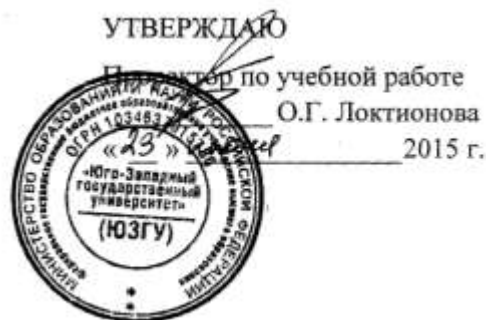


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## МИНОБРНАУКИ РОССИИ

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Кафедра иностранных языков



## АНГЛИЙСКИЙ ЯЗЫК В СФЕРЕ ПРАВООХРАНИТЕЛЬНОЙ ДЕЯТЕЛЬНОСТИ

Методические указания по английскому языку для  
студентов 2 курса специальности 031001.65

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**Английский язык в сфере правоохранительной деятельности**  
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Данные методические указания предназначены для студентов 2-го курса специальности «Правоохранительная деятельность», основаны на оригинальных текстах с базовой терминологией по специальности.

Материал методических указаний поможет подготовить будущих специалистов к профессионально-ориентированной коммуникации на английском языке на международном уровне по широкому профилю специальности. Основная цель методических указаний – формирование ключевых компетенций, обусловленных лексическими и грамматическими навыками и умениями чтения, говорения, письма, перевода и использования справочной литературы.

Предназначены для студентов специальности «Правоохранительная деятельность» дневной формы обучения.

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# Contents

<b>Unit 1</b> .....	<b>4</b>
<b>Unit 2</b> .....	<b>7</b>
<b>Unit 3</b> .....	<b>11</b>
<b>Unit 4</b> .....	<b>15</b>
<b>Unit 5</b> .....	<b>17</b>
<b>Unit 6</b> .....	<b>20</b>
<b>Unit 7</b> .....	<b>24</b>
<b>Unit 8</b> .....	<b>29</b>
<b>Unit 9</b> .....	<b>32</b>
<b>Unit 10</b> .....	<b>36</b>
<b>Supplementary texts</b> .....	<b>40</b>
<b>Glossary</b> .....	<b>53</b>
<b>Bibliography</b> .....	<b>55</b>

## UNIT 1

### Vocabulary:

an accused, a defendant—обвиняемый, подсудимый, подзащитный

to restrict – ограничивать

a lawyer – адвокат

a court—суд

investigation—расследование

an indictment – официальное обвинение; обвинительный акт

to submit evidence – предоставлять доказательства

in one's own favour – в чью-либо пользу

last plea – последнее слово

to subject to punishment – подвергать наказанию

in conformity with— в соответствии с

to be held liable for— нести ответственность (отвечать) за

to acquit—оправдать, признать невиновным

to alleviate—смягчать

substantial infringement-существенное нарушение

quashing-отмена, признание недействительным

**Exercise 1.** Look through the text “Presumption of Innocence” and tell what is the text about.

### Presumption of Innocence

The right of the accused or the defendant to legal defense is not restricted to his using the services of a lawyer. The law also affords and guarantees the accused a number of other rights. Thus he has the right to know what he is charged with, to get acquainted with materials of the case before they are sent to court. That is why after the investigation stage he must be given an opportunity to study the indictment which will allow him to prepare for court hearing beforehand, to submit evidence in his own

favour, to ask for the witnesses he needs to be summoned to court, and to solicit for various expert investigations.

During the court investigation the defendant has the same rights as the prosecutor with regard to the submission of evidence and its examinations. After the court hearing he is given the floor for an unlimited period to make his “final statement” (last plea).

No one may be adjudged guilty of a crime and subjected to punishment as a criminal except by the sentence of a court and in conformity with the law. The presumption of innocence, i.e. the person is innocent until the charge is proved and the sentence is passed is a very important democratic principle of the criminal procedure.

It is forbidden for judicial workers to obtain evidence from the accused by violence, threats of other illegal measures. Officials guilty of such actions are held liable for malfeasance. Thus, under the Criminal Code, forcing the accused into giving evidence is punishable by law.

The court must strictly observe the procedural rights of the defendant, subjecting all the materials to a drought and impartial examination so as to reveal circumstances that might not only expose but also acquit the defendant or alleviate his responsibility.

Violation of the right to legal defense in court is considered a substantial infringement on the law of criminal procedure and leads to the quashing of the sentence.

**Exercise 2.** Answer the following Yes/No questions:

- I. Is the right of the accused to legal defence restricted only to his using the services of a defense counsel?
2. Does the defendant have the right to know what he is charged with?
3. May a person be adjudged guilty of a crime without the sentence of a court?
4. Is the period of time for the defendant's last plea limited?
5. Does the defendant have an opportunity to prepare for the court hearing beforehand?
6. Is he given the floor after the court hearings?

**Exercise 3.** Find antonyms for the following words in the text:

*legal, restricted, innocence, to adjudge guilty of a crime, to allow.*

**Exercise 4.** Make the following word combinations matching the words from the two columns:

1) смягчить степень ответственности, вынести приговор, оправдать подсудимого, ознакомиться с обвинительным заключением, вскрыть обстоятельства, подвергнуть наказанию, представить доказательства, подвергнуть рассмотрению.

to alleviate	punishment
to study	the defendant
to reveal	a sentence
to pass	an indictment
to acquit	the responsibility
to submit	examination
to subject (to)	evidence
	circumstances

2) судебное разбирательство, судопроизводство по уголовным делам, незаконные меры, уголовной процесс, последнее слово, невиновный, неограниченный период, уголовное дело, экспертиза, уголовный кодекс.

court	case
unlimited	period
innocent	hearings
expert	statement
final	investigation
criminal	person
illegal	procedure
	measures
	code

**Exercise 5.** Find Russian equivalents giving in brackets in the text.

the circumstances... (смягчающие степень ответственности обвиняемого)

the right... (гарантируемое законом),

the person... (принуждающие обвиняемого к даче показаний),

the court... (подвергая все материалы по делу тщательному и глубокому исследованию).

**Exercise 6.** Complete the following sentences.

1. The presumption of innocence means that ... 2. The obtaining of evidence from the accused by forcing is ... 3. To reveal all the circumstances which might not only expose but also acquit the defendant the court must ... 4. An unlimited period of time is given to the defendant ... .

**Exercise 7.** Answer the following questions:

1. What opportunities must the accused have at the investigation stage?
2. When may one be adjudged guilty of a crime?
3. What is punishable by law of the Criminal Code?
4. When is the person considered innocent?
5. What is forbidden for Judicial workers?

**Exercise 8.** Retell the text.

## UNIT 2

### Vocabulary:

to refer to - относиться к, обращаться к

to devote to - посвящать чему-либо

to apply to - касаться, относиться

to appeal against - подавать жалобу (на действие)

to prevent from - препятствовать, мешать

neither ... nor ... - ни ... ни

it is ... that - усилительная конструкция, переводятся простым предложением с добавлением слов "именно", "как раз" и т.д.

to be entitled - иметь права

free of charge - бесплатный

client - лицо, которому адвокат оказывает юридическую помощь

should there be legal grounds - если есть (имеются) законные основания

the entire jury - состав суда



**Exercise 1.** Read and translate the text “Constitutional Guarantee”.

### **Constitutional Guarantee**

The right of the defendant to legal defence is guaranteed by the Constitution which states that "a defendant in a criminal action is guaranteed the right to legal assistance", a principle which applies to all criminal cases. The right of the defendant may not be violated by anybody, neither by the investigator, the state prosecutor, nor by the court. Justice is administered only by the court. It is only the court that determines the degree of guilt or innocence and the measure of punishment.

Representatives of public organizations such as trade unions and work collectives may take part in civil and criminal proceedings as public prosecutors or as counsels for the defense.

The defendant is fully entitled to the counsel in court, and this right is strictly protected by law.

In cases of Juvenile delinquency or very serious crimes or where some physical or mental deficiency prevents the defendant from correctly appraising the situation at the preliminary investigation or in court, and, hence, from correctly defending himself, the participation of a defense counsel is obligatory. In such cases, the absence of a defence counsel would be a gross legal violation and would lead to the quashing of the sentence. If the defendant cannot afford to pay the services of the defence counsel the court is obliged to provide such services free of charge.

The right to legal defence obliges the lawyer to use all his legal powers to establish the circumstances justifying the defendant's actions or mitigating his guilt. The lawyer must also give his client legal advice, draw up any complaints and other legal documents on his behalf, submit new evidence, appeal the investigator's or procurator's actions, and should there be legal grounds, challenge the participants in the procedure up to individual cases or even the entire jury.

In specifying the lawyer's duties, one should first refer to Articles specially devoted to the duties and rights of the counsel for the defence. Under these Articles, the lawyer should use all ways and means of defence stipulated by law in order to clarify circumstances that might justify the defendant or alleviate his responsibility, and to render him all necessary legal assistance.

