

Clare Connelly

Year called: 2013
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Qualifications: 1993 - Admitted as a Solicitor 1992 - *The University of Glasgow* - Diploma In Legal Practice 1991 - *The University of Glasgow* - LLB 1989 - *The University of Glasgow* - M.A. (Soc. Sci.) Hons. (2:1) Devilmasters - Kevin McCaffery, Sarah Livingstone, Kate Dowdalls & Claire Mitchell



Practice

Principal Areas of Practice are -

- Personal Injury
- Regulatory Crime
- Human Rights
- Criminal Appeals
- Criminal Trials
- Health & Safety Prosecutions
- Fatal Accident Inquiries
- Family Law

Profile

As a Senior Lecturer in the School of Law, University of Glasgow I co-ordinated and delivered the compulsory first year course in criminal law and evidence, undergraduate honours courses, tutored in the Diploma in Legal Practice and designed and delivered LLM programmes in the areas of human rights, personal injury, mental disorder and family law. I am a respected member of the legal academic community who has commented on high profile cases and generated law reform e.g., the Domestic Abuse (Scotland) Act 2011. In December 2012 I was invited by the Estonian Ministry of Justice to visit Tallinn and advise senior members of the criminal justice system on the development of the Estonian legal response to domestic abuse. This invitation is in recognition of my role in designing the 'toolkit' to roll out a specialist response to domestic abuse across Scotland, serving on the Government's National Strategy to Address Domestic Abuse which initiated the dedicated court to deal with cases of domestic abuse in Glasgow and drafting the Domestic Abuse (Scotland)

Act 2010, a private members bill, which has improved protection for victims and access to justice. I have appeared before the Justice Committee with Rhoda Grant MSP to discuss amendments to the Domestic Abuse (Scotland) Bill and have advised the Justice Committee on legal provisions relating to Mental Health law and domestic abuse and provided expert advice to Millan Committee on mental health and the Maclean Committee on serious violence and sexual offenders. My traineeship and post-qualification work as a solicitor with Strathclyde Regional Council provided experience in personal injury, judicial review, adoption, mental health law and curator ad litem. I have provided legal commentary to the national and international media on criminal law, domestic abuse and the Lockerbie Trial. Having won the Scottish Client Counselling competition in 1991, I represented Scotland and won the International Client Counselling Competition in Portland, Oregon in 1992.

Publications

Books, Book Chapters and Research Monographs

- *Criminal Law*, (5th Edition), (January 2013), (Edinburgh, W. Green & Son).
- "Domestic Abuse: The Violence of Privacy", (2012), in *Scottish Life and Society: A Compendium of Scottish Ethnology* (Edinburgh, Edinburgh University Press)
- "Specialist Responses to Domestic Abuse ", (2011), in "Domestic Abuse and Scots Law" H. Hughes, ed., (Edinburgh, W. Green).
- *Criminal Law*, (4th Edition), (2010), (Edinburgh, W. Green & Son)
- "Attorney General for Jersey v Holley", (2010), in *Feminist Judgements*, Hunter, R., McGlynn, C. and Rackley, E., eds., (Oxford, Hart Publishing).
- "A Great Miscarriage of Justice: Oscar Slater", (2010), in *Scots Law Tales*, J. Grant and E. Sutherland, eds., Dundee University Press, Dundee.
- *Criminal Law*, (3rd Edition), (2008), (Edinburgh, W. Green & Son).
- *Criminal Law*, (2nd Edition), (2004), (Edinburgh, W. Green & Son).
- An Evaluation of Protection From Abuse (Scotland) Act 2001,(2003), (Edinburgh, The Scottish Executive) (co-authored with Dr Kate Cavanagh, and Jane Scoular).
- *Criminal Law*, (2002), (Edinburgh, W. Green & Son).
- Domestic Abuse in Scoular, J., (ed.), (2001) *Family Dynamics: Contemporary Issues in Family Law* (London, Butterworths).
- *A Review of the Literature on Serious Violent and Sexual Offenders* (2000) (Edinburgh, The Scottish Executive Central Research Unit), (co-authored with Shanti Williamson).
- *Interviewing and Drug Testing of Arrestees*, (2000) (Edinburgh, The Scottish Executive Central Research Unit) (co-authored with Professor Neil McKeganey, Janusz Knevil, and John Norrie.
- Parties to Criminal Conduct in Gray, C.B., (ed.), (2000) *The Philosophy of Law: An Encyclopaedia*, (New York, Garland Press).
- *Mentally Disordered Offenders and Criminal Proceedings*, (1999), (Edinburgh, The Scottish Office Central Research Unit) (co-authored with Dr. Michele Burman).
- Court Processes in Duff, P. and Hutton, N., (ed.), (1999), *Criminal Justice in Scotland*, (Aldershot, Dartmouth).

