

INTRODUCTION

'The Union has set itself the objective of maintaining and developing an area of freedom, security and justice. According to the Presidency Conclusions of the European Council in Tampere of 15 and 16 October 1999, and in particular point 33 thereof, the principle of mutual recognition of judgments and other decisions of judicial authorities should become the cornerstone of judicial cooperation in civil and criminal matters within the Union because enhanced mutual recognition and the necessary approximation of legislation would facilitate cooperation between competent authorities and the judicial protection of individual rights.'

*(Directive 2010/64/EU on the right to interpretation and translation
in criminal proceedings)*

The objective of 'maintaining and developing an area of freedom, security and justice' is a core objective stated in the opening words of all or most European directives in the field of judicial cooperation in criminal matters. 'Mutual recognition', based upon 'mutual trust' and 'mutual confidence' are other key concepts commonly used in the directives' wordings. These objectives can only be achieved by means of cooperation, i.e. by means of surmounting the language barrier in a multilingual Europe. The English language, as the European *lingua franca* of judicial cooperation, is an important tool in this process. It is therefore consequential for the members of the judicial systems involved and participating in such cooperation to be able to use this tool in an effective way. Which can be an equally easy and difficult task.

When using English as a tool for judicial cooperation, one should consider two important facts. Firstly, English legal (including criminal) terminology is not always (easily) translatable into other European languages, given the peculiarities of the common law system, whose distinct features, concepts, and institutions are not to be found in any other European system. This is also

the case of translations of legal concepts from any European language into English. Secondly, legal English differs from general English in a number of ways, which will be outlined below.

With respect to the first aspect, i.e. the differences between the common law system and the different European systems, translations of legal terms and phrases from and into English can be difficult. When it comes to English concepts or terms which are not translatable into other European languages, an English law dictionary will quickly do the trick, by explaining what that particular word or concept stands for. Problems emerge when one wants to use terms corresponding to concepts or institutions that do not exist as such in the English system. Most speakers' quick solution is, in that situation, to 'adapt' words from their native language to English. The situation is sometimes similar even when there are corresponding institutions or concepts in the English system, but the speakers' tendency is the same – i.e. to adjust words from their vernacular languages, which appear to be similar (in form) to particular words in English, but the English terms mean completely different things.

The problem with such misusages of English terms is not only the improper or inadequate use of English, but also the risk of negatively affecting the communication, and hence the cooperation, since not all European languages share the similarities with the exact same words in English. For example, the term 'magistrate', used by some speakers to designate a 'member of the judiciary' (typically a judge or a prosecutor in some systems – e.g. Romania, Bulgaria, France, Italy), can be understood differently by speakers from different European states (e.g. in Spain as a senior judge, in Poland as a local authority or the city hall, in Germany as an archaic way of referring to a teacher, etc.) while in English it stands for a minor judicial officer acting as a judge in a magistrates' court, without legal qualification and sometimes doing unpaid work. Other examples include terms like 'prescription' (used by some speakers to refer to the statute of limitations or limitation period, while in English it refers to medical prescription, this being its common understanding by other European natives, who do not happen to have this 'false friend' at all), 'sentence' (which in English is only used in criminal cases, as opposed to languages like Italian, Spanish or Romania, where this term is also used in civil cases), 'instance', etc.

The second important fact mentioned above is the difference between legal English and general English. The most relevant characteristics of legal English will be briefly outlined below.

Firstly, legal English presupposed the use of technical (legal) terms, which are only employed in legal contexts ('defendant', 'hearing', 'respondent', 'judgment', 'extradition', etc.),

and semi-technical terms, which have a specific meaning in legal contexts, different from the one they have in general English ('action', 'serve a document', 'procedure'). Many of these terms are illustrated and suggested for practice in the exercises below (terms strictly relating to criminal law and procedure, court language, the legal profession, criminal proceedings). Terms are not usually abbreviated, with the exception of a few acknowledged acronyms (Q.C. – Queen's Counsel).

Secondly, the vocabulary is also characterized by formality. Thus, complex prepositions ('in the event of', 'having regard to'), formal expressions ('in accordance with'), compound prepositions and adverbs ('hereby', 'herein', 'hereinafter', 'thereafter', 'thereof', etc.), as well as words belonging to a higher register ('expedite' instead of 'speed up', 'deem' instead of 'considered') are common in legal texts.

Thirdly, formality is also a feature of the morphological structures and of the syntax. The most common grammatical structures used in legal language (both in the UK and in the EU) include certain modal verbs (notably 'shall', 'may', 'should', and more rarely, but still in very formal contexts, 'can' and 'must'), the passive structures, which place the emphasis on the result rather than the agent, formal connectors ('provided that'), as well as long and complex sentences, which are rarely to be found in general English.

The present handbook is therefore intended to point out the problematic aspects of legal English in general, and criminal terminology in particular. All these aspects mentioned above are illustrated by the exercises below, which provide a variety of means of facilitating the correct use of the legal vocabulary and the typical grammatical structures of legal English. The different designs of the exercises have the objective of improving a particular aspect or developing a particular skill. The 'matching', 'multiple choice', 'word formation', 'gap fill' and 'reading' exercises are aimed at enriching the speakers' vocabulary or at activating the passive vocabulary. Exercises dealing with particles, modal verbs or other grammatical structures are designed to improve the speakers' fluency in English. Other exercises are meant to help speakers use their language skills (including the new terms and structures acquired) in situational (work related) contexts. For purposes of effectiveness of the exercises, a key is provided at the end of the manual.

PART I. GENERAL CRIMINAL TERMINOLOGY.

I. Complete the phrases below by matching the words in the two columns. Explain, in your own words, what these phrases mean.

- | | |
|-----------------|-----------------|
| 1. presumption | a) question |
| 2. burden | b) of liberty |
| 3. legal | c) doubt |
| 4. right | d) of proof |
| 5. arrest | e) aid |
| 6. reasonable | f) proceedings |
| 7. leading | g) of innocence |
| 8. fair | h) warrant |
| 9. criminal | i) to a lawyer |
| 10. deprivation | j) trial |

II. Complete the table below using words deriving from the ones given.

Noun	Verb
	judge
decision	
	hear
proof	
	acquit
surveillance	
	sit
suspension	
	defend

III. Match the words with the corresponding definition.

arson, assault, blackmail, bribery, burglary, embezzlement, extortion, forgery, hijacking, manslaughter, murder, perjury, piracy, racketeering, robbery, smuggling

	the crime of taking of property of another person by using force, violence, or intimidation
	the act of killing a human being without malice aforethought
	the giving of false evidence by a witness in criminal proceedings while under oath
	the crime of intentionally setting fire to a property
	the act of securing money, favours, etc. by the abuse of one's office or authority
	the crime of intentionally killing a person
	an unlawful attack upon another person, with or without battery, causing physical harm to someone
	the act of secretly and fraudulently taking money or property belonging to an organisation, entrusted by that organization
	the act of illegally entering a dwelling with the intention of stealing things
	the act of illegally taking goods and people into or out of the country for lucrative purposes
	the act of making or altering documents, objects, etc., for a deceitful or fraudulent purpose, whereby the legal rights of other persons are affected
	the crime of engaging in illegal activities for profit
	the act of giving or promising money or other valuable consideration with a view to corrupting a person
	the unauthorized use or reproduction of patented or copyrighted material
	the crime of seizing, diverting or appropriating a vehicle by force or threat of force
	the act of getting money or forcing someone to do something by threatening to disclose discreditable information

IV. Complete the table below with the required forms of the words given. Then use the words in the table to make sentences.

