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

Юридический факультет
Иностранных языков

КубГАУ Кубанский государственный аграрный университет
Документ подписан простой электронной подписью
СВЕДЕНИЯ О СЕРТИФИКАТЕ ЭП
Сертификат: 2a0000098add596f008935c40900020000098a
Владелец: Куемжиева Светлана Александровна
Действителен от 23-05-2021 до 22-05-2026

УТВЕРЖДЕНО:
Декан, Руководитель подразделения
Куемжиева С.А.
(протокол от 09.07.2024 № 4)

РАБОЧАЯ ПРОГРАММА ДИСЦИПЛИНЫ (МОДУЛЯ) «ОСНОВЫ ДЕЛОВОГО ОБЩЕНИЯ (АНГЛИЙСКИЙ, НЕМЕЦКИЙ)»

Уровень высшего образования: магистратура

Направление подготовки: 40.04.01 Юриспруденция

Направленность (профиль)подготовки: Юридическая деятельность в сфере земельно-имущественных отношений и агробизнеса

Квалификация (степень) выпускника: магистр

Формы обучения: очная, очно-заочная

Год набора: 2024

Срок получения образования: Очная форма обучения – 2 года
Очно-заочная форма обучения – 2 года 5 месяца(-ев)

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

2024

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: 40.04.01 Юриспруденция, утвержденного приказом Минобрнауки России от 25.11.2020 №1451, с учетом трудовых функций профессиональных стандартов: "Специалист в сфере предупреждения коррупционных правонарушений", утвержден приказом Минтруда России от 08.08.2022 № 472н; "Специалист по конкурентному праву", утвержден приказом Минтруда России от 16.09.2021 № 637н; "Специалист по определению кадастровой стоимости", утвержден приказом Минтруда России от 02.09.2020 № 562н; "Следователь-криминалист", утвержден приказом Минтруда России от 23.03.2015 № 183н; "Эксперт в сфере закупок", утвержден приказом Минтруда России от 10.09.2015 № 626н; "Специалист в сфере управления проектами государственно-частного партнерства", утвержден приказом Минтруда России от 20.07.2020 № 431н.

Согласование и утверждение

№	Подразделение или коллегиальный орган	Ответственное лицо	ФИО	Виза	Дата, протокол (при наличии)
1	Иностранных языков	Заведующий кафедрой, руководитель подразделения, реализующего ОП	Непшекуева Т.С.	Согласовано	22.04.2024, № 8

1. Цель и задачи освоения дисциплины (модуля)

Цель освоения дисциплины - формирование комплекса знаний, умений и навыков, необходимых для осуществления организационных, научных и методических основ в совершенной степени владеть иностранным языком и наиболее полно использовать его в научной работе.

Задачи изучения дисциплины:

- формирование интегративных умений, необходимых для написания, письменного перевода и редактирования различных академических текстов;
- формирование способности представлять результаты академической и профессиональной деятельности на различных научных мероприятиях, включая международные;
- формирование интегративных умений, необходимых для эффективного участия в академических и профессиональных дискуссиях.

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

Компетенции, индикаторы и результаты обучения

УК-4 Способен применять современные коммуникативные технологии, в том числе на иностранном(ых) языке(ах), для академического и профессионального взаимодействия

УК-4.1 Демонстрирует интегративные умения, необходимые для написания, письменного перевода и редактирования различных академических текстов (рефератов, эссе, обзоров, статей т.д.)

Знать:

УК-4.1/Зн1

Уметь:

УК-4.1/Ум1

Владеть:

УК-4.1/Нв1

УК-4.2 Представляет результаты академической и профессиональной деятельности на различных научных мероприятиях, включая международные

Знать:

УК-4.2/Зн1

Уметь:

УК-4.2/Ум1

Владеть:

УК-4.2/Нв1

УК-4.3 Демонстрирует интегративные умения, необходимые для эффективного участия в академических и профессиональных дискуссиях

Знать:

УК-4.3/Зн1

Уметь:

УК-4.3/Ум1

Владеть:

УК-4.3/Нв1

3. Место дисциплины в структуре ОП

Дисциплина (модуль) «Основы делового общения (английский, немецкий)» относится к обязательной части образовательной программы и изучается в семестре(ах): Очная форма обучения - 1, Очно-заочная форма обучения - 1.

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)	Лабораторные занятия (часы)	Лекционные занятия (часы)	Самостоятельная работа (часы)	Промежуточная аттестация (часы)
Первый семестр	108	3	33	3	26	4	48	Экзамен (27)
Всего	108	3	33	3	26	4	48	27

Очно-заочная форма обучения

Период обучения	Общая трудоемкость (часы)	Общая трудоемкость (ЗЕТ)	Контактная работа (часы, всего)	Внеаудиторная контактная работа (часы)	Лабораторные занятия (часы)	Лекционные занятия (часы)	Самостоятельная работа (часы)	Промежуточная аттестация (часы)
Первый семестр	108	3	17	3	8	6	82	Контрольная работа Экзамен (9)
Всего	108	3	17	3	8	6	82	9

5. Содержание дисциплины

5.1. Разделы, темы дисциплины и виды занятий

(часы промежуточной аттестации не указываются)

Очная форма обучения

		контактная а	занятия	нятия	ая работа	езультаты несенные с своения

Наименование раздела, темы	Всего	Внеаудиторная работ	Лабораторные з	Лекционные за	Самостоятельна	Планируемые р обучения, соотн результатами ос программы
Раздел 1. Неличные формы глагола в английском языке	**12**			**4**	**8**	УК-4.1 УК-4.2 УК-4.3
Тема 1.1. Инфинитив и инфинитивные обороты	6			2	4	
Тема 1.2. Герундий и герундиальная конструкция	6			2	4	
Раздел 2. Legal English for Master Degree	**66**		**26**		**40**	УК-4.1 УК-4.2 УК-4.3
Тема 2.1. JUDICIARY. THE US COURT SYSTEM	14		6		8	
Тема 2.2. THE BRITISH JUDICIAL SYSTEM	14		6		8	
Тема 2.3. PROCEDURE AND EVIDENCE	14		6		8	
Тема 2.4. TRIAL BY JURY	12		4		8	
Тема 2.5. SENTENCING AND PUNISHMENT	12		4		8	
Раздел 3. Промежуточная аттестация	**3**	**3**				УК-4.1 УК-4.2 УК-4.3
Тема 3.1. Экзамен	3	3				
Итого	**81**	**3**	**26**	**4**	**48**	

Очно-заочная форма обучения

Наименование раздела, темы	Всего	Внеаудиторная контактная работа	Лабораторные занятия	Лекционные занятия	Самостоятельная работа	Планируемые результаты обучения, соотнесенные с результатами освоения программы
Раздел 1. Неличные формы глагола в английском языке	**36**			**6**	**30**	УК-4.1 УК-4.2 УК-4.3
Тема 1.1. Инфинитив и инфинитивные обороты	19			4	15	
Тема 1.2. Герундий и герундиальная конструкция	17			2	15	
Раздел 2. Legal English for Master Degree	**60**		**8**		**52**	УК-4.1 УК-4.2 УК-4.3
Тема 2.1. JUDICIARY. THE US COURT SYSTEM	12		2		10	
Тема 2.2. THE BRITISH JUDICIAL SYSTEM	12		2		10	

Тема 2.3. PROCEDURE AND EVIDENCE	12		2		10	
Тема 2.4. TRIAL BY JURY	12		2		10	
Тема 2.5. SENTENCING AND PUNISHMENT	12				12	
Раздел 3. Промежуточная аттестация	**3**	**3**				УК-4.1 УК-4.2 УК-4.3
Тема 3.1. Экзамен	3	3				
Итого	**99**	**3**	**8**	**6**	**82**	

5. Содержание разделов, тем дисциплин

Раздел 1. Неличные формы глагола в английском языке
(Очная: Лекционные занятия - 4ч.; Самостоятельная работа - 8ч.; Очно-заочная: Лекционные занятия - 6ч.; Самостоятельная работа - 30ч.)

Тема 1.1. Инфинитив и инфинитивные обороты
(Очная: Лекционные занятия - 2ч.; Самостоятельная работа - 4ч.; Очно-заочная: Лекционные занятия - 4ч.; Самостоятельная работа - 15ч.)

1. Формы инфинитива.
2. Функции инфинитива в предложении.
3. Инфинитивные обороты Инфинитивный оборот «сложное дополнение» (Complex Object)
4. Субъектный инфинитивный оборот «сложное подлежащее» (Complex Subject)
5. Инфинитивный оборот, вводимый предлогом for (предложный инфинитивный оборот)
6. Независимый инфинитивный оборот

Тема 1.2. Герундий и герундиальная конструкция
(Очная: Лекционные занятия - 2ч.; Самостоятельная работа - 4ч.; Очно-заочная: Лекционные занятия - 2ч.; Самостоятельная работа - 15ч.)

1.Особенности герундия как части речи.
2.Функции герундия в предложении.
3.Герундиальная конструкция. Функции герундиальной конструкции.

Раздел 2. Legal English for Master Degree
(Очная: Лабораторные занятия - 26ч.; Самостоятельная работа - 40ч.; Очно-заочная: Лабораторные занятия - 8ч.; Самостоятельная работа - 52ч.)

Тема 2.1. JUDICIARY. THE US COURT SYSTEM
(Очная: Лабораторные занятия - 6ч.; Самостоятельная работа - 8ч.; Очно-заочная: Лабораторные занятия - 2ч.; Самостоятельная работа - 10ч.)

1. The judicial branch of power in the United States.
2. The federal court system.
3. The Supreme Court – the highest court of the country.
4. The structure and functions of Appeal Courts.
5. The role of the district courts.
6. Special courts and their functions.

Тема 2.2. THE BRITISH JUDICIAL SYSTEM
(Очная: Лабораторные занятия - 6ч.; Самостоятельная работа - 8ч.; Очно-заочная: Лабораторные занятия - 2ч.; Самостоятельная работа - 10ч.)

1. The House of Lords
2. The Court of Appeal
3. The High Court
4. The County Courts
5. The Crown Court
6. The Magistrates' Courts

Тема 2.3. PROCEDURE AND EVIDENCE
(Очная: Лабораторные занятия - 6ч.; Самостоятельная работа - 8ч.; Очно-заочная: Лабораторные занятия - 2ч.; Самостоятельная работа - 10ч.)
The basic steps of a procedure:
1. The action is begun by issuing and serving a writ.
2. The defendant acknowledges service.
3. An exchange of pleadings takes place.
4. Preparation is made for the trial, including discovery and inspection of documents.
5. The trial.
6. If there is no appeal the matter is concluded by enforcement of the judgement.

Тема 2.4. TRIAL BY JURY
(Очная: Лабораторные занятия - 4ч.; Самостоятельная работа - 8ч.; Очно-заочная: Лабораторные занятия - 2ч.; Самостоятельная работа - 10ч.)
1. How would you feel if you were the victim (the defendant) of the crime?
2. If you were the judge, would you give a different sentence?
3. If you were the judge, would you reinvestigate the case to reveal other facts or circumstances?

Тема 2.5. SENTENCING AND PUNISHMENT
(Очная: Лабораторные занятия - 4ч.; Самостоятельная работа - 8ч.; Очно-заочная: Самостоятельная работа - 12ч.)
1. Why is the main object of Criminal Law to punish the wrong-doer?
2. Why should the punishment fit the crime?
3. What types of sentences may the courts pass?
4. When is a person found guilty of a fairly small offence?
5. What is meant under "suspended sentence"?
6. What are the actions of the offender during the probation order?
7. When does a person receive no punishment?
8. What measures are taken by legislators and the English sen-tencing system towards young offenders?

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. Чтение и письменный перевод текста на русский язык по направлению образовательной программы объемом 1500 знаков со словарем за 45 мин.
2. Перевод без словаря и пересказ текста объемом 1000 знаков за 10-15 минут.
3. Беседа по пройденным темам.

6. Оценочные материалы текущего контроля

Раздел 1. Неличные формы глагола в английском языке

Форма контроля/оценочное средство: Задача

Вопросы/Задания:

1. Thank you for the information, - Mandy said … what to do next.

not knowing
not known
not having known
having not known

2. … by her appearance she looked like a person whose life was hard and full of sorrows.

Judging
Having judged
Judged
Being judged

3. He opened the door, … about possible consequences.

being thought
thought
thinking
having thought

4. My spirit though ... was not broken.

crushed
crushing
being crushed
was crushed

5. By this time … to the atmosphere of the big city, he no longer felt a stranger.

getting used
having got used
used
got used

6. We've got a great variety of products, which are in great demand. Here are some samples … to our distributors last month.

sent
sending
been sent
sended

7. There are a lot of ways of … it.

having done
doing
to do
being done

8. The manager objects to the work … now.

being done
do
having done
doing

9. State the form and function of the Infinitive:

1. The problem to be solved was of great international importance.
2. He is said to have published a new article about the International Law.
3. About 40 students were thrown into prison to be charged with various offences.
4. To pass a just sentence the court examines all the circumstances of the crime.
5. In the past few years many measures have been taken to improve the life in the country.

10. Define the Infinitive. Translate the sentences.

1. Probation has proved to be the most successful way of dealing with very young offenders.

2. Traditionally, delinquency is considered to mean such offences as truancy, assault, theft, arson or vandalism, etc.
3. The task facing the police in many areas is to stop criminals who murder for no apparent reason.
4. Such crimes are very difficult to solve.
5. At least twenty women are reported to have been found dead near the Seattle river.

11. Choose the best alternative to complete the following sentence. Justify your choice.
Appeals procedure and enforcement of the judgement are proceedings after / before the trial.

12. Choose the best alternative to complete the following sentence. Justify your choice.
The usual method of commencing an action / arrest is to issue a writ / warrant.

13. Choose the best alternative to complete the following sentence. Justify your choice.
The form of acknowledgment is served by the plaintiff / by the defendant with the writ.

14. Choose the best alternative to complete the following sentence. Justify your choice.
The trial starts / ends with the plaintiff's barrister / solicitor outlining the issues.

15. Choose the best alternative to complete the following sentence. Justify your choice.
Finally the defendant's barrister and then the plaintiff's barrister will make a/an opening/closing speech.

Раздел 2. Legal English for Master Degree

Форма контроля/оценочное средство: Задача

Вопросы/Задания:

1. For Americans, serving … has always been a dreaded chore.

The Army
Congress
Jury Duty
White House

2. … describes the imposition by some authority of a deprivation in a person who has violated a law.

fine
deterrence
punishment
restitution

3. Every year over 5 million Americans are summoned for jury duty to render … in approximately 120,000 trials.

Prohibition
Verdict
The law
Resolution

4. The … makes decisions on legal issues.

Jury
Lawyer
Judge
Prosecutor

5. The … system is the ordinary citizen's link with the legal system.

Jury
Political
Medical
Clerical

6. Juvenile delinquents are as a rule dealt with by issuing probation orders placing them under the supervision of a … .

commanding officer
probation officer
customs officer
research officer

7. … is one of the basic instruments of British constitution.

The Bill of Right (1689)
Hammurabi’s Code
The Magna Carta
Habeas Corpus Act

8. Decide whether the statements are True or False. Justify your choice.

The most predictable clause of Britain’s constitution would provide that every citizen should be liable to lose his or her liberty for longer than a year without at least the opportunity of submitting to trial by jury.

9. Decide whether the statements are True or False. Justify your choice.

The most remarkable features of the modern jury are independence and an important safeguard against oppressive prosecutions.

10. Decide whether the statements are True or False. Justify your choice.

To satisfy democratic ideals the modern jury is drawn at random from a representative cross-section of society.

