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English for
LAW

in Higher Education Studies

Course Book

Series editor: Terry Phillips



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Introduction

English for Law is designed for students who plan to take a law course entirely or partly in English. The principal aim of *English for Law* is to teach students to cope with input texts, i.e., listening and reading, in the discipline. However, students will be expected to produce output texts in speech and writing throughout the course.

The syllabus focuses on key vocabulary for the discipline and on words and phrases commonly used in academic English. It covers key facts and concepts from the discipline, thereby giving students a flying start for when they meet the same points again in their faculty work. It also focuses on the skills that will enable students to get the most out of lectures and written texts. Finally, it presents the skills required to take part in seminars and tutorials and to produce essay assignments.

English for Law comprises:

- student Course Book including audio transcripts and wordlist
- the Teacher's Book, which provides detailed guidance on each lesson, full answer keys, audio transcripts and extra photocopiable resources
- audio CDs with lecture and seminar excerpts

English for Law has 12 units, each of which is based on a different aspect of law. Odd-numbered units are based on listening (lecture/seminar extracts). Even-numbered units are based on reading.

Each unit is divided into four lessons:

Lesson 1: vocabulary for the discipline; vocabulary skills such as word-building, use of affixes, use of synonyms for paraphrasing

Lesson 2: reading or listening text and skills development

Lesson 3: reading or listening skills extension. In addition, in later reading units, students are introduced to a writing assignment which is further developed in Lesson 4; in later listening units, students are introduced to a spoken language point (e.g., making an oral presentation at a seminar) which is further developed in Lesson 4

Lesson 4: a parallel listening or reading text to that presented in Lesson 2 which students have to use their new skills (Lesson 3) to decode; in addition, written or spoken work is further practised

The last two pages of each unit, *Vocabulary bank* and *Skills bank*, are a useful summary of the unit content.

Each unit provides between 4 and 6 hours of classroom activity with the possibility of a further 2-4 hours on the suggested extra activities. The course will be suitable, therefore, as the core component of a faculty-specific pre-sessional or foundation course of between 50 and 80 hours.

It is assumed that prior to using this book students will already have completed a general EAP (English for Academic Purposes) course such as *Skills in English* (Garnet Publishing, up to the end at least of Level 3), and will have achieved an IELTS level of at least 5.

For a list of other titles in this series, see www.garneteducation.com/

Book map

Unit	Topics
1 Law and order Listening · Speaking	<ul style="list-style-type: none"> • branches of law • key features of law
2 Landmarks in law Reading · Writing	<ul style="list-style-type: none"> • historical landmarks in the development of law • Lord Denning and 20th century English law • judicial precedent
3 Crimes and civil wrongs Listening · Speaking	<ul style="list-style-type: none"> • tort v crime • criminal and civil courts • trespass to the person
4 Computers in law Reading · Writing	<ul style="list-style-type: none"> • computers for research • types of legal information available on the web
5 Theft 1: the Theft Act Listening · Speaking	<ul style="list-style-type: none"> • definition of theft • components of theft • important case law
6 Theft 2: appropriation Reading · Writing	<ul style="list-style-type: none"> • taking without owner's consent • differences between: burglary, aggravated burglary and robbery
7 Contract law 1: consideration Listening · Speaking	<ul style="list-style-type: none"> • definition of a contract • doctrine of consideration • judicial interpretation
8 Contract law 2: misrepresentation Reading · Writing	<ul style="list-style-type: none"> • four types of misrepresentation: fraudulent misrepresentation · negligent misrepresentation · wholly innocent misrepresentation · negligent misrepresentation under statute
9 Employment law Listening · Speaking	<ul style="list-style-type: none"> • fair, unfair and wrongful dismissal • employment tribunals
10 Homicide Reading · Writing	<ul style="list-style-type: none"> • types of homicide • defences to homicide • murder v manslaughter
11 International law Listening · Speaking	<ul style="list-style-type: none"> • origins of international law • influence of international law on domestic law • international law and the environment
12 Human rights law Reading · Writing	<ul style="list-style-type: none"> • UN Charter of Human Rights • UN Convention on the Rights of the Child • equal opportunities

