THE JUSTICE SYSTEM

"A jury consists of twelve persons chosen to decide who has the better lawyer."

Robert Frost (1874 - 1963), American poet

1. The Justice System Discussion

1. Have you ever been to court? If not, would you like to? What do you think happens there?
2. How are criminal trials decided in your country? Do you think this is fair way to decide?
3. Do people in your country have confidence in the justice system? Is it considered a fair system? What kind of corruption can happen in the justice system? Is this a problem in your country?
4. How much political influence or interference is there in the justice system of your country? Can a justice system ever be considered democratic if it is influenced by politics?
5. What are some of the problems with witness evidence?
6. If you had witnessed a crime, would you feel comfortable giving evidence in court? Would you consider it your duty as a citizen?
7. If a person is found not guilty in court, does that mean they are innocent? Why or why not?
8. Would you trust random members of the public who had no experience or knowledge of law to make decisions in criminal cases? Why or why not?

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2. The Justice System Vocabulary

- **trial** (noun) – *a formal process in which evidence is examined to determine guilt or responsibility, either in criminal matters or civil matters.*
- **jury** (noun) – *a group of randomly selected members of the public who listen to evidence in a trial and use that to make a decision on the outcome of the trial.*
- **judge** (noun) – *the person who presides over a trial, either making decisions or issuing sentences in accordance with the law.*
- **plea bargain** (noun) – *when a defendant offers useful information to the prosecution or agrees to plead guilty in exchange for a lighter sentence or other benefits.*
- **beyond a reasonable doubt** (phrase) - *the level of proof needed to demonstrate someone is guilty of a crime.*
- **double jeopardy** (noun) - *a rule that prevents a person from being tried for the same crime twice.*

Using the vocabulary words above, complete the following sentences (remember to use the correct form of the word, e.g. verb conjugation or plural noun)

1. After agreeing a **plea bargain** with the prosecutor to give evidence on the other members of the gang, the defendant was spared prison and given a new identity.
2. Members of the **jury** are not permitted to search for any information on this trial and must make their decision solely based on the evidence that is presented in this court.
3. Only when there is new and compelling evidence will the rule of **double jeopardy** be superseded.
4. The fact that he was caught on CCTV shooting the victim proves his guilt **beyond a reasonable doubt**.
5. The **judge** sentenced the defendant to life in prison.
6. The **trial** had to be postponed because the defendant's lawyer said he was ill.

The Justice System vocabulary comprehension questions

1. What important trials have happened in your country recently (or are happening at the moment)?
2. Do you trust members of a jury to be impartial? What kind of prejudices might they have?
3. What is your opinion of judges? Are they respected in your country?
4. Do you agree with criminals agreeing plea bargains to reduce their sentences? Why or why not?
5. Does proving guilt beyond a reasonable doubt mean too many guilty people get away with their crimes? Should the burden of proof be lower?
6. When should there be an exception to the double jeopardy defence?

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3. Video: Jury Trials

You are going to watch a video by TED Ed called "What happened to trial by jury?"

Watch the video here: https://yourenglishpal.com/blog/esl-conversation-lesson-plan-justice-system/

While you watch the video, answer the following questions:

Multiple choice

1. Jury trials have been practiced since the time of whom?
   a) Socrates *b) Plato* *c) Aristotle*
2. In which country did jury trials become a fundamental feature of the legal system?
   a) France *b) The United States* ***c) England***
3. In the United States, which crime was not decided by jury?
   a) murder ***b) impeachment*** *c) petty theft*
4. What proportion of criminal cases are decided by juries in the US today?
   a) less than 4% *b) less than 14%* *c) less than 40%*

Sentence completion

5. **Plea bargaining** occurs in almost every criminal case, meaning jury trials are not necessary.
6. The risk of a long prison sentence can frighten **innocent** people into pleading guilty.
7. Between the 19th and 21st centuries, the proportion of guilty pleas has increased up to **90%**.
8. Using summary judgement, a judge can decide that **civil trials** are not required if there is not enough evidence.

Short answer

9. What proportion of employers' requests do judges grant in employment discrimination cases? **70%**
10. Arbitrators may be biased towards whom? **The companies that give them cases**
11. Jurors are representative of what? **The general population**
12. Jury trials have given whom a central role in upholding the social fabric? **Ordinary citizens**

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4. The Justice System Conversation Questions

1. Do you think trials by jury are a good idea? What are the main advantages? What are some of the problems?
2. Given that the definition of 'democracy' simply means 'rule by the people', do you think trials by jury are necessary for a country to be considered democratic? Why or why not?
3. Do you think jury trials provide a fairer or less fair hearing? Why?
4. What is the role and responsibility of a lawyer in the justice system of a democratic society?
5. Do you trust lawyers to tell the truth about their clients in court? Why or why not?
6. If a lawyer thought that there was enough evidence to convict their client, should they always advise their client to plead guilty? Why or why not?
7. Is it fair that the people with the most money can afford the best lawyers? If not, how could this be made fairer?
8. If a lawyer is paid a considerable sum of money to defend someone who was later found to have gained that money through illegal activities, should the lawyer return that money to the authorities? Could this be a form of money laundering?

5. The Justice System Writing Task

Write about an important trial that happened in your country. Try to use some of the vocabulary you learned earlier in this lesson. In your answer, you could include the following topics:

- What the trial was about.
- The outcome of the trial.
- Whether you think the outcome was correct or incorrect.

Alternative exam practice question:

Many countries around the world use juries made up of randomly selected members of the public to make decisions in criminal trials. What are the advantages and disadvantages of jury trials?

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