

Matr. number Laurea: LM ☐ / OSG ☐ Full Name
Time 90 minutes Appello I II III IV V Date.....

Please write the date and your name NOW on your separate ANSWER SHEET.

YOU MUST WRITE ALL YOUR ANSWERS ON YOUR SEPARATE ANSWER SHEET. Write clearly and copy the Exercise letter (A, B etc) and number/letter for each answer accurately onto your answer sheet, as in the examples. Write each answer on a separate line. Take care with spelling!

Exercise A DEFINITIONS I

10 POINTS

Select the correct term from the alternatives below (a-j)

→ **EXAMPLE:** ON YOUR ANSWER SHEET, WRITE: Exercise A 1. = d) Treaty law etc.

1. A major source of international law	a) Convention
2. International law based on binding agreements	b) To enact
3. To modify a legal provision	c) Mens rea
4. Volumes containing collections of case law	d) Treaty law
5. To create a legal provision (by a legislature)	e) Supreme Court
6. The grounds for a judicial decision	f) Law reports
7. The final court of appeal in the United Kingdom	g) Treaty law
8. A binding practice of the British constitution	h) To enforce
9. To apply a legal provision (by a court)	i) Ratio decidendi
10. The mental element in a crime	j) To amend
11. An important English superior court with appellate jurisdiction	k) Court of Appeal

Exercise B DEFINITIONS II

20 POINTS

Provide a simple, correct definition or explanation in English for each term below, possibly using examples from the course.

→ **EXAMPLE:** On your answer sheet, write:

Exercise B 1. A beneficiary is a person who receives property left to him or her under a will OR: 1. A beneficiary is a person designated to receive property in a will OR: 1. In Shakespeare's will, his daughter Judith was a beneficiary because he left her a sum of money

1. A beneficiary
2. A barrister
3. An Act
4. To repeal
5. Judge-made law
6. To follow precedent
7. The hierarchy of the English courts
8. Freedom of religion
9. To ratify a treaty
10. A Convention right
11. A witness

Exercise C Acronyms and Institutions

10 POINTS

Write the correct term in full (numbers 2-6).

→ **EXAMPLE:** On your answer sheet, write: **Exercise C 1. = Security Council Resolution**

1. SC Res 2. ECHR 3. MSP 4. UN 5. UDHR 6. ECJ

Give the full name of the appropriate body or institution (numbers 7-1). For an extra point give the name of the individual who currently holds the office, if appropriate.

→ **EXAMPLE:** On your answer sheet, write: **Exercise C 7. = The Council of Europe**

7. Association of 47 European states today which established the ECHR with its Court in Strasbourg.
8. Financial institution based in Frankfurt that manages the euro and EU monetary policy.
9. This chamber of the Strasbourg Court hears the most important cases and decides appeals.
10. The leader of the British government.
11. The capital of this country, part of the UK, is Belfast.
12. Before recent constitutional reform, it was the supreme court of the United Kingdom.

Exercise D Collocations

10 POINTS

Select the most appropriate alternative (numbers 2-6).

→ **EXAMPLE:** On your answer sheet, write: **Exercise D 1. = panel**

1. Mandela describes in his autobiography how the verdict was reached by a _____ of 3 judges.
jury/panel/gang/group
2. Since the last election, there has been a coalition _____ in the UK.
governance/government/rule of law/system
3. Article 2 ECHR _____ everyone's right to life.
guards / grants / supports/protects
4. There can be no _____ in the enjoyment of rights under Article 14 ECHR.
derogation / qualification / discrimination / discretion
5. The doctrine of binding precedent operates in all common law legal _____.
orders / systems/matters/branches
6. The primary purpose of the UN Security Council is to deal with _____ to international peace and security.
threats/risks/dangers/menaces

Complete the sentence with the most appropriate word or phrase (numbers 7-12).

→ **EXAMPLE:** On your answer sheet, write: **Exercise D 7. = not guilty**

7. How does the defendant plead: guilty or _____ ?
8. Article 4 ECHR _____ slavery and servitude.
9. The ECHR ensures the protection of human rights and _____ freedoms in Europe.
10. European Union directives must be _____ by national legislation.
11. Limitations on certain Convention rights are permitted if they are necessary in a _____ society.
12. In a _____ proceeding, the petitioner asks the court to grant a decree dissolving the marriage.

Exercise E RELATED WORDS

10 POINTS

Identify one term that does NOT belong in the group.

