

False imprisonment

Someone is guilty of false imprisonment if he unlawfully and injuriously imprisons another person and detains her against her will.

Breaking that down into the various elements of the charge, you would have to be sure of the following before the offence is proved:

Assaults

Any physical touching of a person without his consent is an assault.

The acts of **pulling, dragging, and tying up someone without their consent are all assaults.

Unlawfully

The word “unlawfully” means there is no legal justification or excuse either for imprisonment or for the force used.

None of the defendants suggests that there is any legal justification for what C** says happened – so you do not have to consider this word

Injurious imprisoned and detained him against his will

These are ordinary English words which have no special legal meaning.

Preventing someone from leaving a room is imprisonment and detention.

Pushing someone into a room and locking the door is imprisonment and detention.

The length of detention and the fact someone manages to escape are irrelevant.

The prosecution case is that***.

If that is what happened, D** is guilty of false imprisonment.

The defendant denies this. He says that ***.

If what he says may be true, he is not guilty of false imprisonment.

So, the key question for you to answer, having regard to all the evidence and the directions which I give you is this

Did D** so that she could not leave the house?

If you are sure that the answer is “yes”, he is guilty. If the answer may be “no”, he is not guilty.