricken off the record. Many times during the trial the lawyers may make objections to evidence presented by the other side or to questions asked by the other lawyer. Lawyers are allowed to object to these things when they consider them improper under the laws of evidence. It is up to the judge to decide whether each objection was valid or invalid, and whether, therefore, the evidence can be admitted or the question allowed. If the objection was valid, the judge will sustain the objection.

76. Translate the text without a dictionary

Text 11

What Happens During the Trial

If the objection was not valid, the judge will overrule the objection. These rulings do not reflect the judge's opinion of the case or whether the judge favours or does not favour the evidence or the question to which there has been an objection. It is your duty as a juror to decide the weight or importance of evidence or testimony allowed by the judge. You are also the sole judge of the credibility of witnesses, that is, of whether their testimony is believable.

In considering credibility, you may take into account the witnesses' opportunity and ability to observe the events about which they are testifying, their memory and manner while testifying, the reasonableness of their testimony when considered in the light of all the other evidence in the case, their possible bias or prejudice, and any other factors that bear on the believability of the testimony or on the importance to be given that testimony.

Following presentation of all the evidence, the judge instructs the jury on the laws that are to guide the jury in their deliberations on a verdict.

77. Translate the text without a dictionary

Text 12

Falling Bastion?

How valuable is the jury in modern times? This is a very controversial question. On the one hand the jury has much ancient history behind it (though some scholars have argued it is more mythology than true history) as a bastion of the liberty of the subject against repressive governments. To a minor degree the jury can, and occasionally still does, play this role. The jury system is the ordinary citizen's link with the legal process. It is supposed to safeguard individual liberty and justice because a common sense decision on the facts either to punish or acquit is taken by fellow citizens rather than by professionals.

But the system has been criticized because of its high acquittal rates; allegedly unsuitable or subjective jurors; intimidation of jurors; and administrative reason for saving time and costs. Throughout the world the use of jury trials is limited. The French Revolution initiated trial by jury in continental Europe, and this spread to other civil-law countries, but only for criminal trials. In the 20th century jury trials have been abandoned or eliminated in most civil-law countries.

78. Translate the text without a dictionary

Text 13

Jury System Reform Defeated in Parliament

In 1999 the UK Home Secretary Jack Straw unveiled plans to limit the right to trial by jury. In the UK defendants in certain cases can choose whether they want a trial by magistrates or by judge and jury. The Home Secretary said, 'England and Wales has the only jurisdiction system where defendants have the right to choose their court. In addition, trial by jury is a more expensive process than a hearing by magistrates'. Defending the proposed legislation, Mr. Straw said that it would streamline the criminal justice system, save 128 million pounds a year and prevent some defendants from 'working the system'.

The jury trial in its modern form stems back to 1855. Serious crimes are automatically heard by a jury as well as a wide range of middle-ranking offences such as theft and handling stolen goods. There were plans to abolish jury trials for complex fraud cases. The Home Office pointed out the huge cost of such cases to the taxpayers and the strain on judges, juries and defendants. The government argued that some defendants abuse the current system.

79. Translate the text without a dictionary

Text 14

Jury System Reform Defeated in Parliament

Serious crimes are automatically heard by a jury as well as a wide range of middle-ranking offences such as theft and handling stolen goods. There were plans to abolish jury trials for complex fraud cases. The Home Office pointed out the huge cost of such cases to the taxpayers and the strain on judges, juries and defendants. The government argued that some defendants abuse the current system delaying their trial by pleading not guilty in order to get a trial by jury, then changing their plea at the last moment in order to get a more lenient sentence.

In both chambers of Parliament, however, the legislation was condemned as unjust, and the bill described as 'one of the worst pieces of legislation to come for many years'. The majority of the MPs in the House of Commons voted against the proposals to allow magistrates to decide whether defendants accused of lesser offences should be entitled to jury trial. The Lords also condemned the bill as bringing in a two-tier system in which the rich would be able to defend their reputation but the poor would not.

80. Translate the text without a dictionary

Text 15.

The Bastille

The Bastille was a medieval fortress on the East side of Paris that became, in the 17th and 18th centuries, a French state prison and a place of detention for important persons charged with miscellaneous offences. The Bastille, stormed by an armed mob of Parisians in the opening days of the French Revolution, was a symbol of the despotism of the Bourbons and held an important place in the ideology of the Revolution.

With its eight towers, 100 feet high, linked by walls of equal height and surrounded by a moat more than 80 feet wide, the Bastille dominated Paris. The first stone was laid on April 22, 1370, on the orders of Charles V of France, who had it built as a fortification, to protect this wall around Paris against English attack.

The Cardinal de Richelieu was the first to use the Bastille as a state prison in the 17th century. Prisoners included political trouble makers and individuals held at the request of their families, often to coerce a young member into obedience or to prevent a disreputable member from marring the family's name.

Очно-заочная форма обучения, Третий семестр, Экзамен

Контролируемые ИДК: УК-4.1 УК-4.2 УК-4.3 УК-4.4

Вопросы/Задания:

1. What is a jury?

2. How were cases resolved before jury system emerged?

3. Why was there a need for jury system?
4. What was the function of the first juries?
5. What was the purpose of ordeal in early ages?
6. What were the main types of ordeals?
7. What did ordeal by divination consist of?
8. What did ordeal by fire have to prove?
9. In what way was ordeal by water devised?
10. What concept was at the basis of ordeal by combat?
11. In what conditions were jurors kept in colonial days?
12. What is the job of a juror?
13. What is a job of a judge?
14. What qualities should a good juror have?
15. What requirements should one meet to be eligible for jury service?
16. What are the reasons for a person to be excused from jury service?
17. What is a jury pool?
18. What is the aim of Voir Dire?
19. What does the procedure of Voir Dire consist of?
20. What is challenging a juror?
21. What are the types of challenge?
22. What is the number of jurors sitting on a case?
23. Who are alternate jurors?
24. What does a juror's working day depend on?
25. What is a settlement?
26. When and why are jurors sent out of the courtroom during trial?
27. What is a civil case?

28. Who is a plaintiff?
29. Who is a defendant?
30. What is a complaint?
31. What is a counterclaim?
32. What is a burden of proof?
33. What is a criminal case?
34. What is preponderance of evidence?
35. What is meant by the presumption of innocence?
36. What are the steps of trial?
37. What is a physical exhibit?
38. What are objections?
39. Who presents closing arguments?
40. What happens during jury deliberations?
41. Translate the text using a dictionary

Text 1

Criminal Justice

The Government's strategy for dealing with crime is to sustain the rule of law by preventing crime where possible; to detect culprits when crimes are committed; to convict the guilty and acquit the innocent; to deal firmly, adequately and sensibly with those found guilty; and to provide more effective support for the victims of crime. It is also concerned with ensuring that public confidence in the criminal justice system is maintained and that a proper balance between the rights of the citizen and the needs of the community as a whole is maintained.

With continuing concern in Britain, as in many other countries, over rising crime rates, public expenditure on the law and order programs reflects the special priority given to the Government to these services. Recent increases have been made to cover, in particular, greater police manpower, the probation service and extra spending on prison building. More than two-thirds of total expenditure is initially incurred by local authorities (with the help of central government grants), mainly on the police service.

A number of measures to strengthen the criminal justice system have been taken. The Drug Trafficking Offences Act 1986 provides for the pretrial freezing of suspected drug trafficker's assets, backed up on conviction by immediate confiscation of the assets to the value of the proceeds of the crime similar provisions are included in the Criminal Justice (Scotland) Act 1987.

42. Translate the text using a dictionary

Text 2

Status and Duties

A British police officer is subject to the law and may be sued or prosecuted for any wrongful act committed in carrying out duties. Police discipline codes are designed to prevent any abuse of the considerable powers enjoyed by a police officer, to ensure the impartiality of the service in its dealings with the public and to maintain public confidence. Statutory procedures, including an independent element, govern the way in which complaints from the public against the police are handled. The establishment in 1985 of the independent Police Complaints Authority, with powers to supervise the investigation of any serious complaint against a police officer, substantially reformed the complaints system in England and Wales. In Scotland complaints against police officers involving allegations of any form of criminal conduct are investigated by independent public prosecutors.

