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**МИНИСТЕРСТВО ПРОСВЕЩЕНИЯ РОССИЙСКОЙ ФЕДЕРАЦИИ**

Федеральное государственное автономное образовательное учреждение высшего образования

**«ГОСУДАРСТВЕННЫЙ УНИВЕРСИТЕТ ПРОСВЕЩЕНИЯ»**

(ГОСУДАРСТВЕННЫЙ УНИВЕРСИТЕТ ПРОСВЕЩЕНИЯ)

Кафедра иностранных языков

УТВЕРЖДЕН

на заседании кафедры

Протокол от « 4 » апреля 2024 г., № 10

Зав. кафедрой



Сарычева Л.В.

**ФОНД  
ОЦЕНОЧНЫХ СРЕДСТВ**

по дисциплине (модулю)

Иностранный язык в профессиональной коммуникации

Направление подготовки: 40.03.01 Юриспруденция

Профили: Юрист в правоохранительной и правозащитной деятельности

Мытищи  
2024

Код и наименование компетенции	Этапы формирования
УК – 4. Способен применять современные коммуникативные технологии, в том числе на иностранном(ых) языке(ах), для академического и профессионального взаимодействия	1.Работа на учебных занятиях 2.Самостоятельная работа

**5.2. Описание показателей и критериев оценивания компетенций на различных этапах их формирования, описание шкал оценивания**

Оцениваемые компетенции	Этап формирования	Показатели	Шкала оценки		
			сформирована	частично сформирована	не сформирована
			61 б. и выше	51-60 б.	менее 50 б.
УК-4.	пороговый	усвоение профессионального терминологического аппарата; изучение иноязычных аутентичных источников профессиональной направленности.	освоил профессиональный терминологический аппарат; способен к самостоятельному изучению иноязычных аутентичных источников профессиональной направленности.	в целом освоил профессиональный терминологический аппарат; испытывает некоторые сложности при самостоятельном изучении иноязычных аутентичных источников профессиональной направленности.	не освоил профессиональный терминологический аппарат; не способен к самостоятельному изучению иноязычных аутентичных источников профессиональной направленности.
			91-100 б.	61-90 б.	менее 61 б.
	прогрессивный	устное и письменное общение с зарубежными коллегами на профессионально-деловые темы.	свободно осуществляет устное и письменное общение с зарубежными коллегами на профессионально-деловые темы.	осуществляет устное и письменное общение с зарубежными коллегами на профессионально-деловые темы	не способен осуществлять устное и письменное общение с зарубежными коллегами на профессионально-

				в ограниченном диапазоне.	деловые темы.
			61 б. и выше	51-60 б.	менее 50 б.

### Шкала оценивания сообщения

Критерии оценивания	Баллы
Полное и правильное раскрытие темы, использование терминологии, сделаны выводы и умозаключения. На возникшие вопросы по теме сообщения студент полно	10

9

стью ответил.	
Достаточное усвоение материала. Описание не содержит грубых ошибок; основные выводы изложены и, в основном, осмыслены.	5
Суть проблемы изложена нечётко; в использовании понятийного аппарата встречаются несущественные ошибки; основные результаты изложены и, в основном, осмыслены.	3
Суть проблемы и выводы изложены плохо; в использовании понятийного аппарата встречаются грубые ошибки; основные выводы изложены и осмыслены плохо.	0

### Шкала оценивания презентация

Критерии оценивания	Баллы
Структура: - количество слайдов, наличие титульного слайда и слайда с выводами.	0-5

<p>Наглядность:</p> <ul style="list-style-type: none"> <li>- используются средства наглядности (таблицы, схемы, графики и т.д.); - иллюстрации хорошего качества, с четким изображением, текст легко читается.</li> </ul>	0-5
<p>Дизайн и настройка:</p> <ul style="list-style-type: none"> <li>- оформление слайдов соответствует теме, не препятствует восприятию содержания, для всех слайдов презентации используется один и тот же шаблон оформления.</li> </ul>	0-5
<p>Содержание:</p> <ul style="list-style-type: none"> <li>- презентация отражает основные этапы исследования (проблема, цель, гипотеза, ход работы, выводы, ресурсы);</li> <li>- содержит полную, понятную информацию по теме исследования; - орфографическая и пунктуационная грамотность.</li> </ul>	0-5
<p>Требования к выступлению:</p> <ul style="list-style-type: none"> <li>- студент свободно владеет содержанием, ясно и грамотно излагает материал;</li> <li>- студент свободно и корректно отвечает на вопросы и замечания аудитории;</li> <li>- студент точно укладывается в рамки регламента (15 минут).</li> </ul>	0-5

3. Контрольные задания или иные материалы, необходимые для оценки знаний, умений, навыков и (или) опыта деятельности, характеризующих этапы формирования компетенций в процессе освоения образовательной программы

***Примерная тематика сообщений/презентаций***

1. Образовательная политика Великобритании.
2. Процессы модернизации в системе образования России.
3. Особенности профессионально-деловой коммуникации.
4. Формы межкультурного профессионального общения.
5. Устойчивые обороты научной речи: англо-русские соответствия.
6. Особенности общения в условиях международной научной конференции.
7. Коммуникативные стили и межкультурные различия.
8. Виртуальные конференции.
9. Язык профессионально-делового общения как функционально-стилистическая разновидность английского языка.
10. Идиоматика профессионально-делового языка.
11. Новейшие достижения в области профессиональной деятельности.
12. Терминологический аппарат педагогических теорий: русско-английские соответствия.
13. Лексико-морфологические особенности профессионально-делового языка.
14. Развитие юриспруденции в России и за рубежом.
15. Современные тенденции в юридической области.

16. Выдающиеся российские правоведы и юристы.
17. Выдающиеся правоведы и юристы стран изучаемого языка.

### *Темы для обсуждения на зачете*

1. Последние достижения в области юриспруденции.
2. Закон и право: исторические факты и перспективы развития.
3. Терминологический аппарат юридических теорий: русско-английские соответствия. 4. Виртуальные юридические конференции.
5. Система высшего образования в России.
6. Система высшего образования в Британии и США.
7. Система высшего образования в Европейских странах.
8. Магистратура в Британии и США.
9. Магистратура в России.
10. Обучение в магистратуре в различных университетах мира.
11. Магистерские направления и курсы.
12. Исследовательские программы магистратуры.
13. Обучающие программы магистратуры.
14. Уровни образования, дипломы и ученые степени в англо-русских соответствиях. 15. Научное исследование магистранта: проблема, цель, задачи, методы исследования, результаты.
16. Перспективы развития профессионального образования.
17. Профессиональное образование в образовательном пространстве.
18. Научная деятельность.
19. Терминологический аппарат педагогических теорий: русско-английские соответствия. 20. Язык профессионально-делового общения как функционально-стилистическая разновидность английского языка.
21. Лексико-морфологические особенности профессионально-делового языка. 22. Идиоматика профессионально-делового языка.
23. Виды делового общения.
24. Жанры научной речи.
25. Особенности профессионально-деловой коммуникации.
26. Устная и письменная коммуникация.
27. Особенности межкультурного профессионального общения.
28. Формы межкультурного профессионального общения.
29. Международные юридические конференции.
30. Межкультурные различия вербального и невербального поведения.
31. Лексико-морфологические особенности профессионально-делового языка. 32. Идиоматика профессионально-делового языка.
33. Формальный/неформальный регистры речи.
34. Понятие коммуникативного стиля. Виды коммуникативных стилей.