**Exercise 2.** Answer the following Yes/No questions:

1. Is the right of the accused to defense guaranteed by the Constitution?
2. Is the Justice administered only by the court?

3. May representatives of the public determine the degree of guilt or innocence and the measure punishment?
4. Are there cases when the absence of i defense counsel may lead to the quashing of the sentence?
5. Are the services of the deface counsel always paid for by the defendant?
6. May the lawyer draw up complaints and other legal documents?

**Exercise 3.** Find a) synonyms; b) antonyms:

infringement of the law - violation of the law

legaldefense - legal assistance

guilt - innocence

preliminary - final

to mitigate - to alleviate

to defend - to protect

to participate - to take part

to have the right - to be entitled to

to guarantee - to provide

**Exercise4.**

a) Translate these verbs into Russian:

to apply, to clarify, to justify, to specify.

б) Translate the collocations with these verbs into Russian:

to apply a principle, a measure of punishment, to justify the defendant or his actions, to clarify the circumstances of the case, to specify the degree of the defendant's guilt or the lawyer's duties.

**Exercise 5.** Make collocations using the words from right and left columns.

1) Предварительное расследование, защитник (как сторона в уголовном процессе), преступления (правонарушения), совершённые несовершеннолетними; уголовное деяние, государственный обвинитель

preliminary delinquency

public action

juvenile investigation

defense prosecutor

criminal counsel

2) Установить вину, отправлять правосудие, представите новые, доказательства, оказать юридическую помощь, гарантировать право на защиту, составлять жалобы.

to administer one's a guilt

to establish the right to legal defense

no draw up justice

to submit complaints

to render new evidence

to guarantee legal assistance

**Exercise 6.** Complete the sentences:

1) The degree of guilt or innocence may be determined ...

2) The participation of the public in civil and criminal proceedings is guaranteed ...

3) The lawyer who provides legal defense is obliged ...

4) It is the lawyer's duty ...

5) The rights and duties of the counsel for the defense are written down in... .

**Exercise 7.** Retell the text.

## UNIT 3

### Vocabulary:

police force - полицейские силы

to be responsible to - подчиняться

a compliment of officers - личный состав офицеров

the Minister of Home Affairs - Министр внутренних дел

a division - подразделение

to deal with - иметь дело с

investigation - расследование

to fingerprint - снимать отпечатки пальцев

chief constable - начальник полиции

to suspect - подозревать

to invite – приглашать

Secretary of State - Министр Внутренних Дел

Home Secretary - Министр Внутренних Дел

county police - полиция графства

borough police - городская полиция

primarily - в первую очередь

to bring offender to justice - отдавать правонарушителей в руки правосудия

to undertake - быть обязанным

submission - представление

a forensic science laboratory - криминалистическая лаборатория  
eventual control - постоянный контроль

**Exercise 1.** Read and translate the text “Police in Great Britain”.

### **Police in Great Britain**

Britain has no national police force. In England, Wales and Scotland the police service is organized in a number of large forces linked with local government and subject to the influence and eventual control of the Home Secretary and Secretary of State for Scotland respectively. In Northern Ireland, which has its own distinctive organization, the police force is controlled by an Inspector-General, who is responsible to the Minister of Home Affairs.

Police forces in England and Wales consist of the Metropolitan Police, the City of London Police, county police, county borough police, and combined police. In Scotland there are county police, borough police and combined police. The larger police areas may be split up into divisions, each with its own complement of officers. Smaller forces may operate as a single unit.

Regular police forces have a uniform department which deals primarily with the prevention of crime and the protection of life and property, and a criminal investigation department, primarily responsible for the detection of crime and bringing offenders to justice. Most forces have additional departments and branches for dealing with special aspects of police work.

Every police force in Great Britain has its own detective complement staffed by police officers (working for the most part in plain “clothes”) who, during their service as uniformed constables, showed a special aptitude for the investigation of crime. As part of the work of criminal detection, these officers undertake the checking and classification of crime reports, the collection of all kinds of information relating to crime or suspected crime, and the preparation of crime statistics for their area. They may also do the photographic and fingerprint work connected with investigating crime and normally prepare for submission to the forensic science laboratories.

Great Britain has no national police force, but it is open to chief constables of other forces to invite Scotland Yard to help them in the investigation of serious crime.

**Exercise 2.** Translate the following words and word combinations and find in the text.

Расследование преступления, личный состав, предотвращение преступлений, подчиняться, разделяться, судебная лаборатория, штатская одежда, склонность к расследованию преступлений, региональные отделения по борьбе с преступностью, раскрытие преступления, начальник полиции, отдать в руки правосудия.

**Exercise 3.** Answer the following questions.

Who controls the police force in Northern Ireland?

How is the police service of England? Wales and Scotland organized?

Who is the police force of England and Wales responsible to? And of Scotland?

What does the police force in England and Wales consist of? And in Scotland?

What departments have all regular police forces?

What does a uniform department deal with?

What is the criminal investigation department responsible for?

Who of uniform constables becomes police officers?

What are the duties of these police officers?

What services has each local CID at its disposal?

**Exercise 4.** Decide whether the following sentences are true or false, correct the false sentences.

In Northern Ireland the police force is controlled by the Minister of Home Affairs.

All the police areas may operate as a single unit.

In case of investigation of serious crime the chief constables may invite Scotland Yard.

Every uniform constable can become a police officer.

All regular police forces have a uniform department and a criminal investigation department.

The uniform department and the criminal investigation department have the same duties.

**Exercise 5.** Tell what you know about the police system in Great Britain.

## **Exercise 6.** Translate the text.

### **The British Police**

The British police officer - sometimes called the "bobby" after Sir Robert Peel, the founder of the police force - is a well-known figure to anyone who has visited Britain or who has seen the British films. Policemen - and women - are to be seen in towns and cities keeping law and order, either walking in the streets ("pounding the beat") or driving in cars (known as "panda cars" because of their distinctive markings). Few people realize, however, that the police in Britain are organized very differently from many other countries.

Most countries, for example, have a national police force, which is controlled by central Government. Britain has no national police force, although the central Government's Home Office governs police policy. Instead, there is a separate police force for each of 52 areas into which the country is divided. Each has a police authority - a committee of local county councilors and magistrates.

The forces co-operate with each other, but it is unusual for members of one force to operate in another's area unless they are asked to give assistance. This sometimes happens when there has been a very serious crime. A Chief Constable (the most senior police officer of a force) may sometimes ask for the assistance of London's police force, based at New Scotland Yard - known simply as "the Yard".

In most countries, the police carry guns. The British police generally do not carry firearms, except in Northern Ireland. Only a few police are regularly armed - for instance, those who guard politicians and diplomats or who patrol airports. In certain circumstances specially trained police officers can be armed, but only with the signed permission of a magistrate.

All members of the police must have gained a certain level of academic qualifications at school and undergone a period of intensive training. Like the army, there are a number of ranks: after the Chief Constable comes the Assistant Chief Constable, Chief Superintendent, Chief Inspector, Inspector, Sergeant and Constable. Women make up about 10 per cent of the police force. The police are helped by a number of Special Constables - members of the public who work for the police voluntarily for a few hours a week.

Each police force has its own Criminal Investigation Department (CID). Members of CIDs are detectives, and they do not wear uniforms. (The other ununiformed people you see in British towns are traffic wardens. Their job is to make sure that drivers obey parking regulations. They have no other powers - it is the police who are responsible for controlling offences like speeding, careless driving and drunken driving.)

The duties of the police are varied, ranging from assisting at accidents to safeguarding public order and dealing with lost property. One of their main functions is, of course, apprehending criminals and would be criminals.

## UNIT 4

### Vocabulary:

tosuggest - предполагать

traffic - дорожное движение

toappear - появляться

toassist - помогать, содействовать

nightwatchmen - ночные стражники

tomaintain - поддерживать

toincrease - увеличиваться, возрастать

acounterpart - предшественник

tohire - нанимать

peacekeepingactivity - обеспечение общественного порядка

**Exercise 1.** Read and translate the text “Police Force in the USA”.

### Police Force in the USA

Historians suggest that the first modern police in the United States appeared only in 1833 in the city of New York.

The first municipal police agencies consisted of nightwatchmen whose responsibility was to protect property during the evening and early morning hours. Crime continued to increase and there appeared the necessity to hire men to provide similar protection during the daylight hours as well. Thus, in the 1830s and 1840s these two types of police were combined to form a unified, more effective municipal police agency. The modern police departments appeared after the World War 1. Since 1920



municipal police agencies have increasingly grown in personnel and responsibilities. Special training and more selective recruitment practices have been developed together with the use of such technological developments as the automobile, the individual police radio, and the computer. The great part of police work does not involve crime-fighting situations but rather consists of both service and peacekeeping activities.

Service functions include directing traffic, answering accident calls, aiding the sick, helping to find a lost child or a lost pet, recovering stolen property, and reporting fires. These are all services performed to assist the public.

Today policemen have the same general objectives, as did their counterparts of old: 1) to protect life and property and safeguard the individual liberties guaranteed by the Constitution and 2) to prevent crime and disorder and preserve the peace.