In Northern Ireland the Independent Commission for Police Complaints is required to supervise any case involving death or serious injury and has the power to supervise the formal investigation of any other complaint if it so wishes; in certain circumstances the Secretary of State may direct the Commission to supervise the investigation of matters that are not the subject of a formal complaint. Police work ranges from the protection of people and property, road or street patrolling and traffic control to crime prevention, criminal investigation and arresting offenders.

43. Translate the text using a dictionary

Text 3

Children in Trouble (England and Wales)

The age of criminal responsibility in England and Wales is ten years and it is not possible to bring criminal proceedings against children below this age. Children between the ages of 10 and 17 charged with committing a criminal offence may be brought before a court, usually a juvenile court. A local authority may bring a child of any age under the age of 17 to a juvenile court in a procedure known as care proceedings if, for example, it suspects that he or she is in mortal danger or beyond the control of his or her parents. Under both care and criminal proceedings a court may make a care order or a supervision order or, if the parents consent, an order requiring them to exercise proper care or control over the child. Before an order may be made in care proceedings or a care order made in criminal proceedings, it must be shown that the child is in need of care or control, which he or she is unlikely to receive unless the order is made.

Under a care order a local authority becomes responsible for deciding where the child should be accommodated. It may allow him or her to remain at home under supervision or place him or her with foster parents or in a voluntary or community home.

For children too severely disturbed or disruptive to be treated in local authority homes, there are two special Youth Treatment Centers run by the Department of Health. The authority must review each care order every six months and consider whether an application should be made to the court to end it; the order normally expires when the child reaches 18 or 19.

44. Translate the text using a dictionary

Text 4

Scotland

Discharging his duties through the Crown Office, the Lord Advocate is responsible for prosecutions in the High Court of Justiciary, sheriff courts and district courts. There is no general right of private prosecution; with a few minor exceptions crimes and offences may be prosecuted only by the Lord Advocate or his deputies or by the procurators fiscal, who are the Lord Advocate's local officials. The permanent adviser to the Lord Advocate on prosecution matters is the Crown Agent, who is head of the procurator fiscal service and is assisted in the Crown Office by a staff of legally qualified civil servants, all of whom have had experience as deputy procurators fiscal. Prosecutions in the High Court are prepared by procurators fiscal and Crown Office officials and prosecuted by the Lord Advocate, the Solicitor-General for Scotland (the Lord Advocate's ministerial deputy) and advocates

deputy who are collectively known as Crown Counsel. Crimes prepared and tried before the sheriff and district courts, procurators fiscal prosecute them. The police and other law enforcement agencies investigate crimes and offences and report to the procurator fiscal, who decides whether or not to prosecute, subject to the directions of Crown Counsel.

The Secretary of State for Scotland recommends the appointment of all judges other than the most serious ones, appoints the staff of the High Court of Justiciary and the Court of Session, and is responsible for the composition, staffing and organization of the sheriff courts.

45. Translate the text using a dictionary

Text 5

Courts in England and Wales

Criminal offences may be grouped into three categories. Offences triable only on indictment — the very serious offences such as murder, manslaughter, rape and robbery — are tried only by the Crown Court presided over by a judge sitting with a jury. Summary offences — the least serious offences and the vast majority of criminal cases — are tried by unpaid lay magistrates sitting without a jury. Offences of the third category (such as theft, burglary, or malicious wounding) are known as 'either way' offences and can be tried either by magistrates or by the Crown Court depending on the circumstances of each case and the wishes of the defendant.

In addition to dealing with summary offences and the 'either way' offences which are entrusted to them, the magistrates' courts commit cases to the Crown Court either for trial or for sentence. Committals for trial are either of indictable offences or of 'either way' offences, which it has been determined, will be tried in the Crown Court. Committals for sentence occur when the defendant in an 'either way' case has been tried summarily but the court has decided to commit him or her to the Crown Court for sentence.

Magistrates must as a rule sit in open court to which the public and the media are admitted. A court normally consists of three lay magistrates — known as justices of the peace — advised on points of law and procedures by a legally qualified clerk or a qualified assistant.

46. Translate the text using a dictionary

Text 6

Trial

Criminal trials in the United Kingdom take the form of a contest between the prosecution and the defense. Since the law presumes the innocence of an accused person until guilt has been proved, the prosecution is not granted any advantage, apparent or real, over the defense. A defendant (in Scotland, called an accused) has the right to employ a legal adviser and may be granted legal aid from public funds. If remanded in custody, the person may be visited by a legal adviser to ensure a properly prepared defense. In England, Wales and Northern Ireland during the preparation of the case, the prosecution usually tells the defense of relevant documents which it is not proposed to put in evidence and discloses them if asked to do so. The prosecution should also inform the defense of witnesses whose evidence may help the accused and whom the prosecution does not propose to call. The defense or prosecution may suggest that the defendant's mental state renders him or her unfit to be tried. If the jury (or in Scotland, the judge) decides that this is so, the defendant is admitted to a specified hospital.

Criminal trials are normally in open court and rules of evidence (concerned with the proof of facts) are rigorously applied. If evidence is improperly admitted, a conviction can be quashed on appeal. During the trials the defendant has the right to hear or cross-examine witnesses for the prosecution, normally through a lawyer; to call his or her own witnesses who, if they will not attend voluntarily, may be legally compelled to attend; and to address the court in person or through a lawyer, the defence having the right to the last speech at the trial.

47. Translate the text using a dictionary

Text 7

Custody

The Government believes that custody should be a sanction of last resort used only when the gravity of the offence means that there is a positive justification for a custodial sentence, or where the public needs to be protected from a dangerous offender. The Court of Appeal has stated that sentences in England and Wales should examine each case in which custody is necessary to ensure that the term imposed is as short as possible, consistent with the courts' duty to protect the interests of the public and to punish and deter the criminal. A magistrates' court in England and Wales cannot impose a term of more than six months' imprisonment for each offence tried summarily, but may impose consecutive sentences subject to an overall maximum of 12 months' imprisonment. If an offence carries a higher maximum penalty, it may commit the defendant for sentence at the Crown Court, which may impose — within the permitted statutory maximum — any other custodial penalty. As in the rest of Britain there is a mandatory sentence of life imprisonment for murder: this is also the maximum penalty for a number of serious offences such as robbery, rape, arson and manslaughter. The death penalty has been repealed for almost all offences. It remains on the statute book for the offences of treason, piracy with violence and some other treasonable and mutinous offences; it has, however, not been used for any of these offences since 1946.

48. Translate the text using a dictionary

Text 8

Probation

At present in the United Kingdom the number of offenders subject to supervision in the community considerably exceeds the number in custody. The purpose of probation is to protect society by the rehabilitation of the offender, who continues to live a normal life in the community while subject to the supervision of a probation officer. Before placing an offender on probation, which may last from six months to three years, the court must explain the order in ordinary language, ensuring that the offender consents to the requirements of the order and understands that a failure to comply with them will make him or her liable to a penalty or to be dealt with for the original offence. In England and Wales such an order can be made only for offenders aged 17 years or more. In Scotland the minimum age is 16 years and in Northern Ireland 10 years. About 17 per cent of orders in England and Wales contain a variety of additional requirements concerning place of residence, attendance at day centres or treatment for mental illness.

The probation service in England and Wales also administers supervision orders, the community service scheme and parole. In addition, social work services are provided in custodial establishments. In England and Wales the cost of the probation service is shared between central and local government and it is administered locally by probation committees of magistrates and members from the local community.

49. Translate the text using a dictionary

Text 9

Discharge and After-care in Prisons

All prisons in England and Wales make pre-release preparations. Prisoners serving four years or more are considered for outside employment before release. For those selected, work is found outside the prison for about the last six months of sentence: during the period prisoners may live in a separate part of the prison or in a hostel outside. Normal wages are paid so that they resume support for their families. (In Scotland pre-release arrangements differ from these in some respects.) Periods of home leave may be granted to those serving medium- or longer-term sentences to help them maintain family ties and to assist them with their resettlement. In Northern Ireland arrangements exist for prisoners serving fixed sentences to have short periods of leave near the end of their sentences and at Christmas; life sentence prisoners are given a nine-month pre-release program which includes employment outside the prison.

The aim of after-care, run by the probation service (in Scotland, the local authority social work departments), is to assist offenders on return to society. Compulsory supervision is given to most offenders under 21 when released, adult offenders released on parole, and those released on license from a life sentence. A voluntary system is offered to others. Assistance is also provided by voluntary societies, some of which are affiliated to the National Association for the Care and Resettlement of Offenders. There is also a Scottish Association for the Care and Resettlement of Offenders.