## *Тексты профессиональной направленности*

### **1. WHY DO WE NEED THE LAW?**

Almost everything we do is governed by some set of rules. There are rules for games, for social clubs, for sports and for adults in the workplace. There are also rules imposed by morality and custom that play an important role in telling us what we should and should not do. However, some rules -- those made by the state or the courts -- are called "laws". Laws resemble morality because they are designed to control or alter our behavior. But unlike rules of morality, laws are enforced by the courts; if you break a law -- whether you like that law or not -- you may be forced to pay a fine, pay damages, or go to prison.

Why are some rules so special that they are made into laws? Why do we need rules that everyone must obey? In short, what is the purpose of law?

If we did not live in a structured society with other people, laws would not be necessary. We would simply do as we please, with little regard for others. But ever since individuals began to associate with other people -- to live in society -- laws have been the glue that has kept society together. For example, the law in our country states that we must drive our cars on the right-hand side of a two-way street. If people were allowed to choose at random which side of the street to drive on, driving would be dangerous and chaotic. Laws regulating our business affairs help to ensure that people keep their promises. Laws against criminal conduct help to safeguard our personal property and our lives.

Even in a well-ordered society, people have disagreements and conflicts arise. The law must provide a way to resolve these disputes peacefully. If two people claim to own the same piece of property, we do not want the matter settled by a duel: we turn to the law and to institutions like the courts to decide who is the real owner and to make sure that the real owner's rights are respected.

We need law, then, to ensure a safe and peaceful society in which individuals' rights are respected. But we expect even more from our law. Some totalitarian governments have cruel and arbitrary laws, enforced by police forces free to arrest and punish people without trial. Strong-arm tactics may provide a great deal of order, but we reject this form of control. The legal system should respect individual rights while, at the same time, ensuring that society operates in an orderly manner. And society should believe in the Rule of Law, which means that the law applies to every person, including members of the police and other public officials, who must carry out their public duties in accordance with the law.

In our society, laws are not only designed to govern our conduct: they are also intended to give effect to social policies. For example, some laws provide for benefits when workers are injured on the job, for health care, as well as for loans to students who otherwise might not be able to go to university.

Another goal of the law is fairness. This means that the law should recognize and protect certain basic individual rights and freedoms, such as liberty and equality. The law also serves to ensure that strong groups and individuals do not use their powerful positions in society to take unfair advantage of weaker individuals.

However, despite the best intentions, laws are sometimes created that people later recognize as being unjust or unfair. In a democratic society, laws are not carved in stone, but must reflect the changing needs of society. In a democracy, anyone who feels that a particular law is flawed has the right to speak out publicly and to seek to change the law by lawful means.

## **2. LAW AND SOCIETY**

When the world was at a very primitive stage of development there were no laws to regulate life of people. If a man chose to kill his wife or if a woman succeeded in killing her husband that was their own business and no one interfered officially.

But things never stay the same. The life has changed. We live in a complicated world. Scientific and social developments increase the tempo of our daily living activities, make them more involved. Now we need rules and regulations which govern our every social move and action. We have made laws of community living.

Though laws are based on the reasonable needs at the community we often don't notice them. If our neighbor plays loud music late at night, we probably try to discuss the matter with him rather than consulting the police, the lawyer or the courts. When we buy a TV set, or a train ticket or loan money to somebody a lawyer may tell us it represents a contract with legal obligations. But to most of us it is just a ticket that gets us on a train or a TV set to watch.

Only when a neighbor refuses to behave reasonably or when we are injured in a train accident, the money wasn't repaid, the TV set fails to work and the owner of the shop didn't return money or replace it, we do start thinking about the legal implications of everyday activities.

You may wish to take legal action to recover your loss. You may sue against Bert who didn't pay his debt. Thus you become a plaintiff and Bert is a defendant. At the trial you testified under oath about the loan. Bert, in his turn, claimed that it was a gift to him, which was not to be returned. The court after the listening to the testimony of both sides and considering the law decided that it was a loan and directed that judgment be entered in favor of you against Bert.

Some transactions in modern society are so complex that few of us would risk making them without first seeking legal advice. For example, buying or selling a house, setting up a business, or deciding whom to give our property to when we die.

On the whole it seems that people all over the world are becoming more and more accustomed to using legal means to regulate their relations with each other. Multinational companies employ lawyers to ensure that their contracts are valid whenever they do business.

### **3. Enforcing laws**

When governments make laws for their citizens, they use a system of courts backed by the power of the police to enforce these laws. Of course, there may be instances where the law is not enforced against someone—such as when young children commit crimes, when the police have to concentrate on certain crimes and therefore ignore others, or in countries where there is so much political corruption that certain people are able to escape justice by using their money or influence. But the general nature of the law is enforced equally against all members of the nation.

Government-made laws are nevertheless often patterned upon informal rules of conduct already existing in society, and relations between people are regulated by a combination of all these rules. This relationship can be demonstrated using the example of a sports club.

Suppose a member of a rugby club is so angry with the referee during a club game that he hits him and breaks his nose. At the most informal level of social custom, it is probable that people seeing or hearing about the incident would criticize the player and try to persuade him to apologize and perhaps compensate the referee in some way. At a more formal level, the player would find he had broken the rules of his club, and perhaps of a wider institution governing the conduct of all people playing rugby, and would face punishment, such as a fine or a suspension before he would be allowed to play another game. Finally, the player might also face prosecution for attacking the referee under laws



created by the government of his country. In many countries there might be two kinds of prosecution. First, the referee could conduct a civil action against the player, demanding compensation for his injury and getting his claim enforced by a court of law if the player failed to agree privately. Second, the police might also start an action against the player for a crime of violence. If found guilty, the player might be sent to prison, or he might be made to pay a fine to the court—that is, punishment for an offence against the state, since governments often consider anti-social behavior not simply as a matter between two individuals but as a danger to the well-being and order of society as a whole.

#### **4. LEGAL PROFESSIONS**

A lawyer is a person learned in the law. A lawyer, also known as an attorney, a counselor, a solicitor, a barrister or an advocate, is an individual licensed by the state to engage in the practice of law and advise clients on legal matters. Lawyers act as both advocates and advisors on behalf of their clients.

The role of the lawyer varies significantly across legal jurisdictions, and therefore can be treated in only the most general terms. Lawyers' roles vary greatly, depending upon their practice environment and field of specialization.

In most countries there is only one legal profession. This means that all the lawyers have roughly the same professional education leading to the same legal qualifications, and they are permitted to do all the legal work.

In England the system is different. Here the profession is divided into two types of lawyers, called solicitors and barristers. Solicitors and barristers are both qualified lawyers, but they have different legal training; they take different examinations to qualify; and once they have qualified, they usually do different types of legal work.

Many solicitors deal with a range of legal work: preparing cases to be tried in the civil or criminal courts; giving legal advice in the field of business and drawing up contracts; making all the legal arrangements for the buying and selling of land or houses; assisting employees and employers; making wills.