Vocabulary focus	Skills focus	Unit
<ul style="list-style-type: none"> words from general English with a special meaning in law prefixes and suffixes 	<p>Listening</p> <ul style="list-style-type: none"> preparing for a lecture predicting lecture content from the introduction understanding lecture organization choosing an appropriate form of notes making lecture notes <p>Speaking</p> <ul style="list-style-type: none"> speaking from notes 	1
<ul style="list-style-type: none"> English–English dictionaries: headwords · definitions · parts of speech · phonemes · stress markers · countable/uncountable · transitive/intransitive 	<p>Reading</p> <ul style="list-style-type: none"> using research questions to focus on relevant information in a text using topic sentences to get an overview of the text <p>Writing</p> <ul style="list-style-type: none"> writing topic sentences summarizing a text 	2
<ul style="list-style-type: none"> stress patterns in multi-syllable words prefixes 	<p>Listening</p> <ul style="list-style-type: none"> preparing for a lecture predicting lecture content making lecture notes using different information sources <p>Speaking</p> <ul style="list-style-type: none"> reporting research findings formulating questions 	3
<ul style="list-style-type: none"> computer jargon abbreviations and acronyms discourse and stance markers verb and noun suffixes 	<p>Reading</p> <ul style="list-style-type: none"> identifying topic development within a paragraph using the Internet effectively evaluating Internet search results <p>Writing</p> <ul style="list-style-type: none"> reporting research findings 	4
<ul style="list-style-type: none"> word sets: synonyms, antonyms, etc. common lecture language 	<p>Listening</p> <ul style="list-style-type: none"> understanding ‘signpost language’ in lectures using symbols and abbreviations in note-taking <p>Speaking</p> <ul style="list-style-type: none"> making effective contributions to a seminar 	5
<ul style="list-style-type: none"> synonyms, replacement subjects, etc. for sentence-level paraphrasing 	<p>Reading</p> <ul style="list-style-type: none"> locating key information in complex sentences <p>Writing</p> <ul style="list-style-type: none"> reporting findings from other sources: paraphrasing writing complex sentences 	6
<ul style="list-style-type: none"> compound nouns fixed phrases from legal English fixed phrases from academic English common lecture language 	<p>Listening</p> <ul style="list-style-type: none"> understanding speaker emphasis <p>Speaking</p> <ul style="list-style-type: none"> asking for clarification responding to queries and requests for clarification 	7
<ul style="list-style-type: none"> synonyms nouns from verbs definitions common ‘direction’ verbs in essay titles (<i>discuss, analyse, evaluate, etc.</i>) 	<p>Reading</p> <ul style="list-style-type: none"> understanding dependent clauses with passives <p>Writing</p> <ul style="list-style-type: none"> paraphrasing expanding notes into complex sentences recognizing different essay types/structures: descriptive · analytical · comparison/evaluation · argument writing essay plans writing essays 	8
<ul style="list-style-type: none"> fixed phrases from legal English fixed phrases from academic English 	<p>Listening</p> <ul style="list-style-type: none"> using the Cornell note-taking system recognizing digressions in lectures <p>Speaking</p> <ul style="list-style-type: none"> making effective contributions to a seminar referring to other people’s ideas in a seminar 	9
<ul style="list-style-type: none"> ‘neutral’ and ‘marked’ words fixed phrases from legal English fixed phrases from academic English 	<p>Reading</p> <ul style="list-style-type: none"> recognizing the writer’s stance and level of confidence or tentativeness inferring implicit ideas <p>Writing</p> <ul style="list-style-type: none"> writing essays using direct quotations compiling a bibliography/reference list 	10
<ul style="list-style-type: none"> words/phrases used to link ideas (<i>moreover, as a result, etc.</i>) stress patterns in noun phrases and compounds fixed phrases from academic English 	<p>Listening</p> <ul style="list-style-type: none"> recognizing the speaker’s stance writing up notes in full <p>Speaking</p> <ul style="list-style-type: none"> building an argument in a seminar agreeing/disagreeing 	11
<ul style="list-style-type: none"> verbs used to introduce ideas from other sources (<i>X contends/suggests/asserts that ...</i>) linking words/phrases conveying contrast (<i>whereas</i>), result (<i>consequently</i>), reasons (<i>due to</i>), etc. words for quantities (<i>a significant minority</i>) 	<p>Reading</p> <ul style="list-style-type: none"> understanding how ideas in a text are linked <p>Writing</p> <ul style="list-style-type: none"> deciding whether to use direct quotation or paraphrase incorporating quotations writing research reports writing effective introductions/conclusions 	12

