|  |  |
| --- | --- |
| OUR ACADEMY  We are students at the Ukrainian Academy of Law. Our Academy is one of the oldest educational establishment of this type in the Country. Its 70th anniversari was marked in 1990. The Academy is housed in one of the best buildings of our city. This is the house in 77 Pushkinskaya Street designed and constructed by Beketov-a well-known Russian architect. It has a great number of light, spacious class-rooms, lecture-halls, a gymnasium, a reading-room,etc. There are also special studi rooms and laboratories here. The students have every opportuniti to master their future profession which is law. Our Academy trains practical workers for law offices. The course of study at the Academy is five years. Besides the day-time department there is also an evening and a corespondense department at the academy where the students study 5,5 years. We study general and special law subjects. Among the general subjects are history of the Political science, the History of the Economic science, Philosophy, Sociology, Ecological law and a foreign Language – English, German and French. The law subjects are: criminal law, criminal procedure, criminology, criminalistics, civil law, civil procedure, labour law, ecological law, international law and some others. We attend lectures, seminars and tutorials. Ciasses usually begin at 8.00 in the morning and are over at 12.30 in the afternoon. After classes many students hurry to the canteen to have dinner and after a short rest begin prepearing for their lessons and seminars in the reading room or a study room. A very important part in training future specialists is played by the Students Scientific Society, and a lot of students carry on research work in its numerous circles. All of us also take part in the public activities of the Academy. Almost all the out-of town students live in the hostel. At the end of each term we take credit tests and examinations. They are called terminals. All those who pass exams successfully are granted stipends. At the end of the corse of study the students take state examenations. Finals, as they are often called. When we graduate from the academy we shall work accordihgly to our appointments as investigators, judges, procurators, etc. Some of us will work in the militia. Every year our country gets highly qualified specialists standing on guard of legality and law and order. | THE UKRAINIAN COURT.  The court is the main instruments of enforcing law. The fates of people, defence of their interests, maintance of relations between the state and the citizen defined by the law and the observance of public order greatly depend on the court. 1. Justise in Ukraine is administered only by the court in strict conformity with the law.2. Justice is administered on the principle of the equality of citizens before the law and the court.3. All citizens have the right to legal defence.4. Judges are independent and subject only to the law. The inviolability of judges and other guarantees of their independence are provided for by the law.5. All courts are formed on the principle of the electiveness or appointment of judges. The judges are elected by the president for a term of 5 years, and then by the Verchovna Rada for… In trial courts ( courts of original jurisdiction) cases may be examined either by a judge alone or colegially with a pannel of three professional judges or the jury ( when dealing with more serious crimes and civil ofences). When the case is tried by a judge alone he pases ruling and a sentence. When hearing of criminal cases is collegial the court brings in decision or a judgement. 6. There exist a system of independent courts in Ukraine, all of them having their own competence: the Constitutional Court of Ukraine ensure the conformity of laws and other normative acts to the Constitution of Ukraine; General Courts comprise district (city) courts, interdistrict (circuit) courts, regional courts and the Supreme Court of Ukraine. These Courts try civil, Criminal and administrative cases. The Supreme Court of Ukraine is the highest judicial organ in the system of general courts. It is a court of appelate and cassation jurisdiction. The Court of Arbitration ensures the defence of rights and legitimate interests of participants in economic relations.7. Proceedings in all courts are open to the public.8. The suspect, the accused and the defendant are ensured the rights to legal defence. The amendments introduced into the Fundamenals of Criminal Legal Procedure envisage the defence lawer being allowed to take part in a case from the moment an accusation is made or a suspect detained.9. No one may be adjudged guilty of a crime and subjected to punishment as a criminal except by the sentence of a court and in conformity with the law.10. Representatives of public organizations and work collectives may take part in the examination of civil and criminal cases in court. |