50. Translate the text using a dictionary

Text 10

Prison Industries, Physical Education and Education

Prison industries aim to give inmates work experience which will assist them when released and to secure a return which will reduce the cost of the prison system. The main industries are clothing and textile manufacture, engineering, woodwork, laundering, farming and horticulture. Most production caters for internal needs and for other public services. A few prisoners are employed outside prison. Small payments are made for work; in some prisons, schemes provide an opportunity for higher earnings on the basis of output and skill.

Education is financed by the prison service and staffed by local education authorities. In every establishment the education officer is assisted by a team of teachers. Education is compulsory, full-time, for young offenders below school-leaving age. For older offenders it is voluntary. Some prisoners study for public examinations (including those of the Open University). Within the resources available there is an adult education curriculum. Library facilities, provided through the local public library authority, are available in all establishments. Vocational training courses are taught by civilian instruction officers. Physical education is voluntary for adult offenders but compulsory for young offenders. Some 50 per cent of prisons have purpose-built physical education facilities while all but two of the remainder use gymnasias converted from other buildings.

51. Translate the text using a dictionary

Text 11

Young Adult Offenders

Offenders aged 17 to 20 years (16 to 20 years in Scotland) form a separate category from juvenile and adult offenders. In England and Wales the penalties for young adults are fines and compensation, attendance centre orders and probation orders; offenders may also be sentenced to up to 240 hours of community service. As in the case of juvenile offenders, a custodial sentence may be imposed only when no other measure would be appropriate. The custodial sentences for offenders of this age are the detention centre order (for young men sentenced to a term of four months or less) and the youth custody sentence (for both sexes). For the most serious offences young adults may be sentenced to custody for life. Detention centers, which receive offenders directly from the courts, operate a consistent regime, which is geared to the short sentences involved. This inculcates a high standard of discipline and effort; in senior centers it includes a full working week; younger offenders receive at least 15 hours of education a week. Both junior and senior centers provide one hour of physical training each day. The youth custody centre regime is designed for offenders who are usually serving a minimum sentence of over four months and for those allocated from a local prison. The aim is to provide flexible but coherent programs of activities which are as constructive as possible and can include an element of vocational training. Some young offenders sentenced to youth custody are held in local prisons and remand centers in special accommodation where as full a regime as possible is provided.

52. Translate the text using a dictionary

Text 12

Civil Courts England and Wales

The limited civil jurisdiction of magistrates' courts extends to matrimonial proceedings for custody and maintenance orders, adoption orders and affiliation and guardianship orders. The courts also have jurisdiction regarding nuisances under the public health legislation and the recovery of rates. Committees of magistrates license public houses, betting shops and clubs.

The jurisdiction of the 274 county courts covers actions founded upon contract and tort; trust and mortgage cases; and actions for the recovery of land. Cases involving claims exceeding set limits may be tried in the county court by consent of the parties or in certain circumstances on transfer from the High Court.

Other matters dealt with by the county courts include hire purchase, the Rent Acts, landlord and tenant, and adoption cases. Divorce cases are determined in those courts designated as divorce county courts, and outside London bankruptcies are dealt with in certain county courts. The courts also deal with complaints of race and sex discrimination. Where small claims are concerned (especially those involving consumers), there are special arbitration facilities and simplified procedures.

All judges of the Supreme Court (comprising the Court of Appeal, the Crown Court and the High Court) and all circuit judges and recorders have power to sit in the county courts, but each court has one or more circuit judges assigned to it by the Lord Chancellor, and the regular sittings of the court are mostly taken by them.

53. Translate the text using a dictionary

Text 13

Civil Proceedings

An action in a magistrates' court is begun by a complaint on which the court may serve the defendant with a summons. This contains details of the complaint and the date on which it will be heard. Parties and witnesses give their evidence at the court hearing. Domestic proceedings are normally heard by not more than three lay justices including, where practicable, a woman; members of the public are not allowed to be present. The court may order provision for custody, access and supervision of children, as well as maintenance payments for spouses and children.

Judgments in civil cases are enforceable through the authority of the court. Most are for sums of money and may be enforced, in cases of default, by seizure of the debtor's goods or by a court order requiring an employer to make periodic payments to the court by deduction from the debtor's wages. Other judgements can take the form of an injunction restraining someone from performing an illegal act. Refusal to obey a judgement may result in imprisonment for contempt of court. Arrest under an order of committal may be affected only on a warrant.

Normally the court orders the costs of an action to be paid by the party losing it, but, in the case of family law maintenance proceedings, a magistrates' court can order either party to pay the whole or part of the other's costs.

In Scotland proceedings in the Court of Session or ordinary actions in the sheriff court are initiated by serving the defender with a summons (an initial writ in the sheriff court).

54. Translate the text using a dictionary

Text 14

Administrative Tribunals

Administrative tribunals exercise judicial functions separate from the courts. Generally, they are set up under statutory powers, which govern their constitution, functions and procedure. Compared with the courts, they tend to be more accessible, less formal and less expensive. They also have expert knowledge in their particular jurisdictions.

The expansion of the tribunal system in the United Kingdom is comparatively recent, most tribunals having been set up since 1945. Independent of the Government, tribunals rule on certain rights and obligations of private citizens towards one another or towards a government department or other

public authority. A number of important tribunals decide disputes between private citizens — for example, industrial tribunals have a major part to play in employment disputes. Some (such as those concerned with social security) resolve claims by private citizens against public authorities. A further group (including tax tribunals) decide disputed claims by public authorities against private citizens, while others decide issues and disputes which do not directly affect financial rights and liabilities (such as the right to enter or visit the United Kingdom).

Tribunal members are normally appointed by the minister concerned with the subject, but other authorities have the power of appointment in some cases. For example, the Lord Chancellor (in Scotland the Lord President of the Court of Session) makes most appointments where a lawyer chairman or member is required.

55. Translate the text using a dictionary

Text 15

England and Wales

The Lord Chancellor is the head of the judiciary (and sometimes sits as a judge in the House of Lords): he is concerned with court procedure and is responsible for the administration of all courts other than magistrates' and coroners' courts, and for a number of administrative tribunals. He appoints magistrates, and has general responsibility for the legal aid and advice schemes. He is also responsible for the administration of civil law reform.

The Home Secretary is concerned with the criminal law, the police service, prisons, and the probation and after-care service; and has general supervision over magistrates' court, together with some specific responsibilities (such as approving the appointment of justices' clerks). Prison policy and the administration of custodial centers are functions of the Home Office Prison Department, and the Home Secretary appoints to each prison establishment a Board of Visitors representing the local community who need to satisfy themselves as to the state of prison premises, administration and treatment of inmates. They are required to report to the Home Secretary abuse or matter of concern which comes to their attention. Boards have disciplinary powers in relation to serious breaches of discipline and hear applications or complaints from inmates. The Home Secretary is advised by a special Parole Board on the release of prisoners on license.

Responsibility for the treatment of offenders under 17 is shared between the Home Office and the Department of Health.

56. Translate the text using a dictionary

Text 16

Originations of Fingerprinting

Recorded history reveals fingerprints were first used as a true form of individual identification a millennium ago in China where they were used apart of seals, illustrating the long union between fingerprints and the law. Although the notion of fingerprints being unique biological signatures has remained, they were not studied with scrutiny until the late 1800s in Western Europe when justice systems for the first time sought to scientifically catalogue criminals. In this tumultuous environment of criminological change Francis Galton crafted his seminal work on the biometric examination of fingerprints, demonstrating that topographical features of a fingerprint could be described precisely by an analysis of the following morphological themes: arches, loops and whorls. After the initial observational filtering, more precise inspection then could be made by tracing friction ridge paths, looking for specific breaks, enclosures, bifurcations, and islands.

Scotland Yard in 1901 took these axioms and incorporated them into the Henry System which utilized all ten fingerprints and described each within one of the three thematic codes. Based on the code and relative finger position, numeric values would then be assigned creating 1,024 divisions for administrative filing and tracking. The motifs of these categorical procedures were then subsequently transplanted globally and remain the logical foundation underpinning fingerprint classification systems to date.

