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**LAW VOCABULARY BUILDER**

Учебно-методическое пособие  
по учебной дисциплине «Иностранный язык»  
для студентов факультета права

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# Unit 1

## Introduction to law: basic terms

**A. The following terms introduce you to the law and basic legal terminology.**

**Below are the definitions. Find the definition for each term.**

authority law enforcement agency legislation court govern  
judge lawyers legal action rule the judiciary tribunal  
legal system

1. a body that is appointed to make a judgement or inquiry
2. a country's body of judge
3. an act or acts passed by a law-making body
4. behaviour recognized by a community as binding or enforceable by authority
5. legal proceedings
6. an official body that has authority to try criminals, resolve disputes, or make other legal decisions
7. an organization responsible for enforcing the law, especially the police
8. a senior official in a court of law
9. the body or system of rules recognized by a community that are enforceable by established process
10. the control resulting from following a community's system of rules
11. members of the legal profession
12. to rule a society and control the behaviour of its members

**B. Complete the following text about basic legal concepts using the following words and phrases. Use each term once.**

authority law enforcement agency legislation court govern judge lawyers  
legal action rule the judiciary tribunal  
legal system

Why do we have laws and \_\_\_\_\_ ? At one level, laws can be seen as a type of \_\_\_\_\_ which is meant to \_\_\_\_\_ behaviour between people. We can find these rules in nearly all social organizations, such as families and sports clubs. Law, the body of official rules and regulations, generally found in constitutions and \_\_\_\_\_, is used to govern a society and to control the behaviour of its members. In modern societies, a body with \_\_\_\_\_, such as a \_\_\_\_\_ or the legislature, makes the law; and a \_\_\_\_\_, such as the police, makes sure it is observed. In addition to enforcement, a body of expert \_\_\_\_\_ is needed to apply the law. This is the role \_\_\_\_\_, the body of \_\_\_\_\_ in a particular country. Of course, legal systems vary between countries, as well as the basis for bringing a case before a court or \_\_\_\_\_. One thing, however, seems to be true all over the world - starting a \_\_\_\_\_ is both expensive and time-consuming.

## The sources of law

Law has its origins in the early developments of civilized society, and through time there have been major influences on the laws that we follow today.

### A. Match these sources of law with the descriptions below.

Common law	Roman law
Napoleonic Code	The Ten Commandments

\_\_\_\_\_, which evolved in the 8th century BC, was still largely a blend of custom and interpretation by magistrates of the will of the gods.

\_\_\_\_\_ evolved from the tribal and local laws in England. It began with common customs, but over time it involved the courts in law-making that was responsive to changes in society. In this way the Anglo-Norman rulers created a system of centralized courts that operated under a single set of laws that replaced the rules laid down by earlier societies.

\_\_\_\_\_ formed the basis of all Israelite legislation. They can also be found in the laws of other ancient peoples.

\_\_\_\_\_ refers to the entire body of French law, contained in five codes dealing with civil, commercial, and criminal law.

### B. Are the following sentences about the sources of law true or false?

- 1 The Ten Commandments are based on moral standards of behaviour.
- 2 In common law, judges resolve disputes by referring to statutory principles arrived at in advance.

3 Roman law is based on the principle of deciding cases by reference to previous judicial decisions, rather than to written statutes drafted by legislative bodies.

4 The Napoleonic Code was introduced into a number of European countries, notably Belgium, where it is still in force. It also became the model for the civil codes of Quebec Province in Canada, the Netherlands, Italy, Spain, some Latin American republics, and the state of Louisiana.

### **The subject matter of the legal system**

**A. One way of classifying and understanding the law is by subject matter. Lawyers often divide the law and the legal system into two: criminal law and civil law. Classify the following terms into the appropriate column below. Two terms can appear in both columns.**

compensation	contract	crime	damages	family law	
intellectual	property	plaintiff	police	private	individual
prosecution	the accused	the defendant	theft	to bring a case	
to bring an action	to fine	to charge someone with something			

Criminal	Civil

**B. Now complete the following text contrasting criminal and civil law by choosing from the words/phrases above.**

### Criminal Law vs Civil Law

One category is the criminal law – the law dealing with \_\_\_\_\_. A case is called a \_\_\_\_\_. The case is instituted by the prosecutor, who takes over the case from the \_\_\_\_\_ who have already decided \_\_\_\_\_ the defendant (or \_\_\_\_\_) with specified crimes. The civil law is much more wide-ranging. The civil law includes the law of \_\_\_\_\_ and \_\_\_\_\_. In a civil case, the \_\_\_\_\_, normally a \_\_\_\_\_ or company, \_\_\_\_\_ to win \_\_\_\_\_. If the case is proven (on the balance of probabilities, meaning that one is more sure than not), the defendant normally pays the plaintiff \_\_\_\_\_ (money).



## Unit 2

### The court structure

Every jurisdiction organizes the administration of justice in different ways. In England, the basic division between criminal and civil law is reflected in the court system.

#### A. Complete the following sentences using the words from the box.

Court of Justice of the European Communities, House of Lords,

Court of Appeal (criminal division), Court of Appeal (civil Division),

Crown Court, High Court, Magistrates Court, County Court

1. Claims of lesser value will start in a \_\_\_\_\_. There are 250 of these around the country. They can also deal with divorce and bankruptcy matters.
2. Matters of important legal dispute arising in the Crown Court may be appealed to the \_\_\_\_\_.
3. From the Court of Appeal, there can be an appeal to the \_\_\_\_\_ on fact or law, but usually appeal is only allowed on matters of legal importance.
4. If the case involves a serious crime, it is heard in the \_\_\_\_\_ (there is only one \_\_\_\_\_ but it has about 70 centers around the jurisdiction).
5. In less serious criminal cases (which comprise over 90% of criminal cases), the case is sent for trial in one of over 400 \_\_\_\_\_.

6. More substantial civil claims (over around £25,000) are heard in the \_\_\_\_\_ .
7. The \_\_\_\_\_ was set up under the Treaty of Rome of 1957, by which the European Community was established. The court can overrule all other courts on matters of Community law.
8. Under the system of appeals in civil cases , it is possible to appeal from a County Court or the High Court to the \_\_\_\_\_ .