Verb	Noun	Adjective
apply		
accuse		
infringe		
appeal		
deprive		
allege		

V. Confusing pairs. Provide definitions or explanations for the words below, emphasizing the differences between the terms in each pair.

1. theft – robbery
2. robbery – burglary
3. murder – assassination
4. kidnapping – abduction
5. forgery – counterfeit
6. libel – slander

VI. Choose the correct answer.

1. The lawyer gave him
 a) a good advice b) some good advice c) some good advices d) some good advise
2. The sentenced the accused to imprisonment.
 a) counsel b) judge c) solicitor d) barrister
3. Everybody thought he was guilty, but no one could anything against him.

- a) charge b) accuse c) claim d) prove

4. The accused was finally, since his guilt was not proved beyond any reasonable doubt.

- b) pardoned c) put on probation c) acquitted d) detained

5. It is the responsibility of the police to the law.

- a) enforce b) force c) bind d) compel

6. The high court judge will pass next week.

- a) decision b) verdict c) sentence d) punishment

7. I to say anything before speaking to a lawyer.

- a) refuse b) deny c) resist d) protest

8. He was found guilty trafficking in human beings.

- a) with b) of c) from d) for

9. The prosecution didn't have enough for a realistic prospect of conviction, so the suspect had to be released.

- a) proof b) evidences c) evidence d) prove

10. The accused was eventually of murder.

- a) punished b) convicted c) condemned d) tried

11. He couldn't pay legal assistance, so he was provided with legal aid.

- a) of b) Ø c) on d) for

12. After being charged embezzlement, the public official resigned.

- a) for b) of c) with d) on

13. The offender could not pay the fine, so he was sentenced to community service instead.

- a) Ø b) for c) to d) on

14. The sentence imposed by the is final.

- a) jury b) prosecutor c) judge d) counsel

VII. Complete the table below with nouns deriving from the verbs given. There are two nouns corresponding to each verb – one designating an event or an action, and the other a person. Then use words from the table to fill in the gaps in the sentences below.

Verb	Noun event/action	Noun person
appeal		
hear		
offend		
detain		
rob		
prosecute		
try		
defend		
suspect		

1. In criminal proceedings, the burden of proof is usually on the
2. The claimed that his right to silence had been infringed.
3. He claimed that he had been unlawfullyby the police.
4. Two of the crime were apprehended by the police.
5. The accused has the right to communicate with his or her lawyer for the purposes of the preparation of the
6. The accused claimed that he had not committed the he was charged with.
7. A court or public official may not state that the accused is guilty if he has not been and convicted.
8. Pre-trial does not in principle violate the presumption of innocence.
9. He was apprehended by the police on reasonable of having committed a serious offence.
10. He was sentenced to 5 years imprisonment for the offence of
11. The first instance court's decision is subject to

12. The of the suspect did not help, since he made use of his right to remain silent.

13. The was sentenced to community service.

VIII. False friends. Explain what the following words mean in English. Then compare them to 'false friends' in your vernacular language.

1. accusation
2. sentence
3. instance
4. magistrate
5. prescription
6. tribunal
7. to execute

IX. Before reading the text, answer the following questions:

1. What is the judge's role in a criminal trial in your country?
2. Do you have trials by jury? What is the role of the jury?
3. What sentences can a judge impose in your country?
4. Which are the factors usually considered by a judge when sentencing?

While reading the text below, choose the correct words to fill in the gaps.

Criminal Justice

(<https://www.judiciary.gov.uk/about-the-judiciary/the-justice-system/jurisdictions/criminal-jurisdiction/>)

Most people feel very strongly about crime, and judges and magistrates play a vital role in the criminal justice system – especially when it comes to sentencing.

Criminal (1) come to court after a decision has been made by, usually the Crown Prosecution Service, to prosecute someone for (2) crime. In the vast majority of cases (over 95 per cent), magistrates hear the evidence and, as a panel, make a decision on guilt or innocence. For more serious cases a district judge (Magistrates' Court) or a circuit judge in the Crown Court will hear the evidence, and in the case of the latter, this will involve a jury trial. Very serious criminal cases, such as murder and rape, may be (3) by a High Court judge.

- | | | | |
|-------------------|---------------|---------------|-----------------|
| (1) a) situations | b) cases | c) trials | d) prosecutions |
| (2) a) a supposed | b) an accused | c) an assumed | d) an alleged |
| (3) a) managed | b) judged | c) seen | d) heard |

Both magistrates and judges have the power to imprison those (4) of a crime, if the offence is serious enough. But (5) is not the only solution; a judge or magistrate can (6) a community punishment, or put an individual under some sort of control order where their movements or activities are (7) Although punishment is a key consideration when (8), judges will also have a mind as to how a particular sentence may reduce the chances of an individual re-offending.

- | | | | |
|---------------------|-------------|---------------|--------------|
| (4) a) sentenced | b) punished | c) convicted | d) tried |
| (5) a) imprisonment | b) arrest | c) jail | d) detention |
| (6) a) ask | b) demand | c) order | d) require |
| (7) a) minimized | b) lowered | c) restricted | d) decreased |
| (8) a) sentencing | b) judging | c) hearing | d) trying |

A judge hearing a criminal case

Before a criminal trial starts the judge will familiarise himself or herself with the details of the case by reading the relevant case papers. These include the (9) which sets out the

charges on which the defendant is to be tried, witness (10), exhibits and documentation on applications to be made by any party concerning the admissibility of (11) in the trial.

- (9) a) prosecution b) accusation c) indictment d) paper
(10) a) declarations b) statements c) assertions d) assumptions
(11) a) evidences b) evidence c) proofs d) prove

For jury trials in the Crown Court, the judge supervises the selection and (12) in of the jury, giving the jurors a direction about their role in the trial of deciding the facts and warning them not to discuss the case with anyone else.

- (12) a) bringing b) calling c) getting d) swearing

During the trial

Once the trial has commenced the judge (13) that all parties involved are given the opportunity for their case to be (14) and considered as fully and fairly as possible. The judge plays an active role during the trial, controlling the way the case is conducted in accordance with relevant law and practice. As the case (15) the judge makes notes of the evidence and decides on legal issues, for example, whether evidence is admissible.

- (13) a) assures b) allows c) ensures d) permits
(14) a) presented b) delivered c) provided d) shown
(15) a) advances b) moves on c) progresses d) evolves

Once all evidence in the case has been (16) the judge's summing up takes place. The judge sets out for the jury the law on each of the charges made and what the prosecution must prove to make the jury sure of the case. At this stage the judge (17) to notes made during the course of the trial and reminds the jury of the key points of the case, highlighting the strengths and weaknesses of each side's (18) The judge then gives (19) about the duties of the jury before they retire to the jury deliberation room to consider the verdict.