57. Translate the text using a dictionary

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58. Translate the text using a dictionary

Text 18

A Legal Definition for Honour Crimes

A watertight provision, clearly embodied in a criminal statute with certain objective ingredients, would help prevent further dilution of the concept of honour crimes. A number of alleged perpetrators use this defence, abusing the inherent ambiguity of it, to secure reduced sentences or even acquittals in respect of their crimes. What is proposed, therefore, is a compromise: admitting the insuperable weight of patriarchy, especially in certain tribal societies and communitybased dispute resolution mechanisms, the notion of ‘honour’ should be definitively laid down along with appurtenant penal provisions. Depending upon the relative success or failure of this enterprise, in terms of securing justice for victims under this framework, the proposed ‘pilot’ definition could be phased out later, once the surrounding legal system matures.

It is not the responsibility of a criminal statute to define culture. In that sense, a penal code has no business defining. Nor can a law, however succinctly drafted, ever hope to re-create historically prevalent ideas of masculinity, especially when certain acts are believed to be permissible and sacrosanct. However, if ‘honour’ is used in a court to establish diminished responsibility or justify loss of control, the statute itself should specify what the scope of such defence is. It can be merely a legal definition, enshrined in statutory law, for the purposes of sentence reduction alone. Effective legislation can precede custom and become instruments of change where the prevalent morality offers a skewed system of justice.

59. Translate the text using a dictionary

Text 19

Hating Criminals

The eminent English judge and jurist Sir James Fitzjames Stephen once famously said that it was desirable that criminals should be hated, and that the punishments inflicted on them should be contrived so as to give expression to that hatred, and to justify it in so far as the public provision of means for expressing and gratifying a “healthy natural sentiment” could justify and encourage it. The essence of Stephen’s argument is that the purpose of the criminal law is not merely to deter criminals, but also to give what he calls a “definite expression and a solemn ratification and

justification” to the hatred which is excited by the commission of the offence. Thus for Stephen punishment serves an important expressive function, providing a legitimate outlet for hatred and other vindictive feelings entertained towards the offender by victims and by members of the public at large. The existence of these emotions cannot be denied; they can be demonstrated by media analysis, by scientific experiments, and not least by introspection.

Stephen may have been right in saying that the criminal law stands to the passion of revenge in much the same relation as marriage to the sexual appetite, but it cannot be right for politicians or the courts to indulge in penal promiscuity.

Psychological studies by Kennedy-Moore and Watson (1999) have suggested that the expression of negative emotions has no therapeutic value in itself, and that it is only worthwhile if it leads to constructive action. Could the same not be said of the hatred of criminals?

60. Translate the text using a dictionary

Text 20

International Criminal Justice

The case of Operation Ghost Stories, involves 10 individuals who were part of the Russian Federation who was charged and found guilty with conspiracy to act as an agent of a foreign government. These men went undercover, some with stolen identities, inside the United States in hopes of getting their hands on classified government documents. Under their plea agreements, which completely dropped the charge of money laundering, the individuals had to disclose their real identities and forfeit any assets they accumulated while living in the United States. Also, the United States government decided to exchange these ten individuals with the Russian Federation if the Russian Federation agreed to release four United States citizens held in their facility for alleged contact with other intelligence agencies, which they ended up agreeing to.

The implications of the procedural laws when mitigating domestic and international criminal activity includes both domestic and international laws which are based on a lot of the same traditions, including common law, civil law, adversarial systems, and inquisitorial systems. Defendants are read their rights when arrested and before questioning, and are given an opportunity to contact their countries consulate for counsel, as well as given a fair trial. There is a prosecutor that is independent, and a defense attorney who represents the defendant(s) where each side represents them and their cases, show evidence, and can cross examine any witnesses.

61. Translate the text using a dictionary

Text 21

War Crime Probe in Syria

A comprehensive definition of War Crimes can be found in the Rome Statute. Even if the Statute’s broad definition is designed in the context of international armed conflict, one of the major accomplishment of the Rome Statute is its inclusion of war crimes committed during non-international armed conflicts. Based on Common Article 3 and customary law, the statute includes a prohibition of acts such as violence to life and person, in particular, murder of all kinds, mutilation, cruel treatment and torture. In its prohibited weapons section, the Statute unequivocally bans the use of poison or poisoned weapons, asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices, and the use of certain types of bullets. Such an express but otherwise limited provision on a selected group of weapons reflects greater reliance on customary law. Regrettably, the Statute opted for the non-inclusion of provisions on the use of prohibited weapons regarding non-international armed conflicts. For many commentators, this is in contravention with what has already been settled by the Appellate Chamber of the ICTY in the Tadic case that customary law rules prohibiting the use of specific weapons are equally applicable to non-international armed conflicts.

Even if no war crimes prosecution has yet been brought against individuals, the death toll due to the siege and bombing in Aleppo and elsewhere in Syria constituted “crimes of historic proportions” that have caused heavy civilian casualties amounting to war crimes.

62. Translate the text using a dictionary

Text 22

Criminal Justice System of the USA

Unlike in most countries, the United States criminal justice system is not represented by a single, all-encompassing institution. Rather, it is a network of criminal justice systems at the federal, state, and special jurisdictional levels like military courts and territorial courts. Criminal laws at these levels vary, although these are all based on the US Constitution.

The federal criminal justice system handles cases that are national in scope: treason, espionage, assassination of top-level government officials, among others. Meanwhile, state criminal justice systems handle crimes that have taken place or, in certain situations, have evident involvement in the state. The same process goes for the criminal justice systems within special jurisdictions.

As with any mechanism, the criminal justice system involves the coordinated functioning of its distinct parts. The ideal result is making offenders pay for, and repent, their criminal acts while delivering recompense to the victims. The three components of the criminal justice system are: Law Enforcement, Adjudication and Corrections.

The wheels of law enforcement start grinding when a crime is detected. Detection takes place when the concerned law enforcement body (police force or specialized agency) receive a report from the victim or a witness, or catch the crime perpetrator. Thereafter, the law enforcers verify the information furnished and proceed with the investigation.

63. Translate the text using a dictionary

Text 23

Criminal justice

Criminal justice is the method of institutions and practices of governments which upholds deterring, mitigating crime and social control. The system ensures that those who violate laws are compelled to pay penalties for the crimes committed or are taken for rehabilitation in prisons. Those who are accused of crimes have protections against any form of abuse of investigatory and prosecution powers. In the United States of America, the criminal justice procedure is guided by the President's Commission on Law Enforcement and Administration of Justice which was established in 1967. The Commission advocates for a 'systematic' approach to criminal justice, which strives to improve the coordination amongst law enforcement, correctional agencies and the courts Walker. The President's Commission defines the criminal justice method as the way for the society of enforcing the standards of manner which are deemed as necessary in protecting the community and individuals. The criminal justice system in Wales and England and aspires to lessen crime by taking in additional offences to court, and to increase the public confidence in the system and make it fair to deliver justice for all the citizens who abide by the law. In Canada, the criminal justice method seeks to balance the objectives of crime prevention and control, and justice which include fairness, equity and the protection of all individual rights. In general, the criminal justice plays an enormous role in the society in every country worldwide.

64. Translate the text using a dictionary

Text 24

Defense lawyer

A defense lawyer or attorney advocates for the accused and counsels on the legal procedure, which is likely to be the outcome for the accused and suggests the relevant strategies. The accused person, and

not the lawyer, has the right to make the final decisions as regards a number of essential points, including if to accept a plea offer or testify, and or demand to have a jury trial in some appropriate cases. It is the defense lawyer's or attorney's responsibility to represent the interests of their client, and to raise evidentiary and procedural issues, and to make sure that the prosecution lives to its burden of proving that the accused is guilty beyond all reasonable doubts. The defense advocate, lawyer or counsel can challenge the evidence presented by the prosecution or it may present the exculpatory evidence and also argue on their client's behalf.

In the United States of America, an accused individual is entitled to be allocated a government-paid defense attorney if she or he is in difficulty of losing her or his life or/and liberty. Those who are not able to afford a private lawyer or attorney can be provided with one by the state. Historically, though, the right to a defense lawyer or attorney has not at all times been accepted worldwide.

The final determination of innocence or guilt is normally made by a third party, who is hypothetically must be disinterested. This function can be made by a panel of judges, a judge, or a panel of a jury which is composed of some unbiased citizens.

