The letter of the law

VOCABULARY PRACTICE
ADVANCED | C1

Name: _____ Date: _____

1 Match each advanced term with its definition.

1 stare decisis ____	**a** the legal principle that courts should follow established precedent in similar cases
2 mens rea ____	**b** the mental intent or knowledge of wrongdoing required to establish criminal guilt
3 due diligence ____	**c** reasonable investigation carried out before entering into an agreement or transaction
4 jurisprudence ____	**d** the theoretical study of law and legal systems
5 codification ____	**e** the process of organising and writing laws into a formal, systematic code
6 discretionary sentencing ____	**f** the judge's flexibility to determine an appropriate punishment within legal limits
7 statutory interpretation ____	**g** the process by which courts determine the meaning and application of legislation
8 adversarial system ____	**h** a legal system in which opposing parties present their case before a neutral judge or jury
9 restorative justice ____	**i** an approach to justice focused on repairing harm and reconciling victim and offender, rather than pure punishment
10 vicarious liability ____	**j** legal responsibility for the actions of another person, typically an employer for an employee

2 Choose the most precise term for each context.

1 Following established precedent is stare decisis / ignoring past rulings.

2 The mental intent required for criminal guilt is mens rea / physical action alone.

3 Reasonable investigation before an agreement is due diligence / careless assumption.

4 The theoretical study of law is jurisprudence / casual opinion.

5 Organising laws into a formal code is codification / informal custom.

6 A judge's flexibility in sentencing is discretionary sentencing / a fixed mandatory penalty.

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7 Determining the meaning of legislation is statutory interpretation / ignoring the text.

8 An approach focused on repairing harm rather than pure punishment is restorative justice / retributive punishment.

3 Match the verbs with the noun phrases to form academic collocations.

1 establish ____	**a** a legal duty of care
2 overturn ____	**b** a statutory provision
3 exercise ____	**c** judicial discretion
4 codify ____	**d** a binding precedent
5 discharge ____	**e** customary practice into law
6 interpret ____	**f** a lower court's ruling
7 uphold ____	**g** a constitutional principle
8 mitigate ____	**h** a sentence on compassionate grounds

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4 Complete the analysis with terms from the box.

adversarial system | codification | discretionary sentencing | due diligence | jurisprudence | mens rea | restorative justice | stare decisis | statutory interpretation | vicarious liability

Legal scholars studying common-law systems emphasise the principle of 1 _____, whereby courts generally follow established precedent to maintain consistency, though the doctrine permits departure in exceptional circumstances. Criminal prosecutions typically require establishing 2 _____ alongside the guilty act itself, since intent or knowledge of wrongdoing distinguishes deliberate crime from accident. Courts frequently engage in 3 _____ when legislative wording proves ambiguous, attempting to determine legislative intent from context. Judges exercise 4 _____ within statutory limits, allowing sentences to reflect individual circumstances rather than applying rigid, uniform penalties. Critics of the traditional 5 _____, which places opposing parties in direct contest before a neutral arbiter, increasingly advocate 6 _____ approaches that prioritise repairing harm and reconciling victim and offender over pure retribution. Employers can face 7 _____ for employee misconduct occurring within the scope of employment, underscoring the importance of thorough 8 _____ in hiring and supervision. Meanwhile, scholars of 9 _____ continue debating whether comprehensive 10 _____ of common law into a single formal code would improve clarity or sacrifice valuable judicial flexibility.

5 Read the text and answer the questions briefly.

Retribution, deterrence and restoration

Criminal justice theorists have long debated the underlying purpose of punishment, identifying several competing justifications that rarely align perfectly in practice. Retributive theories hold that punishment should be proportionate to the moral seriousness of the offence, regardless of whether it produces any further social benefit. Deterrence theories, by contrast, justify punishment primarily by its capacity to discourage future crime, whether by the offender specifically or by society generally. Restorative justice approaches challenge both frameworks, arguing that genuine justice requires repairing harm to victims and communities rather than simply imposing suffering on offenders, a perspective gaining traction particularly for less serious offences where reconciliation between parties remains genuinely achievable.

1 What have criminal justice theorists long debated? _____

2 What do retributive theories hold? _____

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3 What do deterrence theories justify punishment by, primarily? _____

4 What do restorative justice approaches challenge? _____

5 What do restorative justice approaches argue genuine justice requires? _____

6 Where is this perspective gaining particular traction? _____

6 Replace the words in bold with a precise term or collocation.

1 The court followed the established precedent from the earlier ruling. _____

2 The prosecution had to prove the intent behind the crime. _____

3 The judge had flexibility to determine an appropriate sentence. _____

4 The employer was held responsible for the employee's actions at work. _____

OVER TO YOU

Write a 160-190 word critical commentary on competing theories of criminal punishment (retribution, deterrence, restoration), distinguishing observation from inference.

[ ] Use at least twelve target expressions. [ ] Include four academic collocations. [ ] Maintain a precise, balanced register.

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ANSWER KEY

1 Advanced terms

1 a 2 b 3 c 4 d 5 e 6 f 7 g 8 h 9 i 10 j

2 Precise terms

1 stare decisis 2 mens rea 3 due diligence 4 jurisprudence 5 codification 6 discretionary sentencing 7 statutory interpretation 8 restorative justice

3 Academic collocations

1 d establish a binding precedent 2 f overturn a lower court's ruling 3 c exercise judicial discretion 4 e codify customary practice into law
5 a discharge a legal duty of care 6 b interpret a statutory provision 7 g uphold a constitutional principle 8 h mitigate a sentence on compassionate grounds

4 Analysis

1 stare decisis 2 mens rea 3 statutory interpretation 4 discretionary sentencing
5 adversarial system 6 restorative justice 7 vicarious liability 8 due diligence
9 jurisprudence 10 codification

5 Reading - suggested answers

1 The underlying purpose of punishment.
2 That punishment should be proportionate to the moral seriousness of the offence, regardless of further social benefit.
3 Its capacity to discourage future crime.
4 Both retributive and deterrence frameworks.
5 Repairing harm to victims and communities rather than simply imposing suffering on offenders.
6 For less serious offences where reconciliation between parties remains genuinely achievable.

6 Precise terms and collocations

1 stare decisis 2 mens rea 3 discretionary sentencing 4 vicarious liability

Over to you

Answers will vary. Look for conceptual precision, evidence-aware reasoning and balanced evaluation.