



Law A Level and BTEC Law

Welcome to Law!

In preparation for the start of year in September could you please complete the following work over the summer and bring it with you to your first Law lesson in September.

- 1. Look up the legal definition of the following terms; make sure that you use a UK dictionary/website and NOT American!**

Acquittal:

Advocate:

Bail:

Claimant:

Conviction:

Damages:

Indictable Offence:

Inns of Court:

Jurisdiction:



2. Read this newspaper article from the Guardian and answer the questions at the end.

Sally Challen can inherit controlling husband's estate, rules judge

27 May 2020

A woman who won an appeal over her conviction for murdering her controlling husband can inherit his estate, a judge has ruled.

Sally Challen, 66, was given a mandatory life sentence in 2011 after being convicted of murdering Richard Challen, 61, of Claygate, Surrey in August 2010.

Appeal judges quashed her murder conviction in February last year and ordered a new trial. She was released in June following a preliminary hearing for the new trial at the Old Bailey after prosecutors accepted her plea to manslaughter. Challen's guilty plea to manslaughter was accepted on the grounds of diminished responsibility after a psychiatric report concluded she was suffering from an "adjustment disorder".

She was sentenced to nine years and four months for manslaughter, but released after the judge concluded she had already served her sentence.

In a ruling on Wednesday, the judge Paul Matthews concluded that a rule barring people who kill from inheriting their victim's estate should be waived in her case. His decision followed a high court hearing in Bristol earlier this month.

Challen had been in a relationship with her former car dealer husband for about 40 years, since she was 15 and he was 22, and they had two sons, the judge heard. She had beaten him to death with a hammer, and in her defence said that she had suffered years of controlling and humiliating abuse.

Matthews said Challen had been a victim of coercive control and suffered psychiatric illness. "The deceased's behaviour during their relationship and their marriage was by turns contemptuous, belittling, aggressive or violent," he said.

"His response to any suggestion that she would divorce him was that he would limit access to their children. He would ignore her complaints about his behaviour or insist that she was mistaken and that she had not seen what she said she had seen," the ruling added.

Challen had considered suicide after killing her husband and had left a note saying she could not live without him.

"These facts are extraordinary, tragic, and, one would hope, rare," the judge said.

"They lasted 40 years and involved the combination of a submissive personality on which coercive control worked, a man prepared to use that coercive control, a lack of friends or other sources of assistance, an enormous dependency upon him by [Challen], and significant psychiatric illness

He added her husband had "undoubtedly contributed significantly" to the circumstances in which he died, and said he considered without his "appalling behaviour over so many years" she would not have killed him.

He left no will, and a major asset, the home they shared, had been jointly owned.

Every case had to be decided on its merits, and not all victims of coercive control would necessarily be able to inherit, the judge said. "I emphasise that the facts of this terrible case are so extraordinary, with such a fatal combination of conditions and events, that I would not expect them easily to be replicated in any other," he added.

The ruling means that Challen, and not the couple's sons, would inherit. A "major effect" of that would be that Challen would not have to pay inheritance tax.

Questions

1. Why was Sally Challen given a life sentence in 2011?
2. How long did she spend in prison before her conviction was quashed by the Court of Appeal?
3. Challen then pleaded guilty to manslaughter, on what grounds was this plea accepted?
4. What behaviour by her deceased husband led Challen to suffer from 'adjustment disorder'?
5. What is the normal legal rule about a person inheriting from a person they have killed?
6. Why did Judge Paul Matthews decide that Challen could inherit from her deceased husband's estate?
7. Do you consider this decision to be morally correct?

3. Research 2 national



legal cases from: (a) a newspaper such as the

Times (www.thetimes.co.uk) ; The Guardian (www.guardian.co.uk) **and (b) a local newspaper**; The Argus (www.theargus.co.uk) or the Leader (www.mediauk.com) or The Metro (www.metro.co.uk) . Again make sure that the cases are from English or Welsh courts and not American or Scottish.

For Example: Tuesday 7th July 2020 BBC News

Tom Meighan: Former Kasabian singer admits ex-fiancee assault

The 39-year-old admitted at Leicester Magistrates' Court attacking Vikki Ager on the evening of 9 April. The court heard a child had witnessed the assault and contacted 999 to report that a "domestic incident was taking place".

Meighan was given an 18-month community order and told to carry out 200 hours of unpaid work. He will also be required to complete five days of rehabilitation, and was ordered to pay a £90 victim surcharge and £85 in prosecution costs. No restraining order has been imposed. On Monday, **the group announced Meighan had stepped down from the band** in order to deal with "personal issues".

The court heard Ms Ager hit her head on a hamster cage after being thrown across the room. Moments later, while she was in a chair, the defendant grabbed her leg, struck her on the head and threatened to hit her with a wooden pallet. The court was told Meighan "smelt heavily of intoxicants" as he assaulted her. 2018 at the Isle of Wight Festival, had been in the Sentencing, district judge Nick Watson said: "I need to take account of the fact that not only did you hurt Ms Ager, you also let down many people - band members and those who love your music.

	National News BBC – 7th July 2020
Headline	Tom Meighan: Former Kasabian singer admits ex-fiancé assault.
Defendant	Tom Meighan
Crime or Civil Action	Crime: Assault
Which Court?	Leicester Magistrates' Court
Additional Information	The defendant in a state of intoxication attacked his ex-fiancee

Sentence	18 month community order with 200 hours unpaid work, 5 days of rehabilitation.
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3. Continued..... Using your 2 newspaper articles complete the following table:

	National Newspaper	Local Newspaper
Headline		
Defendant		
Crime or Civil Action Describe the incident		
Which Court?		
Additional Information		

Sentence		
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If you have any questions please email Jill at jth@varndean.ac.uk