**Exercise 2.** Find in the text the English equivalents for the following.

Муниципальное полицейское агентство; ночной стражник; защищать собственность; полицейский департамент; борьба с преступностью; обеспечение общественного порядка; помогать обществу; оказание помощи больным; защищать личные свободы; выполнять задачи; появляться; предшественник; обнаружение похищенной собственности; управлять дорожным движением.

**Exercise 3.** Answer the following questions.

When did the police forces of the USA appear?

What did the first police agency of the USA consist of?

When did the modern police department appear?

Which objectives have contemporary policemen?

What do service functions of the police force include?

Why there appeared the necessity to hire men for protection during the daylight hours?

What does the great part of the police work in the USA consist of?

**Exercise 4.** Complete the sentences using the words given in brackets.

*(directing traffic; peacekeeping activity; to provide protection; nightwatchmen; to prevent crime and disorder; more selective recruitment)*

The responsibility of... was to protect property during the evening and early morning hours.

One of the general objectives of the policemen is ... and to preserve the peace.

... of the police is designed to maintain public order.

Since 1920 special training,... practices and also technological developments have been developed.

The responsibility of hired men was ... during the daylight hours as well.

Service functions of the police include ....

**Exercise 5.** Tell what you know about the police forces of the United States of America.

## UNIT 5

### Vocabulary:

an operative - оперуполномоченный

Criminal Investigation Department – отделуголовного розыска

to protect - защищать

to interrogate - допрашивать

a witness - свидетель

a victim - жертва

a suspect подозреваемый

to detect - раскрывать

a criminal - преступник

to apprehend - задерживать

search – розыск, обыск

undercover work - негласная работа

acrime - преступление  
anoffender - правонарушитель  
to prevent - предотвращать  
a solution - раскрытие  
eye-witness - очевидец  
a plainclothes man - человек в штатском  
a sleuth - сыщик  
to lay an ambush - устраивать засаду  
to conduct surveillance - осуществлять надзор  
to penetrate the underworld — внедряться в преступный мир  
disguise - маскировка  
to frustrate - срывать, разрушать  
a salient feature - отличительные черты  
modus operandi - (лат.) способ действия  
commonsense - здравый смысл  
decision-making judgement - умение правильно принять решение  
aptitude - склонность  
strict observance of legality – строгое соблюдение законности

**Exercise 1.** Read and translate the text “The Work of an Operative”.

### **The Work of an Operative.**

The work of operatives in the Criminal Investigation Department is difficult and dangerous, but it is necessary and honorable at the same time, because they should protect life, work and rest of the people.

The operative is responsible for all detection required for quick and accurate solution of the case. The operative finds, interviews and interrogates witnesses, eyewitnesses, a victim and a suspect. It's necessary to do that to analyze the happening

and to take immediate measures to detect the criminal, that is to identify, locate and apprehend him. The operative also takes measures for search, discovery and seizure of stolen property and instruments of the crime.

Undercover work of an operative is one of the most interesting aspects of crime detection. In Great Britain an operative may be called a detective, a plainclothes man, a sleuth, a CID man. Of course, the main task of an operative is using special means, methods and forms of fighting crime in his undercover work to prevent crimes, solve them. (He lays an ambush and conducts surveillance, penetrates the underworld, uses disguises of various sorts to ferret out of serious crimes and frustrate the efforts of professional criminals. He comes to know personally the offenders of the specific criminal specialties, their distinctive marks, their friends, relatives and close associates.

He becomes familiar with salient features of criminal's modus operandi.

An operative works in close cooperation with the informants. He chooses, cultivates and uses their confidential information in crime control. An operative must be a good judge of a human nature, he must possess common sense and decision-making judgment as well as investigative aptitudes and sleuthing powers. He must perform well under operational conditions.

But combating crime, decreasing it an operative must not forget one of the priorities - strict observance of legality and protection of rights and interests of the citizens.

**Exercise 2.** Answer the questions to the text.

What are the main features of the work of operatives?

How do you think, what are the principal duties of an operative?

How may an operative be called in Great Britain?

How does an operative get the confidential information about crimes?

What must an operative never forget?

**Exercise 3.** Give English equivalents for the following:

раскрытие преступления, негласная работа оперуполномоченного, опрашивать свидетеля, изъятие похищенного имущества, приметы, секретная информация, строгое соблюдение законности, допрашивать подозреваемого, предотвращать преступления, обладать здравым смыслом.

разведать что-либо о преступлении, преступный мир, находить очевидцев, принимать срочные меры, умение правильно принять решение, способность к расследованию, защита прав граждан, проанализировать случившееся, установить личность, обнаружить и задержать преступника, преступный мир.

**Exercise 4.** Complete the sentences.

The operatives should protect....

To prevent crimes and solve them an operative should use ....

To detect a criminal is to ... .

The operative takes measures ....

To be a good operative a man must have ....

To frustrate the efforts of professional criminals an operative ....

An operative must never forget to ....

**Exercise 5.** Speak on:

the overt (гласная) work of an operative;

the undercover work of an operative;

the main features of the work of an operative.

**Exercise 6.** Tell what can you say about the work of an operative.

## UNIT 6

### Vocabulary:

marine police - водная полиция

a theft - вор

to prohibit - запрещать

patient - терпеливый  
to pass (a bill) - принимать (закон)  
preventive - предупредительный  
stipendiary - оплачиваемый (по договору)  
asalary - зарплата  
primarymeans - первоначальное назначение  
toderive (from) - происходить (из), исходить  
aninvestigation - расследование  
to plague - досаждать, надоедать  
to take fee - брать чаевые  
to exclude - исключать  
to inherit - наследовать  
toprovide - обеспечивать  
conspicuous - привлекающий внимание  
authority - полномочие consent - согласие  
to spread (throughout) - распространяться  
to create - создавать  
a thief-taker - ловец воров

**Exercise 1.** Look through the text “The Formation of English Police” and tell what the text is about.

### **The Formation of the English Police**

The first regular professional police force in London the Thames River Police was organized to control the thefts that plagued the world’s largest port. Two features of this marine police were unique. First, patrols were preventive; officers patrolled visibly to prevent thefts. Second, officers were not stipendiary police; they were salaried and

were prohibited from taking fees. In July 1890 the House of Commons passed a bill making the marine police a publicly financed organization.

The Metropolitan Police Act was passed in 1829 as a political compromise. The jurisdiction of the bill was limited to the metropolitan London area, excluding the City of London and provinces. All police were to be uniformed; crime and disorder were to be controlled by preventive patrols; police were to be paid regular salaries. But crime prevention was not the only business of the new police force: they inherited many functions of the watchmen, such as lighting lamplights, calling time, watching for fires, and providing other public services.

The Metropolitan Police Act establishes the principles that shaped modern English policing. First, policing must be preventive, and the primary means of policing was conspicuous patrolling by uniformed police officers. Second, command and control must be maintained through a centralized organizational military structure. Third, police must be patient, impersonal, and professional. Finally, the authority of the English constable derived from three official sources - the crown (not the political party in power), the law, and the consent and cooperation of the society.

After the Act of 1856 mandated police in the provinces, police departments spread throughout England the dominant methods of provincial policing were foot patrols and criminal investigations.

The investigation of crimes was not a central function of the newly formed preventive police departments in England. London Metropolitan Police created the first criminal investigation division (CID) in 1842.

Investigators usually were recruited from former thief-takers or constables who had continued their stipendiary investigative activities after the creation of police departments.

**Exercise 2.** Read Text 2 one more time and translate it.

**Exercise 3.** Translate the following words and word combinations and find them in the text.

Расследование преступлений, предотвращение преступлений, оплачиваемая полиция, первоначальное назначение полиции, предупредительные патрули, запрещать брать чаевые, терпеливый и профессиональный, происходить из официальных источников, платить зарплату.

**Exercise 4.** Complete the sentences.

The Thames River Police was

The first unique feature of the police was

The officers were salaried and

The functions of the police were

The first principle of English policing was

The investigation of crimes was not

**Exercise 5.** Answer the questions to the text.

Which features of the marine police were unique?

When was the Metropolitan Police Act passed?

What functions of the watchmen did the new police force inherit?

When did the police departments spread throughout England?

When was the first CID created?

What were three official sources of the authority of the English constables?

**Exercise 5.** Tell what you know about the formation of English police.

**Exercise 6.** Translate the text “The Formation of the Police in the USA”.

### **The Formation of the Police in the USA**

In 1844 New York City created the first police department in the United States, using the London Metropolitan Police as a model. Boston and Philadelphia followed. The idea of police spread quickly, and in 10 years cities as far west as Milwaukee had created police departments. The model for American police originated in England: police were organized in a military command structure; there were no detectives; their task was the prevention of crime and disorder; and they provided a wide array of public services.

Each city created its own police department. Since Americans lacked a unifying symbol like the English crown, local politics and laws became the primary bases of police authority.



