

Droit - Economie - Sciences Sociales

Session :	Juin 2019
Année d'étude :	Troisième année de Licence Droit
Discipline :	<i>Anglais juridique</i>
Examen :	Second semestre (UEC2 7396)
Durée :	1h30
Titulaires du cours :	Mme BERNES-CABANNE, Mme JACOB

Les documents et les appareils électroniques ne sont pas autorisés.

I. Complete the following sentences, adding between 15 and 30 words. Do not start a new sentence. (20 points)

1. Until the Human Rights Act...
2. While in a civil case...
3. In addition to *actus reus*...
4. Unless the information...
5. Whenever a commissioning couple...

recognised by the courts following the law change.

“We’re saying the fact that the law only came into being in 2015 shows that previously we didn’t have that mechanism for understanding controlling behaviour,” Wistrich said.

Prior to the 2015 law, police tended to charge emotional abusers with actual bodily harm – a maximum sentence of two years often suspended, usually accompanied with a restraining or non-molestation order.

In 2013 the government published a definition of domestic abuse that recognised the role coercive control played in abusive relationships. But it was not until two years later that it was given a legal definition, a move that has seen it recognised as an offence by the courts.

In the year to March 2017, 4,246 cases were recorded in England. In the year to March 2018, the number recorded rose to 9,052. But experts say the true scale of coercive control in the UK is far greater than the number of recorded cases suggests.

“It is essential that the Crown Prosecution Service and the judiciary recognise that coercive control is widespread and damaging and take that into account when charging and sentencing,” said Harry Fletcher of the Victims’ Rights Campaign. (...)

Note: On 28 February 2019, Sally Chahen won her appeal and will now face retrial.

1. What was Sally Challen convicted of and on what grounds? What sentence did she get?
2. What are she and her sons now arguing on appeal?
3. What do you think of the adoption of the new offence of coercive control and of its use in this case?

III. Choose one of the following topics and write an essay in approximately 250 words (+/- 10%). (50 points)

1. To what extent have recent reforms affected access to justice in England and Wales? Justify your answers using at least two examples.

2. Fahad is a British citizen of Pakistani origin. He works in a graphic design company. His boss Jack regularly uses racist insults against him. One day, while Jack is out for lunch, Fahad goes to his office, opens his desk drawers and finds documents showing that Jack has a secret daughter his wife does not know about. Fahad starts asking for money in exchange for his silence. One day, Jack’s wife discovers a phone message from Fahad. She thinks that Jack is having an affair and wants a divorce.

What legal proceedings could arise out of this situation? Justify your answer. What are their likely outcomes?