11. Match the word with its definition.

Word
unitary system

Definitions
a.a person who is fighting a legal case
b.the court's jurisdiction only on certain types of cases such as bankruptcy, and family matters
c.a court that has general jurisdiction within the specific state ’s territory
d. a court empowered to determine the guilt of members of the armed forces subject to military law, and, if the defendant is found guilty, to decide upon punishment
e.a category of courts which exists in several nations, some call them "small case court" usually as the lowest level of the hierarchy
f.specializes in adjudicating disputes over federal income tax, generally prior to the time at which formal tax assessments are made by the Internal Revenue Service
g.a governing system in which a single central government has total power over all of its other political subdivisions.
h.a specialized court that hears cases related to international trade and customs law

12. Match the word with its definition.

district courts

Definitions
a.a person who is fighting a legal case
b.the court's jurisdiction only on certain types of cases such as bankruptcy, and family matters
c.a court that has general jurisdiction within the specific state ’s territory
d. a court empowered to determine the guilt of members of the armed forces subject to military law, and, if the defendant is found guilty, to decide upon punishment
e.a category of courts which exists in several nations, some call them "small case court" usually as the lowest level of the hierarchy
f.specializes in adjudicating disputes over federal income tax, generally prior to the time at which formal tax assessments are made by the Internal Revenue Service
g.a governing system in which a single central government has total power over all of its other political subdivisions.
h.a specialized court that hears cases related to international trade and customs law

13. Match the word with its definition

tax court

Definitions
a.a person who is fighting a legal case
b.the court's jurisdiction only on certain types of cases such as bankruptcy, and family matters
c.a court that has general jurisdiction within the specific state ’s territory
d. a court empowered to determine the guilt of members of the armed forces subject to military law, and, if the defendant is found guilty, to decide upon punishment
e.a category of courts which exists in several nations, some call them "small case court" usually as the lowest level of the hierarchy
f.specializes in adjudicating disputes over federal income tax, generally prior to the time at which formal tax assessments are made by the Internal Revenue Service
g.a governing system in which a single central government has total power over all of its other political subdivisions
h. a specialized court that hears cases related to international trade and customs law

14. Match the word with its definition

customs court

Definitions
a.a person who is fighting a legal case
b.the court's jurisdiction only on certain types of cases such as bankruptcy, and family matters
c.a court that has general jurisdiction within the specific state ’s territory
d. a court empowered to determine the guilt of members of the armed forces subject to military law, and, if the defendant is found guilty, to decide upon punishment
e.a category of courts which exists in several nations, some call them "small case court" usually as the lowest level of the hierarchy
f.specializes in adjudicating disputes over federal income tax, generally prior to the time at which formal tax assessments are made by the Internal Revenue Service
g.a governing system in which a single central government has total power over all of its other political subdivisions
h. a specialized court that hears cases related to international trade and customs law

15. Match the word with its definition

court martial

Definitions
a.a person who is fighting a legal case
b.the court's jurisdiction only on certain types of cases such as bankruptcy, and family matters
c.a court that has general jurisdiction within the specific state ’s territory
d. a court empowered to determine the guilt of members of the armed forces subject to military law, and, if the defendant is found guilty, to decide upon punishment
e.a category of courts which exists in several nations, some call them "small case court" usually as the lowest level of the hierarchy
f.specializes in adjudicating disputes over federal income tax, generally prior to the time at which formal tax assessments are made by the Internal Revenue Service
g.a governing system in which a single central government has total power over all of its other political subdivisions
h. a specialized court that hears cases related to international trade and customs law

Раздел 3. Промежуточная аттестация

Форма контроля/оценочное средство:

Вопросы/Задания:

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7. Оценочные материалы промежуточной аттестации

Очная форма обучения, Первый семестр, Экзамен
Контролируемые ИДК: УК-4.1 УК-4.2 УК-4.3
Вопросы/Задания:

1. What is known to you about delegated legislation? In what spheres of English law does its role increase?

2. What are police discipline codes designed for?

3. What is the essence of the Governments strategy for dealing with crime?

4. What is the detention scheme in the Police and Criminal Evidence Act provided for?

5. Who is responsible for beginning criminal proceeding in England and Wales?

6. When and what for was the Serious Fraud Office established?

7. Who decides whether or not to bring proceeding in Scotland?

8. What cases do Magistrates Courts deal with?

9. What is the source of criminal proceedings in England ?

10. What is the role of the laws on maintaining justice in regulating civil judicature?

11. What can you say about the procedure of electing the jury?

12. What are the powers of the High Court in Scotland?

13. What kinds of penalties in Great Britain are known to you,execept for custody?

14. What kinds of punishment are established in England?

15. What kinds of institutions are included into the structure of the Supreme Court in England and Wales?

16. What divisions do the Supreme Court and of Appeal consist of?

17. What kinds of judicial cases does the Crown Court deal with?

18. What is the difference like between Scottish and English judicial systems?

19. What are the functions of the tribunal of appeal?

20. What can you say about the judiciary in the United Kingdom?

21. What rights do barristers have?

22. How is the High Court of Justice divided?

23. What do you know about the activities of the Law Commission?

24. What is known to you about delegated legislation? In what spheres of English Law does its role increase?

25. What is the essence of the Governments strategy for dealing with crime?

26. What is known to you about delegated legislation? In what spheres of English law does its role increase?

27. What are police discipline codes designed for?

28. What is the detention scheme in the Police and Criminal Evidence Act Provided for?

29. Who is responsible for beginning criminal proceeding in England and Wales?

30. When and what for was the Serious Fraud Office established?

31. Who decides whether or not to bring proceeding in Scotland?

32. What cases do Magistrates Courts deal with?

33. What is the source of criminal proceedings in England ?

34. What is the role of the laws on maintaining justice in regulating civil judicature?

35. What are the main categories of inmates?

36. Where are long-term prisoners usually held?

37. What is the purpose of reformatories?

38. What are open prisons?

39. Are all breaches of law crimes?

40. Is there a satisfactory definition of a «crime»?

41. Выполните перевод текста со словарем (время – 45 минут).

Classical Criminology

Perspectives that imagine crime to be the outcome of a deliberative calculation have limitations. They sometimes contain an uncomplicated view of the rational man as homo economicus. It is clear that the strengths of classical criminology and rational choice are not found in their sophisticated depiction of the intricacies and diverse workings of human cognition and psychology. The mind and meaning are not where the core of tradition suggests that investigators look for answers about the occurrence and distribution of crime. Moreover, the fact that crime is often a stupid mistake leads many scholars to incorrectly and intuitively believe that rational choice perspectives miss the mark on the basis of the colloquial use of the word rational as a synonym for prudent, careful, or cautious.

No reasonable rational choice or classical camp scholar has ever contended, however, that deliberating criminals choose their courses of action carefully. All scholars recognize that decisions and options can be constrained and that most daily and significant decisions are not made with ledgers in hand. In fact, recent research in neuropsychology and the decision-making sciences suggests that human decision making is aided, for instance, by the individual being in an optimal state of emotional arousal—that the arousal state is not too "hot" so as to make rash decisions but not so "cold" as to be unmoved by potential consequences. Similarly, emotional processing of information has been demonstrated to aid decision making by allowing heuristic "shortcuts" in the decision process. However, no perfect knowledge, lightning-fast calculation, or any of the other caricatures of economic theory are required to make efficient sense of crime with economic logic and methods.

42. Выполните перевод текста со словарем (время – 45 минут).

Engaging the Media

Experts are not only sought out for direct participation in the legislative process through testifying during hearings, they also are sought out for indirect participation in the policy process through engaging in debates that take place in the media. The power of this indirect participation to exert influence on the policy process should not be underestimated. Research suggests that the relationship among the media, politicians, and the public is a powerful one. In many ways, the media—driven primarily by ratings—reflect (and perhaps shape) public interests, priorities, and sentiment. With the advent of 24-hour news networks and the proliferation of Internet news sites, the supply of news outlets has grown dramatically. These news outlets often rely on "experts" to buttress their news stories. Research has demonstrated that the media will turn to "expert sources" to support their stories whether those sources are academic experts or not. Criminal justice officials, practitioners, and even laypeople serve as experts in the absence of academic researchers. Michael Welch and colleagues reported that other sources to which the media might turn when criminologists are not available (e.g., practitioners and criminal justice officials) are typically more ideological in orientation. Practitioners and others tend to rely on anecdotal evidence (as opposed to research evidence) and tend to advocate for more "hard" approaches to the problem of crime. Criminologist Greg Barak (2007) argued that criminologists ought to engage more deliberately in "newsmaking criminology." Barak argued that, by engaging the media, criminologists can help set and shape the crime policy agenda.

There are clearly some downsides to engaging the media. The media rely heavily on overly simplistic explanations for complex phenomena.

43. Выполните перевод текста со словарем (время – 45 минут).

Pragmatic Aspects of Legislative Intent

It is reasonable to believe that legislation is an intentional phenomenon. On the one hand, statutes are made by someone empowered to introduce, change or eliminate them, and it would be puzzling to assume that the content of a statute is not the one intended by the law-maker. On the other hand, legislation is typically apt to govern social behavior if law-addressees understand what the legislature intended to say. As a consequence, it may be reasonably argued that the enactment of a statute is a part of a communicative process through which the legislature's intention is linguistically conveyed to law-addressees.

However, the notion of legislature's intention gives rise to a number of theoretical and practical issues. Two of them are worth mentioning here:

(1) The Ontological Problem: Which entity are we looking for? Many scholars claim that the intention of the legislature does not exist, and that the intention of the individual legislators is irrelevant. Collective entities such as legislatures do not have a mind; therefore, they cannot bear mental states that are communicated by enacting a statute. Legislative intentions can obviously be ascribed to individual legislators, i.e. to each member of a legislative body, but individual intentions do not determine the content of legislative texts.

(2) The Epistemic Problem: How are we to know the legislature's intention once we assume that it can be listed in the inventory of the world? Apart from the cases in which it is explicitly formulated by the law-maker, the legislature's intention is not easily discernible.2 Floor debates, committee reports and hearings, and the other materials included in the legislative history often provide

insufficient evidence to that effect, especially when various documents, subjects and institutional bodies are involved in the legislative process. To address this problem, courts typically infer the legislature's intention from the principle of rational agency and other contextual information.

44. Выполните перевод текста со словарем (время – 45 минут).

Values and Law

Many communities in the world today organize themselves around an idea which can appear to be straightforward, but is in fact profoundly elusive and problematic: the idea of "law." At first we may think of "law" as simply a body of decrees issued by the powerful. Considered in that way, law does not look like a value so much as an established social fact. While an understanding of values such as justice or liberty requires philosophical reflection, a grasp of the nature of law might seem to call for careful description: knowledge of law's nature can superficially appear to be a matter for historians or social scientists rather than philosophers. Laws may be just or unjust, and their content therefore cannot be discovered by thinking about justice or other values. One discovers the law's content by investigating the ways in which power has been exercised: What statutes have been enacted? What judicial decisions have been handed down?

But this picture of law as the raw exercise of power is too simple. Consider, for example, the way in which legislators would characterize their own enactments. They would not speak of those enactments as "decrees" or "orders" or "dictats." They see themselves, not as issuing orders, but as creating laws. And the observation that such statutes are "laws" is not a matter of neutral classification serving only values of intellectual tidiness. The status of legislative enactments as law is seen as very central to the claim that the statutes have upon the conduct of the citizen. If asked "why should I comply with your statute?" the legislators would probably say "Because it is the law!" But what is this status which is being ascribed to the statute? Since we know that laws may be unjust, and may fail to serve the common good, why should the status of a rule as law ground some claim to our compliance?

45. Выполните перевод текста со словарем (время – 45 минут).

Law and State

The ideas of "law," and of "the state," seem to be poised uncertainly between the prescriptive and the descriptive. On the face of it, they seem to be very real and very evident features of the social worlds that we inhabit. On the other hand, they are remarkably difficult ideas to cash out in terms of observable patterns of conduct or established attitudes. Until very recent times, theories of law and state had a marked tendency to become reflections upon a range of ideal values, so that one modern commentator has even gone so far as to suggest that those theories were concerned with the "advocacy of political and moral ideals within the framework of a convention" that required them to be framed as theories concerning the nature of existing institutions (such as law).

Here we find some of the perennial battles of jurisprudence and political philosophy. These are battles which revolve around the relationship between our values and our descriptive understanding of the social world that we inhabit.

On the one hand are those who wish to treat both "law" and "state" as value-free descriptive categories. The desire is readily understandable, for we tend to think of values as independent standards that are to be employed in the critical assessment of actual practice, and this seems to suggest that the values must be independent of the practices so assessed. Furthermore, we are all familiar with states and systems of law that fall substantially short of what morality requires. If states can be seriously morally deficient, we need a concept of 'state' that acknowledges that possibility, and this may seem to necessitate an entirely value-free approach. Such an approach proves hard to carry through, however.

At first it may seem possible to analyze the notion of "the state" in terms of a claimed monopoly of physical force. But the devil is in the detail and things get problematic when we try to spell that possibility out.

46. Выполните перевод текста со словарем (время – 45 минут).

Importance of Diplomatic Immunities in Islamic Law

Diplomatic Immunity has always been emphasized in western countries. Islamic Law formulated the bases of rights of diplomats, bestowed privileges to envoy of other countries, presented some ideal examples which has much importance and purposeful effects among the different nations, cultures

throughout the history of Muslim Ummah. Islamic Law has formulated foundations and rules to protect the diplomats from any sort of harm, killing, damaging their properties instead they must be given privilege and protocol to perform their duties as diplomats in host countries without any fear. Furthermore, even after providing maximum protection, if envoys face a problem, there are laws to protect them in every type of situation including war and peace, chaos and harmony. Additionally, it has never been neglected in the Jurisprudence of Islam, that how the diplomats have to show in the best manner to represent one's own nation.

The Islamic Law had already been introduced, applied successfully and bore fruitful results about fourteen centuries ago, harmonizing the utmost chaotic state of world. The receiving of foreign delegations, sending delegations to other countries to spread the message of peace and to represent one's country has always been given very much importance throughout the Islamic history. Islam has provided rights of delegations and has implemented rules to deal with delegations in the best possibly manner. Receiving delegations, listening to their demands, facilitating them, giving them protocol, making them feel like at home, providing services and protection, hence there is no room left to make the envoys feel uncomfortable or stranger during the whole stay in hosting country.

47. Выполните перевод текста со словарем (время – 45 минут).

Peace and the Dialectics of Human Security in the Twenty-First Century

Every time we hear the expression 'peace in our world', it naturally conjures the absence of warfare and internal disorder, and the end of military or other hostilities. Throughout history, innumerable human beings have suffered from the scourge of conflict. Quite naturally they tried, often at significant costs, to protect themselves with assorted resources against all major threats to their (human) security. The human security concept continues to loom large in global policy and peace discourse notwithstanding growing doubts about the 'effectiveness' of its promise in a highly vulnerable modern society overloaded with weapons of mass-destruction amid other threats to peace. The bottom-line is the imperative of replacing the dominant thoughts about securing peace. This paper accentuates the theory of peace and its relationship to the concept of human security. It takes its point of departure from the theoretical framework of critical security studies (CSS) and argues that there is a specific sense in which CSS needs to comprehend peace, and that this understanding is closely affiliated with human security. The paper is arguably a theoretical exploration of the concepts of peace and security. It is not, therefore, an empirical examination of where or when there is peace or how to obtain it. It is important to emphasize that this is not a paper that answers the question 'what is peace?' Although a proposal of how CSS theorists should contemplate peace is made, the main aim is the theoretical relationship between peace and human security and the theoretical and possible practical gains achieved by a clarification of this relationship.

The cacophony of the multidimensional theories of and approaches considered here indicates that there is no singular pathway to peace but rather requires a combination of interrelated vectors towards achieving the ends of peace and its sustainability in any society.

48. Выполните перевод текста со словарем (время – 45 минут).

The Dynamics of Domestic Abuse and Drug and Alcohol Dependency

Evidence for the relationship between domestic abuse and drug and alcohol intoxication is plentiful in crime surveys but tends to focus, peculiarly, on the behaviour of victims more often than offenders. For example, the 2016 Crime Survey for England and Wales revealed that 'adults aged between 16 and 59 who had taken illicit drugs in the last year' were three times more likely to report 'being a victim of partner abuse' than those who had not done so. However, using illicit drugs does not invite assault and the identification of such 'risk factors' in the absence of explanation of their relevance accentuates the victim-blaming some perpetrators deploy to control their victims. The international evidence reveals that men, but not women, tend to perpetrate more severe assaults when they have been drinking. Women are more vulnerable to assault when they too are intoxicated, but this is at least partly because those living with abusers are less diligent at pursuing safety strategies when they have been drinking. Substance use features in around half of all UK domestic homicides. Since 2011, substance use has been detected among domestic homicide perpetrators more than four times as often as it has among those killed by them.

In sum, the relationship between substance use and domestic abuse is not straightforward. Moreover,

Different substances have different pharmacological properties. They are used in variable quantities and combinations fostering a range of effects—including docility as much as aggression—that are contingent upon the user's experience of them, prehistory of use, mood and the context in which the consumption takes place. Laboratory research reveals that those with low levels of inhibition, empathy and self-regulation and elevated levels of sensitivity to threats and insults ('instigative cues') are more prone to violence when they have consumed alcohol up to four hours ahead of a perceived threat or 'provocation'.

49. Выполните перевод текста со словарем (время – 45 минут).

International Criminal Justice

The United States cooperated with these organizations but is very hesitant on involving other countries into their investigations and hesitant on helping other countries prosecute Americans that commit crimes in other countries. The U.S. does not accept the international justice system as something that they are willing to cooperate with; as the U.S. likes to make sure that their citizens have their rights intact no matter what country the citizen visits, nor what crime is committed. Unless of course there's something in it for the United States government.

Whether we aid in apprehending and enforcing justice with foreign organization depends on whether we have a treaty with that particular country, or if there's a mutual agreement between the two countries as to whether extradition is most likely to occur. If a country willing to extradite an American criminal so that they may serve their time in an American jail, then the U.S. is most likely to return that favor as well. It really depends on the relationship with the country's, and what situations are going on between the countries at the time of the crimes. It is necessary to coordinate and cooperate with these agencies because these international agencies have the power to bring nations together to fight for one common goal, and that is of putting known criminals behind bars so they will not be able to commit more crimes in the future. Some countries don't want a group of individuals telling them what their laws should and shouldn't be, but if the International Criminal Justice system continues to grow and become refined as to what works, and what isn't working, it can only grow into a very important agency. When countries work together, they're able to bring more criminals to justice and this can be accomplished more effectively.

50. Выполните перевод текста со словарем (время – 45 минут).

Universal Jurisdiction: Forums in a "Third" State

After the arrest of Pinochet by the British officials on behalf of a Spanish judge, there is a glimmer of hope in prosecuting perpetrators of heinous war crimes in a third country forum. This development is getting momentum following the success of some European prosecutors to open criminal charge against top Syrian officials on behalf of the refugee victims (so far, Germany, Spain, and France can be mentioned). In fact, universal jurisdiction is the best legal tool for doing ex-post facto justice with perpetrators in some countries such as Germany who has access to evidences and legal tools at their disposal to carry out investigations. Universal jurisdiction, either in its pure or mitigated form, provides an antidote to the impunity that accomplished despots are likely to enjoy in the countries that endured their crimes. Such optimism is partly based on the theory that if the Assad regime finally collapsed, perpetrators may flee Syria to countries who are parties to the Geneva Convention and the Convention against Torture.

Despite the enthusiasm that justice will be done when the conflict is resolved and Syrian society reconstructs itself, history tells a different tale. Dictatorial regimes elsewhere are unwilling and unable to come to terms with the past because domestic justice is misled by the practice of amnesties or the state's legal institutions are paralyzed and cannot be reliable. Syria is not an exception to this caveat. Post conflict Syria's willingness and ability to pursue criminal procedures against perpetrators is unlikely to succeed mainly because judicial independence and constitutionalism are not entrenched in the country's political history and the obvious challenges in states emerging from conflict, in which infrastructure and resources have been destroyed or are unavailable.

51. Выполните перевод текста со словарем (время – 45 минут).

The Limits of State Power in a Democratic Society

(Historic Argument)

From the beginning up to the present the human society is marked by two constants that have ontological value: the struggle for power and on the other hand the fight against the power, both in

situations where it is illegitimate because it takes the form of dictatorship or tyranny, also in the versions of apparent legitimacy, especially in democratic societies, such as for example the legitimate political activity of the opposition to come to power or the actions of civil society and individuals against abuse of power.

These ontological constants of any human society are inevitable no matter of the social form of organization or characteristics of political regimes, including in democratic societies because the existential and functioning essence of any social system is the expression of the contradictory difference between governors and the governed, between society as a whole and on the other hand, the man in his concrete and personality, between the normative order and moral values, between law and liberty, between public interest and private interest and of course between the vocation of human intangible fundamental rights, and on the other hand the public interest of the state to condition, limit and restrict their exercise.