| **GREAT BRITAIN.**  Status: a parliamentary monarchy. Executive power: the Cabinet of Ministers.  Legislative body: Parliament. Houses: the House of Lords and of Commons.  Head of the state: the Queen. Head of the Government: Prime Minister.  GB is a parliamentary monarchy. Officially the head of the state is the Queen, but her power is limited by Parliament. In practice the country is governed by the Government in the name of the Queen. In reality the whole political power belongs to B. Government consisting of the Prime Minister and other ministers. All the ministers in the B. Government must be appointed by the Queen, but in fact she makes the appointment on the Prime Minister’s advice  The legislative power is vested in the Queen and Parliament. Parliament is made up of two Houses—the House of Lords and the House of Commons, the supreme legislative body. At presents all legislation is initiated by the Cabinet, which consists of the heads of the most important Departments.  The House of Commons is elected at General elections which are to take place every 5 years. The House of Lords is not elected—the titles and the seats are inherited there, but now is elected body.  The leader of the party that has won the election and has the majority in the House of Commons forms the Cabinet and becomes the Prime Minister. The Prime Minister is responsible for the policy conducted by Parliament.  Two parties at dominate at the election in GB: the Conservative Party (the Tories) and the Labor Party. The Party which has majority in the House of Commons is called the Government and the others—the opposition.  The Conservative Party represents the interests of big business and is described as the Party of upper and middle classes.  The Labor Party is composed mainly of trade union members. Members of Parliament are elected by direct and secret ballot. Citizens of 18 years and other have the right to vote. At a general election a person votes for the labor candidate, or for the Conservative candidate, or for the candidate for some other party.  About one-third of the people support the Labor Party all the time, another third the—Conservatives. The last third consists of people who are ready to change from one of these parties to the other.  Support for the Conservative Party is associated with a belief in the traditional basis of society, strong respect for the Royal Family and the privileged class.  The UK is a member of the European Economic County. | **THE INVESTIGATOR.**  In accordance with national legislation, all criminal cases pass through the stage of preliminary investigation before they are heard in Court.  The Procurator’s Office, the Ministry of the Interior and the National Security Service have their own investigation departments. Their competence is briefly as follows:   1. Investigators from the Procurator’s Office have the right to investigate any case, but in actual fact they carry out inquires into the gravest crimes, such as murder, embezzlement on a large scale, rape, banditry etc and also in the cases if malfeasance; 2. Investigators from the Ministry of the Interior have the right to institute proceedings against persons who have committed any crime, but in cases of grave crimes they only perform urgent action and then transfer the case to the investigators of the Procurator’s Office; 3. Investigators from the National Security Service investigate cases of espionage and other especially dangerous crimes against the state.   The investigator’s job is to detect crimes, to disclose and expose persons, guilty of them so that every person who commits a crime shall suffer a just punishment and no innocent person shall be charged or punished, to ascertain all the circumstances of cases and to take crime preventing measures.  While fulfilling his duties, the investigator has the right to detain a person suspected of a crime. He may question citizens and officials as witnesses to the crime, make requisite search and inspections, order an expert investigation, etc. he may undertake other actions proved for by the criminal procedure law.  The investigator’s job is to prepare the materials of the case for court hearing.  The preliminary investigation is called upon to facilitate the objective and comprehensive administration of Justice. |
| **UKRAINE.**  OFFICIAL NAME-UKRAINE  STATUS- SOVEREIGN STATE  AREA-603,700square kilometers  CAPITAL—KIEV  Ukraine is one of the largest countries of Europe. It is one of the memberstates that founded the UNO. Ukraine signed the UN’s Charter at the San Francisco Conference in 1945.  On December, 1, 1991 Ukraine became an independed sovereign state and the president was elected by direct vote.  Now Ukraine has its own territory, the highest and local bodies of state power and the government, its own national emblem, state flag and anthem.  President is the head of the state. He is also Commander-in-Chief of Armed Forces of Ukraine. Vice-President is appointed by President and approved by the Supreme Council.  The Supreme Council is the highest organ of state power and the highest legislative body in the Republic. The Supreme Council sets up the Government—the Cabinet of Ministers of Ukraine. The Cabinet of Ministers of Ukraine is the highest executive and administrative organ of the state. Regional, district, city, town and village Soviets are the local bodies of power.  The highest organ of Judicial power of Ukraine is the Supreme Court.  Ukraine is a mighty industrial and agricultural state with advanced culture, science and art.  Ukrainian plants produce turbines, electric motors, excavators, airplanes, tractors, electronic computers. Together with heavy industry there are highly developed light and food industries.  Ukraine establishes relations with countries throughout the world. It sets direct contacts with them signing agreements and treaties.  Ukraine maintains close ties with all the members of the Commonwealth of Independed States and is going to cooperate with them, to develop economic, trading and cultural relations.  Ukraine has proclaimed itself a nuclear free state and is going to destroy all nuclear weapons on its territory. The process of conversation from military to civil economy is under way. | **ABOUT MYSELF.