65. Translate the text using a dictionary

Text 25

Capital punishment

Capital punishment is the most irreparable crime governments perpetrate without consequence, and it must be abolished. "We're only human, we all make mistakes," is a commonly used phrase, but it is tried and true. Humans, as a species, are famous for their mistakes. However, in the case of the death penalty, error becomes too dangerous a risk. The innocent lives that have been taken with the approval of our own government should be enough to abolish capital punishment.

According to Amnesty International, "The death penalty legitimizes an irreversible act of violence by the state and will inevitably claim innocent victims." If there is any chance that error is possible (which there always is), the drastic measure of capital punishment should not be taken. Also, it is too final, meaning it does not allow opportunity for the accused to be proven innocent, a violation of the Fifth Amendment which guarantees due process of law.

District Judge Jed S. Rakoff of the United States Second Circuit Court of Appeals in Manhattan argued against the death penalty: "In brief, the Court found that the best available evidence indicates that, on the one hand, innocent people are sentenced to death with materially greater frequency than was previously supposed and that, on the other hand, convincing proof of their innocence often does not emerge until long after their convictions. It is therefore fully foreseeable that in enforcing the death penalty a meaningful number of innocent people will be executed who otherwise would eventually be able to prove their innocence."

66. Translate the text without a dictionary

Text 1.

Early Juries

A jury is a body of lay men and women randomly selected to determine facts and to provide a decision in a legal proceeding. Such a body traditionally consists of 12 people and is called a petit jury or trial jury. The exact origin of the jury system is not known; various sources have attributed it to different European peoples who at an early period developed similar methods of trial.

The jury is probably of Frankish origin, beginning with inquisition, which had an accusatory and interrogatory function. Trial by jury was brought to England by the Normans in 1066. In medieval Europe, trials were usually decided by ordeals, in which it was believed God intervened, revealing the wrongdoer and upholding the righteous. In the ordeal by water, for instance, a priest admonished the water not to accept a liar. The person whose oath was being tested was then thrown in. If he floated, his oath was deemed to have been perjured. If he was telling the truth, he might drown but his innocence was clear. In 1215, however, the Catholic Church decided that trial by ordeal was superstition.

67. Translate the text without a dictionary

Text 2.

Ordeal

Ordeal is a judgement of the truth of some claim or accusation by various means based on the belief that the outcome will reflect the judgement of supernatural powers and that these powers will ensure the triumph of right. Although fatal consequences often attend an ordeal, its purpose is not punitive. The main types of ordeal are ordeals by divination, physical test, and battle. A Burmese ordeal by divination involves two parties being furnished with candles of equal size and lit simultaneously; the owner of the candle that outlasts the other is adjudged to have won his cause. Another form of ordeal by divination is the appeal to the corpse for the discovery of its murderer.

The ordeal by physical test, particularly by fire or water, is the most common. In Hindu codes a wife may be required to pass through fire to prove fidelity to her jealous husband; traces of burning would be regarded as proof of guilt. The practice of dunking suspected witches was based on the notion that water, as the medium of baptism, would 'accept', or receive, the innocent and 'reject' the guilty.

68. Translate the text without a dictionary

Text 3.

The Fear of Jury Duty

For Americans, serving jury duty has always been a dreaded chore. There is plenty of history behind this fear. In colonial days, jurors were locked in a small room with no ventilation and were denied food and water in an attempt to inspire a quick verdict. If the jurors returned with the wrong decisions, they too were charged with a crime. As more and more laws were passed, the rules of evidence expanded and trials became longer, which resulted in more technical and increasingly boring hours for jurors. Trial lawyers have tried to change the boredom by replacing endless hours of testimony with computer animation, video reconstructions, color charts and graphics to better explain the evidence.

The judicial system depends on juries. The United States Constitution guarantees its citizens the right to a trial by jury of their peers. When summoned for jury duty, Americans should look upon it as an opportunity to serve their country, their community and their fellow citizens. Each year, over 5 million Americans are summoned for jury duty to render verdicts in approximately 120,000 trials.

69. Translate the text without a dictionary

Text 4.

Jury Service — an Important Job and a Rewarding Experience

The right to trial by a jury of our fellow citizens is one of our most important rights and is guaranteed by the Constitution of the United States. By serving as a jury, you are helping to guarantee one of our most important freedoms.

Your job as a juror is to listen to all the evidence presented at trial and to 'decide the facts' — that is, to decide what really happened. The judge, on the other hand, 'decides the law' — that is, makes decisions on legal issues that come up during the trial. For example, the judge may have to decide whether you and the other jurors may hear certain evidence or whether one lawyer may ask a witness a certain question.

You should not try to decide these legal issues, sometimes you will even be asked to leave the courtroom while they are being decided. Both your job and that of the judge must be done well if our system of trial by jury is to work. In order to do your job you do not need any special knowledge or ability. It is enough that you keep an open mind, concentrate on the evidence being presented, use your common sense, and are fair and honest.

70. Translate the text without a dictionary

Text 5.

Selection of the trial jury

The first step in the selection of the trial jury is the selection of a jury panel. When you are selected for a jury panel you will be directed to report, along with other panel members, to a courtroom in which a case is to be heard once a jury is selected. The judge assigned to that case will tell you about the case and will introduce the lawyers and the people involved in the case.

You will also take an oath, by which you promise to answer all questions truthfully. Following this explanation of the case and the taking of the oath, the judge and the lawyers will question you and the other members of the panel to find out if you have any personal interest in it, or any feelings that might make it hard for you to be impartial. This process of questioning is called Voir Dire, a phrase meaning to speak the truth.

Many of the questions the judge and lawyers ask you during Voir Dire may seem very personal to you, but you should answer them completely and honestly. Remember that the lawyers are not trying to embarrass you, but are trying to make sure that the jurors do not have opinions or past experiences which might prevent them from making an impartial decision.

71. Translate the text without a dictionary

Text 6.

Selection of the trial jury

During Voir Dire the lawyers may ask the judge to excuse you or another member of the panel from sitting on the jury for this particular case. This is called challenging a juror. There are two types of challenges.

The first is called a challenge for cause, which means that the lawyer has a specific reason for thinking that the juror would not be able to be impartial. For example, the case may involve theft of a car. If one of the jurors has had a car stolen and still feels angry or upset about it, the lawyer of the person accused of the theft could ask that the juror be excused for that reason. There is no limit on the number of the panel members that the lawyers may have excused for cause.

The second type of challenge is called a peremptory challenge, which means that the lawyer does not have to state a reason for asking that the juror be excused. Like challenges for cause, peremptory challenges are designed to allow lawyers to do their best to assure that their clients will have a fair trial. Unlike challenges for cause, however, the number of peremptory challenges is limited.

72. Translate the text without a dictionary

Text 7.

In the courtroom

The number of the days you work as a juror and your working hours depend on the jury selection system in the county in which you live. Working hours may also be varied by the judge to accommodate witnesses coming from out of town or for other reasons.

Regardless of the length of your working day, one thing that may strike you is the amount of waiting. For example, you may have to wait a long while before you are called for a jury panel. You also may be kept waiting in the jury room during trial while the judge and the lawyers settle a question of law that has come up.

This waiting may seem like a waste of time to you and also may make it seem as if the court system isn't working very well. In reality, however, there are good reasons for the waiting you do both before and during trial.

You having to wait before trial is important for the efficient operation of the system. Because there are many cases to be heard and because trials are expensive, judges encourage people to come to an agreement in their case before trial. These agreements, called settlements, can occur at any time even a few minutes before the trial is scheduled to begin.

73. Translate the text without a dictionary

Text 8.

In the courtroom

It is impossible to know exactly how many trials there will be on a particular day or when they will start. Jurors are kept waiting, therefore, so that they are immediately available for the next case that

goes to trial.

Your waiting during trial helps to assure the fairness of the proceedings. You will remember that the jurors decide the facts and that the judge decides the law. If you are sent out of the courtroom during the trial, it is probably because a legal issue has come up that must be decided before more evidence can be presented to you.

You are sent out because the judge decides that you should not hear the discussion about the law, because it might interfere with your ability to decide the facts in an impartial way. Sometimes the judge will explain why you were sent out, but sometimes he may not be able to do so. Please be assured, however, that these delays during the trial explained or not, are important to the fairness of the trial. In any case, judges and personnel do whatever they can to minimize the waiting before and during the trial. Your understanding is appreciated.

74. Translate the text without a dictionary

Text 9.