1 LAW AND ORDER

1.1 Vocabulary

guessing words in context • prefixes and suffixes

A Read the text. The red words are probably familiar to you in general English. But can you think of a different meaning for each word in legal English?

My friend walked into the **bar**. He was carrying a small **case**. We had a **brief** conversation about the weather and then started chatting about last night's football match. I had hardly finished a **sentence** when he complained that his team had lost because the **defence** had been really bad. They had played without any **conviction**. I took a **stand** against him and said you shouldn't **judge** a team on the **evidence** of just one match.

B Read these sentences from legal texts. Complete each sentence with one of the red words from Exercise A.

- 1 The _____ asked the members of the jury to leave the court.
- 2 A solicitor gives a _____ to the barrister which consists of important legal documents.
- 3 My lawyer disagreed with the verdict and wants my _____ to go to a higher court.
- 4 The accused was shocked when he was found guilty and given a four-year prison _____.
- 5 I think she already has a _____ for shoplifting.
- 6 As the key witness took the _____ there was complete silence in the court.
- 7 The prosecution hasn't got enough _____ to secure a guilty verdict.
- 8 Barristers are lawyers who have been called to the _____.
- 9 The lawyers for the _____ complained that their client could not get a fair trial.

C Study the words in box a.

- 1 What is the connection between all the words?
- 2 What is the base word in each case?
- 3 What do we call the extra letters?
- 4 What is the meaning of each prefix?
- 5 Can you think of another word with each prefix?

a dishonest enforce illegal
impartial indecisive
international jurisdiction
mistrial unjust

D Study the words in box b.

- 1 What is the connection between all the words?
- 2 What is the base word in each case?
- 3 What do we call the extra letters?
- 4 What effect do the extra letters have on the base word?
- 5 Can you think of another word with each suffix?

b acceptable accusation
adversarial defendant
inquisitorial judgment justice
prosecution solicitor statutory

E Discuss the picture on the opposite page using words from this page.




1.2 Listening

preparing for a lecture • predicting lecture content • making notes

A You are a student in the Law Faculty of Hadford University. The title of your first lecture is *What is law?*


- 1 Write a definition of law.
- 2 What other ideas will be in this lecture? Make some notes.

See **Skills bank**


B  Listen to Part 1 of the talk. What does the lecturer say about law? Tick one or more of the following.


- a It is about rules.
- b It is about not doing things.
- c It is about punishment.
- d It is more complex than this.

C In Part 2 of the talk, the lecturer mentions *bar*, *fair* and *just*.

- 1 What do these words mean in general English?
- 2 What do they mean in law?
- 3  Listen and check your ideas.

D In Part 3 of the talk, the lecturer describes different branches or types of law.

- 1 How many branches or types can you think of?
- 2  Listen and check your ideas.
- 3 What aspect of law does the lecturer think is now very important?

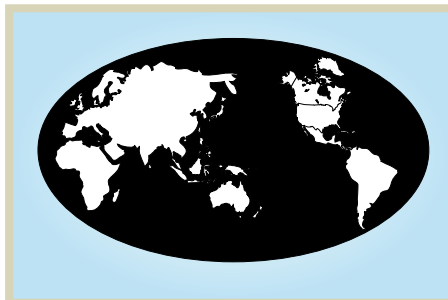
E  In the final part of the talk, the lecturer gives a definition of law and some examples. Listen and mark each word in the box **D** if it is part of the definition and **E** if it is part of the example.

set ___ rules ___ drive ___
 forbid ___ speed ___ require ___
 limit ___ camera ___ actions ___

F Write a definition of law. Use words from Exercise E.

G Look back at your notes from Exercise A. Did you predict:

- the main ideas?
- most of the special vocabulary?
- the order of information?