These contradictions, if they remain in their absolute form, by antagonist excellence can be destructive to an organized state society, as history has shown. History shows the political and legal solutions which, especially in the modern period, were devoted to avoid dictatorial forms of power exercising. Here are some of them established since the first written constitution in the world - the US Constitution, adopted in 1787 - Declaration (French) of human and citizen rights on 1789, up to the internal and international contemporary political and legal instruments: supremacy of the Law and Constitution, separation and balance of powers within the state, proclamation and guarantee of the fundamental rights and freedoms, constitutional and judicial control.

52. Выполните перевод текста со словарем (время – 45 минут).

The Need to Review the Concept of Crime and Punishment

The system of justice which punishes offenders and protects the safety of the society, and is generally called criminal justice system, has constantly been under the trial of people throughout the history of human civilization. As it is widely portrayed in history books, dramas, poems and great philosophical works, the criminal justice system has either been used by the State as a tool for ‘exercising the power of governance to quell the dissident or recalcitrant citizens’ or suppressing the ‘so-called wrongs’ defined as crimes and thus so it as perceivably acquired an image of ‘coercive means of the State’. In all societies, irrespective of the diversity of religious and moral beliefs and socio-political structures, the State’s role and indulgence in criminal justice system is characterised by ‘infliction of proportional violence for acts of offenders.

Historically, the criminal justice system in most part of the globe is found to be essentially retributive in character; it has been moved with a sense of exacting vengeance on criminals in the name of punishment as ‘harsh as it could be’. The atrocious nature of the criminal justice system has continued without mitigation during the medieval era and even during the advent of the modern era. One of the fundamental reasons behind such callousness and atrocity in the criminal justice system can be traced out ‘in the underlying general perception of the people towards the crime itself’. Not long ago, the general perception of the people was that criminals were genetically or mentally born felons, hence, they deserved no leniency. The suppression of criminals was thus considered an ‘unavoidable responsibility of the State towards good citizens and thus it could not stay back without satisfying an obligation of dealing crimes and criminals with all possible high-hands’.

53. Выполните перевод текста со словарем (время – 45 минут).

Crimes and Criminal Justice System in Developing Countries: The Question of Human Dignity and Security

The relevance of the formal system of criminal justice is widely questionable, at least in the context of developing countries of South Asia. It suffers from myriads of problems. The lack of trust of people in ‘fairness and objectivity of the investigation, prosecution and adjudication’ is incredibly deeper. Tactful offenders rarely feel deterred by the system whereas innocent people deem their lives would be irreparably harmed once they fall into the hands of the system. The prisons in South Asia are overcrowded by those waiting for trial. The prisons lack the minimum facilities, and even those rare supplies are shared by implausibly huge number of inmates.

The investigation of crimes is inefficient and ineffective and marred by subjective and coercive elements. The practice of arrest is random. The arrest often involves use of force and interrogation is torturous, such as extended for incredibly longer period of time, and is humiliating. The practice of

intimidation and torture of accused during detention in varying degree is common and the police officers often defend such practice as a necessary tool for revealing truth about crime. Prosecution is less attentive to facts and less sensitive to rights of accused as well as interests of victims. The practice of applying extreme form of sentencing is customary, unsparing even to children and elderly. Prosecution is hardly critical to evidences procured by the investigators; hence generally every case moves towards prosecution, a major factor for clogging of courts. It would not be erroneous to say, the system is cancerously defiled by corruption. This also notoriously renders prisons overcrowded and uninhabitable. The quality of 'defence' is severely questionable. It is unaffordable by poor and unreliable in quality. The lawyers' ethical standard in South Asian nation is extremely poor.

54. Выполните перевод текста со словарем (время – 45 минут).

Grounds for Scepticism towards the Capability of the Criminal Justice System in the Developed Societies

The proportion of criminals is bigger in developed countries despite well-defined laws, rules of procedure, institutions of criminal justice, well-developed mechanisms of accountability and system reinforcing accountability and human rights, availability of the modern science and technology to prevent and investigate crimes, and most importantly, prevention of corruption. Does development foster crimes? This is an unanswered question yet. However, one can argue that, on account of the given scenarios of the crimes in the developed nations, the prevailing structure of the criminal justice system has failed to be a desired mechanism to discourage crimes in any part of the globe. Moreover, the adversarial principles of the contemporary criminal justice system have failed to satisfy the concerns of the victims of crimes.

The crime ratio in developed countries has unprecedentedly increased in the past along with growth of economy and progress of industries and infrastructure, the US leading among most industrialized nations. What is spectacular about the high prison population growth rate is the parallel growth of crimes as well as life and property insecurity. Along with the unprecedented rise of crimes and prison population, the empire of the criminal justice system becomes as broad as it has been exceedingly harsh in its effects. Every year over a million people face arrest for drug possession and hundreds of thousands them are prosecuted for drug, weapons and immigration violations. The criminal justice system attracts purview of all sectors and the criminal legislations are enforced in all walks of lives, ranging from political dealings between leaders to environmental issues. The discretion of prosecutor may bring any issue into a purview of criminal justice.

55. Выполните перевод текста со словарем (время – 45 минут).

The Unwritten Laws of American Fingerprinting

Fingerprints are arguable the epitome of false belief in criminal investigations. Once heralded as the infallible individual identifier, they are now subject to significant criticism in light of highly publicized miscarriages of justice and when juxtaposed to the scientific rigor of more contemporary forensic techniques. Utilizing methodological approaches predating the 20th century, the foundational logical premises of fingerprinting have remained in relative stasis due to legal precedence and ubiquitous use, effectively grandfathering dangerous tautological frameworks. Nonetheless, the current crisis of validity is not irreparable for the issues do not stem from the concept of individualization, but from the absence of uniform systematization. Thus the mandate for standardization means prescriptive measures must be taken to create universal procedures that separate scientific fact from conjecture, steel recognition formulas, and acknowledge identification errors.

To deconstruct the confounding issues of validity that surround fingerprinting and contextualize corrective measures, the following analysis will ensue. First, the history of fingerprinting as a form of scientific identification will be overviewed to uncover the premises upon which current methodologies rest. Second, these premises will be used to demonstrate their role in the shortcomings in contemporary techniques. Third, the questioned the status of fingerprinting will be surmised though key refutations to understand pressing sociolegal demands. Lastly, the core revisions and adaptations necessary to revamp fingerprinting will be discussed. This chronologic approach pertains to demonstrate how historic traditions are the root source of current folly and how it will be necessary to purge antiquated ideologies for fingerprinting to become robust, statistically

determined evidence

56. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 1

Judicial System of the Russian Federation

In all legal systems there are institutions for modifying, interpreting and applying the law. Usually these take the form of a hierarchy of courts as a branch of government established to administer justice. The role of each court and its capacity to make decisions is strictly defined in relation to other courts. There are two main reasons for having a variety of courts. One is that a particular court can specialize in particular kinds of legal actions (for example, family courts). The other is that a person who feels his case was not fairly treated in a lower court can appeal to a higher court for reassessment. The decisions of a higher court are binding upon lower courts.

The structure of our judicial system and the sphere of activities of its various parts are determined by the Constitution and federal constitutional laws. There are three main elements within this system: the Constitutional Court, the Supreme Court and the Higher Arbitration Court.

The Constitutional Court of the RF considers cases relating to the compliance of the federal laws, normative acts of the President, the Council of the Federation, the State Duma, the Government, constitutions of republics, charters and other normative acts of the subjects of the RF with the country's Constitution. There is a separate system of the constitutional courts (or charter courts) of the republics and other subjects of the Federation.

57. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 2

Judicial System of the Russian Federation (II)

The Supreme Court is the highest judicial body of the four-tiered system of courts of general jurisdiction: civil, criminal, administrative and military cases. Lower courts are district, city and regional courts. After the reestablishment of the Justices of the Peace in 2000 magistrate's courts have become an integral part of the system of courts of general jurisdiction. The activity of all these courts may be classified as follows: a court of trial, a court of appeal, a court of cassation.

The Higher Arbitration Court is the supreme judicial body within the system of courts competent to settle economic disputes. The basic judicial organs in that system are arbitration courts of the subjects of the Federation.

Each court has its staff which usually consists of legally qualified judges, clerks and bailiffs. The participants of the legal procedure may be the following: a plaintiff – the party bringing a lawsuit, a defendant – a party being sued, a jury – a group of ordinary people summoned to pass a verdict, a prosecutor - the lawyer for the plaintiff in a criminal case, an advocate - a lawyer for defence or just a legal counsel in civil cases, witnesses - people who give testimony, experts - they express their own opinions.

58. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 3

The History of Constitutional Court in Russia

December 25, 1989 the Constitutional Supervision Committee was created. It started functioning mid-1990 and was dissolved towards the end of 1991. In December 1990 the Constitution of the Russian Soviet Federated Socialist Republic (RSFSR) was amended with provisions which provided for creation of Constitutional Court (whereas a similar USSR body was called a Committee, not a Court). On July 12, 1991 Constitutional Court of the RSFSR Act was adopted. In October the Fifth RSFSR Congress of Soviets elected 13 members of the Court and the Constitutional Court de facto started functioning. From November 1991 till October 1993 it rendered some decisions of great significance. For example, it declared unconstitutional certain decrees of Presidium of the Supreme Soviet, which were adopted ultra vires, and forbade the practice of extrajudicial eviction.

On October 7, 1993 Boris Yeltsin's decree suspended work of the Constitutional Court. According to the decree, the Constitutional Court was "in deep crisis". On December 24 another presidential decree repealed the Constitutional Court of the RSFSR Act. In July 1994 the new Constitutional Court Act was adopted. However, the new Constitutional Court started working only in February, 1995, because the Federation Council of Russia refused several times to appoint judges nominated by Yeltsin.

In 2005 the federal authorities proposed to transfer the court from Moscow to Saint Petersburg.

59. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 4

Law of the United Kingdom

The United Kingdom has three legal systems. English law, which applies in England and Wales, and Northern Ireland law, which applies in Northern Ireland, are based on common-law principles. Scots law, which applies in Scotland, is a pluralistic system based on civil-law principles, with common law elements dating back to the High Middle Ages. The Treaty of Union, put into effect by the Acts of Union in 1707, guaranteed the continued existence of a separate law system for Scotland. The Acts of Union between Great Britain and Ireland in 1800 contained no equivalent provision but preserved the principle of separate courts to be held in Ireland, now Northern Ireland

The Appellate Committee of the House of Lords (usually just referred to, as "The House of Lords") was the highest court in the land for all criminal and civil cases in England and Wales and Northern Ireland, and for all civil cases in Scots law, but in October 2009 was replaced by the new Supreme Court of the United Kingdom.

In England and Wales, the court system is headed by the Supreme Court of England and Wales, consisting of the Court of Appeal, the High Court of Justice (for civil cases) and the Crown Court (for criminal cases). The Courts of Northern Ireland follow the same pattern. In Scotland the chief courts are the Court of Session, for civil cases, and the High Court of Justiciary, for criminal cases.

60. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 5

English Law

"English law" is a term of art. It refers to the legal system administered by the courts in England and Wales. The ultimate body of appeal is the Supreme Court of the United Kingdom. They rule on both civil and criminal matters. English law is renowned as being the mother of the common law. English law can be described as having its own distinct legal doctrine, distinct from civil law legal systems since 1189. There has been no major codification of the law, and judicial precedents are binding as opposed to persuasive. In the early centuries, the justices and judges were responsible for adapting the Writ system to meet everyday needs, applying a mixture of precedent and common sense to build up a body of internally consistent law. As Parliament developed in strength, and subject to the doctrine of separation of powers, legislation gradually overtook judicial law making so that, today, judges are only able to innovate in certain very narrowly defined areas. Time before 1189 was defined in 1276 as being time immemorial.

After the Acts of Union, in 1707, English law has been one of two legal systems in the same kingdom and has been influenced by Scots law, most notably in the development and integration of the law merchant by Lord Mansfield and in time the development of the law of negligence. Scottish influence may have influenced the abolition of the forms of action in the nineteenth century and extensive procedural reforms in the twentieth.

61. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 6

Northern Irish Legal System

The law of Northern Ireland is a common law system. It is administered by the courts of Northern Ireland, with ultimate appeal to the Supreme Court of the United Kingdom in both civil and criminal matters. The law of Northern Ireland is closely similar to English law, the rules of common law having been imported into the Kingdom of Ireland under English rule. However there are still important differences.

The sources of the law of Northern Ireland are English common law, and statute law. Of the latter, statutes of the Parliaments of Ireland, of the United Kingdom and of Northern Ireland are in force, and latterly statutes of the devolved Assembly.

Scots law

Scots law is a unique legal system with an ancient basis in Roman law. Grounded in uncodified civil law dating back to the Corpus Juris Civilis, it also features elements of common law with medieval sources. Thus Scotland has a pluralistic, or 'mixed', legal system, comparable to that of South Africa, and, to a lesser degree, the partly codified pluralistic systems of Louisiana and Quebec. Since the

Acts of Union, in 1707, it has shared a legislature with the rest of the United Kingdom. Scotland and England & Wales each retained fundamentally different legal systems, but the Union brought English influence on Scots law and vice versa. In recent years Scots law has also been affected by both European law under the Treaty of Rome and the establishment of the Scottish Parliament.

62. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 7

Civil Courts

Civil actions take place between two or more individuals in dispute. These disputes can take many forms, for example between neighbours, families, companies, consumers and manufacturers. It is the function of the civil courts to adjudicate on these disputes.

The lowest court in a civil action is a county court, of which there is one in every town in England and Wales. There are some 250 county courts. Each court is assigned at least one circuit judge and one district judge. The circuit judge usually hears the high-value claims and matters of greater importance or complexity. The district judge hears uncontested matters, mortgage repossession claims and small-value claims. The circuit judge deals with appeals from decisions by the district judge.

The jurisdiction of the county courts covers: actions founded upon contract and tort; trust and mortgage cases; action for the recovery of land ; disputes between landlords and tenants, complaints about race and sex discrimination; admiralty cases (maritime questions and offences) and patent cases; divorce cases and other family matters. The general limit in such cases heard before the county court is 25,000 pounds.

Cases involving larger amounts of money are heard by one of the divisions of the High Court. This court has unlimited civil jurisdiction.

63. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 8

Civil Courts (II)

Appeals in matrimonial, adoption, guardianship and child care proceedings heard by magistrates courts go to the Family Division of the High Court. The Chancery Division hears appeals about bankruptcy and company insolvency decisions. The Queen’s Bench Division exercises jurisdiction in respect of habeas corpus cases. Appeals from the High Court and county courts are heard in the Court of Appeal (Civil Division), which is presided over by the Master of the Rolls.

The Court of Appeal normally consists of three judges. Each one delivers judgment and the majority opinion prevails. The Court has the power to order a new trial or the reversal or variation of a judgment.

In accordance with the Constitutional Reform Act 2005, the judicial functions of the House of Lords as of the final national court of appeal in civil and criminal cases are set to be transferred in 2009 to a new Supreme Court of the United Kingdom. This Supreme Court of the UK shall consist of 12 judges appointed by the Monarch by letters patent. One of the judges becomes President and one is appointed to be Deputy President of the Court. The judges other than the President and Deputy President are styled “Justices of the Supreme Court”.

The first Supreme Court judges are the current twelve Lords of Appeal in Ordinary but the new members of the Court will not take the peerage.

64. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 9

Criminal Courts

There are two main types of court, magistrates' courts (or courts of first instance), which deal with about 95 per cent of criminal cases, and Crown Courts for more serious offences. All criminal cases above the level of magistrates' courts are held before a jury.

There are about 700 magistrates' courts in England and Wales, served by - approximately 28,000 unpaid or lay' magistrates or Justices of the Peace (JPs), who have been dealing with 'minor crimes for over 600 years. JPs are ordinary citizens chosen from the community. These people are not legally qualified but receive some basic training in court procedures, the examination of pre-sentence reports and penalties for certain offences. Lay magistrates usually sit in groups of three. The more senior magistrate sits in the middle and plays the leading role. They should not all be of the same

sex. Serving members of the lay magistracy are entitled to use the letters 'JP' after their names meaning that they are Justices of the Peace.
Magistrates' courts may not impose a sentence of more than six months imprisonment or a fine of more than £2,000, and may refer cases requiring a heavier penalty to the Crown Court.
The most serious crimes are tried and sentenced in the Crown Court. These crimes are known as indictable offences. All judges, sitting in the Crown Court have unlimited sentencing powers subject to the legal maximum. The judge presides over the Crown Court and passes sentence.

65. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 10

Jurisdiction

The main role of the UK Supreme Court is to hear appeals from courts in the United Kingdom's three legal systems: England and Wales, Northern Ireland, and Scotland. (English and Welsh law differ only to the extent that the National Assembly for Wales makes laws for Wales that differ from those in England, and the two countries have a shared court system.) The Supreme Court acts as the highest court for civil appeals from the Court of Session in Scotland but the highest appeal for criminal cases is kept in Scotland. It may hear appeals from the civil Court of Session, just as the House of Lords did previously.
From the Court of Session, permission to appeal is not required and any case can proceed to the Supreme Court of the United Kingdom if two Advocates certify that an appeal is suitable. In England, Wales and Northern Ireland, leave to appeal is required either from the Court of Appeal or from a Justice of the Supreme Court itself.
The Court's focus is on cases that raise points of law of general public importance. Like the previous Appellate Committee of the House of Lords, appeals from many fields of law are likely to be selected for hearing—including commercial disputes, family matters, judicial review claims against public authorities and issues under the Human Rights Act 1998. The Court also hears some criminal appeals, but not from Scotland as there is no right of appeal from the High Court of Justiciary, Scotland's highest criminal court.

66. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 11

History of Supreme Court

The creation of a Supreme Court for the United Kingdom was first mooted in a July 2003 Department of Constitutional Affairs Consultation Paper. It argued that the separation of the judicial functions of the Judicial Committee of the House of Lords should be made explicit from the legislative functions of the House of Lords. First, it was concerned whether there is any longer sufficient transparency of independence from the executive and the legislature to give assurance of the independence of the judiciary. Looked at alternatively it was argued that requirement for the appearance of impartiality and independence also limited the ability of the Law Lords to contribute to the work of the House of Lords, thus reducing the value to both them and the House of their membership. Second, it was concerned that it was not always understood by the public that judicial decisions of "the House of Lords" were in fact taken by the Judicial Committee of the House of Lords and that non-judicial members were never involved in its judgements. Conversely, it was felt that the extent to which the Law Lords themselves have decided to refrain from getting involved in political issues in relation to legislation on which they might later have to adjudicate was not always appreciated. The new President of the Court, Lord Phillips, has claimed that with the Supreme Court there would for the first time in the UK be a clear separation of powers among the judiciary, the legislature and the executive.

67. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 12

History of Supreme Court (II)

The main argument against the court was that the previous system had worked well and kept costs down. Reformers expressed concerns that the historical admixture of legislative, judicial and executive power in the UK might conflict with the state's obligations under the European Convention on Human Rights. Officials who make or execute laws have an interest in court cases that put those laws to the test. When the state invests judicial authority in those officials, it puts the independence

and impartiality of the courts at risk. Consequently, it was supposedly possible that the decisions of the Law Lords might be challenged in the European Court of Human Rights on the basis that they had not constituted a fair trial.
Lord Neuberger has expressed fear that the new court could make itself more powerful than the House of Lords committee it succeeded, saying that there is a real risk of "judges arrogating to themselves greater power than they have at the moment". Lord Phillips said such an outcome was "a possibility", but was "unlikely".
The reforms were controversial and were brought forward with little consultation but were subsequently extensively debated in Parliament. During 2004, a select committee of the House of Lords scrutinised the arguments for and against setting up a new court. The Government estimated the set-up cost of the Supreme Court at £56.9 million.

68. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 13

Badge

The official badge of the Supreme Court was granted by the College of Arms in October 2008. It comprises both the Greek letter omega (representing finality) and the symbol of Libra (symbolizing the scales of justice), in addition to the four floral emblems of the United Kingdom: a Tudor rose, representing England, conjoined with the leaves of a leek, representing Wales; a flax for Northern Ireland; and a thistle, representing Scotland.
Two adapted versions of its official badge are used by the Supreme Court. One (above, in info box at top right portion of this article) features the words "The Supreme Court" and the letter omega in black (in the official badge granted by the College of Arms, the interior of the Latin and Greek letters are gold and white, respectively), and displays a simplified version of the crown (also in black) and larger, stylized versions of the floral emblems; this modified version of the badge is featured on the new Supreme Court website, as well as in the forms that will be used by the Supreme Court. A further variant on the above omits the crown entirely and is featured prominently throughout the building.
Yet another emblem is formed from a more abstract set of depictions of the four floral emblems and is used in the carpets of the Middlesex Guildhall. It was designed by Sir Peter Blake, famous for designing the cover of The Beatles' 1967 album, Sgt. Pepper's Lonely Hearts Club Band.

69. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 14

The Judicial Branch in the USA

Courts in the United States are subdivided into two principal systems: the federal courts, referred to as United States courts, and the state courts. There is the Supreme Court of the United States, the members of which are appointed for life by the president with the Senate approval and federal courts which are created by the Congress. The Supreme Court is composed of nine judges, who are called justices. It is the highest court in the nation. It interprets the laws and reviews them to determine whether they conform to the U.S. Constitution. If the majority of justices rule that the law in question violates the Constitution, the law is declared unconstitutional and becomes invalid. This process is known as judicial review. All lower courts follow the rulings of the Supreme Court.
Judges of federal courts are appointed for life by the president with the approval of the Senate. These courts are the district courts, tribunals of general original jurisdiction; the courts of appeals, exercising appellate jurisdiction over the district courts. A district court functions in each of the more than 90 federal judicial districts. A court of appeals functions in each of the 11 federal judicial circuits and in the District of Columbia; there is also a more specialized court with nationwide jurisdiction known as the court of appeals for the federal circuit.
Federal Courts have the power to rule on both criminal and civil cases.

70. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 15

The Judicial Branch in the USA (II)

Criminal action under federal jurisdiction includes such cases as treason, destruction of government property, counterfeiting, hijacking, and narcotic violations. Civil cases include violations of other people's rights, such as damaging property, violating a contract, or making libelous statements. If

found guilty, a person may be required to pay a certain amount of money, called damages, but he or she is never sent to prison. A convicted criminal, on the other hand, may be imprisoned. The Bill of Rights guarantees a trial by jury in all criminal cases. A jury is a group of citizens - usually 12 persons - who make the decision on a case.
Each state has an independent system of courts operating under the constitution and laws of the state. The character and names of the courts differ from state to state but as a whole they have general jurisdiction and handle criminal and other cases that do not come under federal jurisdiction.
The state court systems include a number of minor courts with limited jurisdiction. These courts dispose of minor offenses and relatively small civil actions. Included in this classification are police and municipal courts in cities and the courts presided over by justices of the peace in rural areas. Between the lower courts and the supreme appellate courts, in a number of states, are intermediate appellate courts.

Очно-заочная форма обучения, Первый семестр, Экзамен
Контролируемые ИДК: УК-4.1 УК-4.2 УК-4.3
Вопросы/Задания:

1. What is known to you about delegated legislation? In what spheres of English law does its role increase?

2. What are police discipline codes designed for?

3. What is the essence of the Governments strategy for dealing with crime?

4. What is the detention scheme in the Police and Criminal Evidence Act provided for?

5. Who is responsible for beginning criminal proceeding in England and Wales?

6. When and what for was the Serious Fraud Office established?

7. Who decides whether or not to bring proceeding in Scotland?

8. What cases do Magistrates Courts deal with?

9. What is the source of criminal proceedings in England ?

10. What is the role of the laws on maintaining justice in regulating civil judicature?

11. What can you say about the procedure of electing the jury?

12. What are the powers of the High Court in Scotland?

13. What kinds of penalties in Great Britain are known to you,execept for custody?

14. What kinds of punishment are established in England?

15. What kinds of institutions are included into the structure of the Supreme Court in England and Wales?

16. What divisions do the Supreme Court and of Appeal consist of?

17. What kinds of judicial cases does the Crown Court deal with?

18. What is the difference like between Scottish and English judicial systems?

19. What are the functions of the tribunal of appeal?

20. What can you say about the judiciary in the United Kingdom?

21. What rights do barristers have?

22. How is the High Court of Justice divided?

23. What do you know about the activities of the Law Commission?

24. What is known to you about delegated legislation? In what spheres of English Law does its role increase?

25. What is the essence of the Governments strategy for dealing with crime?

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32. What cases do Magistrates Courts deal with?

33. What is the source of criminal proceedings in England ?

34. What is the role of the laws on maintaining justice in regulating civil judicature?

35. What are the main categories of inmates?

36. Where are long-term prisoners usually held?

37. What is the purpose of reformatories?

38. What are open prisons?

39. Are all breaches of law crimes?

40. Is there a satisfactory definition of a «crime»?

41. Выполните перевод текста со словарем (время – 45 минут).

Classical Criminology

Perspectives that imagine crime to be the outcome of a deliberative calculation have limitations. They sometimes contain an uncomplicated view of the rational man as homo economicus. It is clear that the strengths of classical criminology and rational choice are not found in their sophisticated depiction of the intricacies and diverse workings of human cognition and psychology. The mind and meaning are not where the core of tradition suggests that investigators look for answers about the occurrence and distribution of crime. Moreover, the fact that crime is often a stupid mistake leads many scholars to incorrectly and intuitively believe that rational choice perspectives miss the mark on the basis of the colloquial use of the word rational as a synonym for prudent, careful, or cautious. No reasonable rational choice or classical camp scholar has ever contended, however, that deliberating criminals choose their courses of action carefully. All scholars recognize that decisions and options can be constrained and that most daily and significant decisions are not made with ledgers in hand. In fact, recent research in neuropsychology and the decision-making sciences suggests that human decision making is aided, for instance, by the individual being in an optimal state of emotional arousal—that the arousal state is not too "hot" so as to make rash decisions but not so "cold" as to be unmoved by potential consequences. Similarly, emotional processing of information has been demonstrated to aid decision making by allowing heuristic "shortcuts" in the decision process. However, no perfect knowledge, lightning-fast calculation, or any of the other caricatures of economic theory are required to make efficient sense of crime with economic logic and methods.

42. Выполните перевод текста со словарем (время – 45 минут).

Engaging the Media

Experts are not only sought out for direct participation in the legislative process through testifying during hearings, they also are sought out for indirect participation in the policy process through engaging in debates that take place in the media. The power of this indirect participation to exert influence on the policy process should not be underestimated. Research suggests that the relationship among the media, politicians, and the public is a powerful one. In many ways, the media—driven primarily by ratings—reflect (and perhaps shape) public interests, priorities, and sentiment. With the advent of 24-hour news networks and the proliferation of Internet news sites, the supply of news outlets has grown dramatically. These news outlets often rely on "experts" to buttress their news stories. Research has demonstrated that the media will turn to "expert sources" to support their stories whether those sources are academic experts or not. Criminal justice officials, practitioners, and even laypeople serve as experts in the absence of academic researchers. Michael Welch and colleagues reported that other sources to which the media might turn when criminologists are not available (e.g., practitioners and criminal justice officials) are typically more ideological in orientation. Practitioners and others tend to rely on anecdotal evidence (as opposed to research evidence) and tend to advocate for more "hard" approaches to the problem of crime. Criminologist Greg Barak (2007) argued that criminologists ought to engage more deliberately in "newsmaking criminology." Barak argued that, by engaging the media, criminologists can help set and shape the crime policy agenda.

There are clearly some downsides to engaging the media. The media rely heavily on overly simplistic explanations for complex phenomena.

43. Выполните перевод текста со словарем (время – 45 минут).

Pragmatic Aspects of Legislative Intent

It is reasonable to believe that legislation is an intentional phenomenon. On the one hand, statutes are made by someone empowered to introduce, change or eliminate them, and it would be puzzling to assume that the content of a statute is not the one intended by the law-maker. On the other hand, legislation is typically apt to govern social behavior if law-addressees understand what the legislature intended to say. As a consequence, it may be reasonably argued that the enactment of a statute is a part of a communicative process through which the legislature's intention is linguistically conveyed to law-addressees.

However, the notion of legislature's intention gives rise to a number of theoretical and practical issues. Two of them are worth mentioning here:

(1) The Ontological Problem: Which entity are we looking for? Many scholars claim that the intention of the legislature does not exist, and that the intention of the individual legislators is irrelevant. Collective entities such as legislatures do not have a mind; therefore, they cannot bear mental states that are communicated by enacting a statute. Legislative intentions can obviously be ascribed to individual legislators, i.e. to each member of a legislative body, but individual intentions do not determine the content of legislative texts.
(2) The Epistemic Problem: How are we to know the legislature's intention once we assume that it can be listed in the inventory of the world? Apart from the cases in which it is explicitly formulated by the law-maker, the legislature's intention is not easily discernible.2 Floor debates, committee reports and hearings, and the other materials included in the legislative history often provide insufficient evidence to that effect, especially when various documents, subjects and institutional bodies are involved in the legislative process. To address this problem, courts typically infer the legislature's intention from the principle of rational agency and other contextual information.

44. Выполните перевод текста со словарем (время – 45 минут).

Values and Law

Many communities in the world today organize themselves around an idea which can appear to be straightforward, but is in fact profoundly elusive and problematic: the idea of "law." At first we may think of "law" as simply a body of decrees issued by the powerful. Considered in that way, law does not look like a value so much as an established social fact. While an understanding of values such as justice or liberty requires philosophical reflection, a grasp of the nature of law might seem to call for careful description: knowledge of law's nature can superficially appear to be a matter for historians or social scientists rather than philosophers. Laws may be just or unjust, and their content therefore cannot be discovered by thinking about justice or other values. One discovers the law's content by investigating the ways in which power has been exercised: What statutes have been enacted? What judicial decisions have been handed down?
But this picture of law as the raw exercise of power is too simple. Consider, for example, the way in which legislators would characterize their own enactments. They would not speak of those enactments as "decrees" or "orders" or "dictats." They see themselves, not as issuing orders, but as creating laws. And the observation that such statutes are "laws" is not a matter of neutral classification serving only values of intellectual tidiness. The status of legislative enactments as law is seen as very central to the claim that the statutes have upon the conduct of the citizen. If asked "why should I comply with your statute?" the legislators would probably say "Because it is the law!" But what is this status which is being ascribed to the statute? Since we know that laws may be unjust, and may fail to serve the common good, why should the status of a rule as law ground some claim to our compliance?

45. Выполните перевод текста со словарем (время – 45 минут).

Law and State

The ideas of "law," and of "the state," seem to be poised uncertainly between the prescriptive and the descriptive. On the face of it, they seem to be very real and very evident features of the social worlds that we inhabit. On the other hand, they are remarkably difficult ideas to cash out in terms of observable patterns of conduct or established attitudes. Until very recent times, theories of law and state had a marked tendency to become reflections upon a range of ideal values, so that one modern commentator has even gone so far as to suggest that those theories were concerned with the "advocacy of political and moral ideals within the framework of a convention" that required them to be framed as theories concerning the nature of existing institutions (such as law).
Here we find some of the perennial battles of jurisprudence and political philosophy. These are battles which revolve around the relationship between our values and our descriptive understanding of the social world that we inhabit.
On the one hand are those who wish to treat both "law" and "state" as value-free descriptive categories. The desire is readily understandable, for we tend to think of values as independent standards that are to be employed in the critical assessment of actual practice, and this seems to suggest that the values must be independent of the practices so assessed. Furthermore, we are all familiar with states and systems of law that fall substantially short of what morality requires. If states can be seriously morally deficient, we need a concept of 'state' that acknowledges that possibility,

and this may seem to necessitate an entirely value-free approach. Such an approach proves hard to carry through, however.

At first it may seem possible to analyze the notion of “the state” in terms of a claimed monopoly of physical force. But the devil is in the detail and things get problematic when we try to spell that possibility out.

46. Выполните перевод текста со словарем (время – 45 минут).

Importance of Diplomatic Immunities in Islamic Law

Diplomatic Immunity has always been emphasized in western countries. Islamic Law formulated the bases of rights of diplomats, bestowed privileges to envoy of other countries, presented some ideal examples which has much importance and purposeful effects among the different nations, cultures throughout the history of Muslim Ummah. Islamic Law has formulated foundations and rules to protect the diplomats from any sort of harm, killing, damaging their properties instead they must be given privilege and protocol to perform their duties as diplomats in host countries without any fear. Furthermore, even after providing maximum protection, if envoys face a problem, there are laws to protect them in every type of situation including war and peace, chaos and harmony. Additionally, it has never been neglected in the Jurisprudence of Islam, that how the diplomats have to show in the best manner to represent one’s own nation.

The Islamic Law had already been introduced, applied successfully and bore fruitful results about fourteen centuries ago, harmonizing the utmost chaotic state of world. The receiving of foreign delegations, sending delegations to other countries to spread the message of peace and to represent one’s country has always been given very much importance throughout the Islamic history. Islam has provided rights of delegations and has implemented rules to deal with delegations in the best possibly manner. Receiving delegations, listening to their demands, facilitating them, giving them protocol, making them feel like at home, providing services and protection, hence there is no room left to make the envoys feel uncomfortable or stranger during the whole stay in hosting country.

47. Выполните перевод текста со словарем (время – 45 минут).

Peace and the Dialectics of Human Security in the Twenty-First Century

Every time we hear the expression ‘peace in our world’, it naturally conjures the absence of warfare and internal disorder, and the end of military or other hostilities. Throughout history, innumerable human beings have suffered from the scourge of conflict. Quite naturally they tried, often at significant costs, to protect themselves with assorted resources against all major threats to their (human) security. The human security concept continues to loom large in global policy and peace discourse notwithstanding growing doubts about the ‘effectiveness’ of its promise in a highly vulnerable modern society overloaded with weapons of mass-destruction amid other threats to peace. The bottom-line is the imperative of replacing the dominant thoughts about securing peace. This paper accentuates the theory of peace and its relationship to the concept of human security. It takes its point of departure from the theoretical framework of critical security studies (CSS) and argues that there is a specific sense in which CSS needs to comprehend peace, and that this understanding is closely affiliated with human security. The paper is arguably a theoretical exploration of the concepts of peace and security. It is not, therefore, an empirical examination of where or when there is peace or how to obtain it. It is important to emphasize that this is not a paper that answers the question ‘what is peace?’ Although a proposal of how CSS theorists should contemplate peace is made, the main aim is the theoretical relationship between peace and human security and the theoretical and possible practical gains achieved by a clarification of this relationship.

The cacophony of the multidimensional theories of and approaches considered here indicates that there is no singular pathway to peace but rather requires a combination of interrelated vectors towards achieving the ends of peace and its sustainability in any society.

48. Выполните перевод текста со словарем (время – 45 минут).

The Dynamics of Domestic Abuse and Drug and Alcohol Dependency

Evidence for the relationship between domestic abuse and drug and alcohol intoxication is plentiful in crime surveys but tends to focus, peculiarly, on the behaviour of victims more often than offenders. For example, the 2016 Crime Survey for England and Wales revealed that ‘adults aged between 16 and 59 who had taken illicit drugs in the last year’ were three times more likely to report

‘being a victim of partner abuse’ than those who had not done so. However, using illicit drugs does not invite assault and the identification of such ‘risk factors’ in the absence of explanation of their relevance accentuates the victim-blaming some perpetrators deploy to control their victims. The international evidence reveals that men, but not women, tend to perpetrate more severe assaults when they have been drinking. Women are more vulnerable to assault when they too are intoxicated, but this is at least partly because those living with abusers are less diligent at pursuing safety strategies when they have been drinking. Substance use features in around half of all UK domestic homicides. Since 2011, substance use has been detected among domestic homicide perpetrators more than four times as often as it has among those killed by them.

In sum, the relationship between substance use and domestic abuse is not straightforward. Moreover, Different substances have different pharmacological properties. They are used in variable quantities and combinations fostering a range of effects—including docility as much as aggression—that are contingent upon the user’s experience of them, prehistory of use, mood and the context in which the consumption takes place. Laboratory research reveals that those with low levels of inhibition, empathy and self-regulation and elevated levels of sensitivity to threats and insults (‘instigative cues’) are more prone to violence when they have consumed alcohol up to four hours ahead of a perceived threat or ‘provocation’.

