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DEVELOPING LEGAL ENGLISH COMPETENCE THROUGH FAIR TRIAL DISCOURSE

The topic of fair trial principles is not only a fundamental issue in modern legal systems but also an important component of the teaching and learning of Legal English in higher education institutions. The right to a fair trial is one of the key guarantees of justice in democratic societies and an essential element of the rule of law. Modern courts are responsible not only for resolving disputes but also for protecting human rights and ensuring equality before the law. Judicial proceedings involve judges, lawyers, prosecutors, defendants, and other participants whose activities must comply with legal standards and procedural safeguards. The effectiveness of the justice system directly influences public trust in state institutions and legal order, making this topic highly relevant for the development of professional communicative competence of law students in English [1].

Different legal systems apply different approaches to court proceedings. In common law countries, the adversarial system is widely used. Under this model, opposing parties independently present evidence and arguments, while the judge acts as a neutral decision-maker responsible for maintaining fairness during the trial. In contrast, civil law countries often use the inquisitorial system, where judges take a more active role in collecting evidence and investigating the circumstances of the case [2]. Although these systems differ procedurally, both are aimed at achieving lawful and objective judicial decisions.

An important principle of fair trial is equality of arms. This principle means that each party must have equal procedural opportunities to defend its interests before the court. The prosecution and the defence should be able to present evidence, challenge arguments, and participate in hearings

under equal conditions. Closely connected with this guarantee is the right to defence, which includes access to legal assistance, confidential communication with a lawyer, and adequate time for preparation of legal arguments [3].

Another fundamental principle is the presumption of innocence. According to this principle, every individual accused of committing a criminal offence must be considered innocent until guilt is proven by a lawful court decision. The burden of proof lies on the prosecution, while any unresolved doubts should be interpreted in favor of the accused person. This safeguard protects individuals from unlawful punishment and arbitrary interference by public authorities.

Public hearings and transparency are also necessary elements of fair justice. Open judicial proceedings contribute to accountability, prevent abuse of power, and strengthen confidence in courts. At the same time, modern judicial systems face serious challenges, including excessive caseloads, procedural delays, and difficulties related to the assessment of digital evidence. The use of online hearings and electronic case management systems improves efficiency; however, it also requires additional guarantees of cybersecurity and protection of personal data.

In conclusion, fair trial principles remain the foundation of modern legal systems and, at the same time, serve as effective educational material for teaching Legal English in higher education. Judicial independence, impartiality, equality before the law, the right to defence, and transparency of proceedings are essential both for protecting human rights and for developing students' professional language competence. The use of such topics in ESP (English for Specific Purposes) courses allows future lawyers and law enforcement officers to combine legal knowledge with foreign language skills. Despite technological and social changes, courts must continue to ensure a balance between procedural efficiency, respect for fundamental legal guarantees, and effective professional training of future specialists in the legal field.

References

1. Convention for the Protection of Human Rights and Fundamental Freedoms of 1950. URL: https://www.echr.coe.int/documents/convention_eng.pdf
2. Конституція України : Закон України від 28.06.1996 № 254к/96-ВР. URL: <https://zakon.rada.gov.ua/laws/show/254к/96-вр#Text>

3. Кримінальний процесуальний кодекс України : Закон України
від 13.04.2012 № 4651-VI. URL:
<https://zakon.rada.gov.ua/laws/show/4651-17#Text>

4. Guide on Article 6 of the European Convention on Human Rights.
Right to a fair trial (criminal limb). Council of Europe, 2024. URL:
https://www.echr.coe.int/documents/d/echr/guide_art_6_criminal_eng

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REHABILITATION AND PUNISHMENT IN MODERN CRIMINAL POLICY IN THE CONTEXT OF LEGAL ENGLISH TRAINING

Modern criminal policy is undergoing significant transformation, driven by changes in the understanding of the purpose of punishment and the role of offenders within society. The traditional retributive model is gradually being replaced by a more balanced approach that combines punishment with rehabilitation and reintegration. This shift reflects global trends toward the humanization of criminal law and compliance with international human rights standards.

Punishment in contemporary criminal law is no longer viewed solely as a form of state retribution for committed offenses. It also serves preventive purposes, ensuring both general and special deterrence. While general prevention aims to discourage society at large from committing crimes, special prevention focuses on correcting the behavior of a specific offender. However, excessive reliance on punitive measures may lead to social exclusion and hinder successful reintegration into society [1].

Rehabilitation in criminal policy refers to a set of measures aimed at restoring the social status of an offender and facilitating their psychological, professional, and legal reintegration. It includes educational programs, psychological counseling, vocational training, and other forms of