A View from Behind Bars

I want to talk about the way that courtrooms are laid out. I think that by their design, it already puts the defendant at a disadvantage when he goes to trial. Maybe you think that it is ridiculous to claim that the way a courtroom is laid out has an impact on a trial, but let me explain. When you walk into a courtroom in California, the floor plan is basically the same as any other. If you sit in the jury box and look out over the courtroom, here is what you will see. Closest to the jury is a witness stand where the witnesses sit when they testify.

On the other side of the witness stand is the Judge's Bench sitting high above everything else, so as to give an air of authority. Facing the Bench and witness stand are the tables where the prosecutor and defence sit during the course of the trial. In between the prosecutor and defence table is a podium that the lawyers stand at when they address the court and the jury. Sitting closest to the jury box is always the prosecutor's table, then the podium, and on the other side of that is the defence table. The person on trial is as far away from the jury as it is possible.

75. Translate the text without a dictionary

Text 10.

Presentation of Evidence

All parties are entitled to present evidence. The testimony of witnesses who testify at trial is evidence. Evidence may also take the form of physical exhibits, such as a gun or a photograph. On occasion, the written testimony of people not able to attend the trial may also be evidence in the cases you will hear.

Many things you will see and hear during the trial are not evidence. For example, what the lawyers say in their opening and closing statements is not evidence. Physical exhibits offered by the lawyers, but not admitted by the judge, are also to be disregarded, as it is testimony that the judge orders stricken off the record. Many times during the trial the lawyers may make objections to evidence presented by the other side or to questions asked by the other lawyer. Lawyers are allowed to object to these things when they consider them improper under the laws of evidence. It is up to the judge to decide whether each objection was valid or invalid, and whether, therefore, the evidence can be admitted or the question allowed. If the objection was valid, the judge will sustain the objection.

76. Translate the text without a dictionary

Text 11

What Happens During the Trial

If the objection was not valid, the judge will overrule the objection. These rulings do not reflect the judge's opinion of the case or whether the judge favours or does not favour the evidence or the question to which there has been an objection. It is your duty as a juror to decide the weight or importance of evidence or testimony allowed by the judge. You are also the sole judge of the credibility of witnesses, that is, of whether their testimony is believable.

In considering credibility, you may take into account the witnesses' opportunity and ability to observe the events about which they are testifying, their memory and manner while testifying, the reasonableness of their testimony when considered in the light of all the other evidence in the case,

their possible bias or prejudice, and any other factors that bear on the believability of the testimony or on the importance to be given that testimony.

Following presentation of all the evidence, the judge instructs the jury on the laws that are to guide the jury in their deliberations on a verdict.

77. Translate the text without a dictionary

Text 12

Falling Bastion?

How valuable is the jury in modern times? This is a very controversial question. On the one hand the jury has much ancient history behind it (though some scholars have argued it is more mythology than true history) as a bastion of the liberty of the subject against repressive governments. To a minor degree the jury can, and occasionally still does, play this role. The jury system is the ordinary citizen's link with the legal process. It is supposed to safeguard individual liberty and justice because a common sense decision on the facts either to punish or acquit is taken by fellow citizens rather than by professionals.

But the system has been criticized because of its high acquittal rates; allegedly unsuitable or subjective jurors; intimidation of jurors; and administrative reason for saving time and costs. Throughout the world the use of jury trials is limited. The French Revolution initiated trial by jury in continental Europe, and this spread to other civil-law countries, but only for criminal trials. In the 20th century jury trials have been abandoned or eliminated in most civil-law countries.

78. Translate the text without a dictionary

Text 13

Jury System Reform Defeated in Parliament

In 1999 the UK Home Secretary Jack Straw unveiled plans to limit the right to trial by jury. In the UK defendants in certain cases can choose whether they want a trial by magistrates or by judge and jury. The Home Secretary said, 'England and Wales has the only jurisdiction system where defendants have the right to choose their court. In addition, trial by jury is a more expensive process than a hearing by magistrates'. Defending the proposed legislation, Mr. Straw said that it would streamline the criminal justice system, save 128 million pounds a year and prevent some defendants from 'working the system'.

The jury trial in its modern form stems back to 1855. Serious crimes are automatically heard by a jury as well as a wide range of middle-ranking offences such as theft and handling stolen goods. There were plans to abolish jury trials for complex fraud cases. The Home Office pointed out the huge cost of such cases to the taxpayers and the strain on judges, juries and defendants. The government argued that some defendants abuse the current system.

79. Translate the text without a dictionary

Text 14

Jury System Reform Defeated in Parliament

Serious crimes are automatically heard by a jury as well as a wide range of middle-ranking offences such as theft and handling stolen goods. There were plans to abolish jury trials for complex fraud cases. The Home Office pointed out the huge cost of such cases to the taxpayers and the strain on judges, juries and defendants. The government argued that some defendants abuse the current system delaying their trial by pleading not guilty in order to get a trial by jury, then changing their plea at the last moment in order to get a more lenient sentence.

In both chambers of Parliament, however, the legislation was condemned as unjust, and the bill described as 'one of the worst pieces of legislation to come for many years'. The majority of the MPs in the House of Commons voted against the proposals to allow magistrates to decide whether defendants accused of lesser offences should be entitled to jury trial. The Lords also condemned the bill as bringing in a two-tier system in which the rich would be able to defend their reputation but the poor would not.

80. Translate the text without a dictionary

Text 15.

The Bastille was a medieval fortress on the East side of Paris that became, in the 17th and 18th centuries, a French state prison and a place of detention for important persons charged with miscellaneous offences. The Bastille, stormed by an armed mob of Parisians in the opening days of the French Revolution, was a symbol of the despotism of the Bourbons and held an important place in the ideology of the Revolution.

With its eight towers, 100 feet high, linked by walls of equal height and surrounded by a moat more than 80 feet wide, the Bastille dominated Paris. The first stone was laid on April 22, 1370, on the orders of Charles V of France, who had it built as a fortification, to protect this wall around Paris against English attack.

The Cardinal de Richelieu was the first to use the Bastille as a state prison in the 17th century. Prisoners included political trouble makers and individuals held at the request of their families, often to coerce a young member into obedience or to prevent a disreputable member from marring the family's name.

8. Материально-техническое и учебно-методическое обеспечение дисциплины

8.1. Перечень основной и дополнительной учебной литературы

Основная литература

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Дополнительная литература

1. Сидоренко, Т.В. Essential English for Law (английский язык для юристов): Учебное пособие / Т.В. Сидоренко, Н.М. Шагиева. - 1 - Москва: ООО "Научно-издательский центр ИНФРА-М", 2023. - 282 с. - 978-5-16-101427-1. - Текст: электронный. // Общество с ограниченной ответственностью «ЗНАНИУМ»: [сайт]. - URL: <https://znanium.com/cover/1915/1915345.jpg> (дата обращения: 20.02.2024). - Режим доступа: по подписке

2. Попов, Е.Б. Legal English: Английский язык для юристов: Учебник / Е.Б. Попов, Е.М. Феоктистова, Г.Р. Халюшева. - 1 - Москва: ООО "Научно-издательский центр ИНФРА-М", 2021. - 314 с. - 978-5-16-107851-8. - Текст: электронный. // Общество с ограниченной ответственностью «ЗНАНИУМ»: [сайт]. - URL: <https://znanium.com/cover/1203/1203907.jpg> (дата обращения: 20.02.2024). - Режим доступа: по подписке

3. КАРАМЫШЕВА С. Г. Иностранный язык (английский) для юристов: учеб. пособие / КАРАМЫШЕВА С. Г.. - Краснодар: КубГАУ, 2020. - 104 с. - 978-5-907373-04-4. - Текст: электронный. // : [сайт]. - URL: <https://edu.kubsau.ru/mod/resource/view.php?id=9259> (дата обращения: 02.05.2024). - Режим доступа: по подписке

4. КАРАМЫШЕВА С. Г. Иностранный язык в сфере юриспруденции (английский): метод. указания / КАРАМЫШЕВА С. Г. - Краснодар: КубГАУ, 2018. - 22 с. - Текст: электронный. // : [сайт]. - URL: <https://edu.kubsau.ru/mod/resource/view.php?id=5053> (дата обращения: 21.06.2024). - Режим доступа: по подписке

8.2. Профессиональные базы данных и ресурсы «Интернет», к которым обеспечивается доступ обучающихся

Профессиональные базы данных

1. www.programs-gov.ru - Информационный сервер по материалам федеральных целевых программ

Ресурсы «Интернет»

1. <https://lingualeo.com/ru> - Lingualeo иностранные языки онлайн
2. <http://elibrary.ru/defaultx.asp> - Научная электронная библиотека
3. <https://edu.kubsau.ru/> - Образовательный портал КубГАУ
4. <http://www.iprbookshop.ru/> - Электронный библиотечный ресурс
5. www.longman.com - Официальный сайт издательства «Лонгман»
6. <https://znanium.com/>
- Znanium.com

8.3. Программное обеспечение и информационно-справочные системы, используемые при осуществлении образовательного процесса по дисциплине

Информационные технологии, используемые при осуществлении образовательного процесса по дисциплине позволяют:

- обеспечить взаимодействие между участниками образовательного процесса, в том числе синхронное и (или) асинхронное взаимодействие посредством сети «Интернет»;
- фиксировать ход образовательного процесса, результатов промежуточной аттестации по дисциплине и результатов освоения образовательной программы;
- организовать процесс образования путем визуализации изучаемой информации посредством использования презентаций, учебных фильмов;
- контролировать результаты обучения на основе компьютерного тестирования.