Barristers are mainly “courtroom lawyers” who actually conduct cases in court. Unlike solicitors, they have rights of audience (rights to appear) in any court of the land, and so barristers are those lawyers who appear in the more difficult cases in the higher courts.

The educational requirements to becoming a lawyer vary greatly from country to country. In some countries, law is taught by a faculty of law, which is a department of a university's

general undergraduate college. Law students in those countries pursue a Bachelor (LLB) or a Master (LLM) of Laws degree. In some countries it is common or even required for students to earn another bachelor's degree at the same time. Besides it is often followed by a series of advanced examinations, apprenticeships, and additional coursework at special government institutes. In other countries, particularly the United States, law is primarily taught at law schools. Most law schools are part of universities but a few are independent institutions. Law schools in the United States (and some in Canada and elsewhere) award graduating students a J.D. (Jurist Doctor/Doctor of Jurisprudence) (as opposed to the Bachelor of Laws) as the practitioner's law degree. However, like other professional doctorates, the J.D. is not the exact equivalent of the Doctor of Philosophy (Ph.D.), a university degree of the highest level, since it does not require the submission of a full dissertation based on original research.

The methods and quality of legal education vary widely. Some countries require extensive clinical training in the form of apprenticeships or special clinical courses. Many others have only lectures on highly abstract legal doctrines, which force young lawyers to figure out how to actually think and write like a lawyer at their first apprenticeship (or job).

In most common law countries lawyers have many options over the course of their careers. Besides private practice, they can always aspire to becoming a prosecutor, government counsel, corporate in-house counsel, judge, arbitrator, law professor, or politician.

In most civil law countries, lawyers generally structure their legal education around their chosen specialty; the boundaries between different types of lawyers are carefully defined and hard to cross. After one earns a law degree, career mobility may be severely constrained.

## **5. LAW-MAKING PROCEDURE IN THE USA**

The Congress of the United States is the highest lawmaking body in the United States and one of the oldest national legislatures in the world. The U.S. Congress consists of two houses—the Senate and the House of Representatives. A member of the Senate is referred to as a senator, and a member of the House of Representatives is called a representative or congressman or congresswoman.

The general process for making a bill into a law is described in the Constitution.

The first step in the legislative process is the introduction of a bill to the Congress. Bills originate from several different sources: from individual members of the Congress, from a member of a constituent or a group of constituents, from one or more state legislatures, or the President or his administration, but only members of the Congress can introduce legislation.

After being introduced, a bill is referred to the appropriate committee for review. There are 17 Senate committees, with 70 subcommittees, and 23 House committees, with 104 subcommittees. A bill is first considered in a subcommittee, where it may be accepted, amended, or rejected. If the members of the subcommittee agree to move a bill forward, it is reported to the full committee, where the process is repeated again. If the full committee votes to approve the bill, it is reported to the House or the Senate.

When the bill comes up for consideration, the House has a very structured debate process. Each member who wishes to speak only has a few minutes, and the number and kind of amendments are usually limited. In the Senate, debate on most bills is unlimited — Senators may speak to issues other than the bill under consideration during their speeches, and any amendment can be introduced. A bill must pass both houses of the Congress before it goes to the President for consideration. Once debate has ended and any amendments to the bill have been approved, the full membership will vote for or against the bill.

The bill is then sent to the President. When receiving a bill from the Congress, the President has several options. If the President agrees with the bill, he or she may sign it into law. If the President disagrees with the bill, he may veto it and send it back to the Congress. The Congress may override the veto with a two-thirds vote of each chamber, at which point the bill becomes law and is printed.

## **6. THE UNITED KINGDOM LEGISLATION**

In Great Britain laws are made in Parliament at Westminster. The British Parliament consists of the monarch, the House of Lords, and the House of Commons. Their work is similar: making laws (legislation), checking the work of the government (scrutiny), and debating current issues. The House of Lords is composed of life peers and hereditary peers. The House of Commons is composed of Members of Parliament (Mps).

The idea for a new law can come from a variety of sources: bills may be introduced by any member of either House (a "Private Member's Bill"), a Minister of the Crown (a "Government Bill"), by the general public ("Public Bills"), by an individual or small group of individuals (a "Private Bill").

First reading is the first stage of a Bill's passage through the House of Commons - usually a formality, it takes place without debate. The short title of the Bill is read out and then the Bill is printed. The Bill is published as a House of Commons paper for the first time.

The next stage is second reading, the first opportunity for MPs to debate the general principles and themes of the Bill.

Once second reading is completed the Bill proceeds to committee stage. Committee stage is where detailed examination of the Bill takes place, clause by clause, determining the intent and impact of the bill's language. This is therefore often considered the most important step in the parliamentary process for researchers aiming to determine legislative intent. It is at this stage that amendments are made. If the Bill has been amended the Bill is reprinted before its next stage.

Once committee stage is finished, the Bill returns to the floor of the House of Commons for its report stage, where the amended Bill can be debated and further amendments proposed. All MPs can suggest amendments to the Bill or new clauses (parts) they think should be added.

Report stage is normally followed immediately by debate on the Bill's third reading. Committee stage is where detailed examination of the Bill takes place, clause by clause, determining the intent and impact of the bill's language. Amendments (proposals for change) cannot be made to a Bill at third reading in the Commons.

The process in the House of Lords is very similar to the process in the House of Commons. The bill will have a pro forma first reading, then a second reading. After the second reading the bill will normally be referred to a Committee of the Whole House. The bill then passes through a consideration stage and a third reading. In the House of Lords amendments may be made in the Committee of the Whole House, the consideration stage, and the third reading (this is different from the House of Commons where no amendments can be made in the third reading).

If the Bill started in the Commons it goes to the House of Lords for its first reading. If the Bill started in the Lords it returns to the House of Lords for consideration of any amendments the Commons has made. Both Houses must agree on the exact wording of the

Bill. A Bill may go back and forth between each House ('Ping Pong') until both Houses reach agreement.

When a Bill has completed all its parliamentary stages in both Houses, it must have Royal Assent before it can become an Act of Parliament (law). Royal Assent is the Monarch's agreement to make the Bill into an Act and is a formality. When Royal Assent has been given to a Bill, the announcement is usually made in both Houses by the Lord Speaker in the Lords and the Speaker in the Commons.

## **7. THE CONSTITUTION OF THE RUSSIAN FEDERATION**

The Constitution of the Russian Federation is Russia's supreme law, passed through a national vote. It contains the basic principles of the Russian constitutional system.

The Constitution:

- defines the federative structure of the Russian Federation;
- establishes the principles of sovereignty and independence of the Russian Federation;
- defines the principle of separation of powers between legislative, executive and judicial branches;
- establishes equality of ideologies and religions;
- defines the Russian Federation as a secular state.

The Constitution of the Russian Federation defines the rights and freedoms of a human and a citizen, sets their priority when handling any questions, and proclaims the principle of equality before law and court. As for the federative structure, the Constitution contains the list of component units of the Russian Federation, covers the questions that are in the jurisdiction of the Russian Federation and those that are in the joint jurisdiction of federal and local authorities.

Separate articles are devoted to the bodies of federal power: the President of the Russian Federation, the Federal Assembly of the Russian Federation, and the Government of the Russian Federation and also the judicial power of the Russian Federation. In these articles, the order and the terms of appointed and elected officials and the limits of their competence are defined according to the principle of separation of powers.