Middle and upper class reformers believed that one of the primary tasks of the police was to reestablish political and social control over a population spoiled by ethnic and economic rivalries. This tension between being closely linked to communities and being perceived of as an instrument for reform of those same communities inevitably resulted in struggle for political control of the police. This struggle for political control is one of the dominant themes in the history of police in the United States.

Police became involved in partisan political activity to ensure election of particular candidates; and they excluded strangers from social and political life. By the end of the 19th century, middle and upper class citizens attempted to centralize political power to end the ward-level political control of ethnic minorities. Reformers attempted to centralize services on a city-wide basis, create a civil service to end political patronage, and transfer control of police to cities, or, if all else failed, transfer control of the police to the state government.

to spoil - портить

to ensure — обеспечивать

rivalry — соперничество

ward-level - районный уровень

to perceive - понимать, воспринимать

minority - меньшинство

inevitably - неизбежно

to fail – проигрывать

## UNIT 7

### **Vocabulary:**

felony - фелония (категория тяжких преступлений, по степени опасности находящаяся между изменой и мисдеминором)

misdemeanor - мисдеминор (категория наименее опасных преступлений, граничащих с административными правонарушениями)

to forfeit - конфисковать имущество

animprisonment - тюремное заключение  
a forfeiture - конфискация имущества  
to commit - совершать  
treason - измена  
to compel - осуждать, принуждать  
murder - тяжкое убийство (убийство, совершенное с заранее обдуманной злой умыслом)  
manslaughter - простое (без злого предумышления) убийство  
rape - изнасилование  
larceny - похищение имущества  
robbery - разбой (грабеж с насилием или разбой)  
arson - поджог  
to distinguish - отличать, различать  
to convict - обвинять  
to sentence - приговаривать  
a violation - правонарушение  
a fine - штраф  
an offence - преступление  
to impose - налагать, назначать (наказание)  
theft - кража  
forgery - подделка документов  
jail sentence - тюремное заключение  
treatment - отношение  
to be accused (in) - обвиняться

**Exercise 1.** Read and translate the text ‘Classification of Crimes in the USA’

### **Classification of Crimes in the USA**

Crimes are classified in many ways. The most popular common law classification of crimes is into three categories of treason, felonies and misdemeanors and it is perhaps the most workable. This basic distinction remains today in most jurisdictions.

At common law a felony was defined as any crime for which the criminal could be compelled to forfeit his property in addition to being subject to punishment through the procedures of death, imprisonment, or fine. The common law felonies were murder, manslaughter, rape, larceny, robbery, arson. Status today makes other crimes felonies, but these were the only felonies at common law earlier. The key to distinguishing felonies from misdemeanors was not the punishment but the necessity of forfeiture.

Today, the law does not require forfeiture of property for committing a felony. Some state jurisdictions distinguish felony from misdemeanor on the basis of the place of imprisonment and the others seem to use a combination of place of imprisonment and character of the offence to make this distinction.

On the federal level, persons convicted of crimes for which imprisonment is imposed are all sentenced to federal prisons. Thus, the distinction between felonies and misdemeanors on the federal level cannot be the place of imprisonment but, rather, must be based on the length of imprisonment.

Under the American Model Penal Code (MPC) there are following categories of crimes: felonies (such as homicide of any kind, robbery, theft of any kind and others), misdemeanors (such as breaking and entering the house, forgery) and violations (offences against public order, practically all traffic offences).

A crime is a felony if it is so defined by MPC, no matter what the penalty. Any crime that creates a punishment exceeding one year is a felony. Beside the imprisonment a felony carries a fine of \$5,000 - \$10,000. A misdemeanor is a crime so defined by MPC no matter what the penalty is. Misdemeanor involves an imprisonment and a \$1,000 - \$50, 000. A violation is not a crime; it provides no jail sentence. It involves only a fine or forfeiture.

Why is it so important to know the distinction between a felony and misdemeanor? Much of the treatment of the accused depends on this distinction. The procedural steps that may be taken by police officers depend on whether they are dealing with a felony or with a misdemeanor. Also one convicted for a felony will lose his civil rights, and a person convicted for a misdemeanor will not.

**Exercise 2.** Translate the following word combinations into English, find them in the text and translate the sentences

Влечь штраф, продолжительность тюремного заключения, юрисдикции некоторых штатов, приговариваться к конфискации имущества, место заключения, неправопособность, лишиться гражданских прав, отношение к обвиняемым, совершение фелонии, преступления против общественного порядка, лишиться гражданских прав, необходимость конфискации имущества.

**Exercise 3.** Answer the questions to the text

What common law classification is considered as the most workable?

What categories of crime does the American Model Penal Code propose?

Which crimes are defined by MPC as felonies? Name them.

What crimes are defined by MPC as misdemeanors? Name them.

What was the distinction between felony and misdemeanor in the common law earlier?

How do some states jurisdictions distinguish felony and misdemeanor today?

And what is such distinction like on the federal level?

What can you say about a violation?

How can depend the treatment of the accused on the category of the crime?

**Exercise 4.** Tell briefly what you know about the common law classification of crimes.

**Exercise 5.** Read and translate the text “Kinds of Crimes”.

### **Kinds of Crimes**

Abduction - an offence of taking an unmarried girl under the age of 16 from the possession of her parents or guardians against their will. No sexual motive has to be proved. It is also an offence to abduct an unmarried girl under the age of 18 or a mentally defective woman (married or unmarried) for the purpose of unlawful sexual intercourse.

Arson - The intentional or reckless destruction or damaging of property by fire without a lawful excuse. Arson carries a maximum sentence of life imprisonment.

Assault - An intentional or reckless act that causes someone to be put in fear of immediate physical harm. Actual physical contact is not necessary to constitute an assault (for example, pointing a gun at someone is an assault). Words alone cannot constitute an assault. Examples of these are assault with intent to resist lawful arrest

(two years), assault occasioning actual bodily harm (five years), and assault with intent to rob (life imprisonment).

**Bribery** - Offence relating to the improper influencing of people in certain positions of trust. It is an offence if done corruptly, to give or offer to a member, officer, or servant of a public body any reward or advantage to do anything in relation to any matter with which that body is concerned; it is also an offence for a public servant or officer to corruptly receive or solicit such reward.

**Burglary** - The offence of entering a building, ship, or inhabited vehicle (e.g. caravan) as a trespasser with the intention of committing theft, inflicting grievous bodily harm, causing criminal damage or rape of a person in the building. The sentence for burglary is from minimum three-year and to life imprisonment.

**Extortion** - A common law offence committed by a public officer who uses his position to take money or any other benefit that is not due to him. If he obtains the benefit by means of menaces, this may also amount to blackmail.

**Manslaughter** - Homicide that doesn't amount to the crime of murder but is nevertheless neither lawful nor accidental. The maximum punishment for manslaughter is life imprisonment, although this is rarely imposed.

**Murder** - Homicide that is neither accidental nor lawful and does not fall into the categories of manslaughter. The MensRea for murder is traditionally known as malice aforethought and the punishment is life imprisonment.

**Robbery** - The offence of using force against any person, or putting them in fear of being subjected to force, in order to commit a theft, either before the theft or during the course of it. The force must be directed against the person, rather than his property. Robbery and assaults with intent to rob are punishable by a maximum sentence of life imprisonment.

**Theft** - the dishonest appropriation of property belonging to someone else with the intention of keeping it permanently. The punishment for theft is up to ten years' imprisonment.

**Exercise 6.** Tell which crimes from the text “Classification of Crimes in the USA” are felonies and which crimes are misdemeanors by the American MPC.

## UNIT 8

### Vocabulary:

a legal system - правовая система

Roman law - Римское право

a court - суд

a judge - судья

common law - общее право

judge-made law - прецедентное право

a judicial precedent - судебный прецедент

civil law system - система Римского права

a judicial decision - судебное решение

system of justice - система правосудия

case law - прецедентное право

to investigate the case - расследовать дело

to collect evidence - собирать доказательства

to influence - оказывать влияние

higher court - вышестоящий суд

authority - власть, полномочие

a source - источник

to codify - кодифицировать

body of legal rules - свод правовых норм

to appear before the judge - представлять перед судьей

impartial - беспристрастный

accusatorial - обвинительный

to reach a decision - принимать решение

the parties of the dispute - стороны в споре  
adversarial - состязательный  
customary law - обычное право  
statute law - статутное право  
court procedure - судопроизводство  
inquisitorial - следственный  
the Commonwealth of Nations - Содружество Наций  
a court of equity - суд справедливости  
legislative body - законодательный орган  
to be derived from - происходить от  
to be widespread - быть распространенным  
elsewhere - где-то в другом месте

**Exercise 1.** Read and translate the text “The Characteristics of English Law”.

### **The Characteristics of English Law**

The United Kingdom does not have a single legal system. The law in Scotland was influenced by Roman law and is different from the law of England, Wales and Northern Ireland.