Перечень лицензионного программного обеспечения:

- 1 Microsoft Windows - операционная система.
- 2 Microsoft Office (включает Word, Excel, Power Point) - пакет офисных приложений.

Перечень профессиональных баз данных и информационных справочных систем:

- 1 Гарант - правовая, <https://www.garant.ru/>
 - 2 Консультант - правовая, <https://www.consultant.ru/>
 - 3 Научная электронная библиотека eLibrary - универсальная, <https://elibrary.ru/>
- Доступ к сети Интернет, доступ в электронную информационно-образовательную среду университета.

Перечень программного обеспечения

(обновление производится по мере появления новых версий программы)

1. Вебинар;
2. ПО "1С:Предприятие 8.3 ПРОФ. 1С:Предприятие. Облачная подсистема Фреш ";
3. ПО "1С:Предприятие 8 ПРОФ. 1С:Университет ПРОФ";
4. Microsoft Windows 7 Professional 64 bit;

Перечень информационно-справочных систем

(обновление выполняется еженедельно)

Не используется.

8.4. Специальные помещения, лаборатории и лабораторное оборудование

Университет располагает на праве собственности или ином законном основании материально-техническим обеспечением образовательной деятельности (помещениями и оборудованием) для реализации программы бакалавриата, специлитета, магистратуры по Блоку 1 "Дисциплины (модули)" и Блоку 3 "Государственная итоговая аттестация" в соответствии с учебным планом.

Каждый обучающийся в течение всего периода обучения обеспечен индивидуальным неограниченным доступом к электронной информационно-образовательной среде университета из любой точки, в которой имеется доступ к информационно-телекоммуникационной сети "Интернет", как на территории университета, так и вне его. Условия для функционирования электронной информационно-образовательной среды могут быть созданы с использованием ресурсов иных организаций.

Лекционный зал

2гд

Облучатель-рециркулятор воздуха 600 - 0 шт.

Учебная аудитория

629гл

доска марк. PREMIUM LEGAMASTER 100×150 - 1 шт.

парты - 1 шт.

стол - 1 шт.

стул компьютерный - 1 шт.

стул твердый - 1 шт.

шкаф книжный - 1 шт.

308зоо

доска ДК11Э2010 - 1 шт.

доска интерактивная SMART 680 iv - 1 шт.

доска классная - 1 шт.

доска магнитно-маркерная - 1 шт.

доска марк. PREMIUM LEGAMASTER 100×150 - 1 шт.

жалюзи вертикальные - 1 шт.

Магнитола CD/MP3,дека, FM тюнер - 1 шт.

ноутбук HP ProBook 4530s 15.6" - 1 шт.

парты - 1 шт.

Сплит-система LS-H18KPA2/LU-H18KPA2 - 1 шт.

стелаж - 1 шт.

Шкаф для документов - 2 шт.

шкаф платяной - 1 шт.

350зоо

Доска классная - 1 шт.

доска марк. PREMIUM LEGAMASTER 100×150 - 1 шт.

Облучатель-рециркулятор воздуха 600 - 1 шт.

Парты - 15 шт.

стул твердый - 2 шт.

Шкаф книжный - 1 шт.

шкаф комбинированный - 1 шт.

шкаф плотяной - 1 шт.

420300

доска марк. PREMIUM LEGAMASTER 100×150 - 1 шт.

жалюзи - 2 шт.

Парты - 15 шт.

стол двухтумбовый - 1 шт.

Стул мягкий черный - 1 шт.

шкаф книжный - 3 шт.

шкаф комбинированный - 1 шт.

9. Методические указания по освоению дисциплины (модуля)

Учебная работа по направлению подготовки осуществляется в форме контактной работы с преподавателем, самостоятельной работы обучающегося, текущей и промежуточной аттестаций, иных формах, предлагаемых университетом. Учебный материал дисциплины структурирован и его изучение производится в тематической последовательности. Содержание методических указаний должно соответствовать требованиям Федерального государственного образовательного стандарта и учебных программ по дисциплине. Самостоятельная работа студентов может быть выполнена с помощью материалов, размещенных на портале поддержки Moodle.

Методические указания по формам работы

Лекционные занятия

Передача значительного объема систематизированной информации в устной форме достаточно большой аудитории. Дает возможность экономно и систематично излагать учебный материал. Обучающиеся изучают лекционный материал, размещенный на портале поддержки обучения Moodle.

Практические занятия

Форма организации обучения, проводимая под руководством преподавателя и служащая для детализации, анализа, расширения, углубления, закрепления, применения (или выполнения) разнообразных практических работ, упражнений) и контроля усвоения полученной на лекциях учебной информации. Практические занятия проводятся с использованием учебно-методических изданий, размещенных на образовательном портале университета.

Описание возможностей изучения дисциплины лицами с ОВЗ и инвалидами

Для инвалидов и лиц с ОВЗ может изменяться объём дисциплины (модуля) в часах, выделенных на контактную работу обучающегося с преподавателем (по видам учебных занятий) и на самостоятельную работу обучающегося (при этом не увеличивается количество зачётных единиц, выделенных на освоение дисциплины).

Фонды оценочных средств адаптируются к ограничениям здоровья и восприятия информации обучающимися.

Основные формы представления оценочных средств – в печатной форме или в форме электронного документа.

Формы контроля и оценки результатов обучения инвалидов и лиц с ОВЗ с нарушением зрения:

– устная проверка: дискуссии, тренинги, круглые столы, собеседования, устные коллоквиумы и др.;

– с использованием компьютера и специального ПО: работа с электронными образовательными ресурсами, тестирование, рефераты, курсовые проекты, дистанционные

формы, если позволяет острота зрения - графические работы и др.;

- при возможности письменная проверка с использованием рельефно-точечной системы Брайля, увеличенного шрифта, использование специальных технических средств (тифлотехнических средств): контрольные, графические работы, тестирование, домашние задания, эссе, отчеты и др.

Формы контроля и оценки результатов обучения инвалидов и лиц с ОВЗ с нарушением слуха:

- письменная проверка: контрольные, графические работы, тестирование, домашние задания, эссе, письменные коллоквиумы, отчеты и др.;

- с использованием компьютера: работа с электронными образовательными ресурсами, тестирование, рефераты, курсовые проекты, графические работы, дистанционные формы и др.;

- при возможности устная проверка с использованием специальных технических средств (аудиосредств, средств коммуникации, звукоусиливающей аппаратуры и др.): дискуссии, тренинги, круглые столы, собеседования, устные коллоквиумы и др.

Формы контроля и оценки результатов обучения инвалидов и лиц с ОВЗ с нарушением опорно-двигательного аппарата:

- письменная проверка с использованием специальных технических средств (альтернативных средств ввода, управления компьютером и др.): контрольные, графические работы, тестирование, домашние задания, эссе, письменные коллоквиумы, отчеты и др.;

- устная проверка, с использованием специальных технических средств (средств коммуникаций): дискуссии, тренинги, круглые столы, собеседования, устные коллоквиумы и др.;

- с использованием компьютера и специального ПО (альтернативных средств ввода и управления компьютером и др.): работа с электронными образовательными ресурсами, тестирование, рефераты, курсовые проекты, графические работы, дистанционные формы предпочтительнее обучающимся, ограниченным в передвижении и др.