1.3 Extending skills

lecture organization • choosing the best form of notes

A In a court, who can ...

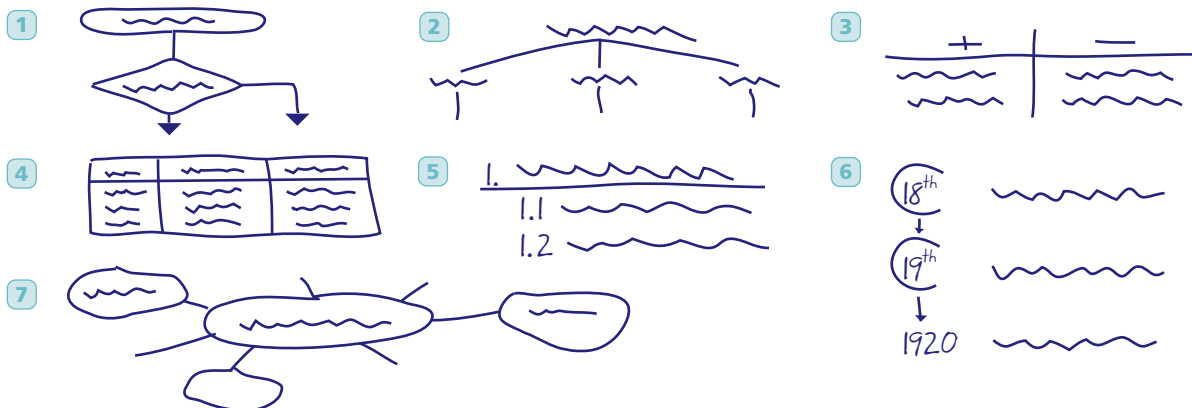
- | | | |
|--------------------|-----------------------|-----------------------------|
| 1 pass a sentence? | 3 defend the accused? | 5 take down the transcript? |
| 2 reach a verdict? | 4 give evidence? | 6 be found guilty? |

B How can you organize information in a lecture? Match the beginnings and endings.

- | | |
|-----------------------------|------------------------|
| 1 question and | contrast |
| 2 problem and | definition |
| 3 classification and | disadvantages |
| 4 advantages and | effect |
| 5 comparison and | events |
| 6 cause and | supporting information |
| 7 sequence of | process |
| 8 stages of a | solution |
| 9 theories or opinions then | answer |

C How can you record information during a lecture? Match the illustrations to the words and phrases in the box.

tree diagram flowchart headings and notes spidergram table timeline two columns

**D** Match each organization of information in Exercise B with a method of note-taking from Exercise C. You can use one method for different types of organization.**E** Listen to five lecture introductions. Choose a possible way to take notes from Exercise C in each case.**Example:**You hear: *OK, good morning, everyone. Today we're going to look at the way the court system in England and Wales is organized ...*You choose: *tree diagram*