Under the Constitution accepted on December 12, 1993 at the all-Russia referendum, full authority in the RF belongs to the President and bodies of legislative (two-chamber parliament – Federal Assembly), executive (Government of the Russian Federation) and the judicial authority, which work independently.

The President of the Russian Federation is the Head of the State; the duties of the President are listed, including his status of the Supreme Commander of the military forces of the Russian Federation. The Constitution also contains the text of the oath taken by the President of the Russian Federation when entering the post.

The Federal Assembly of the Russian Federation (the Federation Council and the State Duma) represents the legislature. The order of electing representatives for these chambers, their competence, terms of office are provided by the Constitution.

The Government of the Russian Federation is the executive branch. The Constitution determines the extent of its jurisdiction and also defines the order and the terms of office of government officials.

Judicial power is implemented by means of constitutional, civil, administrative, and criminal legal proceedings. The Constitution establishes the principles of independence, irremovability and immunity of judges, thus providing for objectiveness and impartiality of the court.

## **8. THE US CONSTITUTION**

The form of the US government is based on the Constitution of 1787 which was adopted after the War of Independence. The US Constitution consists of 7 articles and 27 amendments. The first 10 amendments are called the Bill of Rights and were adopted in 1791 under popular pressure.

The Bill of Rights is a series of limitations on the power of the United States federal government, protecting the natural rights and liberties, property including freedom of religion, freedom of speech, a free press, free assembly, and free association, as well as the right to keep and carry arms. In federal criminal cases, it requires indictment by a grand jury for any capital crime, guarantees a speedy, public trial with an impartial jury composed of members of the state in which the crime occurred.

A key feature of the US Constitution is federalism – the division of power between the national government and the states. Another major feature of the Constitution is the principle of the separation of powers within the national government. According to this

principle the executive, legislative and judicial branches exercise powers that are largely separate and distinct. There is not a strict and complete separation of powers, the powers of the three branches overlap. Each branch has its own responsibilities, but no branch has more power than the other branches. There is the system of checks and balances, that is each branch has certain duties to check the powers of the other branches. This system was meant to protect against the extremes since it makes compromise and consensus necessary.

The legislative branch is called the Congress which consists of the Senate and the House of Representatives. It is the responsibility of the Congress to propose and pass laws. In the system of checks and balances, Congress can refuse to approve Presidential appointments and can override presidential veto.

The executive branch consists of the President, the Vice President, the Cabinet and the 13 Departments, and also of the independent agencies. Its responsibility is to enforce laws. According to the principle of checks and balances, the President has the power of veto to reject the bill of the Congress. He also appoints all Supreme Court Justices.

The judicial branch consists of the Supreme Court, 11 Circuit Courts of Appeals and 94 District Courts. This branch explains and interprets laws and makes decisions in lawsuits. It has the power over the other two branches and according to the principle of checks and balances can declare their actions and laws unconstitutional in case they violate the principles of the Constitution.

## **9. THE BRITISH CONSTITUTION**

The British Constitution is unwritten unlike the constitution in America or the proposed European Constitution, and as such, is referred to as an uncodified constitution in the sense that there is no single document that can be identified as Britain's constitution. The British Constitution can be found in a variety of documents. The main ones are: Statutes (the Magna Carta of 1215 and the Act of Settlement of 1701), Acts of Parliament; customs and traditions, political conventions, case law; constitutional matters decided in a court of law.

Since the English Civil War, the core principle of the British constitution has traditionally been the doctrine of parliamentary sovereignty, according to which the statutes passed by Parliament are the UK's supreme and final source of law. It follows that Parliament can change the constitution simply by passing new Acts of Parliament to be followed by the Royal Assent. There is some debate about whether this principle remains entirely valid today, in part due to the UK's European Union membership.

According to the doctrine of parliamentary sovereignty, Parliament may pass any legislation that it wishes. There are many Acts of Parliament which themselves have constitutional significance. For example, Parliament has the power to determine the length of its own term. However, the Sovereign retains the power to dissolve parliament at any time on the advice of the Prime Minister. Parliament also has the power to change the structure of its constituent houses and the relation between them.

Parliament consists of the Sovereign, the House of Commons and the House of Lords. All the legislation must receive the approval of the Sovereign (Royal Assent). Following the accession of the UK to European Economic Community (now the European Union) in 1972, the UK became bound by European law and more importantly, the principle of the supremacy of European Union law.

The House of Commons alone possesses the power to pass a motion of no confidence in the Government, which requires the Government either to resign or seek fresh elections. Such a motion does not require passage by the Lords, or Royal Assent. Parliament traditionally also has the power to remove individual members of the government by impeachment. By the Constitutional Reform Act 2005 it has the power to remove individual judges from office for misconduct.

The executive power in the United Kingdom is exercised by the Sovereign through Her Majesty's Government. The monarch appoints a Prime Minister as the head of Her Majesty's Government in the United Kingdom. The Prime Minister then selects the other Ministers which make up the Government. As in some other parliamentary systems of government, the executive is answerable to Parliament.

The Courts of the United Kingdom are separated into three separate jurisdictions serving England and Wales, Scotland and Northern Ireland, as the United Kingdom does not have a single unified judicial system.

The Constitutional Reform Act 2005 created a new Supreme Court of the United Kingdom to take over the judicial functions of the House of Lords and devolution cases from the Judicial Committee of the Privy Council. The Supreme Court began work in 2009, and serves as the highest court of appeal in England and Wales and in Northern Ireland, and for civil cases in Scotland. The High Court of Justiciary will remain the court of last resort in Scotland for criminal cases.



## **10.Types of Constitutions**

A Constitution is a system which establishes the fundamental rules and principles which a state will use to govern and regulate.

There are several types of constitutions: written/unwritten constitution, rigid/flexible constitution, federal/unitary constitution.

The term written constitution is used to describe a constitution that is entirely written, that is codified in one single document. Written constitutions normally consist of a ceremonial preamble, which sets forth the goals of the state and the motivation for the constitution, and several articles containing the substantive provisions.

The term unwritten constitution is used to describe a based on series of laws over time. Unwritten constitutions could contain written sources: e.g. constitutional statutes enacted by the Parliament; and also unwritten sources: constitutional conventions, customs and traditions.

Many historians use the term “rigid” to describe the Constitution because the provisions are in a written document that cannot be legally changed with the same ease and in the same manner as ordinary laws. On the other hand, the Constitution is called “flexible” because it is an unwritten document that can be changed by an act of Parliament or through a process of amendment.

The federal constitution establishes the division of authority between the Federal Government and the component units of the government. In a federal constitution, sovereignty is invested in the central government. It allows a limited amount of government among units.

The unitary constitution relates to the parliament. It follows parliamentary system of power. The unitary constitution establishes a unitary system of government where a central government does exist. Although units are associated with that government, sovereignty is controlled by the central government.