Адаптация процедуры проведения промежуточной аттестации для инвалидов и лиц с ОВЗ.

В ходе проведения промежуточной аттестации предусмотрено:

- предъявление обучающимся печатных и (или) электронных материалов в формах, адаптированных к ограничениям их здоровья;

- возможность пользоваться индивидуальными устройствами и средствами, позволяющими адаптировать материалы, осуществлять приём и передачу информации с учетом их индивидуальных особенностей;

- увеличение продолжительности проведения аттестации;

- возможность присутствия ассистента и оказания им необходимой помощи (занять рабочее место, передвигаться, прочесть и оформить задание, общаться с преподавателем).

Формы промежуточной аттестации для инвалидов и лиц с ОВЗ должны учитывать индивидуальные и психофизические особенности обучающегося/обучающихся по АОПОП ВО (устно, письменно на бумаге, письменно на компьютере, в форме тестирования и т.п.).

Специальные условия, обеспечиваемые в процессе преподавания дисциплины студентам с нарушениями зрения:

- предоставление образовательного контента в текстовом электронном формате, позволяющем переводить плоскостную информацию в аудиальную или тактильную форму;

- возможность использовать индивидуальные устройства и средства, позволяющие адаптировать материалы, осуществлять приём и передачу информации с учетом индивидуальных особенностей и состояния здоровья студента;

- предоставление возможности предкурсового ознакомления с содержанием учебной дисциплины и материалом по курсу за счёт размещения информации на корпоративном образовательном портале;

- использование чёткого и увеличенного по размеру шрифта и графических объектов в мультимедийных презентациях;

- использование инструментов «лупа», «прожектор» при работе с интерактивной доской;

- озвучивание визуальной информации, представленной обучающимся в ходе занятий;

- обеспечение раздаточным материалом, дублирующим информацию, выводимую на экран;

- наличие подписей и описания у всех используемых в процессе обучения рисунков и иных

графических объектов, что даёт возможность перевести письменный текст в аудиальный;

- обеспечение особого речевого режима преподавания: лекции читаются громко, разборчиво, отчётливо, с паузами между смысловыми блоками информации, обеспечиваются интонирование, повторение, акцентирование, профилактика рассеивания внимания;
- минимизация внешнего шума и обеспечение спокойной аудиальной обстановки;
- возможность вести запись учебной информации студентами в удобной для них форме (аудиально, аудиовизуально, на ноутбуке, в виде пометок в заранее подготовленном тексте);
- увеличение доли методов социальной стимуляции (обращение внимания, апелляция к ограничениям по времени, контактные виды работ, групповые задания и др.) на практических и лабораторных занятиях;
- минимизирование заданий, требующих активного использования зрительной памяти и зрительного внимания;
- применение поэтапной системы контроля, более частый контроль выполнения заданий для самостоятельной работы.

Специальные условия, обеспечиваемые в процессе преподавания дисциплины студентам с нарушениями опорно-двигательного аппарата (маломобильные студенты, студенты, имеющие трудности передвижения и патологию верхних конечностей):

- возможность использовать специальное программное обеспечение и специальное оборудование и позволяющее компенсировать двигательное нарушение (коляски, ходунки, трости и др.);
- предоставление возможности предкурсового ознакомления с содержанием учебной дисциплины и материалом по курсу за счёт размещения информации на корпоративном образовательном портале;
- применение дополнительных средств активизации процессов запоминания и повторения;
- опора на определенные и точные понятия;
- использование для иллюстрации конкретных примеров;
- применение вопросов для мониторинга понимания;
- разделение изучаемого материала на небольшие логические блоки;
- увеличение доли конкретного материала и соблюдение принципа от простого к сложному при объяснении материала;
- наличие чёткой системы и алгоритма организации самостоятельных работ и проверки заданий с обязательной корректировкой и комментариями;
- увеличение доли методов социальной стимуляции (обращение внимания, апелляция к ограничениям по времени, контактные виды работ, групповые задания др.);
- обеспечение беспрепятственного доступа в помещения, а также пребывания в них;
- наличие возможности использовать индивидуальные устройства и средства, позволяющие обеспечить реализацию эргономических принципов и комфортное пребывание на месте в течение всего периода учёбы (подставки, специальные подушки и др.).

Специальные условия, обеспечиваемые в процессе преподавания дисциплины студентам с нарушениями слуха (глухие, слабослышащие, позднооглохшие):

- предоставление образовательного контента в текстовом электронном формате, позволяющем переводить аудиальную форму лекции в плоскпечатную информацию;
- наличие возможности использовать индивидуальные звукоусиливающие устройства и сурдотехнические средства, позволяющие осуществлять приём и передачу информации; осуществлять взаимобратный перевод текстовых и аудиофайлов (блокнот для речевого ввода), а также запись и воспроизведение зрительной информации;
- наличие системы заданий, обеспечивающих систематизацию вербального материала, его схематизацию, перевод в таблицы, схемы, опорные тексты, глоссарий;
- наличие наглядного сопровождения изучаемого материала (структурно-логические схемы, таблицы, графики, концентрирующие и обобщающие информацию, опорные конспекты, раздаточный материал);
- наличие чёткой системы и алгоритма организации самостоятельных работ и проверки заданий с обязательной корректировкой и комментариями;
- обеспечение практики опережающего чтения, когда студенты заранее знакомятся с материалом и выделяют незнакомые и непонятные слова и фрагменты;

- особый речевой режим работы (отказ от длинных фраз и сложных предложений, хорошая артикуляция; четкость изложения, отсутствие лишних слов; повторение фраз без изменения слов и порядка их следования; обеспечение зрительного контакта во время говорения и чуть более медленного темпа речи, использование естественных жестов и мимики);
- четкое соблюдение алгоритма занятия и заданий для самостоятельной работы (называние темы, постановка цели, сообщение и запись плана, выделение основных понятий и методов их изучения, указание видов деятельности студентов и способов проверки усвоения материала, словарная работа);
- соблюдение требований к предъявляемым учебным текстам (разбивка текста на части; выделение опорных смысловых пунктов; использование наглядных средств);
- минимизация внешних шумов;
- предоставление возможности соотносить вербальный и графический материал; комплексное использование письменных и устных средств коммуникации при работе в группе;
- сочетание на занятиях всех видов речевой деятельности (говорения, слушания, чтения, письма, зрительного восприятия с лица говорящего).

Специальные условия, обеспечиваемые в процессе преподавания дисциплины студентам с прочими видами нарушений (ДЦП с нарушениями речи, заболевания эндокринной, центральной нервной и сердечно-сосудистой систем, онкологические заболевания):

- наличие возможности использовать индивидуальные устройства и средства, позволяющие осуществлять приём и передачу информации;
- наличие системы заданий, обеспечивающих систематизацию вербального материала, его схематизацию, перевод в таблицы, схемы, опорные тексты, глоссарий;
- наличие наглядного сопровождения изучаемого материала;
- наличие четкой системы и алгоритма организации самостоятельных работ и проверки заданий с обязательной корректировкой и комментариями;
- обеспечение практики опережающего чтения, когда студенты заранее знакомятся с материалом и выделяют незнакомые и непонятные слова и фрагменты;
- предоставление возможности соотносить вербальный и графический материал; комплексное использование письменных и устных средств коммуникации при работе в группе;
- сочетание на занятиях всех видов речевой деятельности (говорения, слушания, чтения, письма, зрительного восприятия с лица говорящего);
- предоставление образовательного контента в текстовом электронном формате;
- предоставление возможности предкурсового ознакомления с содержанием учебной дисциплины и материалом по курсу за счёт размещения информации на корпоративном образовательном портале;
- возможность вести запись учебной информации студентами в удобной для них форме (аудиально, аудиовизуально, в виде пометок в заранее подготовленном тексте);
- применение поэтапной системы контроля, более частый контроль выполнения заданий для самостоятельной работы;
- стимулирование выработки у студентов навыков самоорганизации и самоконтроля;
- наличие пауз для отдыха и смены видов деятельности по ходу занятия.

10. Методические рекомендации по освоению дисциплины (модуля)

Дисциплина "Иностранный язык в сфере юриспруденции" ведется в соответствии с календарным учебным планом и расписанием занятий по неделям. Темы проведения занятий определяются тематическим планом рабочей программы дисциплины.