- (16) a) judged b) managed c) tried d) heard
(17) a) sends b) points c) refers d) alludes
(18) a) statement b) claim c) argument d) assertion
(19) a) directions b) suggestions c) advice d) indications

Sentencing

If the jury find the (20) guilty then the judge will decide on an appropriate sentence. The sentence will be influenced by a number of factors: principally the (21) of the case, the impact that the crime has had on the victim, and relevant law especially guideline cases from the Court of Appeal. The judge will equally take into account the (22) and any reports and references on the defendant.

(20) a) defence b) defendant c) defender d) offender

(21) a) conditions b) circumstances c) situation d) occasion

(22) a) mitigation b) extenuation c) relief d) moderation

Can judges (23) pass any sentence they like?

A judge's role is not to make law, but to uphold and apply the laws made by Parliament. The laws must be interpreted and applied by the judges to different cases, and this includes guidelines on the appropriate sentence.

(23) a) give b) grant c) order d) pass

If a jury finds the defendant guilty then the judge will decide on an appropriate sentence. Magistrates can find a defendant guilty and pass sentence themselves, or send the case to Crown Court for sentencing if they feel the offence is too serious for their own sentencing powers.

Factors to consider

The sentence will be influenced by a number of factors; principally:

- the circumstances of the case
- the impact that the crime has had on the victim, and
- relevant law – especially guideline cases from the Court of Appeal.

The judge will equally take into account the mitigation, which might include difficult personal circumstances, expressions of (24)..... or a guilty (25)

(24) a) sorrow b) sadness c) shame d) remorse

(25) a) plead b) recognition c) admission d) plea

If an offender does admit to their crime it usually means they get a (26) sentence with a maximum of a third off when they admit their crime at the very earliest opportunity. The later the plea, the smaller the reduction.

(26) a) better b) shorter c) reduced d) easier

Only once the judge has (27) all of these factors will the appropriate sentence or punishment be pronounced.

- (27) a) considered b) investigated c) questioned d) judged

Making the punishment fit the crime

One of the most important things is to make sure appropriate sentences are given for each offence – in other words, the punishment should fit the crime. To do this, judges and magistrates use sentencing (28)

- (28) a) suggestions b) guidelines c) advice d) indications

These help them sentence offenders in a (29) way. Each and every offence and every offender is different but the aim is to make sure that the way in which a judge or magistrate decides the sentence is the same.

- (29) a) identical b) consistent c) equal d) different

Judges will also think about what sort of sentence would be most (30) to change the offender's behaviour.

- (30) a) sure b) assured c) ensured d) likely

What types of sentence are there?

There are four main types, the toughest of which is prison. This is used when a crime is so serious, or an offender's (31) is so bad, no other sentence will do. Offenders will normally spend half their sentence in prison, and the rest on licence in the community.

- (31) a) story b) history c) record d) situation

For some offenders this will mean wearing an electronic tag which means they are severely restricted in where they can go. If they break the (32)..... of their licence, they can be sent back to prison for the rest of the sentence.

- (32) a) contract b) agreement c) conditions d) understanding

Community sentences combine (33) with activities carried out in the community, such as unpaid work to remove graffiti or clear up litter, getting treatment for drug addiction or keeping to a curfew. This is not a soft option – offenders can be made to do between 40 and 300 hours of demanding work.

- (33) a) socialization b) entertainment c) punishment d) rehabilitation

(34) are the most common type of sentence and are for less severe offences. The amount is set by the court after considering the seriousness of offence and the offenders' ability to pay.

(34) a) Taxes b) Fines c) Fees d) Charges

Finally, we have (35) – these are used for the least serious offences for which the experience of being prosecuted and taken to court is thought to be punishment enough. But if an offender commits another crime within a set period, a sentence for the original offence as well as a new one can be given.

(35) a) leaves b) discharges c) removals d) reliefs

***PART TWO. THE VOCABULARY OF JUDICIAL COOPERATION
IN CRIMINAL MATTERS. PROCEDURAL RIGHTS***

I. Fill in the gaps with near-synonyms of the words in brackets.

1. The introduction of the programme states that (reciprocal) recognition is 'designed to (consolidate) cooperation between Member States but also to enhance the protection of individual rights'.

2. The implementation of the principle of mutual recognition presupposes that Member States have (confidence) in each other's criminal justice systems.

3. The European Council (emphasized) the non-exhaustive character of the Roadmap, by inviting the Commission to examine (supplementary) elements of minimum procedural rights for suspected and accused persons, and to (evaluate) whether other issues, for instance the presumption of innocence, need to be addressed, in order to promote better cooperation in that area.

4. Member States should ensure that there is a procedure or mechanism in place to (confirm) whether suspected or accused persons speak and understand the language of the criminal proceedings and whether they need the (help) of an interpreter.

5. The suspected or accused persons or the persons subject to proceedings for the execution of a European Arrest Warrant should have the right to (dispute) the finding that there is no need for interpretation.

6. The right to interpretation and translation shall apply to persons from the time that they are made (conscious) by the competent authorities of a Member State, by official (communication) or otherwise, that they are suspected or accused of having committed a criminal offence until the (completion) of the proceedings, which is understood to mean the (eventual) determination of the question whether they have committed the offence.

7. The possibility to complain that the quality of the interpretation is not (enough) shall be ensured by Member States to (secure) the fairness of the proceedings.

8. Any (relinquishment) of the right to translation of documents referred to in this Article shall be subject to the requirements that suspected or accused persons have received (previous) legal advice.

9. Member States shall ensure that interpreters and translators be required to (respect) confidentiality regarding interpretation and translation provided under this Directive.

10. Questioning may be carried out for the (unique) purpose and to the extent necessary to obtain information that is essential to (prevent) serious (negative) consequences for the life, liberty or physical integrity of a person.

11. Member States should also be (allowed) to derogate temporarily from the right of access to a lawyer in the pre-trial (stage) where immediate action by the investigating authorities is imperative to prevent substantial (danger) to criminal proceedings.

12. Member States may (restrict) or (delay) the exercise of that right in view of imperative requirements or proportionate operational requirements.

13. This Directive (maintains) the fundamental rights and principles recognized by the Charter, including the (interdiction) of torture and inhuman and degrading treatment.

14. The State (violated) an accused's right of silence when it sought to (force) him to produce bank statements to customs investigators.

II. Fill in the gaps with words deriving from the ones given in brackets, using the clues provided.

1. Article 82(2) of the Treaty on the Functioning of the European Union provides for the (establish, noun) of minimum rules (apply, adj.) in the Member States so as to facilitate mutual (recognize, noun) of (judge, noun, pl.) and judicial decisions and judicial cooperation in (crime, adj.) matters having a cross-border dimension.

2. This Directive should ensure that there is free and adequate linguistic (assist, noun), allowing suspected or accused persons who do not speak or understand the language of the criminal proceedings (full, adv.) exercise their right of (defend, noun) and safeguarding the (fair, noun) of the proceedings.

3. Member States shall ensure that suspected or accused persons who do not speak or understand the language of the criminal proceedings concerned are provided, without delay, with (interpret, noun) during criminal proceedings before (investigate, adj.) and judicial authorities, including during police questioning, all court (hear, noun, pl.) and all necessary interim (hear, noun, pl.).