## **11.Declaration of Right**

An 18th-century engraving, based on a drawing by Samuel Wale, of the Bill of Rights being presented to William and Mary

The proposal to draw up a statement of rights and liberties and James's violation of them was first made on 29 January in the House of Commons, with members arguing that the

House "can not answer it to the nation or Prince of Orange till we declare what are the rights invaded" and that William "cannot take it ill if we make conditions to secure ourselves for the future" in order to "do justice to those who sent us hither". On 2 February a committee specially convened reported to the Commons 23 Heads of Grievances, which the Commons approved and added some of their own. However, on 4 February the Commons decided to instruct the committee to differentiate between "such of the general heads, as are introductory of new laws, from those that are declaratory of ancient rights". On 7 February the Commons approved this revised Declaration of Right, and on 8 February instructed the committee to put into a single text the Declaration (with the heads which were "introductory of new laws" removed), the resolution of 28 January and the Lords' proposal for a revised oath of allegiance. It passed the Commons without division.

On 13 February the clerk of the House of Lords read the Declaration of Right and Halifax, in the name of all the estates of the realm, asked William and Mary to accept the throne. William replied for his wife and himself: "We thankfully accept what you have offered us". They then went in procession to the great gate at Whitehall. The Garter King at Arms proclaimed them King and Queen of England, France and Ireland, whereupon they adjourned to the Chapel Royal, with the Bishop of London preaching the sermon. They were crowned on 11 April, swearing an oath to uphold the laws made by Parliament. The Coronation Oath Act 1688 had provided a new coronation oath, whereby the monarchs were to "solemnly promise and swear to govern the people of this kingdom of England, and the dominions thereunto belonging, according to the statutes in parliament agreed on, and the laws and customs of the same". They were also to maintain the laws of God, the true profession of the Gospel, and the Protestant Reformed faith established by law. This replaced an oath which had deferred more to the monarch. The previous oath required the monarch to rule based on "the laws and customs ... granted by the Kings of England".

## **12.Bill of Rights 1689**

The Bill of Rights is an Act of the Parliament of England that deals with constitutional matters and lays out certain basic civil rights. Passed on 16 December 1689, it is a restatement in statutory form of the Declaration of Right presented by the Convention Parliament to William and Mary in February 1689, inviting them to become joint sovereigns of England. The Bill of Rights lays down limits on the powers of the monarch and sets out the rights of Parliament, including the requirement for regular parliaments, free elections, and freedom of speech in Parliament. It sets out certain rights of individuals including the prohibition of cruel and unusual punishment and reestablished the liberty of

Protestants to have arms for their defence within the rule of law. Furthermore, the Bill of Rights described and condemned several misdeeds of James II of England.

These ideas reflected those of the political thinker John Locke and they quickly became popular in England. It also sets out—or, in the view of its drafters, restates—certain constitutional requirements of the Crown to seek the consent of the people, as represented in Parliament.

In the United Kingdom, the Bill of Rights is further accompanied by Magna Carta, the Petition of Right, the Habeas Corpus Act 1679 and the Parliament Acts 1911 and 1949 as some of the basic documents of the uncodified British constitution. A separate but similar document, the Claim of Right Act 1689, applies in Scotland. The Bill of Rights 1689 was one of the inspirations for the United States Bill of Rights.

Along with the Act of Settlement 1701, the Bill of Rights is still in effect in all Commonwealth realms.

Following the Perth Agreement in 2011, legislation amending both of them came into effect across the Commonwealth realms on 26 March 2015

### **13.SOLON (b. 630 - d. 560 B.c.)**

Solon, the Athenian statesman, is known as one of the Seven Wise Men of Greece. He ended exclusive aristocratic control of the government, substituted a system of control by the wealthy, and introduced a new and more humane law code. He was also a noted poet.

Unfortunately it was not until the 5th century B.C. that accounts of his life and works began to be put together, mostly on the evidence of his poems and his law code. Although certain details have a legendary ring, the main features of his story seem to be reliable. Solon was of noble descent but moderate means. He first became prominent in about 600 B.C. The early 6th century was a troubled time for the Athenians.

Society was dominated by an aristocracy of birth, who owned the best land, monopolized the government, and were themselves split into rival factions. The social, economic, and political evils might well have culminated in a revolution and subsequent tyranny (dictatorship), as they had in other Greek states, had it not been for Solon, to whom Athenians of all classes turned in the hope of a generally satisfactory solution of their problems. Because he believed in moderation and in an ordered society in which each class had its proper place and function, his solution was not revolution but reform.

Solon's great contribution to the future good of Athens was his new code of laws. The first written code at Athens that of Draco was still in force. Draco's laws were shockingly severe (hence the term draconian) - so severe that they were said to have been written not in ink but in blood. On the civil side they permitted enslavement for debt, and death seems to have been the penalty for almost all criminal offenses. Solon revised every statute except homicide and made Athenian law altogether more humane.

#### **14. The MAGNA CARTA.**

At the heart of the English system are two principles of government - limited government and representative government. The idea that government was not all-powerful first appeared in the Magna Carta\*, or Great Charter, that King John\*\* signed in 1215 under the threat of civil war. Earlier kings of England had issued charters, making promises to their barons. But these were granted by, not exacted from the king and were very generally phrased. Later the tension between the Kings and the nobility increased. Since 1199 John's barons had to be promised their rights. It is, therefore, not surprising that Stephen Langton, archbishop of Canterbury, directed baronial unrest into a demand for a solemn grant of liberties by the king. The document known as the Articles of the Barons was at last agreed upon and became the text from which the final version of the charter was drafted and sealed by June on June 15, 1215.

The Magna Carta established the principle of limited government, in which the power of the monarch, or government, was limited, not absolute. This document provided for protection against unjust punishment and the loss of life, liberty, and property except according to law. It stipulated that no citizen could be punished or kept in prison without a fair trial. Under the Magna Carta, the king agreed that certain taxes could not be levied without popular consent.

Although the Magna Carta was originally intended to protect aristocracy and not the ordinary citizens, it came in time to be regarded as a cornerstone of British liberties. It is one of the oldest written constitutional papers.

#### **15. "Let the body be brought ..."**

In Britain, the United States and many other English-speaking countries, the law of Habeas Corpus guarantees that nobody can be held in prison without trial. Habeas Corpus became a law because of a wild party held in 1621 at the London home of a notoriously rowdy lady, Alice Robinson. When a constable appeared and asked her and her guests to quiet down, Mrs. Robinson allegedly swore at him so violently that he arrested her, and a local justice of the peace committed her to jail.

When she was finally brought to trial, Mrs. Robinson's story of her treatment in prison caused an outcry. She had been put on a punishment diet of bread and caused an outcry. She had been put on a punishment diet of bread and water, forced to sleep on the bare earth, stripped, and given fifty lashes. Such treatment was barbaric even by the harsh standards of the time; what made it worse was that Mrs. Robinson was pregnant.

Public anger was so great she was acquitted, the constable who had arrested her without a warrant was himself sent to prison, and the justice of the peace, was severely reprimanded. And the case, along with other similar cases, led to the passing of the Habeas Corpus Act in Britain in 1679. The law is still on the British statute books, and a version of it is used in the United States, where the law is regarded as such an important guarantee of liberty that Article 1 of the U.S.

Constitution declares that "Habeas Corpus shall not be suspended except in cases of rebellion or invasion".

Habeas Corpus is part of a Latin phrase- Habeas corpus ad subjiciendum- that means "Let the body be brought before the judge." In effect, a writ of Habeas Corpus is an order in the name of the people (or, in Britain, of the sovereign) to produce an imprisoned person in court at once.