➔ **EXAMPLE:** On your answer sheet, write: **Exercise E 1. = monarchy**

1. **US Constitution:** * founding fathers * monarchy * impeachment * Congress * Citizens
2. **Contract:** * terms * clauses * rights and duties * parties * offences *
3. **Common law:** * precedent * enactment * stare decisis * authorities * law reports *
4. **European Union:** * Parliament * citizenship * Commission * Court of Justice * Council of Europe*
5. **Guilty of a crime :** * convicted * condemned * acquitted * found guilty * sentenced *
6. **Litigation:** * appeal * litigant * parties * dispute * settlement *
7. **Statute:** * Act of Parliament * judicial law-making * enacted law * written law * enactments *
8. **Treaty:** * conviction * protocol * recitals * signatory state * pact *
9. **United Nations:** * ICJ * Security Council * Parliament * Purposes and Principles * Charter *
10. **Criminal proceedings:** * verdict * evidence * accused * claimant * prosecution *
11. **Fair trial:** * arbitrary decision-making * public hearing * witnesses * impartial judge * rule of law *

Exercise F WORD FAMILIES

10 POINTS

Insert the correct form of the term in the blank space.

➔ **EXAMPLE:** On your answer sheet, write: **Exercise F 1. = judiciary**

1. JUDGE: All the judges in the legal system are known collectively as the _____.
2. IMPLEMENT: International obligations should be _____ at national level.
3. LAW: It is _____ for a British public authority to violate Convention rights.
4. OFFEND: An _____ who pleads guilty will generally receive a lighter sentence.
5. JUDGE: the common law system is based on _____ precedent.
6. AGREE: Not every _____ is a legally binding contract.
7. CRIME: The state will punish a person who breaks the _____ law.
8. CUSTOM: _____ rules are an important source of international law.
9. DEVOLVE: Decentralisation of power in the UK is usually referred to as _____.
10. + 11. LEGISLATE: _____ power is vested in the _____.

Exercise G WRITTEN COMMENT

20 POINTS

Select TWO of the following topics, and write 5 LINES=50 words of text about each one, taking care to express yourself in appropriate language, and to include relevant legal aspects. OR write 10 LINES=100 WORDS about only ONE topic.

1. Explain an aspect of the US Constitution you studied in Chapter 1, and compare with a corresponding aspect of the unwritten British constitution (e.g. the legislature, impeachment).
2. Describe the criminal case reported by the BBC, 'Pair guilty of hunting with dogs', referring also to its legal basis in the Hunting Act 2004.
3. Explain the significance of the ECHR in the international human rights movement.
4. Give details of the abolition of the death penalty in the UK. Could it be reintroduced in future?
5. Discuss the creation of a new Supreme Court for the United Kingdom under a 2005 constitutional statute.

ANSWER KEY ***Spend 90 minutes completing the paper first. Only consult these answers when you have tried and reflected on the test paper**

Use this key to check your answers to Exercises A, C, D, E, F. Your spelling and use of capital letters must correspond.

EXERCISE A

2 g Treaty law / 3 j Amend / 4 f Law reports / 5 b Enact / 6 i Ratio decidendi / 7 e Supreme Court / 8 a Convention / 9 h enforce / 10 c Mens rea / 11 k Court of Appeal

EXERCISE C

2. European Convention on/of Human Rights 3. Member of the Scottish Parliament 4. United Nations 5. Universal Declaration of Human Rights 6. European Court of Justice 8. European Central Bank 9. Grand Chamber (of the European Court of Human Rights) 10. The Prime Minister (David Cameron in 2012) 11. Northern Ireland / Ulster 12. House of Lords (Appellate Committee of the House of Lords)

EXERCISE D

2. government 3. protects 4. discrimination 5. systems 6. threats 8. prohibits/bans 9. fundamental (OK personal/individual) 10. implemented (OK enacted / observed /approved /enforced) 11. democratic 12. divorce (OK matrimonial)

EXERCISE E

2. offences 3. enactment 4. Council of Europe 5. acquitted 6. settlement (OK appeal) 7. judicial law-making 8. conviction 9. Parliament 10. claimant 11. arbitrary decision-making

EXERCISE F

2. implemented 3. unlawful 4. offender 5. judicial 6. agreement 7. criminal 8. customary 9. devolution 10. legislative 11. legislature / legislator

***EXERCISES B and G** Check your answers in your textbook, *Legal English and the Common Law* (glossary definitions, descriptive text, legal texts and sources, and/or in a specialist dictionary (*Oxford Dictionary of Law*). For B, personalised definitions and examples are acceptable; for individual checking and advice, come to *ricevimenti studenti* (consult the website for dates and times).