## Types of court

### A. Complete definitions 1 – 18 with words / expressions from the box.

**Note that several of these are related to British or English and Welsh law only, although other countries will usually have an equivalent.**

Admiralty Court	Commercial Court	coroner's court	County Court
courthouse	court-martial	Court of Appeal	Court of Protection
Crown Court	employment tribunal	European Court of Human Rights	
European Court of Justice		High Court	House of Lords
Lands Tribunal	magistrates' tribunal	small claims court	

1. A \_\_\_\_\_ is a court that deals with disputes over small amounts of money.
2. A \_\_\_\_\_ is a civil or criminal court to which a person may go to ask for an award or sentence to be changed.

3. A \_\_\_\_\_ is a court which tries someone serving in the armed forces for offences against military discipline.
4. A \_\_\_\_\_ is the general word for a building in which trials take place.
5. A \_\_\_\_\_ is one of the types of court in England and Wales which hears local civil cases.
6. The \_\_\_\_\_ is a court which considers the rights of citizens of states which are parties to the European Convention for the Protection of Human Rights.
7. An \_\_\_\_\_ is a body responsible for hearing work-related complaints as specified by statute.
8. A \_\_\_\_\_ is a court which hears cases of petty crime, adoption, affiliation, maintenance and violence in the home (= *domestic violence*), and which can also commit someone for trial or sentencing in a Crown Court.
9. A \_\_\_\_\_ is a court presided over by a public official (usually a doctor or lawyer) who investigates sudden, unexpected and violent deaths.
10. A \_\_\_\_\_ is a court above the level of a magistrates' court which hears criminal cases.
11. A \_\_\_\_\_ is a court which deals with compensation claims relating to land.

12. A \_\_\_\_\_ is a court in the Queen's Bench Division (= one of the main divisions of the High Court) which hears cases relating to business disputes.
13. A \_\_\_\_\_ is a court which adjudicates in disputes about money paid or services provided in return for borrowing something – usually buildings or land.
14. The \_\_\_\_\_ is the main civil court in England and Wales.
15. The \_\_\_\_\_ is the court set up to see that the principles of law as laid out in the Treaty of Rome are observed and applied correctly in the European Union.
16. A \_\_\_\_\_ is a court appointed to serve the interests of people who are not capable of dealing with their own affairs, such as patients who are mentally ill.
17. The \_\_\_\_\_ is court which is part of the Queen's Bench Division (see number 12 above), which decides in disputes involving ships.
18. The \_\_\_\_\_ is the highest court of appeal in the United Kingdom (although appellants unhappy with a decision made here can appeal to the European Court of Justice).

**B. Decide which of the courts below is most likely to deal with the following situations.**

Admiralty Court	Commercial Court	coroner's court	County Court	courthouse
court-martial	Court of Appeal	Court of Protection	Crown Court	
employment tribunal	European Court of Human Rights	European Court of Justice		
High Court	House of Lords	Lands Tribunal	magistrates' tribunal	
small claims court				

*HMS Decrepit* and *HMS Leaky* collide during exercises in the North Sea. The captains of both vessels blame each other.

Mr Johnson and Mrs Johnson are getting divorced. Mrs Johnson demands to have the house, the car, 75% of Mr Johnson's life savings and their pet cat, Tigger. "No way!" says an angry Mr Johnson.

One evening, Mr Waring goes to his favourite seafood restaurant for dinner. The next morning he is found dead in bed.

Two separate companies, *English International Telecommunications* and *Britphone*, both bring out a new mobile phone which they call the '*Smell-O-Phone*'. Both companies claim that the name was their own idea.

Five workers have been sacked from the computer manufacturing company 'Compucrash' for incompetence. They believe that they have been unfairly dismissed.

Mr Cassington is 98 years old and going deaf and senile. The local Social Services believe he should be put in a special home. Mr Cassington refuses to leave his own house.

Mr and Mrs Waugh had a new window installed in their house. The window company now wants the Waughs to pay, but Mr Waugh is refusing because he thinks the quality of workmanship is poor.

Jamie Yarnton pays £500 a month to live in Mrs Witney's house. Suddenly, Mrs Witney asks him for £1,000 a month instead. Mr Yarnton thinks this is completely unreasonable.

Newspaper editor Mr Hislop publishes an article describing the Prime Minister as a 'useless, incompetent fool who can barely tie his own shoelaces, let alone run the country'. The PM decides to take immediate legal action against the paper.

Corporal Jones ignored Sergeant Wilson's orders, then went 'absent without leave' for two weeks.

### **Court personnel**

**A. Below are 10 people (or groups of people) who work in different courts.**

**Complete the following text choosing from the words in the box.**

judiciary magistrates barrister bench clerk president jury judge recorder prosecutor
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The \_\_\_\_\_ are perhaps the most prominent amongst those involved in running the court. The largest group of \_\_\_\_\_ are \_\_\_\_\_, ordinary citizens who are not legal professionals but are appointed to ensure that the local community is involved in the running of the legal system. They sit as a group of three (as a '\_\_\_\_\_'). Magistrates sit with a legally qualified \_\_\_\_\_, who can advise on points of law. A case is presented by the \_\_\_\_\_, who takes over the case from the police who have already charged the defendant (or accused) with specified crimes. In the upper courts, the judges are almost all former \_\_\_\_\_. But many cases are also heard by \_\_\_\_\_ - part-time barristers from private practice. The Crown Court \_\_\_\_\_ consists of 12 persons, aged 18 to 70.

## Unit 3

### Legal professionals

Every legal system needs professionals to provide legal services. These systems are organized in many different ways. In England this work is carried out by two groups of professionals – solicitors and barristers.

A. Below is a list of tasks carried out by solicitors and barristers. Classify them into the appropriate column.

advising clients on general legal issues	
advising clients on specialist legal issues	
advising on litigation	advising on tax matters
advocacy in all courts	advocacy in the lower courts
commercial work	conveyancing of houses
dealing with commercial transactions	
drafting of documents in connection with litigation	
making wills	preparing cases
share and other property dealings	

Solicitors	Barristers



## Legal training

The legal training for solicitors (who provide general legal advice to clients) and barristers (who present cases in the upper courts) is different.