4. In some Member States an authority other than a court having jurisdiction in criminal matters has (competent, noun) for imposing sanctions other than (deprive, noun) of liberty in relation to (relative, adv.) minor offences.

5. Where the law of a Member State provides for the (impose, noun) of a sanction regarding minor offences by such an authority and there is either a right of appeal or the (possible, noun) for the case to be otherwise referred to a court having jurisdiction in

criminal matters, this Directive should therefore apply only to the proceedings before that court following such an appeal or (refer, noun).

6. During questioning by the police or by another law (enforce, noun) or judicial authority of the suspect or accused person or in a court hearing, the lawyer may, inter alia, in accordance with such proceedings, ask questions, request (clarify, noun) or make (state, noun, pl.), which should be recorded in accordance with national law.

7. In cases of geographical (remote, noun) of the suspect or accused person, such as in overseas territories or where the Member State undertakes or participates in military operations outside its territory, Member States are permitted to derogate (temporary, adv.) from the right of the suspect or accused person to have access to a lawyer without (due, adj., neg.) delay after deprivation of liberty.

8. Any such temporary (derogate, noun, pl.) should be (proportion, adj.), should be strictly limited in time, should not be based (exclusive, adj.) on the type or the (serious, noun) of the alleged offence, and should not prejudice the overall fairness of the proceedings.

9. Where a (defer, noun) is applied the child should be permitted to communicate, for example with an institution or an individual responsible for the (protect, noun) or welfare of children.

10. In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on (explain, adj.) documents, Member States have undertaken to (company, verb), in justified cases, the notification of their (transpose, noun) measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national (transpose, noun) instruments.

11. With regard to this Directive, the (legislate, noun for person) considers the (transmit, noun) of such documents to be justified.

12. Where suspects or accused persons are arrested or detained, information about applicable (procedure, adj.) rights should be given by means of a written Letter of Rights drafted in an easily (comprehend, adj.) manner as to assist those persons in understanding their rights.

13. The Letter of Rights should include basic information concerning any possibility to challenge the (lawful, noun) of the arrest, obtaining a review of the (detain, noun), or requesting provisional (release, noun) where, and to the extent that, such a right exists in national law.

14. That right does not entail the obligation for Member States to provide for a specific appeal procedure, a separate mechanism, or a (complain, noun) procedure in which such (fail, noun) or (refuse, noun) may be challenged.

15. In the (recover, noun) of assets from an accused or third party, there may be a (reverse, noun) of the burden of proof in the (assume, noun) that the assets are the proceeds of crime, which the owner of the assets must rebut, or there is a (reduce, noun) in the standard of proof to the balance of probabilities, rather than the usual test of proof beyond (reason, adj.) doubt.

16. The prosecution must prove its case without resort to evidence obtained through (coerce, noun) or (oppress, noun).

III. Fill in the gaps with antonyms of the words in brackets.

1. This Directive should set (maximum) rules. Member States should be able to (restrict) the rights set out in this Directive in order to provide a (lower) level of protection also in situations not (implicitly) dealt with in this Directive.

2. Member States should endeavour to make general information available, for instance on a website or by means of a leaflet that is available at police stations, to (hinder) the obtaining of a lawyer by suspects or accused persons.

3. (Weakening) mutual trust requires detailed rules on the protection of the procedural rights and guarantees arising from the Charter and from the ECHR.

4. Common minimum rules should lead to (increased) confidence in the criminal justice systems of all Member States.

5. (General) conditions and rules relating to the right of suspects or accused persons to have another person informed about their arrest or detention are to be determined by the Member States in their national law.

6. This Directive (violates) fundamental rights and (infringes) the principles recognized by the Charter.

7. Suspects or accused persons or their lawyers should have the right to challenge, in accordance with national law, the possible (success) or (acceptance) of the competent authorities to provide information or to (conceal) certain materials of the case in accordance with this Directive.

8. Member States shall ensure that access is (denied) to all material evidence in the possession of the competent authorities.

9. The accused may (accept) to answer questions and to produce evidence.

10. The prosecution must prove that the accused acted in a certain way and the accused must show that there is an (guilty) explanation for his actions.

IV. Insert the appropriate particles.

across, as, before, between, by, for, from, in, into, of, on, to, under, with, without
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1. On 29 November 2000, the Council, in accordance the Tampere Conclusions, adopted a programme of measures to implement the principle mutual recognition of decisions criminal matters.

2. This Directive draws the Commission proposal a Council Framework Decision the right to interpretation and to translation criminal proceedings.

3. Where the law of a Member State provides the imposition of a sanction regarding minor offences by such an authority and there is a right of appeal a court having jurisdiction in criminal matters, this Directive should therefore apply the proceedings that court following such an appeal.

4. the purposes of the preparation the defence, communication suspected or accused persons and their legal counsel in direct connection any questioning or hearing during the proceedings, or the lodging of an appeal or other procedural applications, such as an application bail, should be interpreted when necessary in order to safeguard the fairness of the proceedings.

5. In proceedings the execution a European arrest warrant, the executing Member State shall ensure that its competent authorities provide persons subject such proceedings who do not speak or understand the language of the proceedings interpretation in accordance with this Article.

6. Interpretation provided this Article shall be a quality sufficient to safeguard the fairness of the proceedings, in particular ensuring that suspected or accused persons have knowledge the case against them and are able to exercise their right of defence.

7. prejudice to judicial independence and differences the organization of the judiciary the Union, Member States shall request those responsible for the training of judges, prosecutors and judicial staff involved criminal proceedings to pay special attention the particularities of communicating the assistance of an interpreter so as to ensure efficient and effective communication.

8. Nothing in this Directive shall be construed limiting or derogating any of the rights and procedural safeguards that are ensured the European Convention for the Protection of Human Rights and Fundamental Freedoms.

9. Member States shall bring force the laws, regulations and administrative provisions necessary to comply this Directive by 27 October 2013.

10. The extent of the mutual recognition is very much dependent a number of parameters, which include mechanisms safeguarding the rights of suspects or accused persons and common minimum standards necessary facilitate the application of the principle of mutual recognition.

11. This Directive should be implemented taking account the provisions of Directive 2012/13/EU, which provide that suspects or accused persons are provided promptly information concerning the right of access to a lawyer.

12. The term ‘lawyer’ in this Directive refers to any person who, in accordance with national law, is qualified and entitled, including means of accreditation an authorized body, to provide legal advice and assistance suspects or accused persons.

13. In respect certain minor offences, this Directive should not prevent Member States organizing the right of suspects or accused persons have access to a lawyer telephone.

14. The obligation to respect confidentiality not only implies that Member States should refrain interfering or accessing such communication but also that, where suspects or accused persons are deprived liberty or otherwise find themselves in a place the control of the State, Member States should ensure that arrangements communication uphold and protect confidentiality.

15. Pending a legislative act of the Union legal aid, Member States should apply their national law in relation legal aid, which should be in line the Charter, the ECHR and the case-law of the European Court of Human Rights.

V. Supply the negative forms of the words in italics, by adding negative prefixes. Then use these negative words in sentences of your own.