The English legal system is centralized through a court structure, which is common to the whole country. It is hierarchical with the higher courts and judges more authority than the lower ones. Some important characteristics of English law are:

English law is based on the common law tradition. By this mean a system of “judge made” law, which has continuously developed over the years through the decisions of judges in the cases brought before them. These judicial precedents are an important source of law in the English legal system. Common law systems are different from the civil law systems of Western Europe and Latin America. In these countries the law has been codified or systematically collected to form a consistent body of legal rules.

English judges have an important role in developing case law and stating the meaning of Acts of Parliament.

The judges are independent of the government and the people appearing before them. This allows them to make impartial decisions.

Court procedure is accusatorial. This means that judges do not investigate the cases before them but reach a decision based only on the evidence presented to them by the parties to the dispute. This is called the adversarial system of justice. It can be compared to the inquisitorial procedure of some other European systems where it is the function of the judges to investigate the case and to collect evidence.

So, as it was said above English legal system is based on the common law tradition. This type of legal system now found also in the United States and in most of the member states of the Commonwealth of Nations. Common law stands in contrast to the rules developed by the separate courts of equity, to statute law (i.e., the acts of legislative bodies), and to the legal system derived from civil law now widespread in western Europe and elsewhere.

**Exercise 2.** Give English equivalents for the following groups of words, find them in the text and translate the sentences.

Правовая система, судебный прецедент, судебное решение, расследовать дело, беспристрастное решение, следственный процесс, состязательная система правосудия, содружество наций, система Римского права, доказательства, основываться, развитие прецедентного права, статутное право.

**Exercise 3.** Give all possible word combinations for the words (from the text):

LAW

COURT

**Exercise 4.** Answer the questions.

Is legal system of Scotland the same as it is in England, Wales and Northern Ireland?

What is English law based on?

What allows judges in Great Britain make impartial decisions?

What does it mean that court procedure is accusatorial?

What is inquisitorial procedure like?

What does common law stand in contrast to?



Where else can we find the common law system?

**Exercise 5.** Give English equivalents for the following Russian sentences.

В Соединенном Королевстве нет единой правовой системы.

Английская правовая система основывается на традиции общего права.

Системы общего права отличаются от систем Римского права Западной Европы и Латинской Америки.

Английские судьи независимы от правительства.

Состязательную систему правосудия можно сравнить со следственной системой некоторых других европейских систем.

**Exercise 6.** Complete the sentences.

English legal system is based on ... .

Judges in Great Britain are ....

The common law system is also found now in ... .

The “judge made” law is based on ... .

Common law systems are different from ....

In some other European systems it is the function of the judges to ... .

**Exercise 7.** Give the most important characteristics of Common Law.

## UNIT 9

### Vocabulary:

to be accustomed - привыкать

to predominate - преобладать

punishable - наказуемый

alegislatre - законодательный орган

criminallaw - уголовное право

to create - создавать

to abolish - отменять

protection - защита

an offence - преступление, нарушение

in response - в ответ

a reference - ссылка

to establish - принимать

an advantage - преимущество

**Exercise 1.** Read and translate the text “Common Law in the United States”.

### **Common Law in the United States**

The English colonists who settled America brought with them a large part of the body of law to which they were accustomed - the English common law. That is why this system predominated in the colonies with certain modifications.

The law of the United States is a combination of common law and civil law. By the Constitution every state in the United States has a right to choose the basis for its criminal law. It may be the civil law system or the common law system. The main difference between these two systems is that under the common law any act that was criminal under the old common law remains criminal today. Under the civil law, all crimes are statutory. In the absence of a statute, there can be no crime.

At the present time 26 states have abolished common law' offences or use them partially. The other states are still using the common law system.

Today, when most crimes are statutory, how significant is the distinction between the common law and the civil or statutory law system? The common law states have a distinct advantage as they can use the common law to find additional offences that are not covered with statute law. If the offence was punishable at common law, then it is punishable in those states today.

But nowadays there are a lot of offences which were unknown to the common law. The original genius of the criminal mind, accompanying the various stages of historical, industrial, and sociological development, has created new antisocial conduct against which society needs protection. Legislatures, in response to these new pressures, have established new offences by statute.

**Exercise 2.** Answer the questions to the text.

Why did the system of English common law predominate in the colonies?

What kind of law is in the United States of America?

Why do the common law states have a distinct advantage?

What is the principle of the common law?

What kind of problem is there appeared nowadays?

What have the legislatures done in response to the new pressures?

**Exercise 3.** Explain the meaning of the following word combinations. Find these word combinations and phrases in the text and translate the sentences.

*To be covered with, at the present time, antisocial conduct, to be accustomed, under the civil law, criminal mind, the body of law, to use partially, certain*

*modifications, to be unknown, in the absence of, definitional purposes, significant distinction.*

**Exercise 4.** Work in pairs and discuss the following questions.

What are the differences between the law systems of Great Britain and the United States of America?

How is common law system used in different states of the United States?

**Exercise 5.** Tell what you know about the legal system of the USA.

**Exercise 6.** Translate the text “Classification of Laws”.

### **Classifications of Law**

There are many ways of classifying the law. Here we will limit our discussion to the difference between criminal and civil law.

A simple distinction between the criminal law and the civil law is the following: civil law regulates the relationship between individuals or bodies' and the criminal law regulates the legal relationships between the state and individual people and bodies.

The first practical difference is seen in the parties to the legal action. A civil case will involve two (or more) individual people or bodies and the parties to a criminal case will be the state and an individual person or body.

So, the civil law. Examples of this include the law of contract, tort (literally meaning “wrong”) and property. Consider the following situation.

You decide to buy a radio from a local shop. Paying the correct price and taking the radio away, you entered into a contract with the owner of the shop. After two days the radio fails to work.

This is a common situation and usually the shopkeeper will replace the radio or return your money. If not, you may wish to take legal action<sup>4</sup> and demand on recovering your loss. As the law of contract is part of the civil law the parties to the action will be you (an individual) and the owner of the shop (an individual person or body).

Now let us look at some examples of the criminal law. This is the law by which the state regulates the conduct of its citizens. Criminal offences range from the petty (e.g. parking offences) to the very serious (e.g. murder, rape). Look at the following situation.

You are driving car at 112 kilometers per hour (70 m.p.h.) in an area which has a speed limit of 64 kilometers per hour (40 m.p.h.). You are stopped by a police officer and subsequently a case is brought against you for dangerous driving.

This is a criminal offence. The parties to the action will therefore be the state (in the form of the prosecuting authority) and you (an individual).

But although the division between civil and criminal law is very clear, there are many actions, constituting a criminal offence and a civil wrong. Let us look again at the situation where you are driving car too fast. Suppose that while you were doing this you knocked over and injured<sup>6</sup> an elderly lady. You will have committed a criminal offence (dangerous driving) and a civil wrong (negligence).

abody - юридическое лицо  
toinvolve - вовлекать, включать  
atort - гражданское правонарушение  
totakelegalaction - возбуждать иск  
apetty - незначительное правонарушение  
toinjure - ранить, повредить  
anegligence - преступная небрежность

## UNIT 10

### **Vocabulary:**

a divisional inspector - участковый инспектор  
to maintain - поддерживать  
an external examination - внешний осмотр  
to reveal - раскрывать  
to ensure - обеспечивать  
an evidence - улики, вещественные доказательства  
a search commander - руководитель осмотра места происшествия  
to profit at the expense of (the state) - получить выгоду за счет (государства)  
solution — раскрытие  
a bobby-handier — проводник служебно-розыскной собаки  
to suppose - предполагать  
to provide - обеспечивать  
an objective задача  
a trace - след

by means - средствами

a corpse - труп

noble - благородный

**Exercise 1.** Read the text “My Future Profession”.

### **My Future Profession**

At present I am a student of the South West State University. I study at the Department of Law. Our department trains future lawyers for the organs of the police. I am going to be an operative worker of the Criminal Investigation Department or perhaps an operative of the Economic Crimes Investigation Department, or I may work as a divisional inspector. Some of my groupmates are going to be investigators.

Very often the solution of the case begins with the examining of a crime scene. The operative group consists of an investigator, an operative, a divisional inspector, a field-criminalist, a bobby-handler and a medical expert. Each of them has their own duties.

Suppose I am an operative of the Criminal Investigation Department. In this case I will be responsible for search and interviewing of witnesses, victims and suspects, and for discovery and seizure of stolen property and instruments of crimes. The operative also takes measures to solve the case and to detect the criminal.

The search commander (usually an investigator or an operative) directs primary crime scene investigation and detection. The investigator (together with the field-criminalist) finds, collects and protects evidence - fingerprints, footprints, and other traces of the criminal act by means of a crime technique. They also take pictures, make diagrams and sketches, etc. Basing on all the data gathered the search commander analyzes the situation and tries to reconstruct the happening as to: Where, What, When, How, Why and Who.

Some of our students will work as divisional inspectors. The divisional inspector ensures crime scene protection, helps the operative to find witnesses and eye-witnesses and to apprehend a suspect. Besides he is responsible for maintaining public order in his area.

The medical expert gives first aid to a victim or conducts an external examination of the corpse.