**A. The following short texts describe the stages in legal training, but they are mixed up. Put the steps into the correct category and order.**

### 1 PRACTICE AND CONTINUING EDUCATION

The next stage is to obtain a 'tenancy': becoming an assistant to a practising barrister.

### 2 GETTING THE QUALIFICATIONS

The next step is to acquire some legal training specific to the work of a barrister.

### 3 DEVELOPING PRACTICAL SKILLS

Next the intending solicitor has to enter a two-year training contract with a firm of solicitors to gain practical experience in a variety of areas of law.

### 4 GETTING THE TRAINING AND EXPERIENCE: PUPILLAGE

This is the 'apprenticeship' served by trainee barristers, who are known as pupils. It usually takes a year and consists of a mixture of assisting and observing experienced barristers, as well as more practical experience.

### 5 GETTING THE ACADEMIC QUALIFICATIONS

The quickest and most common route to qualification is by means of a qualifying law degree.

### 6 GETTING THE VOCATIONAL QUALIFICATIONS

You will have to undertake the Legal Practice Course, which is the professional training for solicitors. The course teaches the practical application of the law to the needs of clients.

### 7 GETTING THE ACADEMIC QUALIFICATIONS

The first part of training to become a barrister is known as the academic stage, which provides a general theoretical introduction to the law.

Training for solicitors			Training for barristers			

## People in the law

This exercise tests your knowledge of the names we give to people who work in or for the legal system, or people who become involved in a legal process.

**A. Complete each sentence with an appropriate word (the first and last letters have been given to you in each case).**

A l\_\_\_\_\_r is a general term for any qualified member of the legal profession.

An a\_\_\_\_\_y is somebody who is legally allowed to act on behalf of someone else.

The j\_\_\_\_\_y is the collective word for all judges in a country, as well as the court system in general.

An a\_\_\_\_\_e is somebody who has the right to speak in open court as the representative of a party in a legal case.

A t\_\_\_\_\_r is a man who has made a will.

A b\_\_\_\_\_r is a member of the legal profession who can plead or argue a case in one of the higher courts of law.

An a\_\_\_\_\_t is a person who appeals to a higher court in order to get it to change a decision or a sentence imposed by a lower court.

A c\_\_\_\_\_t is somebody who is kept in prison as punishment for a crime.

A p\_\_\_\_\_n officer supervises people who have committed something wrong but are not sent to prison, or people who have been released early from prison on certain conditions.

A s\_\_\_\_\_t is someone whom the police believe has committed a crime.

A w\_\_\_\_\_s is someone who sees something happen, or is present when it happens.

A j\_\_\_\_\_e is an official who presides over a court and in civil cases decides which party is in the right.

A c\_\_\_\_\_t is a person who takes legal action against someone in the civil courts.

A group of 12 citizens who are sworn to decide whether someone is guilty or not guilty on the basis of the evidence they hear in court is called a j\_\_\_\_\_y.

Somebody who receives something under a will is called a b\_\_\_\_\_y.

A m\_\_\_\_\_e is an official (who is usually unpaid) who tries cases in a lower court.

An a\_\_\_\_\_r is somebody who decides who is right and what should be done in a disagreement or dispute.

A t\_\_\_\_\_r is someone who has committed a civil wrong, or *tort*.

The person who brings criminal charges against someone in a court is called a p\_\_\_\_\_r.

A d\_\_\_\_\_t is someone who is sued in a civil case or somebody who is accused of a crime in a criminal case.

A person who applies for a court order is called an a\_\_\_\_\_t.

**B. Complete these paragraphs with words or expressions from the box.**

- |                        |                  |                 |                   |                         |
|------------------------|------------------|-----------------|-------------------|-------------------------|
| 1. accused             | 2. adoption      | 3. affiliation  | 4. appointed      | 5. bench                |
|                        |                  |                 | 6. biased         |                         |
| 7. called to the Bar   | 8. challenged    | 9. clerk        | 10. commit        | 11. criminal            |
|                        |                  |                 | 12. Crown Court   |                         |
| 13. electoral register | 14. eligible     | 15. exclusively | 16. Inns of Court |                         |
|                        |                  |                 | 17. inquests      |                         |
| 18. jurors             | 19. jury service | 20. lay         | 21. libel         | 22. Magistrates' Courts |
|                        |                  |                 | 23. misconduct    |                         |
| 24. on bail            | 25. Parliament   | 26. political   | 27. practise      | 28. pupillage           |
|                        |                  |                 | 29. Recorders     |                         |
| 30. right of audience  | 31. sentence     | 32. solicitor   | 33. stipendiary   | 34.                     |
|                        |                  |                 | trial             | 35. verdict             |

## Barristers

In England and Wales, a *barrister* is a member of one of the \_\_\_\_\_ (= the four law societies in London to which lawyers are members); he or she has passed examinations and spent one year in \_\_\_\_\_ (= training) before being \_\_\_\_\_ (= being fully accepted to practise law). Barristers have the \_\_\_\_\_ in all courts in England and Wales: in other words, they have the right to speak, but they do not have that right \_\_\_\_\_.

## Magistrates

*Magistrates* usually work in \_\_\_\_\_. These courts hear cases of petty crime, \_\_\_\_\_, \_\_\_\_\_, maintenance and violence in the home. The court can \_\_\_\_\_ someone for \_\_\_\_\_ or for \_\_\_\_\_ in a \_\_\_\_\_. There are two main types of *magistrates*: \_\_\_\_\_ magistrates (qualified lawyers who usually sit alone); \_\_\_\_\_ *magistrates* (unqualified, who sit as a \_\_\_\_\_ of three and can only sit if there is a justices' \_\_\_\_\_ present to advise them).