1.4 Extending skills

making notes • speaking from notes

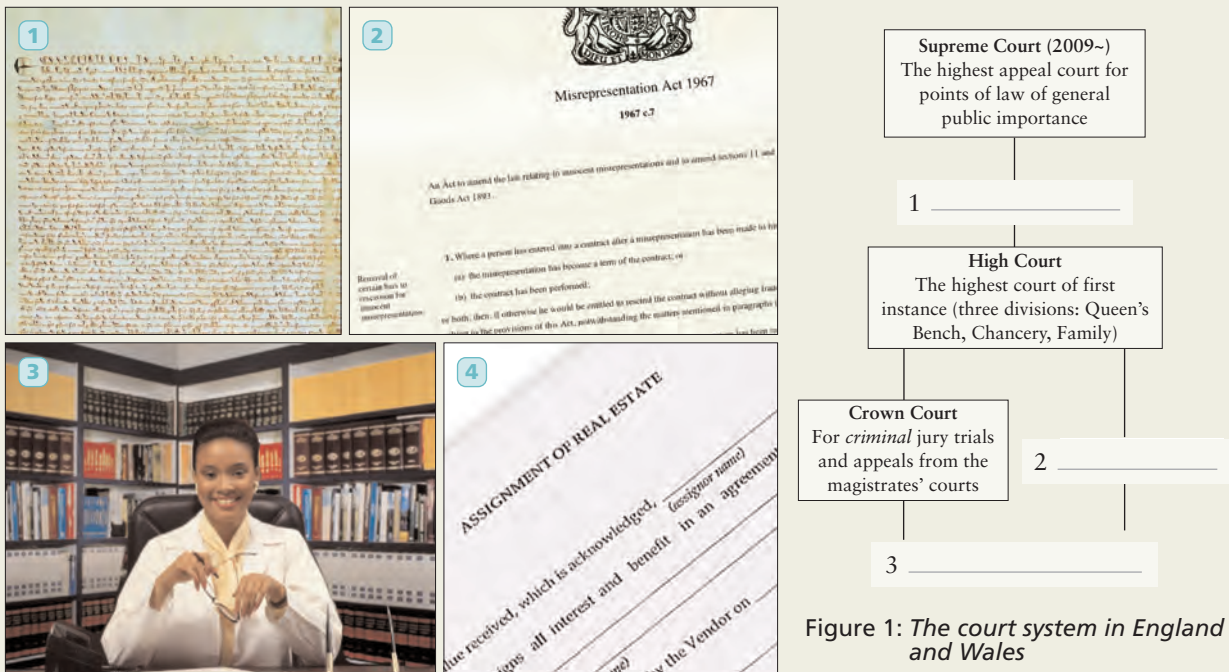


Figure 1: The court system in England and Wales

A Say these pairs of words from this unit. What are the main changes in pronunciation?

- | | |
|----------------|------------------|
| 1 law/lawyer | 4 bar/barrister |
| 2 jury/juror | 5 crime/criminal |
| 3 break/breach | |

B Look at the pictures and diagram above.

- 1 Name the items in pictures 1–4. Use words from the box.

statute Magna Carta contract solicitor's office

- 2 Complete the diagram of the court system in England and Wales in Figure 1.

C Cover the opposite page. Listen to the lecture introductions from Lesson 3 again. Make an outline on a separate sheet of paper for each introduction.

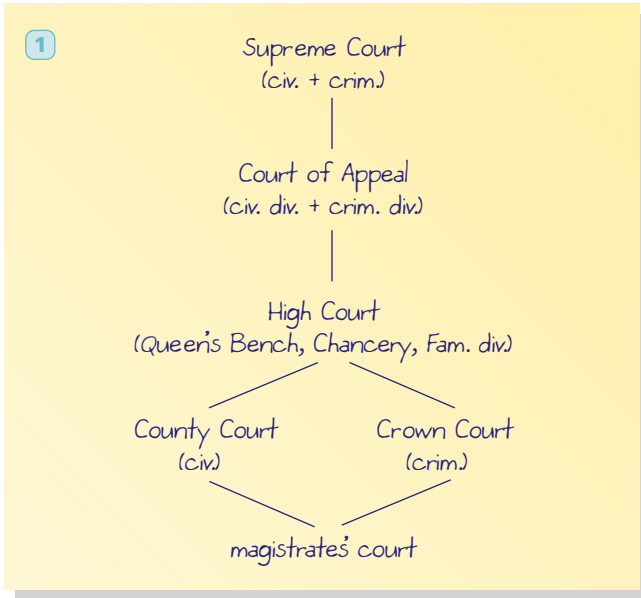
D Look at your outline for each lecture. What do you expect the lecturer to talk about in the lecture? In what order?

E Listen to the next part of each lecture. Complete your notes.

F Uncover the opposite page. Check your notes with the model notes. Are yours the same or different?

G Work in pairs.

- 1 Use the notes on the opposite page. Reconstruct one lecture.
- 2 Give the lecture to another pair.



2

The jury system

+	-
ensures a fair trial esp. in criminal cases	some cases too complex for ordinary people, e.g., serious fraud
people from a wide spectrum of society	too many unemployed/retired people
decide only on facts of case	swayed by emotion

3

Statutory interpretation

(how courts understand laws passed by Parl.)