1. Mutual recognition of decisions in criminal matters can operate *effectively* only in a spirit of *trust* in which not only judicial authorities but all actors in the criminal process consider decisions of the judicial authorities of other Member States as equivalent to their own, implying not only trust in the *adequacy* of other Member States’ rules, but also trust that those rules are *correctly* applied.

2. Common minimum rules should lead to increased confidence in the criminal justice systems of all Member States, which, in turn, should lead to more *efficient* judicial cooperation in a climate of mutual trust.

3. Such procedure or mechanism implied that *competent* authorities verify in any *appropriate* manner, including by consulting the suspected or accused persons concerned, whether they speak and understand the language of the criminal proceedings.

4. The provisions of this Directive that correspond to rights guaranteed by the ECHR or the Charter should be interpreted and implemented **consistently** with those rights, as interpreted in the **relevant** case-law of the European Court of Human Rights and the Court of Justice of the European Union.

5. Member States shall ensure that suspected or accused persons have the **possibility** to complain that the quality of the translation is not **sufficient** to safeguard the fairness of the proceedings.

6. Confidentiality of communication between suspects or accused persons and their lawyers is key to ensuring the effective exercise of the rights of the defence and is an **essential** part of the right to a **fair** trial.

7. Executing Member States should make the **necessary** arrangements to ensure that requested persons are in a position to exercise effectively their right of access to a lawyer in the executing Member State.

8. Such arrangements, including those on **legal** aid if **applicable**, should be governed by national law.

9. The prosecution, law enforcement and judicial authorities should therefore facilitate the effective exercise by such persons of the rights provided for in this Directive, for example by taking into account any potential **vulnerability** that affects their **ability** to exercise the right of access to a lawyer.

10. This Directive applies to suspects or accused persons in criminal proceedings from the time when they are made **aware** by the competent authorities of a Member State, by **official** notification or otherwise, that they are suspected or accused of having committed a criminal offence.

VI. Turn the following sentences into the Passive Voice.

1. One should interpret communication between suspected or accused persons and their legal counsel in accordance with this Directive.

2. Member States should grant suspects or accused persons access to a lawyer during criminal proceedings before a court.

3. Member States should ensure that suspects or accused persons have the right for their lawyer to be present and participate effectively when the police or by another law enforcement or judicial authority questions them.

4. In accordance with the principle of effectiveness of Union law, Member States should put in place adequate and efficient remedies to protect the rights that this Directive confers upon individuals.

5. This Directive applies to suspects or accused persons in criminal proceedings from the time when the competent authorities of a Member State makes them aware, by official notification or otherwise, that they are suspected or accused of having committed a criminal offence.

6. National law or procedures may regulate the exercise of the rights laid down in this Article.

7. A judicial authority or another competent authority may authorize temporary derogations under Article 5(3) only on a case-by-case basis on condition that one can submit the decision to judicial review.

8. Member States shall ensure that the competent authorities take into account the particular needs of vulnerable suspects and vulnerable accused persons in the application of this Directive.

VII. Insert the appropriate modal verbs.

1. Suspected or accused persons be able, inter alia, to explain their version of the events to their legal counsel, point out any statements with which they disagree and make their legal counsel aware of any facts that be put forward in their defence.

2. Member States should ensure that control be exercised over the adequacy of the interpretation and translation when the competent authorities have been put on notice in a given case.

3. Since the objective of this Directive, namely establishing common minimum rules, be sufficiently achieved by the Member States and therefore, by reason of its scale and effects, be better achieved at Union level, the Union adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union.

4. Common minimum rules lead to increased confidence in the criminal justice systems of all Member States.

5. The Roadmap emphasizes that the order of the rights is only indicative and thus implies that it be changed in accordance with priorities.

6. Where the law of a Member State provides in respect of minor offences that deprivation of liberty be imposed as a sanction, this Directive therefore apply only to the proceedings before a court having jurisdiction in criminal matters.

7. Member States make practical arrangements concerning the duration and frequency of the meetings between suspects or accused persons and their legal counsel.

8. When the competent authorities envisage making such a temporary derogation in respect of a specific third person, they firstly consider whether another third person, nominated by the suspect of accused person, be informed of the deprivation of liberty.

9. Member States ensure that where a temporary derogation has been authorized under this Directive by a judicial authority which is not a judge or a court, the decision on authorizing the temporary derogation be assessed by a court, at least during the trial stage.

10. More effective prosecution achieved by mutual recognition be reconciled with respect for rights.

11. Security and public order justify the suppression of rights.

12. A few Member States indicated that evidence obtained where the obligation of respecting the right to silence had not been met be regarded as inadmissible. Others stated that failure to advise an accused of his rights constitute an offence or a ground of appeal against conviction.

13. The national court conclude that the accused is guilty merely because he chooses to remain silent.

14. The accused be treated as not having committed any offence until the State, through the prosecuting authorities, adduces sufficient evidence to satisfy an independent and impartial tribunal that he is guilty.

15. The waiver, which be made in writing or orally, shall be noted, as well as the circumstances under which the waiver was given, using the recording procedure in accordance with the law of the Member State concerned.

16. Member States communicate to the Commission the text of the measures of national law which they adopt in the field covered by this Directive.

VIII. Choose the correct connectors.

1. Where appropriate communication technology such as videoconferencing, telephone or the Internet may be used, the physical presence of the interpreter is required in order to safeguard the fairness of the proceedings.

- a) if b) unless c) even if d) even though

2. As an exception to the general rules established in the previous paragraphs, an oral translation or oral summary of essential documents may be provided instead of a written translation such oral translation or oral summary does not prejudice the fairness of the proceedings.

- a) on condition that b) in the event that c) by condition that d) to the end that

3. the suspect or accused person is a child, the holder of parental responsibility should be notified as soon as possible after the child's deprivation of liberty and should be provided with the reasons thereof.

- a) on condition that b) where c) whereas d) whereby

4. Member States should ensure that suspects or accused persons have the right for their lawyer to be present and participate effectively when they are questioned by the police or by another law enforcement or judicial authority, including during court hearings. Such participation should be in accordance with any procedures under national law which may regulate the participation of a lawyer during questioning of the suspect or accused person by the police or by another law enforcement or judicial authority, including during court hearings, such procedures do not prejudice the effective exercise and essence of the right concerned.

- a) so that b) given that c) such that d) provided that

5. Suspects or accused persons have the right for their lawyer to attend investigative or evidence-gathering acts, they are provided for in the national law concerned.

- a) so as b) so that c) insofar that d) insofar as

6. Member States would not need to take active steps to ensure that suspects or accused persons who are not deprived of liberty will be assisted by a lawyer they have not themselves arranged to be assisted by a lawyer.

- a) even if b) if not c) if d) unless

7. a lawyer participates during questioning, the fact that such participation has taken place shall be noted using the recording procedure in accordance with the law of the Member State concerned.

- a) whether b) although c) though d) where

8. This Directive applies to suspects or accused persons in criminal proceedings from the time when they are made aware by the competent authorities of a Member State, by official notification or otherwise, that they are suspected or accused of having committed a criminal offence, and they are deprived of liberty.