**  **(MY FUTURE OCCUPATION).**  Let me introduce myself. My name is Borya Socolov. Boriya is my first name and Cokolov is my surname. I am was born in 1980 in the city of Kharcov. My parents are lawyers. My mother works at the Procurator’s Office and my father works as a judge at court. My father is 52 and my mother is 50 years.  My older brother is in legal profession. He often spoke with me about the job and gave me a lot of good advice.  At school I took a great interest in mathematics, history and foreign languages. Sports and adventure novels were my hobby.  I finished school in 1997. After leaving school I had chosen jurisprudence, it was not a great surprise for any member of our family. I realize well enough that the lawyers profession is not all smiles, hand-shakes and flowers. It abounds in hardships and problems which at times are difficult to solve. Besides I know that lawyers are ill-paid as are people of many other occupations in our country. But I think that these problems are temporary and a few years time people of brain work will be properly and justly paid  In 1997 I successfully passed my entrance exams to the National Law academy to the name Yaroslav Wise and now I am my third year.  The profession of a lawyer is a human one because he stands up for the interests and rights of people. Besides, I guess, this work requires much courage and determination for lawyers fight negative phenomena in the society. |
| THE LEGAL PROFESSION.  1.We are moving to the creation of law-governed state. This movement is accompanied by a cardinal updating of all basic branches of legeslation. Radical changes take place in the entire law-enforcement mechanism of Ukraine in the work of the courts, the procurators office, the legal proffesion, arbitration, militia and correctional labour institutions. These changes are to become an important step towards the law-ruled state. Who should translate the legal reform into reality? Special responsibility belongs to those who are in the legal profession( кто причастен к праву и правосудию по роду профессии и долгу службы): judges, lawyers, investigators, procurators.2. A responsible mission in s law-abiding state is entrustated to courts that must become truly independent. High demands are made of judges professional and personal qualities. A judge should always be a person with a sharpened sense of justice, a broad horizon, a person of high moral qualities.3. The role of lawyers is rapidly growing in our society. They are needed in ministries, at enterprises, cooperatives to say nothing of law-enforcement agencies, who stand on guard of the interests of Ukraine, of the rights and interests of our citizens and on guard of public order. Lawyers and legal advisers should be able to provide qualified consultansy. Lawyers are expected to be present in the early stage of investigation. That will raise the efficiency of the investigation. The participation of a lawyer in a trial demands from him proffessionalism, a principal and independent defendence on a case.4. A law-abiding state is based on principles: law is equally binding on all people and all persons are equal before the law. The role of the Procurators`s Office, which is called upon to exercise supervision over the strict observance of laws is being enhanced in a state governed by law. | THE PROCURATOR.  The main task of the procurator is to ensure the strict observance of the law by various organizations, officials and citizens. The procurator is to supervise the observance of legality by the organs conducting investigation, the legality of judicial judgements and the legality of keeping convicted persons in plases of confinement. Here are some of his rights and duties in preliminary investigation, in the examination of cases in court and in supervising over the observance of legality in plases of confinement. The procurator supervises the strict implementation of the law by investigators conducting inquiries or preliminary investigations. He must see to it that no citizen is restricted of his lawful rights or subjected to unlawful and ungrounded criminal prosecution. No person can be arrested without the sanction of the procurator or the court order. A search may be conducted only with the sanction of the procurator. After the investigation of a criminal case he approves the indictment and transfers it to the court. The procurator discharges important functions in the trial as state prosecutor. Like other participants in the trial ( the defense councel, the injured party) he may question witnesses, take part in the investigation of evidence and submit fresh evidence in court, challenge the members of the court, etc. When the court investigation is over, he pronounces an indictment. He may lodge his protest against the court`s judgement, decision or rider in a higher court. The procurator has broad power of supervision over the observance of legality in places of confinement: he verifies the legality of keeping persons in places of confinement, he checks up if convicted persons are relased at the right time, he ensures that the statutory regime rules and the rules of labour for convicted persons are observed, he supervise the state of sducational work, etc. To discharge these functions, the procurator has the right to inspect places of confinement at any time, to study documents, to question prisoners in person and to demand personal explanations from the administration. |