## **16.Madame Tussaud's Chamber of Horrors**

Madame Tussaud's is the best known and most visited waxwork exhibition in the world. In the Chamber of Horrors which is a part of Madame Tussaud's every exhibit deals with the subject of crime and punishment- it is a rogues gallery of dangerous and evil criminals.

In a dark, dank Victorian street, Jack the Ripper stalked his prey, the torn and twisted body of one of his victims, Catherine Eddowes, lies mutilated in a pool of blood. Jack the Ripper was never brought to justice but other were, villains and murderers who met their ends by guillotine, gallows or garrote.

Madame Tussaud first arrived in England in 1802 from Germany, where she was born in 1761. She brought with her gruesome souvenirs of the French Revolution, the instruments of death and death masks of their victims. The death masks of Louis 16 and Marie Antoinette are still on display next to the very guillotine blade that beheaded the French queen.

More recent means of execution include the firing squad and the electric chair. American murderer Gary Gilmore is seen facing a hail of bullets. Bruno Hauptmann electrocuted in New Jersey, USA in 1936 can be seen here too.

Acid-bath murderer John George Haigh who killed at least nine people and disposed of the bodies in an acid bath, stands in the clothes he wore before his execution. Many prisoners or their relatives bequeathed or sold the clothes or some items which belonged to the murderers to dress their portraits at Madame Tussaud.

And the "Brides in the Bath" George Joseph Smith leans over a victim in the actual bathtub in which he drowned his well-insured brides. Notorious mass-murderer John Christie is at work in a replica of the tiny West London kitchen where he concealed the bodies of three of the seven women he killed.

Contemporary criminals in Britain no longer face the death penalty- instead they must spend years behind bars. The exhibition shows a bleak modern prison block with contemporary murderers which are standing before their cells.

Guy Thorne's 1912 description of the murderers in the Chamber of Horrors is still true today: "Row upon row of faces which differ in very way one from another and yet are dreadfully alike. For these great sinister dolls, so unreal and so real, have all a likeness. The smirk of cruelty and cunning seems to lie upon their waxen masks. Colder than life, far colder than death they will give forth emanations which will strike the heart with woe and desolation".

## **17. The British Police**

The British police officer is a well-known figure to anyone who has visited Britain or who has seen British films. Policemen are to be seen in towns and cities keeping law and order, either walking in pairs down the streets ("walking the beat") or driving specially marked police cars. One known as 'panda cars' because of their distinctive markings, these are now often jokingly referred to as 'jam sandwiches' because of the pink fluorescent stripe running horizontally around the bodywork. In the past, policemen were often known as 'bobbies' after Sir Robert Peel, the founder of the police force. Nowadays, common nicknames include 'the cops', 'the fuzz', 'the pigs', and 'the Old Bill' (particularly in London). Few people realize, however, that the police in Britain are organized very differently from any other countries.

Most countries, for example, have a national police force which is controlled by central Government. Britain has no national police force, although police policy is governed by the

central Government's Home Office. Instead, there is a separate police force for each of 52 areas into which the country is divided. Each has a police authority – a committee of local councillors and magistrates.

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

In most countries the police carry guns. In Britain, however, this is extremely unusual. Policemen do not, as a rule, carry firearms in their day-to-day work, though certain specialist units are trained to do so and can be called upon to help the regular police force in situations where firearms are involved, e.g. terrorist incidents, armed robberies, etc. The only policemen who routinely carry weapons are those assigned to guard politicians and diplomats, or special officers who patrol airports.

In certain circumstances specially trained police officers can be armed, but only with the signed permission of a magistrate.

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

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

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

## **18.The UK Forensic Science Service.**

The Forensic Science Service (FSS) serves the administration of justice in England and Wales by providing scientific support in the investigation of crime, and by giving evidence to courts. Its customers include the police, the Crown Prosecution Service, coroners and defense solicitors.

In February 1995 the UK government announced that the FSS would merge with the Metropolitan Police Forensic Science Laboratory to form a single agency serving all police forces in England and Wales through seven regional operational laboratories.

Scientific expertise is available on a case-by-case basis to law enforcement agencies and attorneys. The Service provides assistance to home and overseas police forces in the investigation of many crimes, particularly fires where arson is suspected, cases involving DNA profiling and offences involving the use of firearms. The scientists have a wide range of experience in fire-scene examination, including fatal fires in domestic premises, large industrial fires and vehicle fires.

DNA profiling is a revolutionary scientific testing process which can positively identify an individual from a specimen of blood, semen, hair roots or tissue. Its application to crime specimens represents the greatest advance in forensic science in decades. The vast potential of DNA profiling is recognized by the police and the legal profession, and its use in criminal investigation has increased.

The Forensic Science Service provides advice on firearms and related matters and assistance in the investigation of shooting incidents. When presented with a suspect weapon, the expert is able to establish whether or not it was the weapon used in a crime. Experts are particularly adept in the microscopic examination of spent bullets and cartridge cases. They have access to a world-famous computer-based information systems relating to thousands of firearms.

The Service offers training to overseas scientists which is of a general nature or is aimed at specific techniques such as DNA profiling or examination of firearms and documents. Training is provided on note taking, searching, report writing and expert witness appearances in court. Contact is maintained with other institutions and universities in Britain and other countries.



## **19. Laws of King William I (the Conqueror)**

1. First that above all things he wishes one God to be revered throughout his whole realm, one faith in Christ to be kept ever inviolate, and peace and security to be preserved between English and Normans.

2. We decree also that every freeman shall affirm by oath and compact that he will be loyal to King William both within and without England, that he will preserve with him his lands and honor with all fidelity and defend him against his enemies.

3. I will, moreover, that all the men I have brought with me, or who have come after me, shall be protected by my peace and shall dwell in quiet. And if any one of them shall be slain, let the lord of his murderer seize him within five days, if he can; but if he cannot, let him pay me 46 marks of silver so long as his substance avails. And when his substance is exhausted, let the whole hundred in which the murder took place pay what remains in common.

4. And let every Frenchman who, in the time of King Edward, my kinsman, was a sharer in the customs of the English, pay what they call "scot and lot", according to the laws of the English. This decree was ordained in the city of Gloucester.

5. We forbid also that any live cattle shall be bought or sold for money except within cities, and this shall be done before three faithful witnesses; nor even anything old without surety and warrant. But if anyone shall do otherwise, let him pay once, and afterwards a second time for a fine.

6. It was decreed there that if a Frenchman shall charge an Englishman with perjury or murder or theft or homicide or "ran," as the English call open rapine which cannot be denied, the Englishman may defend himself, as he shall prefer, either by the ordeal of hot iron or by wager of battle. But if the Englishman be infirm, let him find another who will take his place. If one of them shall be vanquished, he shall pay a fine of 40 shillings to the king. If an Englishman shall charge a Frenchman and be unwilling to prove his accusation either by ordeal or by wager of battle, I will, nevertheless, that the Frenchman shall acquit himself by a valid oath.

7. This also I command and will, that all shall have and hold the law of the King Edward in respect of their lands and all their possessions, with the addition of those decrees I have ordained for the welfare of the English people.