- 1) literal rule (ordinary meaning in dictionary)
- 2) mischief rule (to address the wrong)
- 3) golden rule (meaning that best fits situation)

4

Dev. of statutory + common law
in English legal system

1066 William the Conqueror defeated Harold at Battle of Hastings

↓

1154 Henry II created unified system of law + court system

↓

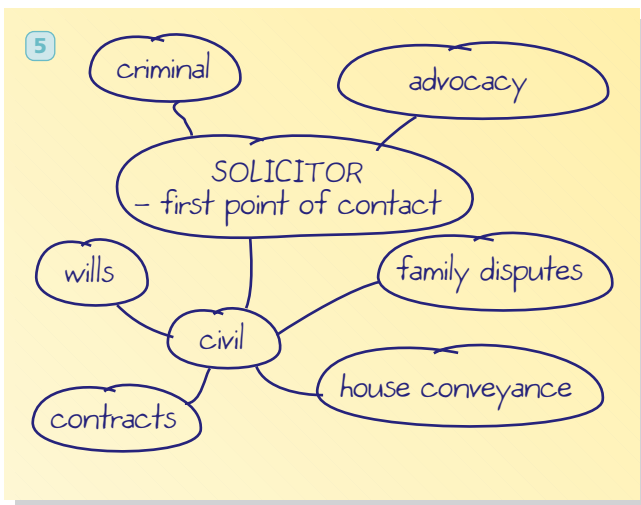
1189 'Time immemorial' - introduction of common law system

↓

1204 King John lost lands in France
→ higher taxes → barons angry

↓

1215 King John forced to sign Magna Carta
no imprisonment without trial



Guessing words in context

Using related words

Sometimes a word in general English has a special meaning in law.

Examples:

bar, sentence, defence, just, brief, case

If you recognize a word but don't understand it in context, think:

What is the basic meaning of the word? Does that help me understand the special meaning?

Example:

A **bar** is a barrier that someone stands behind in order to take orders from customers. So, the **bar** is the place that a barrister stands behind in order to deliver a speech.

Removing prefixes

A **prefix** = letters at the **start of a word**.

A prefix changes the meaning of a word.

Examples:

redo – do again

miscalculate – calculate wrongly

If you don't recognize a word, think: *Is there a prefix?* Remove it. Do you recognize the word now? What does that prefix mean? Add it to the meaning of the word.

Removing suffixes

A **suffix** = letters at the **end of a word**.

A suffix sometimes changes the **part of speech** of the word.

Examples:

accuse → *accusation* = verb → noun

decide → *decisive* = verb → adjective

A suffix sometimes changes the meaning in a **predictable way**.

Examples:

pressure + *ize* (or *ise*) – make into:

The police pressurized the accused into making a confession.

weak + *en* – make or make more:

The evidence from the eye witness weakened the defence.

rely + *able* – able to (be relied on):

She is a reliable authority on handwriting.

If you don't recognize a word, think: *Is there a suffix?* Remove it. Do you recognize the word now? What does that suffix mean? Add it to the meaning of the word.

Skills bank

Making the most of lectures**Before a lecture ...****Plan**

- Find out the topic of the lecture.
- Research the topic.
- Check the pronunciation of names and key words in English.

Prepare

- Get to the lecture room early.
- Sit where you can see and hear clearly.
- Bring any equipment you may need.
- Write the date, topic and name of the lecturer at the top of a sheet of paper.

During a lecture ...**Predict**

- Listen carefully to the introduction. Think: *What kind of lecture is this?*
- Write an outline. Leave space for notes.
- Think of possible answers/solutions/effects, etc., while the lecturer is speaking.

Produce

- Write notes/copy from the board.
- Record sources – books/websites/names.
- At the end, ask the lecturer/other students for missing information.

Making perfect lecture notes

Choose the best way to record information from a lecture.

advantages and disadvantages	→	two-column table
cause and effect	→	spidergram
classification and definition	→	tree diagram/spidergram
comparison and contrast	→	table
facts and figures	→	table
sequence	→	timeline
stages of a process	→	flowchart
question and answer	→	headings and notes

Speaking from notes

Sometimes you have to give a short talk in a seminar on research you have done.

- Prepare the listeners with an introduction.
- Match the introduction to the type of information/notes.