- a) irrespective of whether b) irrespectively if c) irrespective of if d) irrespectively whether

9. Without undue delay after being informed that a requested person wishes to appoint a lawyer in the issuing Member State, the competent authority of that Member State should provide the requested person with information to facilitate the appointment of a lawyer in that Member State. Such information could, for example, include a current list of lawyers, or the name of a lawyer on duty in the issuing State, can provide information and advice in European arrest warrant cases.

- a) which b) what c) who d) whom

10. Where suspects or accused persons are deprived of liberty, Member States should make the necessary arrangements to ensure that such persons are in a position to exercise effectively the right of access to a lawyer, including by arranging for the assistance of a lawyer when the person concerned does not have one, they have waived that right.

- a) unless b) if c) whether d) even if

11. This Directive applies until the conclusion of the proceedings, is understood to mean the final determination of the question whether the suspect or accused person has committed the offence, including, where applicable, sentencing and the resolution of any appeal.

- a) what b) which c) that d) that

12. Suspects or accused persons should be able to waive a right granted under this Directive they have been given information about the content of the right concerned and the possible consequences of waiving that right.

- a) provided for b) provided that c) providing for d) providing that

13. the objective of this Directive, namely establishing common minimum standards relating to the right to information in criminal proceedings, cannot be achieved by Member States acting unilaterally, at national, regional or local level, and can therefore, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union.

- a) where b) if c) for d) since

14. allow the practical and effective exercise of those rights, the information should be provided promptly in the course of the proceedings and at the latest before the first official interview of the suspect or accused person by the police or by another competent authority.

- a) so as to b) so as that c) in order to d) in order that

15. In 2005, The Commission adopted a Communication on mutual recognition of judicial decisions in criminal matters and the strengthening of mutual trust between Member States it concluded that reinforcing mutual trust was the key to the smooth operation of mutual recognition.

- a) whereof b) whereas c) whereby d) wherein

16. Guidance is found in the case-law of the European Court of Human Rights what constitutes the presumption of innocence.

- a) as to b) as for c) as d) as in

IX. Reading comprehension.

A. Before reading the text below, answer the following questions.

1. Are police abuses frequent in your country? Explain.
2. Has your country been fined for abuses by the police?
3. Do you agree with the idea that policemen should wear body cameras in order for abuses to be prevented? Provide arguments.

Human Rights Court

Switzerland fined for police abuse

Sep 24, 2013 - 17:46



Geneva police were accused of mishandling a routine identity check in 2005

(Keystone)

The European Court of Human Rights has ruled that the case of a Geneva man who experienced police abuse during a 2005 identity check was not handled correctly by Swiss authorities and amounted to “inhumane treatment”.

Switzerland was ordered to pay the man damages amounting to nearly €25,700 (\$31,600) – €15,700 for “material prejudice”, €4,000 for “moral prejudice” and €6,000 for fees and expenses.

The man, originally from Burkina Faso, was stopped by two Geneva police officers in May 2005 for a routine identity check during which he says the officers beat him with batons and yelled racist remarks and death threats. He bit the men to force them to let him go and suffered a broken clavicle as a result of the abuse.

He issued a complaint to Swiss justice authorities, but it was dismissed.

“The amount of force used to control the plaintiff was disproportionate,” the judges in Strasbourg declared, remarking that the man “was not armed with dangerous objects” and that the police officers’ use of batons “was therefore unjustified”.

Diverging opinion

The European Court of Human Rights also ruled that the Swiss justice system introduced unwarranted delays in handling the case and did not avail itself of an independent account of what happened, other than the police report.

However, the court did not rule on the alleged racist behaviour of the police officers, as “there was no evidence on the record to support the plaintiff’s allegations”.

The Swiss judge on the court, Helen Keller, disagreed with the majority opinion, stating in a diverging opinion that “the two police officers reacted in an appropriate manner: they forced the plaintiff to the ground to immobilise him and see whether he was armed. In my opinion, the force used was absolutely necessary and proportionate”.

Switzerland has three months to appeal the decision, although the court is not required to accept an appeal.

swissinfo.ch and agencies

Body cameras appear on police radar

By Thomas Stephens

Feb 10, 2015 - 17:00



Smile! Not everyone is so happy to be **caught** on police cameras and end up in a database (Keystone)

Following riots in Zurich and Bern and allegations of police violence in the United States, talk has increased in Switzerland of making officers wear body cameras. swissinfo.ch looks at the legal and ethical challenges of this technology.

On December 12, 2014, around 200 masked leftwing radicals clashed with police in central Zurich, setting fire to cars and bins. Seven policemen were injured and hundreds of thousands of francs worth of damage were caused.

“Violence towards police has increased massively over the years,” Max Hofmann, general secretary of the Swiss Police Officers Federation, told swissinfo.ch. “In 2000, we had 774 incidents – violence or threats against officers. In 2013, there were 2,776.”

Cantonal police forces already use cameras to film sporting events and demonstrations or any other event with large crowds and the potential for violence. But Reto Nause, head of security for the city of Bern, which saw violent protests most recently in 2013, wants to go one step further: so-called body cams.

“I believe that during difficult police operations body cameras can help gather evidence and document the course of events better. They can also tell a police officer has acted disproportionately,” Nause told swissinfo.ch.

He pointed out that the public could also benefit from such cameras, which can be attached to an officer’s helmet, glasses, shoulder or chest. “The question of proportionality obviously works on both sides. This would be a new evidence-gathering tool that could provide more clarity.”

In the US, the body camera debate recently heated up following two controversial civilian deaths at the hands of police officers:

Positive experience

The few studies carried out into body-worn cameras suggest they reduce – but obviously do not eliminate – abuse.

Body cams were introduced to the police force of Rialto, California, in February 2012. A randomised control study published a year later found that the number of complaints had dropped by 88% and police officers had used force nearly 60% less often.

As the New York Times observed, “when force was used, it was twice as likely to have been applied by the officers who weren’t wearing cameras during that shift”.

Elsewhere, German police in Frankfurt have worn €1,500 (CHF1,533) body cams since 2013. They are limited to using them in certain hot spots – such as areas with a lot of nightlife – and only during certain times; in addition, they have to announce that they are using them before they turn them on, and there is no sound.

Police commissioner Julie Rettenmeyer says police controls have run more peacefully since the introduction of the cameras.

Concerns

But not everyone is convinced. “Body cams violate a person’s private sphere, filmed by the police without permission. They are also to be rejected on data protection grounds,” Katrin Meyer from Augenauf (eyes open), an independent citizens’ rights organisation, told swissinfo.ch.

“Instead of putting cameras on helmets, police chiefs should look for ways of dismantling racism, sexism, xenophobia and uncontrolled aggression in the police force. And also how police officers who want to complain about their violent colleagues can get encouragement, protection and suitable first points of contact.”

Amnesty International is more open to body cams, admitting they could be a means of proving or refuting accusations of excessive police violence, but says it is very concerned by the trend of “technical upgrading” seen in many police forces.

“There’s always the basic question of proportionality: does the new means lead to the desired goal, and is the resulting restriction of personal rights really desirable in order to reach this goal?” Stella Jegher from the human rights organisation’s Swiss section told swissinfo.ch.

“The use [of these cameras] must in any case be limited to a very narrow framework, both for the individuals or units that are given them and also the occasions on which they can be used and for how long.”