49. Выполните перевод текста со словарем (время – 45 минут).

International Criminal Justice

The United States cooperated with these organizations but is very hesitant on involving other countries into their investigations and hesitant on helping other countries prosecute Americans that commit crimes in other countries. The U.S. does not accept the international justice system as something that they are willing to cooperate with; as the U.S. likes to make sure that their citizens have their rights intact no matter what country the citizen visits, nor what crime is committed. Unless of course there’s something in it for the United States government.

Whether we aid in apprehending and enforcing justice with foreign organization depends on whether we have a treaty with that particular country, or if there’s a mutual agreement between the two countries as to whether extradition is most likely to occur. If a country willing to extradite an American criminal so that they may serve their time in an American jail, then the U.S. is most likely to return that favor as well. It really depends on the relationship with the country’s, and what situations are going on between the countries at the time of the crimes. It is necessary to coordinate and cooperate with these agencies because these international agencies have the power to bring nations together to fight for one common goal, and that is of putting known criminals behind bars so they will not be able to commit more crimes in the future. Some countries don’t want a group of individuals telling them what their laws should and shouldn’t be, but if the International Criminal Justice system continues to grow and become refined as to what works, and what isn’t working, it can only grow into a very important agency. When countries work together, they’re able to bring more criminals to justice and this can be accomplished more effectively.

50. Выполните перевод текста со словарем (время – 45 минут).

Universal Jurisdiction: Forums in a “Third” State

After the arrest of Pinochet by the British officials on behalf of a Spanish judge, there is a glimmer of hope in prosecuting perpetrators of heinous war crimes in a third country forum. This development is getting momentum following the success of some European prosecutors to open criminal charge against top Syrian officials on behalf of the refugee victims (so far, Germany, Spain, and France can be mentioned). In fact, universal jurisdiction is the best legal tool for doing ex-post facto justice with perpetrators in some countries such as Germany who has access to evidences and legal tools at their disposal to carry out investigations. Universal jurisdiction, either in its pure or mitigated form, provides an antidote to the impunity that accomplished despots are likely to enjoy in the countries that endured their crimes. Such optimism is partly based on the theory that if the Assad regime finally collapsed, perpetrators may flee Syria to countries who are parties to the Geneva Convention and the Convention against Torture.

Despite the enthusiasm that justice will be done when the conflict is resolved and Syrian society reconstructs itself, history tells a different tale. Dictatorial regimes elsewhere are unwilling and unable to come to terms with the past because domestic justice is misled by the practice of amnesties

or the state's legal institutions are paralyzed and cannot be reliable. Syria is not an exception to this caveat. Post conflict Syria's willingness and ability to pursue criminal procedures against perpetrators is unlikely to succeed mainly because judicial independence and constitutionalism are not entrenched in the country's political history and the obvious challenges in states emerging from conflict, in which infrastructure and resources have been destroyed or are unavailable.

51. Выполните перевод текста со словарем (время – 45 минут).

The Limits of State Power in a Democratic Society
(Historic Argument)

From the beginning up to the present the human society is marked by two constants that have ontological value: the struggle for power and on the other hand the fight against the power, both in situations where it is illegitimate because it takes the form of dictatorship or tyranny, also in the versions of apparent legitimacy, especially in democratic societies, such as for example the legitimate political activity of the opposition to come to power or the actions of civil society and individuals against abuse of power.

These ontological constants of any human society are inevitable no matter of the social form of organization or characteristics of political regimes, including in democratic societies because the existential and functioning essence of any social system is the expression of the contradictory difference between governors and the governed, between society as a whole and on the other hand, the man in his concrete and personality, between the normative order and moral values, between law and liberty, between public interest and private interest and of course between the vocation of human intangible fundamental rights, and on the other hand the public interest of the state to condition, limit and restrict their exercise.

These contradictions, if they remain in their absolute form, by antagonist excellence can be destructive to an organized state society, as history has shown. History shows the political and legal solutions which, especially in the modern period, were devoted to avoid dictatorial forms of power exercising. Here are some of them established since the first written constitution in the world - the US Constitution, adopted in 1787 - Declaration (French) of human and citizen rights on 1789, up to the internal and international contemporary political and legal instruments: supremacy of the Law and Constitution, separation and balance of powers within the state, proclamation and guarantee of the fundamental rights and freedoms, constitutional and judicial control.

52. Выполните перевод текста со словарем (время – 45 минут).

The Need to Review the Concept of Crime and Punishment

The system of justice which punishes offenders and protects the safety of the society, and is generally called criminal justice system, has constantly been under the trial of people throughout the history of human civilization. As it is widely portrayed in history books, dramas, poems and great philosophical works, the criminal justice system has either been used by the State as a tool for 'exercising the power of governance to quell the dissident or recalcitrant citizens' or suppressing the 'so-called wrongs' defined as crimes and thus so it as perceivably acquired an image of 'coercive means of the State'. In all societies, irrespective of the diversity of religious and moral beliefs and socio-political structures, the State's role and indulgence in criminal justice system is characterised by 'infliction of proportional violence for acts of offenders.

Historically, the criminal justice system in most part of the globe is found to be essentially retributive in character; it has been moved with a sense of exacting vengeance on criminals in the name of punishment as 'harsh as it could be'. The atrocious nature of the criminal justice system has continued without mitigation during the medieval era and even during the advent of the modern era. One of the fundamental reasons behind such callousness and atrocity in the criminal justice system can be traced out 'in the underlying general perception of the people towards the crime itself'. Not long ago, the general perception of the people was that criminals were genetically or mentally born felons, hence, they deserved no leniency. The suppression of criminals was thus considered an 'unavoidable responsibility of the State towards good citizens and thus it could not stay back without satisfying an obligation of dealing crimes and criminals with all possible high-hands'.

53. Выполните перевод текста со словарем (время – 45 минут).

Crimes and Criminal Justice System in Developing Countries: The Question of Human Dignity and Security

The relevance of the formal system of criminal justice is widely questionable, at least in the context of developing countries of South Asia. It suffers from myriads of problems. The lack of trust of people in ‘fairness and objectivity of the investigation, prosecution and adjudication’ is incredibly deeper. Tactful offenders rarely feel deterred by the system whereas innocent people deem their lives would be irreparably harmed once they fall into the hands of the system. The prisons in South Asia are overcrowded by those waiting for trial. The prisons lack the minimum facilities, and even those rare supplies are shared by implausibly huge number of inmates.

The investigation of crimes is inefficient and ineffective and marred by subjective and coercive elements. The practice of arrest is random. The arrest often involves use of force and interrogation is torturous, such as extended for incredibly longer period of time, and is humiliating. The practice of intimidation and torture of accused during detention in varying degree is common and the police officers often defend such practice as a necessary tool for revealing truth about crime. Prosecution is less attentive to facts and less sensitive to rights of accused as well as interests of victims. The practice of applying extreme form of sentencing is customary, unsparing even to children and elderly. Prosecution is hardly critical to evidences procured by the investigators; hence generally every case moves towards prosecution, a major factor for clogging of courts. It would not be erroneous to say, the system is cancerously defiled by corruption. This also notoriously renders prisons overcrowded and uninhabitable. The quality of ‘defence’ is severely questionable. It is unaffordable by poor and unreliable in quality. The lawyers’ ethical standard in South Asian nation is extremely poor.

54. Выполните перевод текста со словарем (время – 45 минут).

Grounds for Scepticism towards the Capability of the Criminal Justice System in the Developed Societies

The proportion of criminals is bigger in developed countries despite well-defined laws, rules of procedure, institutions of criminal justice, well-developed mechanisms of accountability and system reinforcing accountability and human rights, availability of the modern science and technology to prevent and investigate crimes, and most importantly, prevention of corruption. Does development foster crimes? This is an unanswered question yet. However, one can argue that, on account of the given scenarios of the crimes in the developed nations, the prevailing structure of the criminal justice system has failed to be a desired mechanism to discourage crimes in any part of the globe. Moreover, the adversarial principles of the contemporary criminal justice system have failed to satisfy the concerns of the victims of crimes.

The crime ratio in developed countries has unprecedentedly increased in the past along with growth of economy and progress of industries and infrastructure, the US leading among most industrialized nations. What is spectacular about the high prison population growth rate is the parallel growth of crimes as well as life and property insecurity. Along with the unprecedented rise of crimes and prison population, the empire of the criminal justice system becomes as broad as it has been exceedingly harsh in its effects. Every year over a million people face arrest for drug possession and hundreds of thousands them are prosecuted for drug, weapons and immigration violations. The criminal justice system attracts purview of all sectors and the criminal legislations are enforced in all walks of lives, ranging from political dealings between leaders to environmental issues. The discretion of prosecutor may bring any issue into a purview of criminal justice.

55. Выполните перевод текста со словарем (время – 45 минут).

The Unwritten Laws of American Fingerprinting

Fingerprints are arguable the epitome of false belief in criminal investigations. Once heralded as the infallible individual identifier, they are now subject to significant criticism in light of highly publicized miscarriages of justice and when juxtaposed to the scientific rigor of more contemporary forensic techniques. Utilizing methodological approaches predating the 20th century, the foundational logical premises of fingerprinting have remained in relative stasis due to legal precedence and ubiquitous use, effectively grandfathering dangerous tautological frameworks. Nonetheless, the current crisis of validity is not irreparable for the issues do not stem from the concept of individualization, but from the absence of uniform systematization. Thus the mandate for standardization means prescriptive measures must be taken to create universal procedures that separate scientific fact from conjecture, steel recognition formulas, and acknowledge identification

errors.
To deconstruct the confounding issues of validity that surround fingerprinting and contextualize corrective measures, the following analysis will ensue. First, the history of fingerprinting as a form of scientific identification will be overviewed to uncover the premises upon which current methodologies rest. Second, these premises will be used to demonstrate their role in the shortcomings in contemporary techniques. Third, the questioned the status of fingerprinting will be surmised though key refutations to understand pressing sociolegal demands. Lastly, the core revisions and adaptations necessary to revamp fingerprinting will be discussed. This chronologic approach pertains to demonstrate how historic traditions are the root source of current folly and how it will be necessary to purge antiquated ideologies for fingerprinting to become robust, statistically determined evidence

56. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 1

Judicial System of the Russian Federation

In all legal systems there are institutions for modifying, interpreting and applying the law. Usually these take the form of a hierarchy of courts as a branch of government established to administer justice. The role of each court and its capacity to make decisions is strictly defined in relation to other courts. There are two main reasons for having a variety of courts. One is that a particular court can specialize in particular kinds of legal actions (for example, family courts). The other is that a person who feels his case was not fairly treated in a lower court can appeal to a higher court for reassessment. The decisions of a higher court are binding upon lower courts.

The structure of our judicial system and the sphere of activities of its various parts are determined by the Constitution and federal constitutional laws. There are three main elements within this system: the Constitutional Court, the Supreme Court and the Higher Arbitration Court.

The Constitutional Court of the RF considers cases relating to the compliance of the federal laws, normative acts of the President, the Council of the Federation, the State Duma, the Government, constitutions of republics, charters and other normative acts of the subjects of the RF with the country's Constitution. There is a separate system of the constitutional courts (or charter courts) of the republics and other subjects of the Federation.

57. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 2

Judicial System of the Russian Federation (II)

The Supreme Court is the highest judicial body of the four-tiered system of courts of general jurisdiction: civil, criminal, administrative and military cases. Lower courts are district, city and regional courts. After the reestablishment of the Justices of the Peace in 2000 magistrate's courts have become an integral part of the system of courts of general jurisdiction. The activity of all these courts may be classified as follows: a court of trial, a court of appeal, a court of cassation.

The Higher Arbitration Court is the supreme judicial body within the system of courts competent to settle economic disputes. The basic judicial organs in that system are arbitration courts of the subjects of the Federation.

Each court has its staff which usually consists of legally qualified judges, clerks and bailiffs. The participants of the legal procedure may be the following: a plaintiff – the party bringing a lawsuit, a defendant – a party being sued, a jury – a group of ordinary people summoned to pass a verdict, a prosecutor - the lawyer for the plaintiff in a criminal case, an advocate - a lawyer for defence or just a legal counsel in civil cases, witnesses - people who give testimony, experts - they express their own opinions.

58. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 3

The History of Constitutional Court in Russia

December 25, 1989 the Constitutional Supervision Committee was created. It started functioning mid-1990 and was dissolved towards the end of 1991. In December 1990 the Constitution of the Russian Soviet Federated Socialist Republic (RSFSR) was amended with provisions which provided for creation of Constitutional Court (whereas a similar USSR body was called a Committee, not a Court). On July 12, 1991 Constitutional Court of the RSFSR Act was adopted. In October the Fifth

RSFSR Congress of Soviets elected 13 members of the Court and the Constitutional Court de facto started functioning. From November 1991 till October 1993 it rendered some decisions of great significance. For example, it declared unconstitutional certain decrees of Presidium of the Supreme Soviet, which were adopted ultra vires, and forbade the practice of extrajudicial eviction.
On October 7, 1993 Boris Yeltsin's decree suspended work of the Constitutional Court. According to the decree, the Constitutional Court was "in deep crisis". On December 24 another presidential decree repealed the Constitutional Court of the RSFSR Act. In July 1994 the new Constitutional Court Act was adopted. However, the new Constitutional Court started working only in February, 1995, because the Federation Council of Russia refused several times to appoint judges nominated by Yeltsin.
In 2005 the federal authorities proposed to transfer the court from Moscow to Saint Petersburg.

59. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 4

Law of the United Kingdom

The United Kingdom has three legal systems. English law, which applies in England and Wales, and Northern Ireland law, which applies in Northern Ireland, are based on common-law principles. Scots law, which applies in Scotland, is a pluralistic system based on civil-law principles, with common law elements dating back to the High Middle Ages. The Treaty of Union, put into effect by the Acts of Union in 1707, guaranteed the continued existence of a separate law system for Scotland. The Acts of Union between Great Britain and Ireland in 1800 contained no equivalent provision but preserved the principle of separate courts to be held in Ireland, now Northern Ireland
The Appellate Committee of the House of Lords (usually just referred to, as "The House of Lords") was the highest court in the land for all criminal and civil cases in England and Wales and Northern Ireland, and for all civil cases in Scots law, but in October 2009 was replaced by the new Supreme Court of the United Kingdom.
In England and Wales, the court system is headed by the Supreme Court of England and Wales, consisting of the Court of Appeal, the High Court of Justice (for civil cases) and the Crown Court (for criminal cases). The Courts of Northern Ireland follow the same pattern. In Scotland the chief courts are the Court of Session, for civil cases, and the High Court of Justiciary, for criminal cases.

60. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 5

English Law

"English law" is a term of art. It refers to the legal system administered by the courts in England and Wales. The ultimate body of appeal is the Supreme Court of the United Kingdom. They rule on both civil and criminal matters. English law is renowned as being the mother of the common law. English law can be described as having its own distinct legal doctrine, distinct from civil law legal systems since 1189. There has been no major codification of the law, and judicial precedents are binding as opposed to persuasive. In the early centuries, the justices and judges were responsible for adapting the Writ system to meet everyday needs, applying a mixture of precedent and common sense to build up a body of internally consistent law. As Parliament developed in strength, and subject to the doctrine of separation of powers, legislation gradually overtook judicial law making so that, today, judges are only able to innovate in certain very narrowly defined areas. Time before 1189 was defined in 1276 as being time immemorial.
After the Acts of Union, in 1707, English law has been one of two legal systems in the same kingdom and has been influenced by Scots law, most notably in the development and integration of the law merchant by Lord Mansfield and in time the development of the law of negligence. Scottish influence may have influenced the abolition of the forms of action in the nineteenth century and extensive procedural reforms in the twentieth.

61. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 6

Northern Irish Legal System

The law of Northern Ireland is a common law system. It is administered by the courts of Northern Ireland, with ultimate appeal to the Supreme Court of the United Kingdom in both civil and criminal matters. The law of Northern Ireland is closely similar to English law, the rules of common law

having been imported into the Kingdom of Ireland under English rule. However there are still important differences.
The sources of the law of Northern Ireland are English common law, and statute law. Of the latter, statutes of the Parliaments of Ireland, of the United Kingdom and of Northern Ireland are in force, and latterly statutes of the devolved Assembly.
Scots law
Scots law is a unique legal system with an ancient basis in Roman law. Grounded in uncodified civil law dating back to the Corpus Juris Civilis, it also features elements of common law with medieval sources. Thus Scotland has a pluralistic, or 'mixed', legal system, comparable to that of South Africa, and, to a lesser degree, the partly codified pluralistic systems of Louisiana and Quebec. Since the Acts of Union, in 1707, it has shared a legislature with the rest of the United Kingdom. Scotland and England & Wales each retained fundamentally different legal systems, but the Union brought English influence on Scots law and vice versa. In recent years Scots law has also been affected by both European law under the Treaty of Rome and the establishment of the Scottish Parliament.

62. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 7
Civil Courts
Civil actions take place between two or more individuals in dispute. These disputes can take many forms, for example between neighbours, families, companies, consumers and manufacturers. It is the function of the civil courts to adjudicate on these disputes.
The lowest court in a civil action is a county court, of which there is one in every town in England and Wales. There are some 250 county courts. Each court is assigned at least one circuit judge and one district judge. The circuit judge usually hears the high-value claims and matters of greater importance or complexity. The district judge hears uncontested matters, mortgage repossession claims and small-value claims. The circuit judge deals with appeals from decisions by the district judge.
The jurisdiction of the county courts covers: actions founded upon contract and tort; trust and mortgage cases; action for the recovery of land ; disputes between landlords and tenants, complaints about race and sex discrimination; admiralty cases (maritime questions and offences) and patent cases; divorce cases and other family matters. The general limit in such cases heard before the county court is 25,000 pounds.
Cases involving larger amounts of money are heard by one of the divisions of the High Court. This court has unlimited civil jurisdiction.

63. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 8
Civil Courts (II)
Appeals in matrimonial, adoption, guardianship and child care proceedings heard by magistrates courts go to the Family Division of the High Court. The Chancery Division hears appeals about bankruptcy and company insolvency decisions. The Queen’s Bench Division exercises jurisdiction in respect of habeas corpus cases. Appeals from the High Court and county courts are heard in the Court of Appeal (Civil Division), which is presided over by the Master of the Rolls.
The Court of Appeal normally consists of three judges. Each one delivers judgment and the majority opinion prevails. The Court has the power to order a new trial or the reversal or variation of a judgment.
In accordance with the Constitutional Reform Act 2005, the judicial functions of the House of Lords as of the final national court of appeal in civil and criminal cases are set to be transferred in 2009 to a new Supreme Court of the United Kingdom. This Supreme Court of the UK shall consist of 12 judges appointed by the Monarch by letters patent. One of the judges becomes President and one is appointed to be Deputy President of the Court. The judges other than the President and Deputy President are styled “Justices of the Supreme Court”.
The first Supreme Court judges are the current twelve Lords of Appeal in Ordinary but the new members of the Court will not take the peerage.

64. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 9

Criminal Courts

There are two main types of court, magistrates' courts (or courts of first instance), which deal with about 95 per cent of criminal cases, and Crown Courts for more serious offences. All criminal cases above the level of magistrates' courts are held before a jury.

There are about 700 magistrates' courts in England and Wales, served by - approximately 28,000 unpaid or lay' magistrates or Justices of the Peace (JPs), who have been dealing with 'minor crimes for over 600 years. JPs are ordinary citizens chosen from the community. These people are not legally qualified but receive some basic training in court procedures, the examination of pre-sentence reports and penalties for certain offences. Lay magistrates usually sit in groups of three. The more senior magistrate sits in the middle and plays the leading role. They should not all be of the same sex. Serving members of the lay magistracy are entitled to use the letters 'JP' after their names meaning that they are Justices of the Peace.

Magistrates' courts may not impose a sentence of more than six months imprisonment or a fine of more than £2,000, and may refer cases requiring a heavier penalty to the Crown Court.

The most serious crimes are tried and sentenced in the Crown Court. These crimes are known as indictable offences. All judges, sitting in the Crown Court have unlimited sentencing powers subject to the legal maximum. The judge presides over the Crown Court and passes sentence.

65. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 10

Jurisdiction

The main role of the UK Supreme Court is to hear appeals from courts in the United Kingdom's three legal systems: England and Wales, Northern Ireland, and Scotland. (English and Welsh law differ only to the extent that the National Assembly for Wales makes laws for Wales that differ from those in England, and the two countries have a shared court system.) The Supreme Court acts as the highest court for civil appeals from the Court of Session in Scotland but the highest appeal for criminal cases is kept in Scotland. It may hear appeals from the civil Court of Session, just as the House of Lords did previously.

From the Court of Session, permission to appeal is not required and any case can proceed to the Supreme Court of the United Kingdom if two Advocates certify that an appeal is suitable. In England, Wales and Northern Ireland, leave to appeal is required either from the Court of Appeal or from a Justice of the Supreme Court itself.

The Court's focus is on cases that raise points of law of general public importance. Like the previous Appellate Committee of the House of Lords, appeals from many fields of law are likely to be selected for hearing—including commercial disputes, family matters, judicial review claims against public authorities and issues under the Human Rights Act 1998. The Court also hears some criminal appeals, but not from Scotland as there is no right of appeal from the High Court of Justiciary, Scotland's highest criminal court.

66. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 11

History of Supreme Court

The creation of a Supreme Court for the United Kingdom was first mooted in a July 2003 Department of Constitutional Affairs Consultation Paper. It argued that the separation of the judicial functions of the Judicial Committee of the House of Lords should be made explicit from the legislative functions of the House of Lords. First, it was concerned whether there is any longer sufficient transparency of independence from the executive and the legislature to give assurance of the independence of the judiciary. Looked at alternatively it was argued that requirement for the appearance of impartiality and independence also limited the ability of the Law Lords to contribute to the work of the House of Lords, thus reducing the value to both them and the House of their membership. Second, it was concerned that it was not always understood by the public that judicial decisions of "the House of Lords" were in fact taken by the Judicial Committee of the House of Lords and that non-judicial members were never involved in its judgements. Conversely, it was felt that the extent to which the Law Lords themselves have decided to refrain from getting involved in political issues in relation to legislation on which they might later have to adjudicate was not always appreciated. The new President of the Court, Lord Phillips, has claimed that with the Supreme Court

there would for the first time in the UK be a clear separation of powers among the judiciary, the legislature and the executive.

67. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 12

History of Supreme Court (II)

The main argument against the court was that the previous system had worked well and kept costs down. Reformers expressed concerns that the historical admixture of legislative, judicial and executive power in the UK might conflict with the state's obligations under the European Convention on Human Rights. Officials who make or execute laws have an interest in court cases that put those laws to the test. When the state invests judicial authority in those officials, it puts the independence and impartiality of the courts at risk. Consequently, it was supposedly possible that the decisions of the Law Lords might be challenged in the European Court of Human Rights on the basis that they had not constituted a fair trial.

Lord Neuberger has expressed fear that the new court could make itself more powerful than the House of Lords committee it succeeded, saying that there is a real risk of "judges arrogating to themselves greater power than they have at the moment". Lord Phillips said such an outcome was "a possibility", but was "unlikely".

The reforms were controversial and were brought forward with little consultation but were subsequently extensively debated in Parliament. During 2004, a select committee of the House of Lords scrutinised the arguments for and against setting up a new court. The Government estimated the set-up cost of the Supreme Court at £56.9 million.

68. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 13

Badge

The official badge of the Supreme Court was granted by the College of Arms in October 2008. It comprises both the Greek letter omega (representing finality) and the symbol of Libra (symbolizing the scales of justice), in addition to the four floral emblems of the United Kingdom: a Tudor rose, representing England, conjoined with the leaves of a leek, representing Wales; a flax for Northern Ireland; and a thistle, representing Scotland.

Two adapted versions of its official badge are used by the Supreme Court. One (above, in info box at top right portion of this article) features the words "The Supreme Court" and the letter omega in black (in the official badge granted by the College of Arms, the interior of the Latin and Greek letters are gold and white, respectively), and displays a simplified version of the crown (also in black) and larger, stylized versions of the floral emblems; this modified version of the badge is featured on the new Supreme Court website, as well as in the forms that will be used by the Supreme Court. A further variant on the above omits the crown entirely and is featured prominently throughout the building.

Yet another emblem is formed from a more abstract set of depictions of the four floral emblems and is used in the carpets of the Middlesex Guildhall. It was designed by Sir Peter Blake, famous for designing the cover of The Beatles' 1967 album, Sgt. Pepper's Lonely Hearts Club Band.

69. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 14

The Judicial Branch in the USA

Courts in the United States are subdivided into two principal systems: the federal courts, referred to as United States courts, and the state courts. There is the Supreme Court of the United States, the members of which are appointed for life by the president with the Senate approval and federal courts which are created by the Congress. The Supreme Court is composed of nine judges, who are called justices. It is the highest court in the nation. It interprets the laws and reviews them to determine whether they conform to the U.S. Constitution. If the majority of justices rule that the law in question violates the Constitution, the law is declared unconstitutional and becomes invalid. This process is known as judicial review. All lower courts follow the rulings of the Supreme Court.

Judges of federal courts are appointed for life by the president with the approval of the Senate. These courts are the district courts, tribunals of general original jurisdiction; the courts of appeals, exercising appellate jurisdiction over the district courts. A district court functions in each of the more

than 90 federal judicial districts. A court of appeals functions in each of the 11 federal judicial circuits and in the District of Columbia; there is also a more specialized court with nationwide jurisdiction known as the court of appeals for the federal circuit.
Federal Courts have the power to rule on both criminal and civil cases.

70. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 15
The Judicial Branch in the USA (II)
Criminal action under federal jurisdiction includes such cases as treason, destruction of government property, counterfeiting, hijacking, and narcotic violations. Civil cases include violations of other people's rights, such as damaging property, violating a contract, or making libelous statements. If found guilty, a person may be required to pay a certain amount of money, called damages, but he or she is never sent to prison. A convicted criminal, on the other hand, may be imprisoned. The Bill of Rights guarantees a trial by jury in all criminal cases. A jury is a group of citizens - usually 12 persons - who make the decision on a case.
Each state has an independent system of courts operating under the constitution and laws of the state. The character and names of the courts differ from state to state but as a whole they have general jurisdiction and handle criminal and other cases that do not come under federal jurisdiction.
The state court systems include a number of minor courts with limited jurisdiction. These courts dispose of minor offenses and relatively small civil actions. Included in this classification are police and municipal courts in cities and the courts presided over by justices of the peace in rural areas. Between the lower courts and the supreme appellate courts, in a number of states, are intermediate appellate courts.

Очно-заочная форма обучения, Первый семестр, Контрольная работа
Контролируемые ИДК: УК-4.1 УК-4.2 УК-4.3
Вопросы/Задания:

1. What is known to you about delegated legislation? In what spheres of English law does its role increase?

2. What are police discipline codes designed for?

3. What is the essence of the Governments strategy for dealing with crime?

4. What is the detention scheme in the Police and Criminal Evidence Act provided for?

5. Who is responsible for beginning criminal proceeding in England and Wales?

6. When and what for was the Serious Fraud Office established?

7. Who decides whether or not to bring proceeding in Scotland?

8. What cases do Magistrates Courts deal with?

9. What is the source of criminal proceedings in England ?

10. What is the role of the laws on maintaining justice in regulating civil judicature?

11. What can you say about the procedure of electing the jury?

12. What are the powers of the High Court in Scotland?

13. What kinds of penalties in Great Britain are known to you,execept for custody?

14. What kinds of punishment are established in England?

15. What kinds of institutions are included into the structure of the Supreme Court in England and Wales?

16. What divisions do the Supreme Court and of Appeal consist of?

17. What kinds of judicial cases does the Crown Court deal with?

18. What is the difference like between Scottish and English judicial systems?

19. What are the functions of the tribunal of appeal?

20. What can you say about the judiciary in the United Kingdom?

21. What rights do barristers have?

22. How is the High Court of Justice divided?

23. What do you know about the activities of the Law Commission?

24. What is known to you about delegated legislation? In what spheres of English Law does its role increase?

25. What is the essence of the Governments strategy for dealing with crime?

26. What is known to you about delegated legislation? In what spheres of English law does its role increase?

27. What are police discipline codes designed for?

28. What is the detention scheme in the Police and Criminal Evidence Act Provided for?

29. Who is responsible for beginning criminal proceeding in England and Wales?

30. When and what for was the Serious Fraud Office established?

31. Who decides whether or not to bring proceeding in Scotland?

32. What cases do Magistrates Courts deal with?

33. What is the source of criminal proceedings in England ?

34. What is the role of the laws on maintaining justice in regulating civil judicature?

35. What are the main categories of inmates?

36. Where are long-term prisoners usually held?

37. What is the purpose of reformatories?

38. What are open prisons?

39. Are all breaches of law crimes?

40. Is there a satisfactory definition of a «crime»?

41. Выполните перевод текста со словарем (время – 45 минут).

Classical Criminology

Perspectives that imagine crime to be the outcome of a deliberative calculation have limitations. They sometimes contain an uncomplicated view of the rational man as homo economicus. It is clear that the strengths of classical criminology and rational choice are not found in their sophisticated depiction of the intricacies and diverse workings of human cognition and psychology. The mind and meaning are not where the core of tradition suggests that investigators look for answers about the occurrence and distribution of crime. Moreover, the fact that crime is often a stupid mistake leads many scholars to incorrectly and intuitively believe that rational choice perspectives miss the mark on the basis of the colloquial use of the word rational as a synonym for prudent, careful, or cautious. No reasonable rational choice or classical camp scholar has ever contended, however, that deliberating criminals choose their courses of action carefully. All scholars recognize that decisions and options can be constrained and that most daily and significant decisions are not made with ledgers in hand. In fact, recent research in neuropsychology and the decision-making sciences suggests that human decision making is aided, for instance, by the individual being in an optimal state of emotional arousal—that the arousal state is not too “hot” so as to make rash decisions but not so “cold” as to be unmoved by potential consequences. Similarly, emotional processing of information has been demonstrated to aid decision making by allowing heuristic “shortcuts” in the decision process. However, no perfect knowledge, lightning-fast calculation, or any of the other caricatures of economic theory are required to make efficient sense of crime with economic logic and methods.

42. Выполните перевод текста со словарем (время – 45 минут).

Engaging the Media

Experts are not only sought out for direct participation in the legislative process through testifying during hearings, they also are sought out for indirect participation in the policy process through engaging in debates that take place in the media. The power of this indirect participation to exert influence on the policy process should not be underestimated. Research suggests that the relationship among the media, politicians, and the public is a powerful one. In many ways, the media—driven primarily by ratings—reflect (and perhaps shape) public interests, priorities, and sentiment. With the advent of 24-hour news networks and the proliferation of Internet news sites, the supply of news outlets has grown dramatically. These news outlets often rely on “experts” to buttress their news stories. Research has demonstrated that the media will turn to “expert sources” to support their stories whether those sources are academic experts or not. Criminal justice officials, practitioners, and even laypeople serve as experts in the absence of academic researchers. Michael Welch and colleagues reported that other sources to which the media might turn when criminologists are not available (e.g., practitioners and criminal justice officials) are typically more ideological in orientation. Practitioners and others tend to rely on anecdotal evidence (as opposed to research evidence) and tend to advocate for more “hard” approaches to the problem of crime. Criminologist Greg Barak (2007) argued that criminologists ought to engage more deliberately in “newsmaking criminology.” Barak argued that, by engaging the media, criminologists can help set and shape the crime policy agenda.

There are clearly some downsides to engaging the media. The media rely heavily on overly simplistic explanations for complex phenomena.

43. Выполните перевод текста со словарем (время – 45 минут).

Pragmatic Aspects of Legislative Intent

It is reasonable to believe that legislation is an intentional phenomenon. On the one hand, statutes are made by someone empowered to introduce, change or eliminate them, and it would be puzzling to assume that the content of a statute is not the one intended by the law-maker. On the other hand, legislation is typically apt to govern social behavior if law-addressees understand what the legislature intended to say. As a consequence, it may be reasonably argued that the enactment of a statute is a part of a communicative process through which the legislature's intention is linguistically conveyed to law-addressees.

However, the notion of legislature's intention gives rise to a number of theoretical and practical issues. Two of them are worth mentioning here:

(1) The Ontological Problem: Which entity are we looking for? Many scholars claim that the intention of the legislature does not exist, and that the intention of the individual legislators is irrelevant. Collective entities such as legislatures do not have a mind; therefore, they cannot bear mental states that are communicated by enacting a statute. Legislative intentions can obviously be ascribed to individual legislators, i.e. to each member of a legislative body, but individual intentions do not determine the content of legislative texts.

(2) The Epistemic Problem: How are we to know the legislature's intention once we assume that it can be listed in the inventory of the world? Apart from the cases in which it is explicitly formulated by the law-maker, the legislature's intention is not easily discernible.2 Floor debates, committee reports and hearings, and the other materials included in the legislative history often provide insufficient evidence to that effect, especially when various documents, subjects and institutional bodies are involved in the legislative process. To address this problem, courts typically infer the legislature's intention from the principle of rational agency and other contextual information.

44. Выполните перевод текста со словарем (время – 45 минут).

Values and Law

Many communities in the world today organize themselves around an idea which can appear to be straightforward, but is in fact profoundly elusive and problematic: the idea of "law." At first we may think of "law" as simply a body of decrees issued by the powerful. Considered in that way, law does not look like a value so much as an established social fact. While an understanding of values such as justice or liberty requires philosophical reflection, a grasp of the nature of law might seem to call for careful description: knowledge of law's nature can superficially appear to be a matter for historians or social scientists rather than philosophers. Laws may be just or unjust, and their content therefore cannot be discovered by thinking about justice or other values. One discovers the law's content by investigating the ways in which power has been exercised: What statutes have been enacted? What judicial decisions have been handed down?

But this picture of law as the raw exercise of power is too simple. Consider, for example, the way in which legislators would characterize their own enactments. They would not speak of those enactments as "decrees" or "orders" or "dictats." They see themselves, not as issuing orders, but as creating laws. And the observation that such statutes are "laws" is not a matter of neutral classification serving only values of intellectual tidiness. The status of legislative enactments as law is seen as very central to the claim that the statutes have upon the conduct of the citizen. If asked "why should I comply with your statute?" the legislators would probably say "Because it is the law!" But what is this status which is being ascribed to the statute? Since we know that laws may be unjust, and may fail to serve the common good, why should the status of a rule as law ground some claim to our compliance?

45. Выполните перевод текста со словарем (время – 45 минут).

Law and State

The ideas of "law," and of "the state," seem to be poised uncertainly between the prescriptive and the descriptive. On the face of it, they seem to be very real and very evident features of the social worlds that we inhabit. On the other hand, they are remarkably difficult ideas to cash out in terms of observable patterns of conduct or established attitudes. Until very recent times, theories of law and state had a marked tendency to become reflections upon a range of ideal values, so that one modern commentator has even gone so far as to suggest that those theories were concerned with the

“advocacy of political and moral ideals within the framework of a convention” that required them to be framed as theories concerning the nature of existing institutions (such as law).
Here we find some of the perennial battles of jurisprudence and political philosophy. These are battles which revolve around the relationship between our values and our descriptive understanding of the social world that we inhabit.
On the one hand are those who wish to treat both “law” and “state” as value-free descriptive categories. The desire is readily understandable, for we tend to think of values as independent standards that are to be employed in the critical assessment of actual practice, and this seems to suggest that the values must be independent of the practices so assessed. Furthermore, we are all familiar with states and systems of law that fall substantially short of what morality requires. If states can be seriously morally deficient, we need a concept of ‘state’ that acknowledges that possibility, and this may seem to necessitate an entirely value-free approach. Such an approach proves hard to carry through, however.
At first it may seem possible to analyze the notion of “the state” in terms of a claimed monopoly of physical force. But the devil is in the detail and things get problematic when we try to spell that possibility out.

46. Выполните перевод текста со словарем (время – 45 минут).

