

THE LANGUAGE OF LAW

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The language of law

A Legal verbs

to abrogate a law/treaty: to bring a law/treaty to an official end
to bend the law/rules: to break the law/rules in a way that is considered not to be harmful
to contravene a law: to break a law
to impeach a president/governor: to make a formal statement saying that a person in public office has committed a serious offence
to infringe someone's rights: to prevent a person doing what they are legally allowed to do
to lodge an appeal: to make an official appeal
to uphold/overturn a verdict: to say that a previous decision was correct/incorrect
to pervert the course of justice: to put obstacles in the way of justice being done
to quash a decision/conviction: to change a previous official decision/conviction
to set a precedent: to establish a decision which must, in English law, be taken into account in future decisions
to award/grant custody to: to give one parent or adult the main responsibility for a child, especially after separation or divorce
to annul a marriage/agreement/law: to declare that it no longer exists and never existed

B Crimes

crime	meaning	verb	criminal
discrimination	unfair treatment on grounds of sex, race or nationality	discriminate (against)	
embezzlement	stealing money that is in your care or belongs to an organisation that you work for	embezzle	embezzler
harassment	making a person feel anxious and unhappy (sometimes for sexual reasons, sometimes to get, say, a debt repaid)	harass	
insider trading/dealing	illegal buying and selling of shares by someone who has specialist knowledge of a company	do/practise insider dealing/trading	insider trader/dealer
joyriding	driving around for enjoyment in a car you have stolen	joyride	joyrider
money laundering	moving money obtained illegally so that its origin cannot be traced	launder money	money launderer
perjury	lying when under oath	commit perjury	perjurer
trespass	go onto someone else's land without permission	trespass	trespasser

C Legal adjectives

Matters relating to, say, divorce are of course dealt with in a **civil** court rather than a criminal court. More serious criminal offences are said to be **indictable** /ɪn'daɪtəbl/, i.e. they are tried by indictment /ɪn'daɪtmənt/ in a higher level of court, while **summary** offences are less serious and can be tried in a lower level of court. If a worker feels that his or her **statutory** rights have been infringed, then he or she may take the case to a tribunal, where an arbitrator has **discretionary** powers to rule on the dispute. The arbitrator's decision is **binding** on both sides – they have to abide by his or her decision.

Exercises

47.1 Choose the correct verbs from A to fill the gaps. Put the verb in the correct form.

- 1 Presidents Nixon and Clinton of the USA were both
- 2 The prisoner decided to an appeal against the court's decision.
- 3 The appeal court the verdict of the lower court and the prisoner was released.
- 4 In English law any previous legal decision a precedent for future decisions.
- 5 Judges almost always custody to the mother rather than the father.
- 6 I'm not asking you to break the rules, just to them a little.
- 7 You my legal rights by not allowing me to vote.
- 8 Witnesses charged with perjury are accused of the course of justice.
- 9 The marriage was because the man had never properly divorced his first wife.
- 10 The Supreme Court the murder conviction and the man was freed.

47.2 Which of the crimes in B might each of these people be charged with?

- 1 A camper who spent a night on a farmer's land without asking permission.
- 2 A businessman who diverted funds from the account of the company he worked for into his own personal account.
- 3 Two boys who hot-wired a car and drove it around town before abandoning it.
[to hot-wire means to start without using a key]
- 4 A witness who gave false evidence in court.

47.3 Answer these questions about the adjectives in C.

- 1 If someone sues you because they tripped on the stairs in your house, would the case be heard in a criminal or a civil court?
- 2 Would murder be an indictable or a summary offence?
- 3 If a contract is binding what does that mean for the signatories, i.e. the people who signed it?
- 4 How could a fine or other punishment be described if a magistrate is free to decide whether to award it or not?

47.4 What are the nouns associated with these words? Use a dictionary to help you.



From these verbs – abrogate contravene impeach infringe pervert
From these adjectives – indictable discretionary statutory

47.5 Choose one of the nouns you found in exercise 47.4 to complete each of these sentences.

- 1 The is read out to the accused at the beginning of a trial.
- 2 The magistrates can choose the most appropriate penalty at their own
- 3 Some people consider of others' rights as being as serious a crime as theft.
- 4 Many rules relating to employment are set by
- 5 The trial was criticised by many as a of justice.

FOLLOW
UP

Find out more about the law in the UK at this website: www.leeds.ac.uk/law/hamlyn/toc.htm.
Note down at least ten more useful legal words and expressions.

B. Language Focus The Courts and Conventions

1. Match the legal term with a suitable definition.

to sue	a. the person who files a lawsuit
a legal case	b. to bring someone to justice
trial	c. to be accused of having committed a crime
to be charged with a crime	d. to institute legal proceedings (a lawsuit) against someone
to prosecute	e. court which is formed to deal with a particular case, and will be disbanded after the issue is resolved
hearings	f. a dispute between opposing parties resolved by a court, or by some equivalent legal process. This may be either civil or criminal.
court ruling	g. any decision a judge makes during the course of a lawsuit
sentence	h. punishment after conviction, can range from a fine and community service to life imprisonment or death
charges	i. person against whom legal action has been brought
plaintiff	j. a formal accusation of criminal activity
defendant	k. legal proceeding held before a tribunal to determine whether the accused is innocent or guilty
ad hoc tribunal	l. meetings during which evidence and arguments are presented in an effort to resolve a disputed factual or legal issue, generally prior to the trial
to breach a law	m. reportedly, supposedly
allegedly	n. to break or violate a law