8. Every man who wishes to be considered a freeman shall be in pledge so that his surety shall hold him and hand him over to justice if he shall offend in any way. And if any

such shall escape, let his sureties see to it that they pay forthwith what is charge against him, and let them clear themselves of any complicity in his escape. Let recourse be had to the hundred and shire courts as our predecessors decreed. And those who ought of right to come and are unwilling to appear, shall be summoned once; and if for the second time they refuse to come, one ox shall be taken from them, and they shall be summoned a third time. And if they do not come the third time, a second ox shall be taken from them. But if they do not come the fourth summons, the man who is unwilling to come shall forfeit from his goods the amount of the charge against him, "ceapgeld" as it is called, and in addition to this a fine to the king.

9. I prohibit the sale of any man by another outside the country on pain of a fine to be paid in full to me.

10. I also forbid that anyone shall be slain or hanged for any fault, but let his eyes be put out and let him be castrated. And this command shall not be violated under pain of a fine in full to me.

## **20. United States Declaration of Independence**

The Declaration of Independence is the statement adopted by the Second Continental Congress meeting at Philadelphia, Pennsylvania on July 4, 1776, which announced that the thirteen American colonies, then at war with the Kingdom of Great Britain, regarded themselves as thirteen newly independent sovereign states, and no longer under British rule. Instead they formed a new nation—the United States of America. John Adams was a leader in pushing for independence, which was unanimously approved on July 2. A committee of five had already drafted the formal declaration, to be ready when Congress voted on independence. The term "Declaration of Independence" is not used in the document itself.

Adams persuaded the committee to select Thomas Jefferson to compose the original draft of the document, which Congress would edit to produce the final version. The Declaration was ultimately a formal explanation of why Congress had voted on July 2 to declare independence from Great Britain, more than a year after the outbreak of the American Revolutionary War. The national birthday, Independence Day, is celebrated on July 4, although Adams wanted July 2.

After ratifying the text on July 4, Congress issued the Declaration of Independence in several forms. It was initially published as the printed Dunlap broadside that was widely

distributed and read to the public. The source copy used for this printing has been lost, and may have been a copy in Thomas Jefferson's hand.[4] Jefferson's original draft, complete with changes made by John Adams and Benjamin Franklin, and Jefferson's notes of changes made by Congress, are preserved at the Library of Congress. The best known version of the Declaration, a signed copy that is popularly regarded as the official document, is displayed at the National Archives in Washington, D.C. This engrossed copy was ordered by Congress on July 19, and signed primarily on August 2.

The sources and interpretation of the Declaration have been the subject of much scholarly inquiry. The Declaration justified the independence of the United States by listing colonial grievances against King George III, and by asserting certain natural and legal rights, including a right of revolution. Having served its original purpose in announcing independence, references to the text of the Declaration were few in the following years. Abraham Lincoln made it the centerpiece of his rhetoric (as in the Gettysburg Address of 1863), and his policies. Since then, it has become a well-known statement on human rights, particularly its second sentence:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

This has been called "one of the best-known sentences in the English language", containing "the most potent and consequential words in American history". The passage came to represent a moral standard to which the United States should strive. This view was notably promoted by Abraham Lincoln, who considered the Declaration to be the foundation of his political philosophy, and argued that the Declaration is a statement of principles through which the United States Constitution should be interpreted.

The United States Declaration of Independence inspired many other similar documents in other countries in the 18th and 19th centuries, spreading to the Low Countries, and then to the Caribbean, Spanish America, the Balkans, West Africa, and Central Europe in the decades up to 1848.

## **21.Sherlock Holmes**

Sherlock Holmes is a fictional private detective created by British author Sir Arthur Conan Doyle. Known as a "consulting detective" in the stories, Holmes is known for a proficiency with observation, forensic science, and logical reasoning that borders on the fantastic, which he employs when investigating cases for a wide variety of clients, including Scotland Yard. First appearing in print in 1887, the character's popularity became widespread with the first series of short stories in *The Strand Magazine*, beginning with "A Scandal in Bohemia" in 1891; additional stories appeared from then to 1927, eventually totalling four novels and 56 short stories. All but one are set in the Victorian or Edwardian periods, taking place between about 1880 to 1914. Most are narrated by the character of Holmes's friend and biographer Dr. Watson, who usually accompanies Holmes during his investigations and often shares quarters with him at the address of 221B Baker Street, London, where many of the stories begin.

Though not the first fictional detective, Sherlock Holmes is arguably the most well-known, with Guinness World Records listing him as the "most portrayed movie character" in history. Holmes's popularity and fame are such that many have believed him to be not a fictional character but a real individual;<sup>[2][3]</sup> numerous literary and fan societies have been founded that pretend to operate on this principle. The stories and character have had a profound and lasting effect on mystery writing and popular culture as a whole, with both the original tales as well as thousands written by authors other than Conan Doyle being adapted into stage and radio plays, television, films, video games, and other media for over one hundred years.

## **22.HM Prison Altcourse**

HM Prison Altcourse is a Category B men's private prison and Young Offenders Institution in the Fazakerley area of Liverpool in Merseyside, England. The prison is operated by G4S.

Altcourse Prison was opened in December 1997, being the first privately designed, constructed, managed and financed prison in the United Kingdom. While early reports about the management of the prison were favourable, the financing of the project drew criticism after it emerged that former owner GSL had managed to make a £10 million windfall from the contracts. In 2005 it was reported that Altcourse was the most overcrowded prison in England with 1,324 inmates, with overcrowding being an issue at the prison ever since.

In November 2009, the prison's own Independent Monitoring Board published a report which criticised the amount of illegal drugs that were being smuggled into Altcourse. The report suggested that mobile phones (which were also being smuggled into the jail) were helping to fuel the trade. A month later, it emerged that inmates at Altcourse were being given access to satellite television as a reward for good behaviour.

Altcourse is a Category B local prison, receiving prisoners from the courts in Lancashire, Merseyside, Cheshire and North Wales. The prison accepts young offenders and adult male prisoners who are both sentenced and remanded by the courts. Accommodation at the prison comprises six accommodation units, a First Night Centre, three Vocational Training residential units and the Healthcare Centre. The prison offers full-time education and night classes to inmates as well as workshops and offender management programmes.

### **23.Scotland Yard**

Commonly known as the Met, the Metropolitan Police Service is responsible for law enforcement within Greater London, excluding the square mile of the City of London, which is covered by the City of London Police. Additionally, the London Underground and National Rail networks are the responsibility of the British Transport Police. The Metropolitan Police was formed by Robert Peel with the implementation of the Metropolitan Police Act, passed by Parliament in 1829.[1] Peel, with the help of Eugène-François Vidocq, selected the original site on Whitehall Place for the new police headquarters. The first two commissioners, Charles Rowan and Richard Mayne, along with various police officers and staff, occupied the building. Previously a private house, 4 Whitehall Place (51.50598°N 0.12609°W) backed onto a street called Great Scotland Yard.