## Judges

In England, *judges* are \_\_\_\_\_ by the Lord Chancellor. The minimum requirement is that one should be a barrister or \_\_\_\_\_ of ten years' standing. The majority of judges are barristers, but they cannot \_\_\_\_\_ as barristers. \_\_\_\_\_ are practising barristers who act as judges on a part-time basis. The appointment of judges is not a \_\_\_\_\_ appointment, and judges remain in office unless they are found guilty of gross \_\_\_\_\_. Judges cannot be Members of \_\_\_\_\_.

## The jury

*Juries* are used in \_\_\_\_\_ cases, and in some civil actions, notably actions for. They are also used in some coroner's \_\_\_\_\_. The role of the jury is to use common sense to decide if the \_\_\_\_\_ should be for or against the \_\_\_\_\_. Members of a jury (called \_\_\_\_\_) normally have no knowledge of the law and follow the explanations given to them by the judge. Anyone whose name appears on the \_\_\_\_\_ and who is between the ages of 18 and 70 is \_\_\_\_\_ for.

Judges, magistrates, barristers and solicitors are not eligible for jury service, nor are priests, people who are \_\_\_\_\_, and people suffering from mental illness. People who are excused jury service include members of the armed forces, Members of Parliament and doctors. Potential jurors can be \_\_\_\_\_ if one of the parties to the case thinks they are or may be \_\_\_\_\_.

## Unit 4

### Introduction to the law of contract

**A. Here is a brief summary of the law of contract. Complete the texts using the words in the box.**

agreement breach capacity consideration damages fraud illegal obligation oral performance property signed terms
--

What is a contract?

It is an agreement that creates a binding (1)\_\_\_\_\_ upon the parties. The essentials of a contract are as follows: mutual (2)\_\_\_\_\_; a legal (3)\_\_\_\_\_, which in most instances need not be financial; parties who have legal (4)\_\_\_\_\_ to make a contract; absence of (5) \_\_\_\_\_ or duress; and a subject matter that is not (6)\_\_\_\_\_ or against public policy.

What form does a contract take?

In general, contracts may be either (7)\_\_\_\_\_ or written. Certain types of contracts, however, in order to be enforceable, must be written and (8)\_\_\_\_\_. These include contracts involving the sale and transfer of (9)\_\_\_\_\_.

How does a contract end?

In case of a (10)\_\_\_\_\_ of contract, the injured party may go to court to sue for financial compensation (or (11) \_\_\_\_\_), or for rescission, for injunction, or for specific performance if financial compensation would not compensate for the breach. Specific (12) \_\_\_\_\_ of a contract is the right by one contracting party to have the other contracting party perform the contract according to the precise (13) \_\_\_\_\_ agreed.

## Contracts

### A. Complete the text with words or expressions from the box.

1. accepted 2. agreement 3. breach 4. consideration 5. contractual  
liability 6. damages  
7. express 8. implied 9. intention 10. obligations 11. offer 12.  
reward 13. signed  
14. stated 15. sue 16. terms 17. under seal 18. verbally 19. voided  
20. writing

A contract can be defined as 'an \_\_\_\_\_ between two or more parties to create legal \_\_\_\_\_ between them'. Some contracts are made '\_\_\_\_\_': in other words, they are \_\_\_\_\_ and sealed (stamped) by the parties involved. Most contracts are made \_\_\_\_\_ or in \_\_\_\_\_. The essential elements of a contract are: (a) that an \_\_\_\_\_ made by one party should be \_\_\_\_\_ by the other; (b) (the price in money, goods or some other \_\_\_\_\_, paid by one party in exchange for another party agreeing to do something); (c) the \_\_\_\_\_ to create legal relations. The \_\_\_\_\_ of a contract may be \_\_\_\_\_ (clearly stated) or \_\_\_\_\_ (not clearly \_\_\_\_\_ in the contract, but generally understood). A \_\_\_\_\_ of contract by one party of their \_\_\_\_\_ entitles the other party to \_\_\_\_\_ for \_\_\_\_\_ or, in some cases, to seek specific performance. In such circumstances, the contract may be \_\_\_\_\_ (in other words, it becomes invalid).

### B. There are many different kinds of contract for different situations. Look at the following paragraphs and decide what kind of contract is being described or talked about.

I went into the supermarket and chose the items that I wanted. As soon as my basket was full, I headed for the checkout.

My cousin Bob said he was going to get rid of his computer and buy a new one. I said that I needed a computer and suggested I bought his old one. Anyway, we agreed on a price, I gave him a £50 deposit, and agreed to pay the balance in instalments over the next three months. I'm going round to collect the computer this evening.

The property is unfurnished, and the rent is £650 pcm, which has to be paid monthly in arrears. Electricity, gas and phone bills are extra. There's a communal garden and a communal parking area, for which I also have to pay a nominal maintenance fee. The landlord is responsible for any repairs to the property. I'm not allowed to sublet at any time. I've signed the lease for 18 months.

We're opening our own branch in the town centre next week. The deal is fairly simple: we get the right to use the company's name, their trademark, their trade names and products, wear their uniforms and use their stationery. They also provide our staff with all the necessary training, give us invaluable managerial assistance and provide advertising materials. In return, we have to meet specific requirements, such as quality of service, maintaining good customer relations, and following the company's standard procedures. Oh, and buy all the products we sell from them, naturally.

The total amount you are borrowing is £9,000 at an APR of 6.6%. Repaid in monthly instalments over 3 years, this gives you a monthly repayment figure of £275.46, totalling £9,916.56. You have opted out of the repayment protection premium scheme. If you wish to make an early settlement, the figure above will be recalculated accordingly. As soon as you sign a form, your funds will be released into your bank account. Please note that penalties will be applied if you default on repayments.

This appointment is for a period of two years, following a 4-week probationary period. Your remuneration package includes an annual gross salary of £32,000.



You are entitled to sick pay and 6 weeks annual leave after you have been with us for 3 months. Your hours of work are 9 to 5 Monday to Friday, although you may be asked to work overtime during busy periods. The company has its own medical and pension schemes which you may join.

The total cost is £2,870, which is payable in full before the goods can be despatched. Alternatively, we can arrange credit terms, which are interest-free for the first six months. All goods are covered by the manufacturer's warranty, which is valid for one year. If you are not happy with your merchandise, it can be returned for an exchange or full refund (but please note that this is valid for 28 days only, and we will need to see your receipt or other proof of purchase).