Articles in refereed journals

- 'Institutional Barriers, Social Entrapment and Post Separation Abuse' (2010) *Jur. Rev.* 43 – 64.
- 'Purdy in Scotland : We hear but should we listen?' (2009) *Jur. Rev.* 265 – 284 (co-authored with Sheila Maclean and J. Kenyon Mason)
- Connelly, C. and Cavanagh, K., (2007), "Domestic abuse, civil protection orders and the 'new criminologies': is there any value in engaging with the law?", *Feminist Legal Studies*, vol. 15, no. 3, 259 – 287.
- The Lockerbie Trial: Justice and Victims, (2001) *Syracuse Journal of International Law and Commerce*, Vol. 29, No.1, 45-50.
- Drugs and Crime in Scotland: Piloting the Arrestee Drug Abuse Monitoring Method, (2000), *The Scottish Journal of Criminal Justice Studies*, 6 (2) 52-60 (co-authored with Neil McKeganey, John Norrie and Jan Kneppil).
- Treatability and the Release of Restricted Patients, (2000), *Scottish Law and Practice Quarterly*, 5 (4) 409-422 (co-authored with Dr Nicola Hodelet).
- Children, Mental Impairment and the Plea in bar of Trial, (2000) *Scottish Law and Practice Quarterly*, 5 (2) 157-168 (co-authored with Claire McDiarmid).
- Insanity and Unfitness to Plead, (1996) *Juridical Review*, 3. 206-211.

Other Publications

- "Still Just "A Domestic", (2010), *Scottish Criminal Law*, January, 111-112.
- Connelly, C. and Hodelet, N., 2010, "Conflict of Discourses: Medical Experts and the Restriction of Mentally Disordered Offenders", *Edinburgh Law Review*, vol. 14, 138-141.
- Connelly, C., (2008), *Handling Domestic Abuse Cases- A Toolkit to Aid the Development of Specialist Approaches to cases of Domestic Abuse*, (Edinburgh, The Scottish Government).
- Connelly, C., (2008), "Domestic Abuse", *Scottish Criminal Law*, 642-644
- Connelly, C., (2008), "Lockerbie Trial", in *The New Oxford Companion to Law*, Cane, P. and Conaghan, J., eds., Oxford University Press, Oxford, 746.
- Cavanagh, K., Connelly, C. and Scoular, J. (2003), *An Evaluation of the Protection from Abuse (Scotland) Act (2001)*, Main Findings, No.41/2003, (Edinburgh, The Scottish Executive).
- *I-ADAM Scotland* in Bruce, T., (ed.), (2002), *I-ADAM in Eight Countries, Approaches and Challenges* (Washington, National Institute of Justice), (co-authored with Neil McKeganey, John Norrie and Jan Kneppil).
- Prosecution of rape and sexual assault (editorial), (2002), *The Journal of family Planning and Reproductive Health Care*, (28) (3), 115-117.
- *A Review of the Literature on Serious Violent and Sexual Offenders*, (2000), Main Findings, No. 46/2000, (Edinburgh, The Scottish Executive Central Research Unit) (co-authored with Shanti Williamson)
- *Interviewing and Drug Testing of Arrestees*, (2000), Main Findings No.48/2000, (Edinburgh, The Scottish Executive Central Research Unit), (co-authored with Professor Neil McKeganey, Janusz Kneppil, and John Norrie).
- *Mentally Disordered Offenders and the Use of Hospital Directions and Interim Hospital Orders*, (2000), Main Findings 56/2000, (Edinburgh, The Scottish Executive Central Research Unit), (co-authored with Dr Michele Burman and Kim Connelly).

- Women Who Kill Violent Men, (1996) *Jur. Rev.* 3. 215-217.
- Causing Water Pollution, (1995), *Scottish Planning and Environmental Law*, 50, 63-65.

Contact with External Bodies

May 2013 **Issues of Compatibility and the Scotland Act 2012**. CPD Presentation, Peebles Hydro, Peebles.

December 2012 - Present **Ministry of Justice, Estonia**. I was invited to visit and advise the Ministry of Justice in Tallinn on the development of the Estonian legal response to domestic abuse. I will continue to act as an Adviser to the Ministry of Justice.

October 2012 **Scottish Association for the Study of Offending**. With Derek Ogg QC, I argued against a motion to abolish corroboration in a debate chaired by Lady Stacey.

March – April 2011 **Judicial Studies Committee**. Expert Contributor to Domestic Abuse training DVD for Sheriffs. Contributor to Refresher Course training at Dunkeld in May 2011.

July 2009 – March 2011 **Domestic Abuse (Scotland) Act 2011**. The content of this Act was informed by research I had undertaken and subsequent publications. Together with one of my post-graduate students, I drafted the Consultation Document, the Policy memorandum and the Domestic Abuse (Scotland) Bill 2010, as introduced by Rhoda Grant MSP. I have been involved in drafting and negotiating amendments at each stage of the legislative process appearing regularly before the Justice Committee of the Scottish Parliament.

February – August 2005 **Parsons Scholar**, Faculty of Law, University of Sydney.

September 2003 **Justice 1 Committee**, debriefing on the findings of a research study 'An Evaluation of the Protection from Abuse (Scotland) Act'.

January to June 2002 **National Group to Address Domestic Abuse in Scotland**. Member of the *Working Group in Legislation*. This committee recommended the creation of a dedicated Domestic Abuse Court.

October 2002 **Justice 1 Committee**. I provided expert evidence on the Mental Health (Scotland) Bill.

December 2001 **Parsons Scholar**, The University of Sydney, Faculty of Law.

March 1999 – 2000 **Maclean and Millan Committees**. Provided expert evidence to both committees. These committees

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were established by the Scottish Executive to consider the treatment of serious violent and sexual offenders and mental health legislative provisions, respectively. In addition to preparing a review of international approaches to the treatment of serious violent and sexual offenders for the MacLean Committee, I also worked closely with the secretariat of both committees advising on the findings of empirical research studies I had conducted on mentally disordered offenders and related legislation.

1995-2013 As a member of the Centre for Law Reform I have prepared a number of responses, on behalf of the Centre, to government consultation papers on proposed legislative changes.