The original New Scotland Yard, now called the Norman Shaw Buildings

By 1887, the Met headquarters had expanded from 4 Whitehall Place into several neighbouring addresses, including 3, 5, 21 and 22 Whitehall Place; 8 and 9 Great Scotland Yard, and several stables.[1] Eventually, the service outgrew its original site, and new headquarters were built (51.50222°N 0.12463°W) on the Victoria Embankment, overlooking the River Thames, south of what is now the Ministry of Defence's headquarters. In 1888, during the construction of the new building, workers discovered the dismembered torso of a female; the case, known as the 'Whitehall Mystery', was never solved. In 1890, police headquarters moved to the new location, which was named New Scotland Yard. By this time, the Met had grown from its initial 1,000 officers to about 13,000 and needed more administrative staff and a bigger headquarters. Further increases in the size and responsibilities of the force required even more administrators, and in 1907

and 1940, New Scotland Yard was extended further (51.50183°N 0.12446°W). This complex is now a Grade I listed structure known as the Norman Shaw Buildings.

The original building at 4 Whitehall Place still has a rear entrance on Great Scotland Yard. Stables for some of the mounted branch are still located at 7 Great Scotland Yard, across the street from the first headquarters.

#### **24. Not to be confused with Precedence.**

In common law legal systems, a precedent or authority is a principle or rule established in a previous legal case that is either binding on or persuasive for a court or other tribunal when deciding subsequent cases with similar issues or facts. Common law legal systems place great value on deciding cases according to consistent principled rules so that similar facts will yield similar and predictable outcomes, and observance of precedent is the mechanism by which that goal is attained. Black's Law Dictionary defines "precedent" as a "rule of law established for the first time by a court for a particular type of case and thereafter referred to in deciding similar cases." Common law precedent is a third kind of law, on equal footing with statutory law (statutes and codes enacted by legislative bodies), and Delegated legislation (in U.K. parlance) or regulatory law (in U.S. parlance) (regulations promulgated by executive branch agencies).

Case law or common law is the set of decisions of adjudicatory tribunals that can be cited as precedent. In most countries, including most European countries, the term is applied to any set of rulings on law which is guided by previous rulings, for example, previous decisions of a government agency.

Precedential (whether strongly binding or weakly persuasive) case law can arise from a ruling by either a judicial court, or by an executive branch agency. Trials and hearings that do not result in written decisions, decisions from tribunals that are not in the "chain of command" that binds the later court, written decisions that are designated "nonprecedential" by the tribunal, or written decisions of agencies that are not issued and indexed with sufficient formality to gain precedential effect, and cases that are resolved without written decision, do not create binding precedent for future court decisions.

#### **25. Napoleonic reforms**

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Napoleon set to reform the French legal system in accordance with the ideas of the French Revolution, because the old feudal and royal laws seemed confusing and contradictory to

the people. Before the Code, France did not have a single set of laws; law consisted mainly of local customs, which had sometimes been officially compiled in "customals" (coutumes), notably the Coutume de Paris. There were also exemptions, privileges, and special charters granted by the kings or other feudal lords. During the Revolution, the last vestiges of feudalism were abolished.

Specifically, as to civil law, the many different bodies of law used in different parts of France were to be replaced by a single legal code. Leading this drafting process was Jean-Jacques Régis de Cambacérès. His drafts of 1793 (for which he had been given a one-month deadline), 1794, and 1799, however, were adopted only piecemeal by a National Convention more concerned about the turmoil resulting from the various wars and strife with other European powers.

A fresh start was made after Napoleon came to power in 1799. A commission of four eminent jurists was appointed in 1800, including Louis-Joseph Faure and chaired by Cambacérès (now Second Consul), and sometimes by First Consul Napoleon himself. The Code was complete by 1801, after intensive scrutiny by the Council of State, but was not published until 21 March 1804. It was promulgated as the "Civil Code of the French" (Code civil des Français), but was renamed "the Napoleonic Code" (Code Napoléon) from 1807 to 1815, and once again under the Second French Empire.

The process was developed mainly out of the various customals, but was inspired by Justinian's sixth-century codification of Roman law, the Corpus Iuris Civilis and, within that, Justinian's Code (Codex). The Napoleonic Code, however, differed from Justinian's in important ways: it incorporated all kinds of earlier rules, not only legislation; it was not a collection of edited extracts, but a comprehensive rewrite; its structure was much more rational; it had no religious content; and it was written in the vernacular.

The development of the Napoleonic Code was a fundamental change in the nature of the civil law system, making laws clearer and more accessible. It also superseded the former conflict between royal legislative power and, particularly in the final years before the Revolution, protests by judges representing views and privileges of the social classes to which they belonged. Such conflict led the Revolutionaries to take a negative view of judges making law.

This is reflected in the Napoleonic Code prohibiting judges from deciding a case by way of introducing a general rule (Article 5), since the creation of general rules is an exercise of legislative and not of judicial power. In theory, there is thus no case law in France. However, the courts still had to fill the gaps in the laws and regulations and, indeed, were

prohibited from refusing to do so (Article 4). Moreover, both the codes and legislation have required judicial interpretation. In these ways, a vast body of judicially created law (jurisprudence) has come into existence. There is no rule of stare decisis (binding precedent), but the decisions by important courts have become more or less equivalent to case law (see jurisprudence constante).

#### 4. Методические материалы, определяющие процедуры оценивания знаний, умений, навыков и (или) опыта деятельности, характеризующих этапы формирования компетенций

В ходе освоения дисциплины предусмотрены следующие формы отчетности: сообщения и презентации. В рамках освоения дисциплины предусмотрен текущий контроль и промежуточная аттестация.

Текущий контроль стимулирует студентов к непрерывному овладению учебным материалом, систематической работе в течение всего семестра и осуществляется по темам практических занятий.

Максимальное количество баллов, которое магистрант может получить за освоение дисциплины в семестре 100 баллов. За текущий контроль максимальное количество баллов 80, за промежуточную аттестацию: зачет – 20 баллов.

В ходе освоения дисциплины, за текущий контроль, магистранту нужно набрать не менее 40 баллов.

В конце каждого семестра по дисциплине предусмотрена промежуточная аттестация: зачет проводится устно и состоит из двух частей:

- 1) чтение, перевод и реферирование текста деловой и профессиональной тематики; 2) составление ситуативного диалога по пройденной тематике.

#### *Шкала оценивания зачета*

Критерий оценивания	Баллы
Студент чётко излагает предложенный текст и демонстрирует его содержания, читает бегло, без ошибок, переводит отрывок на русский язык адекватно содержанию оригинала, грамотно составил диалог по пройденной тематике	11-20
Студент чётко излагает предложенный текст и демонстрирует его содержания, читает бегло, с допущением незначительных ошибок, переводит отрывок на русский язык адекватно содержанию оригинала с незначительными ошибками, диалог по пройденной тематике составлен с незначительными ошибками	1-10



Студент демонстрирует непонимания прочитанного текста, читает с допущением множества ошибок, переводит отрывок на русский язык неадекватно содержанию оригинала, составил диалог по пройденной тематике с допущением большого числа лексических и грамматических ошибок	0
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### Итоговая шкала по дисциплине

Итоговая оценка по дисциплине выставляется по приведенной ниже шкале. При выставлении итоговой оценки преподавателем учитывается работа магистранта в течение всего срока освоения дисциплины, а также оценка по промежуточной аттестации.

Баллы, полученные магистрантом по текущему контролю и промежуточной аттестации	Оценка в традиционной системе
41 - 100	Зачтено
0 - 40	Не зачтено

## УЧЕБНО-МЕТОДИЧЕСКОЕ И РЕСУРСНОЕ ОБЕСПЕЧЕНИЕ ДИСЦИПЛИНЫ

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