The task of an officer of Economic Crimes Investigation Department is to reveal the criminal activity of those people, who try to profit at the expense of our state, and to provide their punishment.

Our future profession whatever it would be is noble and necessary. Our objective is to protect life and property of our people.

**Exercise 2.** Translate the following words and word combinations into English. Find the sentences with these words in the text and translate them.

Эксперт-криминалист, медэксперт. задержать подозреваемого, оказать первую помощь, воспроизвести случившееся, находить и собирать доказательства, обеспечить наказание, осмотр места преступления, принимать меры по раскрытию преступления, следы преступления, поддержание общественного порядка, обнаружение орудий преступления, охрана места преступления, оперативный работник, отдел уголовного розыска, отдел борьбы с экономическими преступлениями.

**Exercise 3.** Tell what are the duties of:

a divisional inspector;

an investigate!;

an operative;

a field-criminalist;

a medical expert:

an officer of Economic Crime's Investigation Department.

**Exercise 4.** Translate the sentences from Russian into English.

Оперуполномоченный отвечает за обнаружение и изъятие похищенной собственности.

Участковый инспектор обеспечивает соблюдение общественного порядка на своем участке.

Эксперт-криминалист находит и собирает вещественные доказательства, такие как отпечатки пальцев, отпечатки ног и другие следы преступления.

Следователь анализирует ситуацию и воссоздает случившееся.

Медэксперт совершает внешний осмотр трупа.

Участковый инспектор помогает оперуполномоченному разыскивать свидетелей преступления и очевидцев.

Оперативную группу обычно возглавляет руководитель осмотра места происшествия (оперуполномоченный или следователь).

В состав оперативной группы также входит проводник служебно-розыскной собаки.

Некоторые люди пытаются получить свою выгоду за счет нашего государства.

Задача оперативного работника ОБЭП раскрывать деятельность таких людей.

**Exercise 5.** Answer the following questions.

What are you going to be when you finish the institute?

What does the operative group consist of?

What are the duties of an operative worker of the Criminal Investigation Department?

What are the duties of a divisional inspector?

Who from the operative group is responsible for the making diagrams and sketches?

What is the task of an officer of the Economic Crimes Investigation Department?

How can search commander analyze the situation?

How do you think, why is your future profession noble and necessary?

How does the investigation of a crime often begin?

**Exercise 6.** Tell the story about your future profession.



## Supplementary texts

### Text 1

#### WHAT IS LAW?

The English word “law” means various forms of behavior. Some laws are descriptive: they simply describe how people, or even natural phenomena, usually behave. An example is the law of gravity; another is laws of economics. Other laws are prescriptive - they prescribe how people ought to behave. For example, the speed limits are laws that prescribe how fast we should drive.

In all societies, relations between people are regulated by prescriptive laws. Some of them are customs - that is informal rules of social and moral behavior. Some are rules we accept if we belong to particular social and cultural groups. And some are laws made by nations and enforced against all citizens.

Customs need not be made by governments, and they need not be written down. We learn how we are to behave in society through the instruction of family and teachers, the advice of friends, etc. Sometimes, we can break these rules without any penalty. But if we continually break the rules, other members of society may criticize us, or refuse to have anything to do with us. The ways in which people talk, eat and drink, work, and relax together are usually guided by many such informal rules.

The rules of social instructions are more formal than customs, carrying penalties for those who break them. Sports clubs, for example, often have detailed rules for their members. But if a member breaks a rule and refuses to accept any punishment, the club may ask him or her to leave the club.

However, when governments make laws for their citizens, they use a system of courts and the police to enforce these laws. Of course, there may be instances where the law is not enforced against someone — such as when young children commit crimes, or when certain people are able to escape justice by using their money or influence.

#### Words and wordcombinations

law – закон, право

toenforcelaws — проводитьзакониижизнь

descriptivelaw – описательныйзакон

prescriptivelaw – предписывающийзакон

tomakelaws - создаватьзаконы

topunish–наказывать

punishment – наказание

tocommitacrime – совершитьпреступление

to prosecute – преследовать в судебном порядке  
prosecution – судебное преследование  
violence – насилие  
offence – проступок  
justice – правосудие  
to escape justice — избежать правосудия  
a rule – правило  
to break a rule – нарушить правило  
a penalty – наказание  
to suffer a penalty – понести наказание  
a fine – штраф  
a civil action – гражданский иск  
to accept – принимать  
to belong – принадлежать  
to consider – считать, рассматривать  
to demand – требовать  
to deal with – иметь дело с  
to do with smb/smt – иметь отношение к кому-л. или чему-л.  
a custom – обычай

## **Text 2**

### **WHAT IS A CRIME?**

Crime is a part of public law – the law regulating the relations between citizens and the state. Crimes are acts which the state considers to be wrong and which can be punished by the state. There are some acts which are crimes in one country but not in another. For example, it is a crime to drink alcohol in Saudi Arabia, but not in Egypt. It is a crime to smoke marijuana in England, but not (in prescribed places) in the Netherlands. It is a crime to have more than one wife at the same time in France, but not in Indonesia. In general, however, there is quite a lot of agreement among states as to which acts are criminal. A visitor to a foreign country can be sure that stealing, physically attacking someone or damaging their property will be unlawful. But the way of dealing with people suspected of crime may be different from his own country.

In many legal systems it is an important principle that a person cannot be considered guilty of a crime until the state proves he committed it. The suspect himself need not prove anything, although he will of course help himself if he can show evidence of his innocence. The state must prove his guilt according to high standards and there are elements that must be proved. In codified systems, these elements are

usually recorded in statutes. In common law systems, the elements of some crimes are detailed in statutes; others, known as “common law crimes”, are still described mostly in case law.

There are usually two important elements to a crime: the criminal act itself; and the criminal state of mind of the person when he committed the act. In Anglo-American law these are known by the Latin terms of *Actus Reus* and *Mens Rea*.

### Words and word combinations

to commit a crime — совершить преступление

criminal — преступник, преступный

Criminal law — Уголовное право

to suspect — подозревать

the suspect — подозреваемый

the guilty — виновный

to find guilty — признать виновным

innocence — невиновность

the innocent — невиновный

to sentence (to) — приговорить к

case law — прецедентное право

common law — общее право

statute [steɪtʃu:t] — законодательный акт

*Actus Reus* — виновное действие

*Mens Rea* — состояние воли при совершении преступления

to restrict — ограничивать

restriction — ограничение

to convict — осуждать

retribution — кара

to prevent — предотвращать

prevention — предупреждение

preventive measures — превентивные меры

relevant (to) — относящийся к

to deprive — лишить

deprivation — лишение

exile — ссылка

### Text 3

## CRIMINAL PUNISHMENT

Criminal punishment of persons who have committed crimes is one of the forms of state fight against crime. Any criminal punishment is always a restriction of the rights of convicted persons. This restriction is a sort of retribution for the crime a person committed. If a person is convicted, the court decides on the most appropriate sentence. The facts of the offence, the circumstances of the offender, his/her previous convictions are taken into account. The more serious an offence is, the stricter a penalty should be.

But in any case, the responsibility of the court is to impose an exact and just punishment relevant to the gravity of a crime. The more just the punishment is, the greater is the possibility of a person's reformation. The defense lawyer may make a speech in mitigation on behalf of the offender.

There are the following basic penalties: deprivation of liberty - imprisonment for a certain period of time or life imprisonment - exile, fines or public censure. Capital punishment is usually used only as an exceptional measure when an especially grave crime was committed. The list of such crimes is not long and it is strictly determined by law. There are quite a lot of countries where death penalty is prohibited.

In England a person accused of crime must always be presumed innocent until he has been proven guilty. If a criminal case is serious it is always investigated with a jury. What is a jury and how does it function?

There are 12 members of the jury both men and women. There are quite a lot of people in England who think that 12 ordinary men and women are not capable of understanding properly all the evidence given at criminal trials. But there is no doubt about it because judges are great experts in summing up the evidence. The judge calls the jury's attention to all most important points in the evidence. He favours neither prosecution nor defense. The members of the jury decide only the questions of fact. Questions of law are for the judge. The jury retires to a private room to consider the verdict. If the jury cannot agree, they must be discharged (распущен) and a new jury is formed.

A verdict has to be unanimous (единогласный). English law requires that the guilt of an accused man must be proved 'beyond reasonable doubt'. When the jury returns to the courtroom they have to give only one answer "Guilty" or "Not guilty".

The criminal justice system aims to prevent and reduce crime, and to deal without delay with those suspected or accused of crimes. It also aims to help victims of crime, to convict the guilty and acquit the innocent, and to punish suitably those found guilty.

The proceeds from serious crime such as drug trafficking, robbery may be confiscated by the courts. The Government has certain exceptional powers for dealing with and preventing terrorist activities. These take account of the need to achieve a balance between the safety of the public and the rights of the individual.

Law enforcement is carried out by 52 locally based police forces, with a combined strength of about 160,000. Police officers are normally unarmed and there are strict limits to police powers of arrest and detention.