Importance of Diplomatic Immunities in Islamic Law
Diplomatic Immunity has always been emphasized in western countries. Islamic Law formulated the bases of rights of diplomats, bestowed privileges to envoy of other countries, presented some ideal examples which has much importance and purposeful effects among the different nations, cultures throughout the history of Muslim Ummah. Islamic Law has formulated foundations and rules to protect the diplomats from any sort of harm, killing, damaging their properties instead they must be given privilege and protocol to perform their duties as diplomats in host countries without any fear. Furthermore, even after providing maximum protection, if envoys face a problem, there are laws to protect them in every type of situation including war and peace, chaos and harmony. Additionally, it has never been neglected in the Jurisprudence of Islam, that how the diplomats have to show in the best manner to represent one’s own nation.
The Islamic Law had already been introduced, applied successfully and bore fruitful results about fourteen centuries ago, harmonizing the utmost chaotic state of world. The receiving of foreign delegations, sending delegations to other countries to spread the message of peace and to represent one’s country has always been given very much importance throughout the Islamic history. Islam has provided rights of delegations and has implemented rules to deal with delegations in the best possibly manner. Receiving delegations, listening to their demands, facilitating them, giving them protocol, making them feel like at home, providing services and protection, hence there is no room left to make the envoys feel uncomfortable or stranger during the whole stay in hosting country.

47. Выполните перевод текста со словарем (время – 45 минут).

Peace and the Dialectics of Human Security in the Twenty-First Century
Every time we hear the expression ‘peace in our world’, it naturally conjures the absence of warfare and internal disorder, and the end of military or other hostilities. Throughout history, innumerable human beings have suffered from the scourge of conflict. Quite naturally they tried, often at significant costs, to protect themselves with assorted resources against all major threats to their (human) security. The human security concept continues to loom large in global policy and peace discourse notwithstanding growing doubts about the ‘effectiveness’ of its promise in a highly vulnerable modern society overloaded with weapons of mass-destruction amid other threats to peace. The bottom-line is the imperative of replacing the dominant thoughts about securing peace. This paper accentuates the theory of peace and its relationship to the concept of human security. It takes its point of departure from the theoretical framework of critical security studies (CSS) and argues that there is a specific sense in which CSS needs to comprehend peace, and that this understanding is closely affiliated with human security. The paper is arguably a theoretical exploration of the concepts of peace and security. It is not, therefore, an empirical examination of where or when there is peace or how to obtain it. It is important to emphasize that this is not a paper that answers the question ‘what is peace?’ Although a proposal of how CSS theorists should contemplate peace is made, the

main aim is the theoretical relationship between peace and human security and the theoretical and possible practical gains achieved by a clarification of this relationship.
The cacophony of the multidimensional theories of and approaches considered here indicates that there is no singular pathway to peace but rather requires a combination of interrelated vectors towards achieving the ends of peace and its sustainability in any society.

48. Выполните перевод текста со словарем (время – 45 минут).

The Dynamics of Domestic Abuse and Drug and Alcohol Dependency

Evidence for the relationship between domestic abuse and drug and alcohol intoxication is plentiful in crime surveys but tends to focus, peculiarly, on the behaviour of victims more often than offenders. For example, the 2016 Crime Survey for England and Wales revealed that 'adults aged between 16 and 59 who had taken illicit drugs in the last year' were three times more likely to report 'being a victim of partner abuse' than those who had not done so. However, using illicit drugs does not invite assault and the identification of such 'risk factors' in the absence of explanation of their relevance accentuates the victim-blaming some perpetrators deploy to control their victims. The international evidence reveals that men, but not women, tend to perpetrate more severe assaults when they have been drinking. Women are more vulnerable to assault when they too are intoxicated, but this is at least partly because those living with abusers are less diligent at pursuing safety strategies when they have been drinking. Substance use features in around half of all UK domestic homicides. Since 2011, substance use has been detected among domestic homicide perpetrators more than four times as often as it has among those killed by them.
In sum, the relationship between substance use and domestic abuse is not straightforward. Moreover, Different substances have different pharmacological properties. They are used in variable quantities and combinations fostering a range of effects—including docility as much as aggression—that are contingent upon the user's experience of them, prehistory of use, mood and the context in which the consumption takes place. Laboratory research reveals that those with low levels of inhibition, empathy and self-regulation and elevated levels of sensitivity to threats and insults ('instigative cues') are more prone to violence when they have consumed alcohol up to four hours ahead of a perceived threat or 'provocation'.

49. Выполните перевод текста со словарем (время – 45 минут).

International Criminal Justice

The United States cooperated with these organizations but is very hesitant on involving other countries into their investigations and hesitant on helping other countries prosecute Americans that commit crimes in other countries. The U.S. does not accept the international justice system as something that they are willing to cooperate with; as the U.S. likes to make sure that their citizens have their rights intact no matter what country the citizen visits, nor what crime is committed. Unless of course there's something in it for the United States government.
Whether we aid in apprehending and enforcing justice with foreign organization depends on whether we have a treaty with that particular country, or if there's a mutual agreement between the two countries as to whether extradition is most likely to occur. If a country willing to extradite an American criminal so that they may serve their time in an American jail, then the U.S. is most likely to return that favor as well. It really depends on the relationship with the country's, and what situations are going on between the countries at the time of the crimes. It is necessary to coordinate and cooperate with these agencies because these international agencies have the power to bring nations together to fight for one common goal, and that is of putting known criminals behind bars so they will not be able to commit more crimes in the future. Some countries don't want a group of individuals telling them what their laws should and shouldn't be, but if the International Criminal Justice system continues to grow and become refined as to what works, and what isn't working, it can only grow into a very important agency. When countries work together, they're able to bring more criminals to justice and this can be accomplished more effectively.

50. Выполните перевод текста со словарем (время – 45 минут).

Universal Jurisdiction: Forums in a "Third" State

After the arrest of Pinochet by the British officials on behalf of a Spanish judge, there is a glimmer of hope in prosecuting perpetrators of heinous war crimes in a third country forum. This development is getting momentum following the success of some European prosecutors to open criminal charge

against top Syrian officials on behalf of the refugee victims (so far, Germany, Spain, and France can be mentioned). In fact, universal jurisdiction is the best legal tool for doing ex-post facto justice with perpetrators in some countries such as Germany who has access to evidences and legal tools at their disposal to carry out investigations. Universal jurisdiction, either in its pure or mitigated form, provides an antidote to the impunity that accomplished despots are likely to enjoy in the countries that endured their crimes. Such optimism is partly based on the theory that if the Assad regime finally collapsed, perpetrators may flee Syria to countries who are parties to the Geneva Convention and the Convention against Torture.

Despite the enthusiasm that justice will be done when the conflict is resolved and Syrian society reconstructs itself, history tells a different tale. Dictatorial regimes elsewhere are unwilling and unable to come to terms with the past because domestic justice is misled by the practice of amnesties or the state's legal institutions are paralyzed and cannot be reliable. Syria is not an exception to this caveat. Post conflict Syria's willingness and ability to pursue criminal procedures against perpetrators is unlikely to succeed mainly because judicial independence and constitutionalism are not entrenched in the country's political history and the obvious challenges in states emerging from conflict, in which infrastructure and resources have been destroyed or are unavailable.

51. Выполните перевод текста со словарем (время – 45 минут).

The Limits of State Power in a Democratic Society
(Historic Argument)

From the beginning up to the present the human society is marked by two constants that have ontological value: the struggle for power and on the other hand the fight against the power, both in situations where it is illegitimate because it takes the form of dictatorship or tyranny, also in the versions of apparent legitimacy, especially in democratic societies, such as for example the legitimate political activity of the opposition to come to power or the actions of civil society and individuals against abuse of power.

These ontological constants of any human society are inevitable no matter of the social form of organization or characteristics of political regimes, including in democratic societies because the existential and functioning essence of any social system is the expression of the contradictory difference between governors and the governed, between society as a whole and on the other hand, the man in his concrete and personality, between the normative order and moral values, between law and liberty, between public interest and private interest and of course between the vocation of human intangible fundamental rights, and on the other hand the public interest of the state to condition, limit and restrict their exercise.

These contradictions, if they remain in their absolute form, by antagonist excellence can be destructive to an organized state society, as history has shown. History shows the political and legal solutions which, especially in the modern period, were devoted to avoid dictatorial forms of power exercising. Here are some of them established since the first written constitution in the world - the US Constitution, adopted in 1787 - Declaration (French) of human and citizen rights on 1789, up to the internal and international contemporary political and legal instruments: supremacy of the Law and Constitution, separation and balance of powers within the state, proclamation and guarantee of the fundamental rights and freedoms, constitutional and judicial control.

52. Выполните перевод текста со словарем (время – 45 минут).

The Need to Review the Concept of Crime and Punishment

The system of justice which punishes offenders and protects the safety of the society, and is generally called criminal justice system, has constantly been under the trial of people throughout the history of human civilization. As it is widely portrayed in history books, dramas, poems and great philosophical works, the criminal justice system has either been used by the State as a tool for 'exercising the power of governance to quell the dissident or recalcitrant citizens' or suppressing the 'so-called wrongs' defined as crimes and thus so it as perceivably acquired an image of 'coercive means of the State'. In all societies, irrespective of the diversity of religious and moral beliefs and socio-political structures, the State's role and indulgence in criminal justice system is characterised by 'infliction of proportional violence for acts of offenders.

Historically, the criminal justice system in most part of the globe is found to be essentially retributive in character; it has been moved with a sense of exacting vengeance on criminals in the name of

punishment as ‘harsh as it could be’. The atrocious nature of the criminal justice system has continued without mitigation during the medieval era and even during the advent of the modern era. One of the fundamental reasons behind such callousness and atrocity in the criminal justice system can be traced out ‘in the underlying general perception of the people towards the crime itself’. Not long ago, the general perception of the people was that criminals were genetically or mentally born felons, hence, they deserved no leniency. The suppression of criminals was thus considered an ‘unavoidable responsibility of the State towards good citizens and thus it could not stay back without satisfying an obligation of dealing crimes and criminals with all possible high-hands’.

53. Выполните перевод текста со словарем (время – 45 минут).

Crimes and Criminal Justice System in Developing Countries: The Question of Human Dignity and Security

The relevance of the formal system of criminal justice is widely questionable, at least in the context of developing countries of South Asia. It suffers from myriads of problems. The lack of trust of people in ‘fairness and objectivity of the investigation, prosecution and adjudication’ is incredibly deeper. Tactful offenders rarely feel deterred by the system whereas innocent people deem their lives would be irreparably harmed once they fall into the hands of the system. The prisons in South Asia are overcrowded by those waiting for trial. The prisons lack the minimum facilities, and even those rare supplies are shared by implausibly huge number of inmates.

The investigation of crimes is inefficient and ineffective and marred by subjective and coercive elements. The practice of arrest is random. The arrest often involves use of force and interrogation is torturous, such as extended for incredibly longer period of time, and is humiliating. The practice of intimidation and torture of accused during detention in varying degree is common and the police officers often defend such practice as a necessary tool for revealing truth about crime. Prosecution is less attentive to facts and less sensitive to rights of accused as well as interests of victims. The practice of applying extreme form of sentencing is customary, unsparing even to children and elderly. Prosecution is hardly critical to evidences procured by the investigators; hence generally every case moves towards prosecution, a major factor for clogging of courts. It would not be erroneous to say, the system is cancerously defiled by corruption. This also notoriously renders prisons overcrowded and uninhabitable. The quality of ‘defence’ is severely questionable. It is unaffordable by poor and unreliable in quality. The lawyers’ ethical standard in South Asian nation is extremely poor.

54. Выполните перевод текста со словарем (время – 45 минут).

Grounds for Scepticism towards the Capability of the Criminal Justice System in the Developed Societies

The proportion of criminals is bigger in developed countries despite well-defined laws, rules of procedure, institutions of criminal justice, well-developed mechanisms of accountability and system reinforcing accountability and human rights, availability of the modern science and technology to prevent and investigate crimes, and most importantly, prevention of corruption. Does development foster crimes? This is an unanswered question yet. However, one can argue that, on account of the given scenarios of the crimes in the developed nations, the prevailing structure of the criminal justice system has failed to be a desired mechanism to discourage crimes in any part of the globe. Moreover, the adversarial principles of the contemporary criminal justice system have failed to satisfy the concerns of the victims of crimes.

The crime ratio in developed countries has unprecedentedly increased in the past along with growth of economy and progress of industries and infrastructure, the US leading among most industrialized nations. What is spectacular about the high prison population growth rate is the parallel growth of crimes as well as life and property insecurity. Along with the unprecedented rise of crimes and prison population, the empire of the criminal justice system becomes as broad as it has been exceedingly harsh in its effects. Every year over a million people face arrest for drug possession and hundreds of thousands them are prosecuted for drug, weapons and immigration violations. The criminal justice system attracts purview of all sectors and the criminal legislations are enforced in all walks of lives, ranging from political dealings between leaders to environmental issues. The discretion of prosecutor may bring any issue into a purview of criminal justice.

55. Выполните перевод текста со словарем (время – 45 минут).

The Unwritten Laws of American Fingerprinting

Fingerprints are arguable the epitome of false belief in criminal investigations. Once heralded as the infallible individual identifier, they are now subject to significant criticism in light of highly publicized miscarriages of justice and when juxtaposed to the scientific rigor of more contemporary forensic techniques. Utilizing methodological approaches predating the 20th century, the foundational logical premises of fingerprinting have remained in relative stasis due to legal precedence and ubiquitous use, effectively grandfathering dangerous tautological frameworks. Nonetheless, the current crisis of validity is not irreparable for the issues do not stem from the concept of individualization, but from the absence of uniform systematization. Thus the mandate for standardization means prescriptive measures must be taken to create universal procedures that separate scientific fact from conjecture, steel recognition formulas, and acknowledge identification errors.

To deconstruct the confounding issues of validity that surround fingerprinting and contextualize corrective measures, the following analysis will ensue. First, the history of fingerprinting as a form of scientific identification will be overviewed to uncover the premises upon which current methodologies rest. Second, these premises will be used to demonstrate their role in the shortcomings in contemporary techniques. Third, the questioned the status of fingerprinting will be surmised though key refutations to understand pressing sociolegal demands. Lastly, the core revisions and adaptations necessary to revamp fingerprinting will be discussed. This chronologic approach pertains to demonstrate how historic traditions are the root source of current folly and how it will be necessary to purge antiquated ideologies for fingerprinting to become robust, statistically determined evidence

56. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 1

Judicial System of the Russian Federation

In all legal systems there are institutions for modifying, interpreting and applying the law. Usually these take the form of a hierarchy of courts as a branch of government established to administer justice. The role of each court and its capacity to make decisions is strictly defined in relation to other courts. There are two main reasons for having a variety of courts. One is that a particular court can specialize in particular kinds of legal actions (for example, family courts). The other is that a person who feels his case was not fairly treated in a lower court can appeal to a higher court for reassessment. The decisions of a higher court are binding upon lower courts.

The structure of our judicial system and the sphere of activities of its various parts are determined by the Constitution and federal constitutional laws. There are three main elements within this system: the Constitutional Court, the Supreme Court and the Higher Arbitration Court.

The Constitutional Court of the RF considers cases relating to the compliance of the federal laws, normative acts of the President, the Council of the Federation, the State Duma, the Government, constitutions of republics, charters and other normative acts of the subjects of the RF with the country’s Constitution. There is a separate system of the constitutional courts (or charter courts) of the republics and other subjects of the Federation.

57. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 2

Judicial System of the Russian Federation (II)

The Supreme Court is the highest judicial body of the four-tiered system of courts of general jurisdiction: civil, criminal, administrative and military cases. Lower courts are district, city and regional courts. After the reestablishment of the Justices of the Peace in 2000 magistrate’s courts have become an integral part of the system of courts of general jurisdiction. The activity of all these courts may be classified as follows: a court of trial, a court of appeal, a court of cassation.

The Higher Arbitration Court is the supreme judicial body within the system of courts competent to settle economic disputes. The basic judicial organs in that system are arbitration courts of the subjects of the Federation.

Each court has its staff which usually consists of legally qualified judges, clerks and bailiffs. The participants of the legal procedure may be the following: a plaintiff – the party bringing a lawsuit, a defendant – a party being sued, a jury – a group of ordinary people summoned to pass a verdict, a

prosecutor - the lawyer for the plaintiff in a criminal case, an advocate - a lawyer for defence or just a legal counsel in civil cases, witnesses - people who give testimony, experts - they express their own opinions.

58. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 3

The History of Constitutional Court in Russia

December 25, 1989 the Constitutional Supervision Committee was created. It started functioning mid-1990 and was dissolved towards the end of 1991. In December 1990 the Constitution of the Russian Soviet Federated Socialist Republic (RSFSR) was amended with provisions which provided for creation of Constitutional Court (whereas a similar USSR body was called a Committee, not a Court). On July 12, 1991 Constitutional Court of the RSFSR Act was adopted. In October the Fifth RSFSR Congress of Soviets elected 13 members of the Court and the Constitutional Court de facto started functioning. From November 1991 till October 1993 it rendered some decisions of great significance. For example, it declared unconstitutional certain decrees of Presidium of the Supreme Soviet, which were adopted ultra vires, and forbade the practice of extrajudicial eviction.

On October 7, 1993 Boris Yeltsin's decree suspended work of the Constitutional Court. According to the decree, the Constitutional Court was "in deep crisis". On December 24 another presidential decree repealed the Constitutional Court of the RSFSR Act. In July 1994 the new Constitutional Court Act was adopted. However, the new Constitutional Court started working only in February, 1995, because the Federation Council of Russia refused several times to appoint judges nominated by Yeltsin.

In 2005 the federal authorities proposed to transfer the court from Moscow to Saint Petersburg.

59. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 4

Law of the United Kingdom

The United Kingdom has three legal systems. English law, which applies in England and Wales, and Northern Ireland law, which applies in Northern Ireland, are based on common-law principles. Scots law, which applies in Scotland, is a pluralistic system based on civil-law principles, with common law elements dating back to the High Middle Ages. The Treaty of Union, put into effect by the Acts of Union in 1707, guaranteed the continued existence of a separate law system for Scotland. The Acts of Union between Great Britain and Ireland in 1800 contained no equivalent provision but preserved the principle of separate courts to be held in Ireland, now Northern Ireland

The Appellate Committee of the House of Lords (usually just referred to, as "The House of Lords") was the highest court in the land for all criminal and civil cases in England and Wales and Northern Ireland, and for all civil cases in Scots law, but in October 2009 was replaced by the new Supreme Court of the United Kingdom.