A group 7M people carrier is £58 a day. This price includes unlimited mileage, fully comprehensive insurance, collision damage waiver and loss damage waiver. The company has drop-off points in most major cities, but will charge extra if you use a different one from that where you picked up the vehicle. A refuelling service charge will be applied if you do not replace the fuel you have used.

### **Full-time Employment Contract**

A contract of employment comes into existence as soon as a job offer is accepted whether that offer is oral or in writing. However, it is easier for both parties if the offer of employment is in writing to prevent disputes at a later date.

Below is an extract from a skeleton contract of employment for a full-time employee. The key word/phrase from each section has been removed.

**A. Complete the text using the words/phrases from the box.**

Commencing salary	date of commencement			
duties and responsibilities	grievance			
holiday entitlement	notice	pension	position	probationary service
sickness pay	terms and conditions			

You have been appointed to the \_\_\_\_\_ of administrative assistant.

Your will be as detailed in the attached Job Description, but this Job Description should not be regarded as exclusive or exhaustive. There will be other occasional duties and requirements associated with your appointment.

The of your continuous service with this company is 1 January 2002.

Your specific \_\_\_\_\_ are contained in the Employees' Handbook issued by the company, as well as in existing collective agreements negotiated by this company.

Confirmation of your appointment will be subject to your satisfactory completion of 3 months' \_\_\_\_\_.

Your \_\_\_\_\_ is £20,000 per annum, paid monthly in arrears. Overtime is not payable.

Your \_\_\_\_\_ entitlement is 30 days in any calendar year.

Your annual \_\_\_\_\_ is 25 days which cannot be carried over.

The minimum period of \_\_\_\_\_ to which you are entitled is 3 months.

Your position with regard to \_\_\_\_\_ is set out in the explanatory booklet attached.

If you have a \_\_\_\_\_ relating to your employment, you should refer to the complaints procedure outlined in the booklet attached

## Unit 5

### Criminal law

A crime is an illegal act which may result in prosecution and punishment by the state if the accused (= the person or people charged with a crime) is / are convicted (= found guilty in a court of law). Generally, in order to be convicted of a crime, the accused must be shown to have committed an illegal (= unlawful) act with a criminal state of mind.

**A. Look at the list of crimes in the box, then look at the categories below. Decide which category each one comes under, and write the crime in the appropriate space in the table. Some crimes can be listed under more than one category. One of the words / expressions in the list is not a crime.**

1. abduction 2. actual bodily harm 3. aiding and abetting (= assisting) an offender 4. arson
5. assault 6. battery 7. being equipped to steal 8. bigamy 9. blackmail
10. breach of the Official Secrets Act 11. breaking and entering 12. bribery
13. burglary
13. careless or reckless driving 14. committing a breach of the peace 15. conspiracy
16. contempt of court 17. criminal damage (vandalism, and sometimes also hooliganism)
18. deception or fraud in order to obtain property, services or pecuniary advantage
19. driving without a licence or insurance 20. drug dealing 21. drunk in charge / drink driving

22. embezzlement 23. espionage 24. forgery 25. grievous bodily harm  
26. handling stolen goods 27. indecency 28. indecent assault 29. infanticide  
30. manslaughter 31. misuse of drugs 32. money laundering 33. murder 34. obscenity  
35. obstruction of the police 36. paedophilia 37. perjury 38. perverting the course of justice  
39. piracy 40. possessing something with intent to damage or destroy property  
41. possessing weapons 42. racial abuse 43. rape 44. robbery 45. sedition  
46. suicide 47. terrorism 48. theft 49. treason 50. unlawful assembly 51. wounding

Crimes against the person
Crimes against property

Public order  
offences

Road traffic  
offences

Sexual offences

Political offences

Offences against justice

### Name the offence

**A. Look at these situations, then decide which crime has been, or is being, committed in each case. In some cases, more than one option is possible.**

*TV Newsreader:* Police believe the fire was started deliberately at around 2 o'clock this morning when burning paper was pushed through the letterbox. They are appealing for witnesses to the event.

*Crown Prosecutor:* Tell us in your own words exactly what happened. *Witness:* We were in the bar when a man walked up to the victim, pointed a gun at his head and said 'You're a dead man.' Then he pulled the trigger three times.

*Police constable:* You were going in excess of 60, and this is a 30 zone.

*Man in car:* I think you're mistaken, constable. I was well within the speed limit.

*Woman:* When I got home, I discovered that my back door had been broken open.

*Police officer:* Had anything been stolen?

*Woman:* Yes, my new laptop, £200 in cash and my pet parrot.

*Police officer:* I'm sorry sir, but I have to report your actions to the proper authorities.

*Man:* Look, officer, here's £50. Let's just pretend this didn't happen, eh?

*Extract from a newspaper article:* The two men were arrested and detained after police checks revealed that they had been distributing pornographic material over the Internet.

*Interviewing detective:* All right, Dagsy. We know you didn't do the Cornmarket Street bank job yourself, but we know that you were involved somehow.

*Police suspect:* I was just driving the car Mr Regan, honest. And I didn't know what the others were up to until they came back with bags of cash.

*TV newsreader:* The car bomb went off in a busy marketplace, injuring several shoppers.

*Radio newsreader:* The police raided a house in New Street this morning and recovered 250 illegal copies of the latest Harry Potter film, along with professional film copying equipment.

*Man reading newspaper:* I don't believe it. The Foreign Minister has been caught giving government secrets to another country!

*Political agitator:* Now is the time to rise up and overthrow the running dogs that call themselves our government. Death to the Prime Minister and his cronies! Death to the Royal Family! Death to the system that bleeds us dry and abandons us! *Unwashed anarchist hordes:* Hooray!

*Shop assistant:* I can't accept this £20 note, madam. It's a fake.

*Customer:* What? You mean it's counterfeit?

*Shop assistant:* I'm afraid so. Do you have any other means of payment?

*Extract from a newspaper article:* The investigation into the rail accident confirmed that it occurred because the rail company had failed to maintain the tracks properly over a five-year period. Eight people died when the train left the tracks and hit an embankment.