#### Words and word combinations

to defend — защищать

defenses — защита в суде; возражения ответчика

to avoid — избегать

to recognize — признавать

to threaten — угрожать

a threat — угроза

to convince — убеждать

to deceive — обманывать

to force smb to do smth — принудить силой сделать что-л.

to charge smb of smth — обвинять кого-л. в чем-л.

a charge — обвинение

to require — требовать

requirement — требование

duress [dju(a)'ras] — физическое принуждение

insanity — невменяемость

mental illness — психическое заболевание

self-defense — самозащита

mitigation — смягчение наказания

to lessen — уменьшать

to pass a law — принять закон

to cause — вызывать, явиться причиной

#### **Text 4**

### **FEDERAL BUREAU OF INVESTIGATION**

Federal Bureau of Investigation, the investigative division of the U.S. Department of Justice. Since 1934 the FBI has had general charge of investigating violations of federal laws.

The bureau was established in 1908 by Attorney General Charles Joseph Bonaparte in response to President Theodore Roosevelt's need for an investigative agency to handle "Land thieves" in the West and big business "trusts" in the East. The agency began as a small group of investigators in the Department of Justice.

In 1924, when the Attorney General Harlan Fiske Stone appointed the 29-year-old J. Edgar Hoover as director of the bureau, a major advance began. Hoover instituted an immediate reorganization, setting new standards of qualifications for appointment as special agent and a system of specialized training for all personnel.

Under Director Hoover's leadership, by the end of the 1960's, the FBI, with headquarters in Washington, D.C., had field offices in 59 major cities and 526 resident offices serving 50 states and the Commonwealth of Puerto Rico. There were offices in 11 major foreign cities. The investigative work was performed by more than 16,000 employees: 7,200 special agents and 9,100 clerical, stenographic, and technical personnel.

The FBI investigates some 170 different matters, the more important of which are espionage, sabotage, treason, violation of the Atomic Energy Act of 1946, and other activities affecting internal security; kidnapping, extortion, bank robbery, burglary, and larceny in federal institutions; bribery, interstate transportation of stolen motor vehicles, aircraft, or property; interstate travel for racketeering purposes; interstate traffic affecting civil rights; fraud against the government or thefts on government property; crimes aboard aircraft; crimes on government or Indian reservations; and assaulting or killing the president or any other federal results of FBI investigations are reported to the U.S. attorney general, whose office has the responsibility for deciding whether to prosecute and for conducting such prosecution.

#### Words and word combinations

violation of federal law - нарушение федеральных законов

advance - зд. прогресс, развитие

to set standards - устанавливать стандарты

field officer - сотрудник, курирующий определенный регион

treason - измена родине

extortion — вымогательство

larceny - хищение

fraud - мошенничество

theft — кража, расхищение

to prosecute - преследовать в судебном порядке

to conduct - проводить (расследование)

## Text 5

### THE LAW OF TORTS

The law of “tort” is essentially the law of injuries and remedies for those injuries. Torts can thus include assault, battery, false imprisonment, intentional infliction of emotional distress, negligence, invasion of privacy, defamation, fraud or representation, wrongful conversion, trespass, and other wrong, such as product liability. Some of these wrongs can be both civil and criminal in nature. A battery, for example, may be prosecuted by the state as a violation of the criminal statutes. The offender may be sentenced to prison and be ordered to pay a fine to the state. In some cases, he may also be ordered to pay restitution to the victim. However, the battery may also be a civil tort as well. The victim (the plaintiff) may sue in civil court for the tort of battery (and any other torts that may be alleged, such as intentional infliction of emotional distress). If the plaintiff is successful, the defendant will be ordered to pay compensatory damages (to “compensate” for the injury) and punitive damages (to “punish” the defendant for having caused the act). In the United States, it is commonly believed that courts will enter punitive damages in an amount that is roughly three times the size of the compensatory damages (which are sometimes called the “special damages” by plaintiffs lawyers).

In his book, *An introduction to the Legal System of the United States*, Professor Allan Farnsworth described the field of torts distinguished from criminal law and contract law. He wrote:

The field of torts embraces a group of civil wrongs, other than breach of contract, that interfere with person, property, reputation, or commercial or social advantage. While such an act, such as an assault, may sometimes be both a crime punishable by the state in a criminal prosecution and also a tort actionable by the victim in a suit for damages, the criminal prosecution and the damage action are quite separate and unrelated proceedings. The essential purpose of the law of torts is compensatory and, though punitive damages may occasionally be awarded, its function is distinct from that of criminal law. Criminal law is essentially punitive and an injured party is not awarded compensation in the criminal proceeding.

#### Words and word combinations

assault – нападение, словесное оскорбление и угроза физической расправы

battery – побои, избиение

false imprisonment – незаконное лишение свободы, тюремное заключение

intentional infliction of emotional distress –

намеренное нанесение моральной травмы

negligence – небрежность, халатность  
invasionofprivacy– вторжение в частную жизнь  
defamation– диффамация, клевета  
fraud - обман, подлог  
misrepresentation – введение в заблуждение  
wrongfulconversion– присвоение имущества  
trespass– нарушение чужого правовладения  
wrong– правонарушение, деликт, вред  
productliability – обязательство перед покупателем  
beprosecutedbythestate – преследовать в судебном порядке  
violationofthecriminalstatutes - нарушениеуголовныхстатутов  
payrestitution — выплатить возмещение  
restitution – восстановление первоначального правового положения  
victim - потерпевший, жертва  
plaintiff – истец  
sueincivilcourt — предъявлять гражданский иск  
damages — возмещенные убытки, ущерб  
punitive – карательный

## **Text 6**

### **KINDS OF TORTS**

There are two chief categories of torts: intentional torts and torts resulting from negligence. The core element in an intentional tort is an intent, or purpose, to cause harm to another. The law provides that a person has intent if he or she desires to cause the consequences of his or her act, or believes that the consequences are substantially certain result from the act. Intentional torts fall into two categories: torts against a person and torts against property.

Negligence refers to the failure of a person to exercise sufficient care in his or her conduct. When a person's conduct falls below the reasonable expectation of society and causes foreseeable harm to another, the person has acted negligently. Society's expect known in torts based on negligence as the legal duty of care — is that an individual reasonably prudent and careful person would act in similar circumstances. A person can act negligently by doing something that a reasonable person would not do or by failing something that a reasonable person would do. The law does not require that the person has an intent to cause harm.



## Words and word combinations

intentionaltort – умышленный (преднамеренный) проступок

resultfromnegligence – происходить из-за небрежности, халатности

intent – намерение

purpose – цель

causeharmtoanother - причинять вред другому лицу

thelawprovides– закон предусматривает

desireto causetheconsequencesofhisorheract – желать получитьопределенные результаты его или ее действий

fallinto-делиться, распадаться

tortagainstaperson - нарушения против личности

tortagainstproperty - нарушения против собственности

referto - относиться, принадлежать

thel legaldutyofcare — юридическая обязанность соблюдать осторожность

## Text 7

### WHAT TYPE OF CONDUCT AMOUNTS TO A CRIME

First, then, as to the type of conduct that is a crime. Legal systems largely agree about this:

- conduct that by causing or threatening harm creates insecurity;
- conduct that causes offence, and
- conduct that undermines the working of society, its government and economy.

Law make conduct criminal if by causing or threatening harm it creates a sense of insecurity. What counts as harm depends to some extent on what cash society thinks is objectionable. But behavior that strikes at people's lives and bodies, their property or the safety of the whole community is everywhere regarded as harmful.

To begin with people's lives and bodies, all countries make it a crime intentionally to kill another person (murder) or to wound them, It is also a crime to threaten someone in such a way that they think that they are about to be killed or wounded (assault). Equally or more disturbing is forcing someone to have sexual intercourse against their will (rape).

We all have an interest in other people not being murdered, wounded or raped not only ourselves and our families. In practice, however, the state and its officials often

cannot prosecute the wrongdoer unless the victim (for example the woman raped) reports what has happened and gives evidence against her attacker.

The crimes mentioned are offences against our bodies or persons. There are also offences against property. Property is an element of stability in people's lives, whether they are rich or poor. Theft is in all countries a crime.

#### Words and word combinations

conduct– поклеп

causeharm– причинять вред, ущерб

threatenharm — угрожать нанесением вреда, ущерба

causeoffence — совершать преступление

undermine– подрывать, наносить вред

wound– ранить

prosecutethewrongdoer – преследовать нарушителя в судебном порядке

giveevidence – давать показания

offencesagainstbodiesorpersons– преступления против личности

offencesagainstproperty — преступления против собственности

### **Text 8** **CRIME**

At the basic level, crime and crime rates in the U.S. are reported under two general categories. One is “violent crime” (against individuals) and the other is “property crime”. Violent crime includes murder and manslaughter, rape, robbery, and assault. Property crimes include burglary, larceny and theft, and motor vehicle theft.

There is however enormous variation within the U.S. in crime and crime rates - geographically, economically, and socially.