In England and Wales, the court system is headed by the Supreme Court of England and Wales, consisting of the Court of Appeal, the High Court of Justice (for civil cases) and the Crown Court (for criminal cases). The Courts of Northern Ireland follow the same pattern. In Scotland the chief courts are the Court of Session, for civil cases, and the High Court of Justiciary, for criminal cases.

60. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 5

English Law

"English law" is a term of art. It refers to the legal system administered by the courts in England and Wales. The ultimate body of appeal is the Supreme Court of the United Kingdom. They rule on both civil and criminal matters. English law is renowned as being the mother of the common law. English law can be described as having its own distinct legal doctrine, distinct from civil law legal systems since 1189. There has been no major codification of the law, and judicial precedents are binding as opposed to persuasive. In the early centuries, the justices and judges were responsible for adapting the Writ system to meet everyday needs, applying a mixture of precedent and common sense to build up a body of internally consistent law. As Parliament developed in strength, and subject to the doctrine of separation of powers, legislation gradually overtook judicial law making so that, today, judges are only able to innovate in certain very narrowly defined areas. Time before 1189 was defined in 1276 as being time immemorial.

After the Acts of Union, in 1707, English law has been one of two legal systems in the same kingdom and has been influenced by Scots law, most notably in the development and integration of the law merchant by Lord Mansfield and in time the development of the law of negligence. Scottish influence may have influenced the abolition of the forms of action in the nineteenth century and extensive procedural reforms in the twentieth.

61. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 6

Northern Irish Legal System

The law of Northern Ireland is a common law system. It is administered by the courts of Northern Ireland, with ultimate appeal to the Supreme Court of the United Kingdom in both civil and criminal matters. The law of Northern Ireland is closely similar to English law, the rules of common law having been imported into the Kingdom of Ireland under English rule. However there are still important differences.

The sources of the law of Northern Ireland are English common law, and statute law. Of the latter, statutes of the Parliaments of Ireland, of the United Kingdom and of Northern Ireland are in force, and latterly statutes of the devolved Assembly.

Scots law

Scots law is a unique legal system with an ancient basis in Roman law. Grounded in uncodified civil law dating back to the Corpus Juris Civilis, it also features elements of common law with medieval sources. Thus Scotland has a pluralistic, or 'mixed', legal system, comparable to that of South Africa, and, to a lesser degree, the partly codified pluralistic systems of Louisiana and Quebec. Since the Acts of Union, in 1707, it has shared a legislature with the rest of the United Kingdom. Scotland and England & Wales each retained fundamentally different legal systems, but the Union brought English influence on Scots law and vice versa. In recent years Scots law has also been affected by both European law under the Treaty of Rome and the establishment of the Scottish Parliament.

62. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 7

Civil Courts

Civil actions take place between two or more individuals in dispute. These disputes can take many forms, for example between neighbours, families, companies, consumers and manufacturers. It is the function of the civil courts to adjudicate on these disputes.

The lowest court in a civil action is a county court, of which there is one in every town in England and Wales. There are some 250 county courts. Each court is assigned at least one circuit judge and one district judge. The circuit judge usually hears the high-value claims and matters of greater importance or complexity. The district judge hears uncontested matters, mortgage repossession claims and small-value claims. The circuit judge deals with appeals from decisions by the district judge.

The jurisdiction of the county courts covers: actions founded upon contract and tort; trust and mortgage cases; action for the recovery of land ; disputes between landlords and tenants, complaints about race and sex discrimination; admiralty cases (maritime questions and offences) and patent cases; divorce cases and other family matters. The general limit in such cases heard before the county court is 25,000 pounds.

Cases involving larger amounts of money are heard by one of the divisions of the High Court. This court has unlimited civil jurisdiction.

63. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 8

Civil Courts (II)

Appeals in matrimonial, adoption, guardianship and child care proceedings heard by magistrates courts go to the Family Division of the High Court. The Chancery Division hears appeals about bankruptcy and company insolvency decisions. The Queen’s Bench Division exercises jurisdiction in respect of habeas corpus cases. Appeals from the High Court and county courts are heard in the Court of Appeal (Civil Division), which is presided over by the Master of the Rolls.

The Court of Appeal normally consists of three judges. Each one delivers judgment and the majority opinion prevails. The Court has the power to order a new trial or the reversal or variation of a

judgment.
In accordance with the Constitutional Reform Act 2005, the judicial functions of the House of Lords as of the final national court of appeal in civil and criminal cases are set to be transferred in 2009 to a new Supreme Court of the United Kingdom. This Supreme Court of the UK shall consist of 12 judges appointed by the Monarch by letters patent. One of the judges becomes President and one is appointed to be Deputy President of the Court. The judges other than the President and Deputy President are styled “Justices of the Supreme Court”.
The first Supreme Court judges are the current twelve Lords of Appeal in Ordinary but the new members of the Court will not take the peerage.

64. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 9

Criminal Courts

There are two main types of court, magistrates' courts (or courts of first instance), which deal with about 95 per cent of criminal cases, and Crown Courts for more serious offences. All criminal cases above the level of magistrates' courts are held before a jury.
There are about 700 magistrates' courts in England and Wales, served by - approximately 28,000 unpaid or lay' magistrates or Justices of the Peace (JPs), who have been dealing with 'minor crimes for over 600 years. JPs are ordinary citizens chosen from the community. These people are not legally qualified but receive some basic training in court procedures, the examination of pre-sentence reports and penalties for certain offences. Lay magistrates usually sit in groups of three. The more senior magistrate sits in the middle and plays the leading role. They should not all be of the same sex. Serving members of the lay magistracy are entitled to use the letters 'JP' after their names meaning that they are Justices of the Peace.
Magistrates' courts may not impose a sentence of more than six months imprisonment or a fine of more than £2,000, and may refer cases requiring a heavier penalty to the Crown Court.
The most serious crimes are tried and sentenced in the Crown Court. These crimes are known as indictable offences. All judges, sitting in the Crown Court have unlimited sentencing powers subject to the legal maximum. The judge presides over the Crown Court and passes sentence.

65. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 10

Jurisdiction

The main role of the UK Supreme Court is to hear appeals from courts in the United Kingdom's three legal systems: England and Wales, Northern Ireland, and Scotland. (English and Welsh law differ only to the extent that the National Assembly for Wales makes laws for Wales that differ from those in England, and the two countries have a shared court system.) The Supreme Court acts as the highest court for civil appeals from the Court of Session in Scotland but the highest appeal for criminal cases is kept in Scotland. It may hear appeals from the civil Court of Session, just as the House of Lords did previously.
From the Court of Session, permission to appeal is not required and any case can proceed to the Supreme Court of the United Kingdom if two Advocates certify that an appeal is suitable. In England, Wales and Northern Ireland, leave to appeal is required either from the Court of Appeal or from a Justice of the Supreme Court itself.
The Court's focus is on cases that raise points of law of general public importance. Like the previous Appellate Committee of the House of Lords, appeals from many fields of law are likely to be selected for hearing—including commercial disputes, family matters, judicial review claims against public authorities and issues under the Human Rights Act 1998. The Court also hears some criminal appeals, but not from Scotland as there is no right of appeal from the High Court of Justiciary, Scotland's highest criminal court.

66. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 11

History of Supreme Court

The creation of a Supreme Court for the United Kingdom was first mooted in a July 2003 Department of Constitutional Affairs Consultation Paper. It argued that the separation of the judicial functions of the Judicial Committee of the House of Lords should be made explicit from the

legislative functions of the House of Lords. First, it was concerned whether there is any longer sufficient transparency of independence from the executive and the legislature to give assurance of the independence of the judiciary. Looked at alternatively it was argued that requirement for the appearance of impartiality and independence also limited the ability of the Law Lords to contribute to the work of the House of Lords, thus reducing the value to both them and the House of their membership. Second, it was concerned that it was not always understood by the public that judicial decisions of "the House of Lords" were in fact taken by the Judicial Committee of the House of Lords and that non-judicial members were never involved in its judgements. Conversely, it was felt that the extent to which the Law Lords themselves have decided to refrain from getting involved in political issues in relation to legislation on which they might later have to adjudicate was not always appreciated. The new President of the Court, Lord Phillips, has claimed that with the Supreme Court there would for the first time in the UK be a clear separation of powers among the judiciary, the legislature and the executive.

67. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 12

History of Supreme Court (II)

The main argument against the court was that the previous system had worked well and kept costs down. Reformers expressed concerns that the historical admixture of legislative, judicial and executive power in the UK might conflict with the state's obligations under the European Convention on Human Rights. Officials who make or execute laws have an interest in court cases that put those laws to the test. When the state invests judicial authority in those officials, it puts the independence and impartiality of the courts at risk. Consequently, it was supposedly possible that the decisions of the Law Lords might be challenged in the European Court of Human Rights on the basis that they had not constituted a fair trial.

Lord Neuberger has expressed fear that the new court could make itself more powerful than the House of Lords committee it succeeded, saying that there is a real risk of "judges arrogating to themselves greater power than they have at the moment". Lord Phillips said such an outcome was "a possibility", but was "unlikely".

The reforms were controversial and were brought forward with little consultation but were subsequently extensively debated in Parliament. During 2004, a select committee of the House of Lords scrutinised the arguments for and against setting up a new court. The Government estimated the set-up cost of the Supreme Court at £56.9 million.

68. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 13

Badge

The official badge of the Supreme Court was granted by the College of Arms in October 2008. It comprises both the Greek letter omega (representing finality) and the symbol of Libra (symbolizing the scales of justice), in addition to the four floral emblems of the United Kingdom: a Tudor rose, representing England, conjoined with the leaves of a leek, representing Wales; a flax for Northern Ireland; and a thistle, representing Scotland.

Two adapted versions of its official badge are used by the Supreme Court. One (above, in info box at top right portion of this article) features the words "The Supreme Court" and the letter omega in black (in the official badge granted by the College of Arms, the interior of the Latin and Greek letters are gold and white, respectively), and displays a simplified version of the crown (also in black) and larger, stylized versions of the floral emblems; this modified version of the badge is featured on the new Supreme Court website, as well as in the forms that will be used by the Supreme Court. A further variant on the above omits the crown entirely and is featured prominently throughout the building.

Yet another emblem is formed from a more abstract set of depictions of the four floral emblems and is used in the carpets of the Middlesex Guildhall. It was designed by Sir Peter Blake, famous for designing the cover of The Beatles' 1967 album, Sgt. Pepper's Lonely Hearts Club Band.

69. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 14

The Judicial Branch in the USA

Courts in the United States are subdivided into two principal systems: the federal courts, referred to as United States courts, and the state courts. There is the Supreme Court of the United States, the members of which are appointed for life by the president with the Senate approval and federal courts which are created by the Congress. The Supreme Court is composed of nine judges, who are called justices. It is the highest court in the nation. It interprets the laws and reviews them to determine whether they conform to the U.S. Constitution. If the majority of justices rule that the law in question violates the Constitution, the law is declared unconstitutional and becomes invalid. This process is known as judicial review. All lower courts follow the rulings of the Supreme Court.

Judges of federal courts are appointed for life by the president with the approval of the Senate. These courts are the district courts, tribunals of general original jurisdiction; the courts of appeals, exercising appellate jurisdiction over the district courts. A district court functions in each of the more than 90 federal judicial districts. A court of appeals functions in each of the 11 federal judicial circuits and in the District of Columbia; there is also a more specialized court with nationwide jurisdiction known as the court of appeals for the federal circuit.

Federal Courts have the power to rule on both criminal and civil cases.

70. Выполните пересказ и перевод текста без словаря (время – 10-15 минут).

Text 15

The Judicial Branch in the USA (II)

Criminal action under federal jurisdiction includes such cases as treason, destruction of government property, counterfeiting, hijacking, and narcotic violations. Civil cases include violations of other people's rights, such as damaging property, violating a contract, or making libelous statements. If found guilty, a person may be required to pay a certain amount of money, called damages, but he or she is never sent to prison. A convicted criminal, on the other hand, may be imprisoned. The Bill of Rights guarantees a trial by jury in all criminal cases. A jury is a group of citizens - usually 12 persons - who make the decision on a case.

Each state has an independent system of courts operating under the constitution and laws of the state. The character and names of the courts differ from state to state but as a whole they have general jurisdiction and handle criminal and other cases that do not come under federal jurisdiction.

The state court systems include a number of minor courts with limited jurisdiction. These courts dispose of minor offenses and relatively small civil actions. Included in this classification are police and municipal courts in cities and the courts presided over by justices of the peace in rural areas. Between the lower courts and the supreme appellate courts, in a number of states, are intermediate appellate courts.

8. Материально-техническое и учебно-методическое обеспечение дисциплины

8.1. Перечень основной и дополнительной учебной литературы

Основная литература

1. Лебедева,, А. А. Английский язык для юристов. Предпринимательское право. Перевод контрактов: учебное пособие для студентов вузов, обучающихся по специальности «юриспруденция» / А. А. Лебедева,. - Английский язык для юристов. Предпринимательское право. Перевод контрактов - Москва: ЮНИТИ-ДАНА, 2022. - 231 c. - 978-5-238-01928-4. - Текст: электронный. // IPR SMART: [сайт]. - URL: https://www.iprbookshop.ru/123378.html (дата обращения: 20.02.2024). - Режим доступа: по подписке

2. АРАКЕЛЯН Н. С. Основы делового общения: учеб. пособие / АРАКЕЛЯН Н. С., Непшекуева Т. С.. - Краснодар: КубГАУ, 2018. - 86 с. - 978-5-00097-752-1. - Текст: электронный. // : [сайт]. - URL: https://edu.kubsau.ru/mod/resource/view.php?id=5388 (дата обращения: 02.05.2024). - Режим доступа: по подписке

3. БАТУРЬЯН М. А. Основы делового общения (английский язык): учеб. пособие / БАТУРЬЯН М. А., Карипиди А. Г.. - Краснодар: КубГАУ, 2021. - 104 с. - 978-5-907516-94-6. - Текст: электронный. // : [сайт]. - URL: https://edu.kubsau.ru/mod/resource/view.php?id=11688 (дата обращения: 02.05.2024). - Режим доступа: по подписке

Дополнительная литература

1. КРИВОРУЧКО И. С. Основы делового общения (английский, немецкий): метод. указания / КРИВОРУЧКО И. С., Непшекуева Т. С.. - Краснодар: КубГАУ, 2021. - 21 с. - Текст: электронный. // : [сайт]. - URL: https://edu.kubsau.ru/mod/resource/view.php?id=10294 (дата обращения: 02.05.2024). - Режим доступа: по подписке

2. КРИВОРУЧКО И. С. Основы делового общения (английский язык): метод. указания / КРИВОРУЧКО И. С., Непшекуева Т. С.. - Краснодар: КубГАУ, 2021. - 25 с. - Текст: электронный. // : [сайт]. - URL: https://edu.kubsau.ru/mod/resource/view.php?id=10293 (дата обращения: 02.05.2024). - Режим доступа: по подписке

3. Попов, Е.Б. Legal English for Graduate Students: Visual Reference Materials: Английский юридический язык для магистрантов: Рисунки, схемы, таблицы.: Практическое пособие / Е.Б. Попов. - 1 - Москва: ООО "Научно-издательский центр ИНФРА-М", 2017. - 85 с. - 978-5-16-106221-0. - Текст: электронный. // Общество с ограниченной ответственностью «ЗНАНИУМ»: [сайт]. - URL: https://znanium.com/cover/0943/943612.jpg (дата обращения: 20.02.2024). - Режим доступа: по подписке

4. Багана, Ж. Английские заимствования в русском и немецком языках в условиях глобализации: Монография / Ж. Багана, М.В. Тарасова.; Сибирский федеральный университет. - 1 - Москва: ООО "Научно-издательский центр ИНФРА-М", 2024. - 120 с. - 978-5-16-100681-8. - Текст: электронный. // Общество с ограниченной ответственностью «ЗНАНИУМ»: [сайт]. - URL: https://znanium.com/cover/2079/2079614.jpg (дата обращения: 20.02.2024). - Режим доступа: по подписке

5. Баженова,, И. В. Актуальные проблемы лингвистической безопасности: монография / И. В. Баженова,, В. А. Пищальникова,. - Актуальные проблемы лингвистической безопасности - Москва: ЮНИТИ-ДАНА, 2017. - 151 c. - 978-5-238-02745-6. - Текст: электронный. // IPR SMART: [сайт]. - URL: https://www.iprbookshop.ru/83066.html (дата обращения: 20.02.2024). - 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. http://e.lanbook.com/ - Электронный библиотечный рксурс
2. http://elibrary.ru/defaultx.asp - Научная электронная библиотека
3. https://edu.kubsau.ru/ - Образовательный портал КубГАУ
4. http://www.iprbookshop.ru/ - Электронный библлиотечный ресурс
5. www.longman.com - Официальный сайт издательства «Лонгман»
6. https://lingualeo.com/ru - Lingualeo иностранные языки онлайн
7. 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.

Учебная аудитория

515гд
вешалка - 1 шт.
доска классная - 1 шт.
парты - 16 шт.
стол однотумбовый - 1 шт.
стул - 2 шт.
шкаф - 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.

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 Moodl.

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 Moodl.

Лабораторные занятия

Практическое освоение студентами научно-теоретических положений изучаемого предмета, овладение ими техникой экспериментирования в соответствующей отрасли науки. Лабораторные занятия проводятся с использованием методических указаний, 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, прочитать 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 плоскопечатную 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, обеспечивается 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, аппеляция к ограничениям по времени, контактные виды работ, групповые задания др.);
– обеспечение беспрепятственного доступа в помещения, а также пребывания 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 плоскопечатную информацию;
– наличие возможности использовать индивидуальные звукоусиливающие устройства и сурдотехнические средства, позволяющие осуществлять приём и передачу информации; осуществлять взаимообратный 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);
– чёткое 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 час¬ти; 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 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;
– 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 "Основы делового общения" ведется в соответствии с календарным учебным планом и расписанием занятий по неделям. Темы проведения занятий определяются тематическим планом рабочей программы дисциплины.