*Police officer:* Take your time and tell me what happened, dear.

*Pensioner:* The man who came to my door said he had come to read the electric meter, so I let him in. I went to the kitchen to make him a cup of tea. When I returned he had gone, and so had my television.

*TV newsreader:* A journalist working in the city disappeared this morning. Police later received a note from a militant faction claiming that they had taken him and were holding him hostage.

*Woman:* The graffiti around here is getting really bad. Last week somebody wrote 'Chelsea are rubbish' on our garden wall.

*Man:* That's not good. It should say 'Chelsea are complete rubbish'.

*Man:* Look at this note, Cheri. It arrived in the post today. It says 'Leave £10,000 in cash in the bin by the bus stop, or I'll tell everyone your dirty secret'.

*Woman:* Don't worry about it, Tony. It's probably another little joke from him next door.

*Prosecuting lawyer:* Tell us again what happened on the night of the incident, Mr. Williams. And let me remind you that you are still under oath.

*Defendant:* Like I told you, I was at home asleep, so I have no idea what happened.



*Prosecuting lawyer:* Don't lie, Mr. Williams. We have video evidence that you were in the nightclub until 3am. And you were seen by several witnesses.

*Defendant:* I don't recognise this court. This trial shouldn't be taking place.

*Judge:* Sit down, Mr Dowling. You are out of order.

*Defendant:* Oh shut up, you silly old woman. Go back home and do some washing up or something.

*Accountant:* We've audited these accounts very carefully, and they just don't add up.

*Office manager:* What exactly are you saying?

*Accountant:* I'm saying that someone in your office has been secretly helping themselves to company money.

*TV presenter:* Jimmy Bond, a former government intelligence agent, has just published a book about the Intelligence Service called 'Lifting the Lid'. In it, he gives us a revealing insight into the life of a secret agent. The government have strongly condemned the book, claiming it contains classified information that should not be in the public domain.

*Magistrate:* Constable, could you explain what happened?

*Police constable:* I was proceeding down Newland Street at approximately 8 o'clock last night when I heard a lot of shouting coming from The Newlands Inn public house. On entering, I saw the accused in a state of undress and dancing on a table.

*Magistrate:* You mean he was naked?

*Police constable:* Yes. As the day he was born.

*Radio newsreader:* The judge in the trial of notorious gangster Joe 'Pinko' Pallino adjourned the court today after it was revealed that several members of the jury had been offered bribes and other incentives to pass a verdict of 'not guilty' on Mr. Pallino.

## **Criminal procedure**

**A. Here are the various stages of a criminal trial. Read through them, and try to remember as much information as possible. Then cover this page, and try to complete the same sentences on the next page with the information that has been removed.**

When the accused knows that he is going to stand trial, he asks a solicitor to prepare his case. The information collected is then given to a barrister who will defend him in court.

In a criminal case, the police will have their own barrister, who is known as the Crown Prosecutor.

These two barristers are referred to throughout the trial as counsel for the defence and counsel for the prosecution.

Before the trial begins, the counsels review their evidence and decide how to present their case.

Members of the jury, when required, are selected and briefed on their duties. A date for the trial is arranged.

At the beginning of the trial, the judge asks the defendant how he pleads: 'guilty' or 'not guilty'.

Both counsels then address the jury with a summary of what they believe is true, and explain what the jury will hear at the trial.

The counsel for the prosecution then calls and questions witnesses. The counsel for the defence can cross-examine these people. The defendant will also be questioned by both counsels.

At the end of the trial, the counsels summarise the facts as they see them, and the jury then retires to deliberate in private.

When the jury has reached its verdict, it returns to the court and the foreman of the jury delivers the verdict to the court.

If the defendant is found to be 'not guilty', he is acquitted.

However, if the jury's verdict is 'guilty', the defendant is convicted and sentenced by the judge.

The defendant may have to serve a custodial sentence (in other words go to prison), he may be given a suspended sentence, or he may be fined (or a combination of two of these).

If the defendant is not happy with the decision of the court, he is free to appeal to a higher court. The highest courts for appellants in England and Wales are the House of Lords and the Court of Justice of the European Communities (also called the European Court of Justice, or ECJ for short).

**When you are doing this exercise, try not to refer back to the previous page until you have completed it.**

When the \_\_\_\_\_ knows that he is going to stand trial, he asks a \_\_\_\_\_ to prepare his \_\_\_\_\_.

The information collected is then given to a \_\_\_\_\_ who will \_\_\_\_\_ him in court.

In a criminal case, the police will have their own barrister, who is known as the \_\_\_\_\_ (2 words).

These two barristers are referred to throughout the trial as \_\_\_\_\_ (4 words) and \_\_\_\_\_ (4 words).

Before the trial begins, the counsels review their \_\_\_\_\_ and decide how to present their case.

Members of the \_\_\_\_\_, when required, are selected and \_\_\_\_\_ on their duties. A date for the trial is arranged.

At the beginning of the trial, the judge asks the defendant how he \_\_\_\_\_: '\_\_\_\_\_' or '\_\_\_\_\_' (2 words).

Both counsels then address the jury with a \_\_\_\_\_ of what they believe is true, and explain what the jury will hear at the trial.

The counsel for the prosecution then calls and \_\_\_\_\_. The counsel for the defense can \_\_\_\_\_ (2 words joined by a hyphen) these people. The defendant will also be questioned by both counsels.

At the end of the trial, the counsels summarise the facts as they see them, and the jury then

\_\_\_\_\_ to \_\_\_\_\_ in private.

When the jury has reached its \_\_\_\_\_, it returns to the court and the \_\_\_\_\_ of the jury delivers it to the court.

If the defendant is found to be 'not guilty', he is \_\_\_\_\_.

However, if the jury's verdict is 'guilty', the defendant is \_\_\_\_\_ and by the judge. The defendant may have to serve a \_\_\_\_\_ sentence (in other words go to prison), he may be

given a \_\_\_\_\_ sentence, or he may be \_\_\_\_\_ (or a combination of two of these).