There are figures, and many studies, which show who in the U.S. is most affected by crime. Such “victim studies” indicate differences by race or ethnic group, sex and age. Again, there are great differences, some extreme. Taking murder and manslaughter as an example, it can be seen that black males are much more likely to be murdered than black females, white males, or white females.

First, actual research has focused on a large number of possible causes. Among the most frequently studied are unemployment, poverty, education level and educational opportunity, drug abuse and drug dealing, racism, ethnic and cultural attitudes, easy availability of weapons, consumerism and the media, ineffective courts and policing poor prisons, single-parent families and unwed mothers, youth gangs. Each of these

possible causes is the subject of serious debate. There are many scholarly works which try to identify the causes of crime in America, and to determine what must, could, or can be done.

#### Words and word combinations

crime rates – уровень преступности

violent crime – преступление против личности, насильственное преступление

property crime — преступление против собственности

murder – тяжкое убийство

manslaughter – простое убийство (убийство, совершенное без злого умысла)

rape — изнасилование

robbery — грабеж

assault — нападение

burglary — кража со взломом

larceny – хищение

theft — воровство

motor vehicle theft – угон средств передвижения

drug abuse — алкогольная зависимость

drug dealing — наркоторговля

### Text 9

## CRIME IN MODERN SOCIETY

Civilized societies have created various systems of defending an individual from violence. Unfortunately, crime rate is increasing practically all over the world. So, the police of any country should protect the citizens, their homes and property.

Some crimes, however, are considered more serious than others. For example, in the United States, those, who commit the crime of treason, are usually punished by life imprisonment or death.

Scholars and lawyers have tried to find out the reasons for crime. Some of them say that sometimes a person's greed, jealousy or frustration may lead to committing a crime.

Others believe that many crimes against a particular person are committed by the poor. These people can steal money or goods, and they are capable of injuring or killing their victims.

But if such offenders are caught by the police, they still have the right to be defended by a lawyer in court. As a rule, the police and investigators do their best to provide the court with meaningful evidence.

However, there are cases which only seem to be simple. For instance, sometimes it is pretty hard to deal with a car theft, especially if the suspect is young. He usually says that he just wanted to use the car for fun, and then return it to its proper place.

In the United States, anyone accused of a crime has certain rights that are guaranteed by the Bill of Rights. This document consists of the first ten amendments to the US Constitution. For example, everyone has the right to a fair trial or he can keep silent without testifying against himself. Besides, under American law, a person is considered innocent unless he is proved guilty in court.

In modern society, every citizen should be aware of the legislation in force as well as of his or her right under the law.

#### Words and word combinations

violence – насилие

crimerafe – рост преступности

commit a crime – совершать преступление

crime of treason — измена

life imprisonment – пожизненное заключение

steal money or goods – воровать деньги или товары (вещи)

offender – правонарушитель, преступник

evidence – доказательство

car theft – угон автомобиля

suspect – подозреваемый

be accused of a crime - быть обвиненным в совершении преступления

fair trial – справедливый суд

testify – свидетельствовать

innocent – невиновный

guilty – виновный

### Text 10

#### WHAT IS CRIMINAL PROCEDURE?

Criminal procedure, also called the criminal process or the criminal justice system, is the mechanism through which crimes are investigated, the guilt of criminals adjudicated, and punishment imposed. It includes the police, prosecutors, defense

attorneys, and courts, the practices and procedures observed by them, and legal rules that govern them. In the criminal process an individual is pitted against the government, with all of its resources and authority, and only through the criminal process can the state's most serious sanctions - imprisonment or even death - be applied.

Criminal law defines what conduct is criminal and prescribes the punishment for criminal conduct. Criminal procedure makes the criminal law work; the sanctions defined by criminal law are only effective because the criminal process can bring the sanctions to bear on individuals who violate the law. At the same time, criminal procedure aims to make sure that criminal sanctions are applied only to those who are guilty, and only through procedures that are recognized as fair. One goal of the criminal process is to punish the guilty, but other goals are to protect the innocent and to ensure that even the guilty are protected from abuse by the government.

Although we talk about "the" criminal process, different systems are in place in each state and in the federal courts.

#### Words and word combinations

criminal procedure, process –уголовный процесс

investigate a crime –расследовать преступление

adjudicate –выносить судебное решение

impose punishment –налагать наказание

prosecutor –прокурор, обвинитель

defense attorney –адвокат, защитник

criminal conduct - преступное поведение

violate the law –нарушать закон

abuse – злоупотребление

## Glossary

### A

<b>action</b>	иск
<b>a civil action</b>	гражданский иск
<b>to bring an action</b>	возбудить дело виновное действие
<b>Aclus Reus</b>	адвокат (амер. прокурор)
<b>attorney</b>	представлять дело в суде
<b>to argue a case</b>	обвинять обвиняемый
<b>to accuse</b>	относящийся к
<b>the accused</b>	обвинению
<b>accusatorial</b>	

### B

<b>barrister</b>	адвокат (выступающий в суде)
<b>to breach</b>	нарушать (закон, контракт и т.д.)
<b>to break</b>	нарушать (закон, правила)
<b>binding</b>	обязательный
<b>bound</b>	обязанный по закону

### C

<b>a crime</b>	преступление
<b>to commit a crime</b>	совершать преступление преступность
<b>criminality</b>	преступник
<b>criminal</b>	гражданское лицо дело

<b>court</b>	суд
<b>first instance court</b>	суд первой инстанции
<b>to convict</b>	осуждать

### D

<b>defendant</b>	ответчик, подсудимый
<b>to doubt</b>	сомневаться
<b>a reasonable doubt</b>	разумное сомнение
<b>to damage</b>	нанести ущерб
<b>damage</b>	ущерб
<b>to defend</b>	защищать
<b>defenses</b>	а) защита на суде, б) возражения ответчика
<b>self-defense</b>	самозащита
<b>duress</b>	физическое принуждение
<b>drugs</b>	наркотики
<b>drug trafficking</b>	перевозка наркотиков

### E

<b>evidence</b>	доказательство, улика,
<b>to give evidence</b>	давать показания предоставлять доказательства давать право

<b>civilian case</b>			<b>to entitle</b>	иметь право на
			<b>to be entitled (to)</b>	
<b>F</b>			<b>to make laws</b>	создавать законы
<b>to fine</b>	штрафовать		<b>to break a law</b>	нарушать закон
<b>fine</b>	штраф		<b>to obey the law</b>	подчиняться закону
<b>to impose a fine</b>	наложить штраф		<b>law-abiding</b>	законопослушный
			<b>common law</b>	общее право
<b>G</b>			<b>case law</b>	прецедентное право
<b>guilt</b>	вина		<b>public law</b>	публичное право
<b>the guilty</b>	виновный	признать	<b>civillaw</b>	гражданское право
<b>to find guilty</b>	виновным		<b>criminal law</b>	уголовное право
			<b>legal</b>	законный
<b>I</b>			<b>litigation</b>	судебное разбирательство
<b>to investigate</b>	расследовать		<b>litigant</b>	сторона в гражданском процессе
<b>investigation</b>	расследование			
<b>innocence</b>	невиновность		<b>N</b>	
<b>the innocent</b>	невиновный		<b>negligence</b>	халатность
<b>insanity</b>	невменяемость		<b>O</b>	
<b>to imprison</b>	заключить в тюрьму заключение в тюрьму		<b>offence</b>	нарушение, проступок
<b>imprisonment</b>	пожизненное заключение		<b>P</b>	
<b>life</b>			<b>to punish</b>	наказывать
<b>imprisonment</b>			<b>punishment</b>	наказание
<b>J</b>			<b>to prosecute</b>	преследовать в судебном порядке
<b>justice</b>	правосудие		<b>party</b>	сторона
<b>jurisdiction</b>	отправление правосудия, юрисдикция		<b>penalty</b>	наказание
<b>jail</b>	тюрьма		<b>to suffer a</b>	понести
<b>judge</b>	судья		<b>penalty</b>	наказание
<b>judgement</b>	судебное решение, приговор		<b>to prohibit</b>	запрещать
<b>judiciary</b>	судебная власть		<b>prohibition</b>	запрещение
<b>jury</b>	суд присяжных			

<b>L</b>		<b>powers</b>	полномочия
<b>law</b>	закон	<b>plaintiff</b>	истец
		<b>proof</b>	доказательство
<b>R</b>		<b>probation</b>	испытание
<b>records</b>	документы	<b>T</b>	
<b>right</b>	право	<b>tort</b>	гражданское
<b>human rights</b>	права человека право	<b>trial</b>	правонарушение
<b>right of audience</b>	выступить в суде	<b>to torture</b>	суд, судебное разбирательство пытать
<b>S</b>		<b>V</b>	
<b>statute</b>	законодательный акт	<b>to violate</b>	нарушать
	приговор	<b>violence</b>	насилие
<b>a sentence</b>	выносить приговор	<b>W</b>	
<b>to pass a sentence</b>	подозревать	<b>wrong</b>	противоправное действие, нарушение
<b>to suspect</b>	поверенный		
<b>solicitor</b>	предъявлять иск		
<b>to sue</b>			

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