In this respect, Nause agrees. “I think a patrol officer walking through the old town of Bern filming everything would be going too far.”



A police officer in Los Angeles demonstrates a video feed into his mobile phone from a camera attached to his glasses

(Keystone)

Cantonal issue

Data protection and transparency are two of the hottest issues when it comes to the use of police cameras.

“Body cams [...] simply enable the police and other state institutions to gather more data and more control over the population,” Meyer said.

The situation is further complicated in Switzerland because each of the country’s 26 cantons sets its own surveillance laws.

In Bern, police cameras can only be used at large public events such as football matches or political demonstrations. In theory body cams can already be used at these events – and only these events – if the police commander orders it, says Markus Siegenthaler, data protection officer for canton Bern.

“If the police commander gives the word, it’s just a technical question of where on the body to wear them. But in order to make it like Frankfurt – where police can wear body cams in hot spots at certain times – it would be necessary for the cantonal lawmakers to expand the remit and create a corresponding regulation in our police law,” he told swissinfo.ch.

It is possible that the public would then have the final say if the decision were challenged in a referendum.

As for concerns about innocent members of the public being caught on camera, Siegenthaler said this was already the case for cameras monitoring stations, government buildings, prisons or other public buildings.

“The lawmakers solved this by saying the images could only be analysed by the police if there’s an incident – and then only during the exact timeframe of the incident. Otherwise the pictures can be stored for a limit of 100 days,” he said.

He gives the example of someone famous or in the public eye who is caught on camera stumbling half-drunk across a square. “That is in no way a matter for criminal law. The pictures have been recorded, but they cannot be viewed unless – at that very moment – something criminally relevant happens, for example the person is attacked,” he explained.

Working group

Hofmann says the Swiss Police Officers Federation has launched a body cam working group “so that if the politicians reach a decision – possibly without consulting us – we’ll be ready with facts and arguments”.

The group has already held its first meeting, but Hofmann does not know when its conclusions will be presented.

“We are prepared to hold a discussion about body cams, but we are demanding that the politicians involve us in the debate, otherwise we’ll be against them on principle,” he said, explaining that the federation’s members have concerns about always being on camera.

“That’s not acceptable – you can’t record a colleague the whole time.”

Siegenthaler concludes that the question facing lawmakers is: “do we want body cams, and in which framework do we want them?”

“From a basic constitutional and data protection point of view, it is possible to implement such a tool. In Bern we currently do not have a legal basis for body cams, but we could create one.”

US debate

On December 1, 2014, US President Barack Obama announced a \$75 million (CHF68 million) plan to help police departments buy 50,000 body cameras. This came a week after a state grand jury decided not to indict a white officer in Ferguson, Missouri, for shooting to death an unarmed black teen, Michael Brown, in August 2014. This sparked protests and debates about excessive force, racial bias in policing and the use of body cams. This incident was not captured on camera.

Obama’s plan, which requires congressional approval, calls for departments to undergo training, receive guidance on best practices from the Department of Justice and submit a plan of use for approval. Civil rights and civil liberties advocates are wary of the lack of a federal enforcement plan.

On July 17, 2014, a white police officer in New York put an unarmed black man, Eric Garner, in a chokehold while attempting to take him into custody on charges of selling illegal cigarettes. Garner went into cardiac arrest and died. Despite the incident being captured on camera, on December 3 a grand jury decided not to indict the police officer.

swissinfo.ch

B. Reading comprehension exercise.

Answer the following questions:

1. What was the abuse Switzerland was fined for?
2. What did the plaintiff complain about?
3. What arguments did the policemen bring in their defence?
4. Why did the European Court of Human Rights rule that the Swiss state had to compensate the plaintiff?
5. What did the remedy consist in?
6. How did the issue of policemen wearing cameras arise? Where in what context?
7. For what purposes are cameras worn in Switzerland?
8. How are body cameras used in Germany?
9. What problem are the body cameras supposed to solve?
10. What is the downside of body cameras according to certain citizens' rights organisations?

C. Vocabulary exercise.

Provide synonyms/near-synonyms or explanations for the following words or phrases.

1. damages
2. fees
3. Police officers yelled racist remarks.
4. The complaint was dismissed.
5. plaintiff
6. The Court ruled in favour of the plaintiff.
7. allegations
8. diverging opinion
9. damage
10. gather evidence
11. rebut accusations

12. The body camera debate heated up.
13. ways of dismantling racism
14. to expand the remit
15. The decision not to indict the officer sparked protests.
16. racial bias

KEY TO EXERCISES

PART I. GENERAL CRIMINAL TERMINOLOGY.

I. 1. – g; 2 – d; 3 – e; 4 – I; 5 – h; 6 – c; 7 – a; 8 – j; 9 – f; 10 – b.

II.

Noun	Verb
JUDGMENT	judge
decision	DECIDE
HEARING	hear
proof	PROVE
ACQUITTAL	acquit
surveillance	SURVEIL
SITTING	sit
suspension	SUSPEND
DEFENCE	defend

III.

robbery	the crime of taking of property of another person by using force, violence, or intimidation
manslaughter	the act of killing a human being without malice aforethought
perjury	the giving of false evidence by a witness in criminal proceedings while under oath
arson	the crime of intentionally setting fire to a property
extortion	the act of securing money, favours, etc. by the abuse of one's office or authority
murder	the crime of intentionally killing a person
assault	an unlawful attack upon another person, with or without battery, causing physical harm to someone
embezzlement	the act of secretly and fraudulently taking money or property belonging to an organisation, entrusted by that organization

burglary	the act of illegally entering a dwelling with the intention of stealing things
smuggling	the act of illegally taking goods and people into or out of the country for lucrative purposes
forgery	the act of making or altering documents, objects, etc., for a deceitful or fraudulent purpose, whereby the legal rights of other persons are affected
racketeering	the crime of engaging in illegal activities for profit
bribery	the act of giving or promising money or other valuable consideration with a view to corrupting a person
piracy	the unauthorized use or reproduction of patented or copyrighted material
hijacking	the crime of seizing, diverting or appropriating a vehicle by force or threat of force
blackmail	the act of getting money or forcing someone to do something by threatening to disclose discreditable information

IV.

Verb	Noun	Adjective
apply	application	applicable
accuse	accusation	accused
infringe	infringement	infringed, infringing
appeal	appeal	appellate
deprive	deprivation	deprived
allege	allegation	alleged

V. 1. the act of stealing – the act of stealing by using violent; 2. stealing by using violence – entering a dwelling/building in order to steal; 3. killing a human being with intention – killing a public figure with intention; 4. taking away a person for profit – taking away a person for purposes which do not involve profit; 5. making, adapting or imitating documents or currency – making, adapting or imitating objects, coins etc.; 6. defamation by written or representational means – defamation by oral statements.

VI. 1 – b; 2 – b; 3 – d; 4 – c; 5 – a; 6 – c; 7 – a; 8 – b; 9 – c; 10 – b; 11 – d; 12 – c; 13 – a; 14 – c.

VII.

