

《英文》

試題詳析

綜觀今年試題，首次出現無選擇題項目。換言之，絕無僥倖分數可輕得。從試題內容及難度，要在二小時時間內作答，顯然不足且不易出現有深度的翻譯及寫作論述。從試題觀之，主考官的期盼明顯告訴考生，台灣的司法改革仍有一段長路要走，但改革的意見及反思必須要能有用中英論述之能力。除要有閱讀時事英文的習慣外，若有修過英美法概論尤佳。優秀考生若時間掌握得宜，50 分以上應屬上乘，但若字彙量不多且文法程度稍弱者，在刀刀見骨的窘迫時間內，平均分數應落在 30 左右。

一、請將以下中文翻譯成英文。(20 分)

一宗台灣中部黑道角頭被槍殺命案，在警界投下震撼彈。警政署陸續撤換當地警察局長及刑警大隊長，更引發一連串警紀風暴。總統更在不同的重要場合中要求警界應自律，嚴格規範警察與黑道之間的互動與來往。經過幾個月的整頓與調整，人民保母形象是否扭轉了？在與黑道劃清界線下的同時，警察如何創造更好的績效，成為全民關注的焦點。

【擬答】

A gangster gunshot which took place in Central Taiwan greatly shocked the police. The National Police Administration kept changing local police chiefs and captains which caused a series of police disciplines and ethical issues. Even the President Ma also demanded that the police should be self-disciplined and strictly regulate the interaction and ties between the gangsters and the police. After a few months of reform, has the image of "people's nanny" (i.e. the police) being better improved?

How the police achieve better performance in fighting against the crimes will be the spotlight of all people, especially when the line between the police and gangsters is still vague.

二、請將以下英文翻譯成中文。(20 分)

In modern times, an important area of the common law known as the "Royal Prerogative" has come into prominence. The Prerogative refers to important rights of the "Crown." The right to administer justice is a key prerogative power. Originally, these rights belonged to the Monarch but, under modern constitutional arrangements, the powers have come to be exercised by the Government or, in the case of justice, by the judges. Some of these powers are of major importance, such as the right to conduct foreign relations (including power to make treaties with other States or international bodies), the power to declare war, etc. If a "prerogative power" is claimed to exist, it is for the courts to actually state whether or not it exists and to also state the extent of the power. No new prerogatives can be created. So, for every prerogative power, there has to be historical precedent. (from *An Overview of the English Legal System*)

【擬答】

現代為眾人所熟知的普通法中之「王權」，乃屬一項非常重要的領域。其權力特別指的就是「皇室」的重要權力。執行司法權乃是一項主要的權力。早先這些權力乃屬君王，但在當代憲法的架構下，這些權力則交給政府來執行；若從司法角度，則交由法官來執行。權力中有些很重要，如行使外交權（包括和其他國家或國際組織締結條約）及對外行使宣戰權等。如果有一項權力可被宣稱存在，實質上此權應交給法院，而其權力行使的範圍程度也亦應由法院來決定。絕無新的權力可被創造。因此，對每一項權力而言都必須要有先例可循方可。



三、應用文：請依正式英文書信的格式書寫。(20 分)

以我國司法單位長官的角色，寫一封英文信感謝某外國司法單位在跨國犯罪中的協助。

Dear Sir/Madam:

As a commissioner in the legal system of R.O.C., I, on behalf of Ministry of Justice, would like to thank you for your assistance in some cases of international crimes.

With the advent of globalization and information age, crime has been gone across borders. To crack down on the international crimes, cooperation between countries is greatly urgent. All of your unreserved aids fighting against the crimes original from R.O.C. over the past few years proved me that any kinds of crimes would be a targeted enemy across the world. Thus, your effective and efficient cooperation is kindly appreciated. Also, I am firmly convinced that this achievement has set a great example for our future cooperation.

Thank you again for joining with us in the fight against international criminals.

Sincerely,

四、英文作文。(40 分)

Write an essay of approximately 300 words on the following topic :

How to Fight Bribery and Corruption in the Public Sector