If the defendant is not happy with the decision of the court, he is free to go to a higher court. The highest courts for \_\_\_\_\_ in England and Wales are the House of \_\_\_\_\_ and the Court of Justice of the European Communities (also called the European Court of Justice, or \_\_\_\_\_ for short).

## **At trial**

**The climax of the legal proceedings is the trial. Read the following text about the trial and the answer the true/false questions below the text.**

A trial may be defined broadly and comprehensively as a judicial examination of the issues between the parties. Although some variations may exist, trials are usually held before a judge sitting alone, a referee, or a judge and jury. The counsels for the

prosecution and for the defence make opening statements to the jury, outlining what each sees as the nature of the case and what each hopes to prove as the trial proceeds. Next, the counsel for the prosecution presents his case by calling witnesses, questioning them, and permitting them to be cross-examined by the counsel for the defence. The counsel for each side then makes a closing argument to the jury, summarizing the evidence in a light most favourable to their respective clients. The function of the jury is to determine the facts of the case, whereas the function of the judge is to determine the applicable law and to oversee the parties' presentation of the facts to the court. After the judge has instructed the jury on the applicable law, the jury will retire to deliberate in private until it reaches a just verdict, which will then be announced in open court.

The verdict of a jury terminates the trial. In a case tried before a judge sitting alone, the decision of the judge constitutes a termination of the trial.

### **True or False?**

Criminal trials are always held in front of a jury.

A judge may sit alone to hear a legal case.

At the beginning of the trial both counsels outline their case.

The counsel for the defence may cross-examine prosecution witness.

The function of the jury is to decide the applicable law.

The judge may intervene if the counsels on either side fail to observe the court procedures.

The judge advises the jury on the law relevant to the case.

## Key players in the criminal law

A number of agencies, organizations and individuals are involved in the administration of the criminal law. The most important are:

the police	the magistrates	the prosecutor
the suspect	the defence counsel	the judge
the jury		

**A. Draw lines to combine the two halves of the sentences to describe the functions of each.**

<b>Who</b>	<b>What</b>
The police interrogate	arrests, searches, seizures
The police carry out	on the sentence to be imposed
The magistrates sometimes conducts	over the court
The prosecutor conducts	suspects and witnesses
The suspect has the right	the case in court on behalf of the police
The suspect is innocent	the investigation in cases of serious criminal offence
The defence counsel assists	the suspect from violations of his rights at the hands of law-enforcement personnel

The defence counsel protects	the suspect in gathering exonerating evidence
The judge presides	to remain silent
The judge decides	until proved guilty
The jury decides	whether the accused is guilty or not



## Unit 6

### Branches of civil law

While criminal law regulates those acts or omissions that are considered injurious to the state or to society, civil law aims to regulate relations between individuals or between individuals and organizations.

**A. Match the subject areas in the box with the branches of law below.**

Agriculture   Civil Rights   Enviromental Law   Foreign Relation Law  Joint Ventures   Landlord – Tenant   Pensions  Product Liability   Property Tax   Unfair Competition
--

Areas	Branches
	Accident and Injury Compensation and Prevention Constitutional Law Employment Law Enterprise Law Family law Intellectual Property International, Transnational, Comparative Law Law relating to Commercial Transactions Law relating to Particular Activities/ Business Sectors Property, Natural Resources, The Environment Taxation

## Property

Imagine that you want to buy a property. Below are the different stages that you will normally (and ideally) go through.

### A. Complete the gaps with words and expressions from the box.

alterations	appoint	asking	authority	balance	bound	boundaries
clauses	completion	confirmation	contract	covenants	deposit	
disclose	disputes	fees	offer	ownership	planning	permission
plans	possession	preservation	Registry	restrictions	signing	stamp
structural	survey	surveyor	title deed			

You make an \_\_\_\_\_ on the \_\_\_\_\_ price (the price that the seller is asking for the house), which is accepted by the seller.

You \_\_\_\_\_ a solicitor to help you make your purchase.

Your solicitor receives \_\_\_\_\_ of your accepted offer, and also any necessary details from the estate agent.

The seller's solicitor sends your solicitor a draft \_\_\_\_\_. This is checked to make sure there are no unusual \_\_\_\_\_.

At the same time, the seller's solicitor sends your solicitor the seller's \_\_\_\_\_.

This is carefully checked for any \_\_\_\_\_ that might apply to \_\_\_\_\_ of the property. At the same time, the seller should make your solicitor aware of any problems with the property (for example, \_\_\_\_\_ with his / her neighbours, any approved or unapproved \_\_\_\_\_ that he / she has made to the property, relevant information on \_\_\_\_\_ adjoining other properties and public land, \_\_\_\_\_ or orders that may restrict development of the property, whether you will need to get \_\_\_\_\_ before making changes to the property, etc).

If the contract is approved, copies of it are prepared for \_\_\_\_\_ by both you and the seller.

Before you do this, however, your solicitor should ask the local \_\_\_\_\_ (for example, the local town council) to \_\_\_\_\_ any information it has on \_\_\_\_\_ for the area around the property you are buying (for example, there may be plans to build an airport at the end of your back garden, or a motorway across your lawn at the front).

At the same time, you should ask for a \_\_\_\_\_ of the property by a chartered. He / she will tell you if there are any problems with the property (for example, rising damp, dry rot, unsound \_\_\_\_\_ features, etc).

If you are happy with everything, you now sign the contract: you are now legally to buy the property (you cannot pull out of the agreement, unless further checks by your solicitor produce unfavourable information that has been kept secret from you; for example, he / she may discover that the property details the seller has provided are not accurate).

Your solicitor arranges a \_\_\_\_\_ date with the seller's solicitor – this is the date when you will take official \_\_\_\_\_ of the property – and both you and the seller exchange contracts through your solicitors. Your title deeds are prepared.

You pay your solicitor his \_\_\_\_\_, the money for the property (assuming you have already paid a \_\_\_\_\_ on the property, you will now need to pay the outstanding \_\_\_\_\_), the relevant \_\_\_\_\_ duty and Land \_\_\_\_\_ fees.