Verb	Noun event/action	Noun person
appeal	appeal	appellant
hear	hearing	-
offend	offence	offender
detain	detention	detainee
rob	robbery	robber
prosecute	prosecution	prosecutor
try	trial	-
defend	defence	defendant
suspect	suspicion	suspect

1. prosecution; 2. defendant; 3. detained; 4. suspects; 5. defence; 6. offence; 7. tried; 8. detention; 9. suspicion; 10. robbery; 11. appeal; 12. hearing; 13. offender.

VIII. 1. accusation – charge, allegation of an offence; the offence charged; 2. sentence – punishment given by a judge in court to a person who has been found guilty of an offence; 3. instance – a particular situation or event, a case or occurrence of something; 4. magistrate – a justice of the peace, i.e. a minor judicial officer, usually not having legal qualifications and doing unpaid work, dealing with minor offences; 5. prescription – a direction written by the physician to the pharmacist regarding the preparation or sale of a specific medicine; 6. tribunal – in England, a specialized court, where panels are made up of judges and professionals in the field the tribunal specializes in; 7. to execute – to perform something; to kill somebody as a form of legal punishment.

IX. (1) – b; (2) – d; (3) – d; (4) – c; (5) – a; (6) – c; (7) – c; (8) – a; (9) – c; (10) – b; (11) – b; (12) – (d); (13) – c; (14) – a; (15) – c; (16) – d; (17) – c; (18) c; (19) – a; (20) – b; (21) – b; (22) – a; (23) – d; (24) – d; (25) – d; (26) – c; (27) – a; (28) – b; (29) – b; (30) – d; (31) – c; (32) – c; (33) – d; (34) – b; (35) – b.

***PART TWO. THE VOCABULARY OF JUDICIAL COOPERATION
IN CRIMINAL MATTERS. PROCEDURAL RIGHTS***

I. 1. mutual, strengthen; 2. trust; 3. underlined, further, assess; 4. ascertain, assistance; 5. challenge; 6. aware, notification, conclusion, final; 7. sufficient, safeguard; 8. waiver, prior; 9. observe; 10. sole, avert, adverse; 11. permitted, phase, jeopardy; 12. limit, defer; 13. upholds, prohibition; 14. infringed, compel.

II. 1. establishment, applicable, judgments, criminal; 2. assistance, fully, defence, fairness; 3. interpretation, investigative, hearings, hearings; 4. competence, deprivation, relatively; 5. imposition, possibility, referral; 6. enforcement; clarification, statements; 7. remoteness; temporarily, undue; 8. derogations, proportional, exclusively, seriousness; 9. deferral, protection; 10. explanatory, accompany, transposition, transposition; 11. legislator; transmission; 12. procedural, comprehensible; 13. lawfulness, detention, release; 14. complaint, failure, refusal; 15. recovery, reversal, assumption, reduction, reasonable; 16. coercion; oppression.

III. 1. minimum, extend, higher, explicitly; 2. facilitate; 3. strengthening; 4. decreased; 5. specific; 6. respects, observes; 7. failure, refusal, disclose; 8. granted; 9. refuse; 10. Innocent.

IV. 1. with, of, in; 2. on, for, on, in; 3. for, to, to, before; 4. for, of, between, with, with, for; 5. for, of, to, with; 6. under, of, by, of; 7. without, in, across, in, to, with; 8. as, from, under; 9. into, with; 10. on, for, to; 11. into, with; 12. by, by, to; 13. of, from, to, by; 14. from, with, of, under, for; 15. on, to, with.

V. 1. ineffectively, distrust, inadequacy, incorrectly; 2. Inefficient; 3. incompetent, inappropriate; 4. inconsistently, irrelevant; 5. impossibility, insufficient; 6. inessential unfair; 7. Unnecessary; 8. illegal, inapplicable; 9. invulnerability, inability; 10. unaware, unofficial.

VI. 1. Communication between suspected or accused persons and their legal counsel should be interpreted in accordance with this Directive. 2. Suspects or accused persons should be granted access to a lawyer during criminal proceedings before a court. 3. Member States should ensure that suspects or accused persons have the right for their lawyer to be present when they are questioned by the police or by another law enforcement or judicial authority. 4. In accordance with the principle of effectiveness of Union law, Member States should put in place adequate and efficient remedies to protect the rights that are conferred upon individuals by this Directive. 5. This Directive applies to suspects or accused persons in criminal proceedings from the time when they

are made aware by the competent authorities of a Member State, by official notification or otherwise, that they are suspected or accused of having committed a criminal offence. 6. The exercise of the rights laid down in this Article may be regulated by national law or procedures. 7. Temporary derogations under Article 5(3) may be authorized only on a case-by-case basis by a judicial authority or another competent authority on condition that the decision can be submitted to judicial review. 8. Member States shall ensure that the particular needs of vulnerable persons and vulnerable accused persons are taken into account in the application of this Directive.

VII. 1. should, should; 2. can; 3. cannot, can, may; 4. should; 5. may; 6. cannot, should; 7. may; 8. should, could; 9. should, can; 10. must; 11. cannot; 12. might, might; 13. cannot; 14. must; 15. can; 16. shall.

VIII. 1 – b; 2 – a; 3 – b; 4 – d; 5 – d; 6 – c; 7 – d; 8 – a; 9 – c; 10 – a; 11 – b; 12 – b; 13 – d; 14 – c; 15 – c; 16 – a.

IX. B. Reading comprehension exercise.

Suggested answers: 1. Inhumane treatment during identity check. 2. He complained about having been mistreated during a police identity check carried out incorrectly, as a result of which he was badly injured. 3. The policemen claimed that the plaintiff had reacted violently during the security check, and as a result they had to defend themselves. 4. The Court ruled in favour of the plaintiff since the evidence suggested that he had not been armed, and the reaction of the policemen was disproportionate. 5. The remedy consisted in damages, both for financial loss and for the psychological suffering, and an amount of money to cover for the fees and expenses. 6. The issue arose in the context of increasing police abuses, in the context of debates in the US, where police officers had not been indicted for violent treatment resulting in the suspect's death. 7. They are used to film sporting events, demonstrations and other events that involve large masses and have a high potential for violence. 8. Body cameras can only be used in certain hot spots, and only during certain times. Moreover, the police officers have to announce that they are using them before turning them on. 9. They are supposed to prevent police abuse and to ensure the observance of human rights by the police. 10. According to such organisations, the use of body cameras can affect citizens' right to privacy.

C. Vocabulary exercise.

1. money paid to compensate for the injury, harm or loss caused; 2. amount of money paid for professional services; 3. Police officers shouted racist remarks. 4. The complaint was

rejected/not admitted. 5. the party in a civil trial who brings an action against a defendant, usually claiming he/she has sustained a damage entitling him/her to seek a remedy; 6. The Court decided in favour of the plaintiff. 7. Accusations; 8. dissenting opinion; 9. harm, injury or loss, entitling a person to claim damages; 10. collect evidence; 11. oppose accusation by contrary proof, argue that accusations are not true; 12. The body camera debate intensified. 13. ways of unveiling/uncovering racism; 14. to extend the scope of application or use; 15. The decision not to indict the officer generated/brought about protests. 16. a preconceived or unreasoned tendency, feeling or opinion against people of a different race, supporting or opposing a person in an unfair way, based solely on the person's race.