You get your copy of the deeds and the key to the front door. Congratulations, and welcome to your new home!

## Wills

**A. Complete definitions and explanations 1 – 15 below with words and expressions from the box.**

administrator    benefactor    beneficiary    codicil    deceased  
dependants    estate    executor    inherit    inheritance    intestate  
living wills    of age    of sound mind    power of attorney    probate  
testament    trust    trustee

1. A will is often also known in legal terms as a *last will and* \_\_\_\_\_.
2. When someone makes a will, they must be \_\_\_\_\_ (in other words, they must be mentally healthy), and must be \_\_\_\_\_ (ie, over 18 in Britain)
3. When a person is making a will, their first concern is usually for their (the people who he / she supports financially, for example, his / her children).
4. A person who has died recently is often referred to as the \_\_\_\_\_.
5. Someone who dies without making a will is said to have died \_\_\_\_\_.
6. \_\_\_\_\_ is the legal acceptance that a document, and especially a will, is valid.
7. If a person dies without making a will, a person known as an \_\_\_\_\_ might be appointed by a court to represent the deceased.
8. A \_\_\_\_\_ is a document which makes a change or an addition to a will.

9. A person who is appointed by a person making his / her will to make sure that the terms of the will are carried out is called an \_\_\_\_\_.

10. A person who gives property or money to others in a will is called a \_\_\_\_\_, and the person who is left money or property in a will is called a \_\_\_\_\_.

11. The money and property that is owned by a person, especially someone who has died, is known as an \_\_\_\_\_.

12. \_\_\_\_\_ is a verb which means 'to acquire something from a person who has died'. The property which is received is called an \_\_\_\_\_.

13. Money or property which is looked after for someone by someone else (for example, money which has been left in a will that someone will receive when they reach a particular age) is called a \_\_\_\_\_. The person who looks after this money is called a \_\_\_\_\_.

14. People who are seriously ill often appoint someone to deal with their affairs for them. This is called \_\_\_\_\_.

15. Many people now write special healthcare directives called \_\_\_\_\_, which indicate how they want to be treated if they become seriously ill.

## **The family and relationships**

### **A. Test your knowledge with this quiz.**

1 A contract between a man and a woman to become husband and wife is called a / an:

(a) wedding (b) engagement (c) marriage (d) affair (e) relationship

2 Rearrange the letters in **pusoes** to make a word meaning *husband* or *wife*:  
**pusoes**

3 True or false: If you have a *partner*, you are assumed to be *married*.

4 Are *same-sex marriages* legal in Britain?

5 What is the difference between a *separation* and a *divorce*?

6 Complete this sentence with the appropriate word in **bold**:

The judge decided that the marriage had never been legal and so he **annexed** / **antedated** / **annulled** it (in other words, he declared that it had no legal effect).

7 What is the name we give to the notifiable offence of going through a ceremony of marriage to someone when you are still married to someone else?  
Is it: (a) monogamy (b) bigamy (c) polygamy (d) monotony

8 In England and Wales, what kind of court deals with divorces? Is it:  
(a) a magistrates' court (b) a Crown Court (c) a High Court (d) a County Court (e) a court of appeal

9 In England and Wales, a divorce can only be granted on one condition (known as *grounds for divorce*): that the *marriage has broken down irretrievably* (in other words, it cannot be made right again). Here are two of the conditions necessary for an irretrievable breakdown:

- The couple have lived apart for two years and both consent to divorce.
- The couple have lived apart for five years and no consent from the other spouse is needed.

Rearrange the letters in bold to make words for the other conditions:

(3) **tdyulera** by one spouse (4) **runbesaleona brvioeuha** of a spouse

(5) **soedernti** by one spouse

10. Here is a simplified version of the main divorce procedure. Complete the gaps with words from the box.

affidavit    decree absolute    decree nisi    dispute (x3) petition (x2)    petitioner (x2)    respondent (x2)
--

A request (a \_\_\_\_\_) is made by the \_\_\_\_\_ (= *the person applying for the* and the reasons for the divorce are explained.

The court sends the divorce \_\_\_\_\_ to the \_\_\_\_\_ (= *the other spouse*), together with a form called an *Acknowledgement of Service* form, which he / she completes. In it, he / she indicates whether or not he / she wishes to \_\_\_\_\_ the divorce.

He / She returns this to the court within 7 days. (If he / she wants to \_\_\_\_\_ the divorce and /or its terms, he / she is sent another form to complete).

Assuming that the \_\_\_\_\_ does not want to \_\_\_\_\_ the divorce or the terms, a copy of the *Acknowledgement of Service* form is sent to the \_\_\_\_\_ who confirms the facts sent in their original petition by swearing an \_\_\_\_\_.

The court pronounces the \_\_\_\_\_, an order ending the marriage subject to a full \_\_\_\_\_, which comes later and ends the marriage completely.

11. If a divorced couple have children, one of them may be required to make regular payments to their ex-husband / ex-wife to help pay for the upbringing of the children. What are these payments called? Are they:

(a) child support (b) child maintenance (c) child benefit (d) child pensions

12. Look at this situation:

An unmarried couple with two children separate. The father moves away to another town. Is he legally obliged to make payments to his ex-partner for the upbringing of the children?

13. In England and Wales, the agency responsible for the assessment, review, collection and enforcement of payments is called the CSA. What do you think these letters stand for?

14. If a parent refuses to pay money for the upbringing of his / her ex-partner's children, the CSA can ask a court to make an *Attachment of Earnings Order*. What do you think this is?

15. How old should children be before a CSA ruling no longer applies? Is it:  
(a) 15 (b) 16 (c) 17 (d) 18

16. What is *alimony*? Is it:

- money that a court orders a husband to pay regularly to his separated or divorced wife
- money that a court orders a father to pay regularly to his children until they are old enough to leave home
- money that the state pays a married couple to help them pay for a divorce
- money that a married couple must save to pay for their children's education



17 If a couple are unmarried, and one of them dies, who gets their estate (land, money and possessions) if the deceased (the dead person) has not made a will? Is it:

- the deceased's partner
- the deceased's immediate family
- the state

18. Who is your *next of kin*?

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