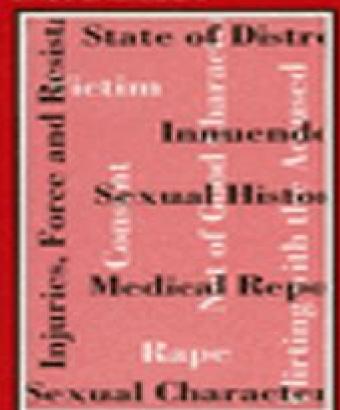
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## SEX CRIMES ON TRIAL

THE USE OF SEXUAL EVIDENCE IN SCOTTISH COURTS

# **Sex Crimes On Trial The Use Of Sexual Evidence In Scottish Courts**

Hazel Croall, Gerry Mooney, Mary Munro

#### Sex Crimes On Trial The Use Of Sexual Evidence In Scottish Courts:

Sex Crimes on Trial Beverley Brown, Michèle Burman, Lynn Jamieson, 1993 Victims of sexual crimes both male and female are often subjected to an intense scrutiny of both their sexual history and sexual character once the case is brought to court In 1985 legislation was passed in Scotland to control the use of such evidence and Sex Crimes on Trial reviews the last eight years to assess the impact this legislation has had and illustrates why other systems have a lot to learn from the Scottish experience Combining socio legal analysis with empirical evidence this book also covers wider theoretical concerns including an analysis of the cross talk between feminist and legal analysis and a chapter on young complainants analysing age dependent characteristics as well as providing basic introductory information for non lawyers It is a well balanced and comprehensive study suitable for all socio legal courses women s studies and law Sexual Violence on Trial Rachel Killean, Eithne Dowds, Anne-Marie McAlinden, 2021-02-28 Sexual Violence on Trial provides a contemporary critical examination of the investigation prosecution and cultural contexts of sexual violence It draws on Northern Ireland as a case study while also drawing on experiences from other jurisdictions across the United Kingdom and island of Ireland Public and academic debates concerning the high profile Belfast Rugby Rape Trial and the subsequent Gillen review of the arrangements to deliver justice in serious sexual offence cases have been mirrored at a global level with movements such as MeToo and TimesUp This book brings together the perspectives of practitioners and academics to discuss contemporary challenges surrounding the societal and legal framing of sexual violence It examines key aspects of the criminal justice process including the challenges of supporting victims of responding to a range of forms of sexual violence such as rape peer abuse intimate partner violence and forced to penetrate cases as well as alternative perspectives and future reforms It also considers broader debates including balancing the interests of victims and defendants the impact of cultural myths and stereotypes the challenges of the digital age models of consent legal representation for victims and anonymity and publicity surrounding trials Written by leading authorities in the field Sexual Violence on Trial will be of great interest to students and scholars of Criminology Law and Sociology Sexual History Evidence And The Rape Trial Joanne Conaghan, Yvette Russell, 2023-10-27 Adopting a critical multidisciplinary perspective underpinned by feminist theory this accessible book mounts an important interrogation into the use of a victim's sexual history as evidence in rape trials International Approaches to Rape Nicole Westmarland, Geetanjali Gangoli, 2012-04-04 Overview of rape law and policy in 10 countries including the United Kingdom Australia India China Iran and the United States Scottish Criminal Evidence Law Peter Duff, 2018-12-31 Why did Enlightenment happen in Edinburgh Date Rape and Consent Mark Cowling, 2018-12-17 First publisghed in 1998 this book Mark Cowling attempts to make sense of this massive discrepancy much of which is now based on how date rape is understood After a review of the way rape is dealt with in Britain he examines the survey evidence One major issue he identifies is that of the boundary between rape and normal sex Arguing this cannot be sharply defined he uses philosophical techniques to look at the issues involved particularly those of communicative sexuality and of the imbalance of power between men and women The implications for philosophy the law and psychological research are considered

Making Sense of Sexual Consent Mark Cowling, Paul Reynolds, 2017-03-02 The issue of sexual consent has stimulated much debate in the last decade The contributors to this illuminating volume make sense of sexual consent from various conceptual standpoints socio legal post structural philosophical and feminist The volume comprises a range of studies all based around consent within a specific context such as criminal justice homosexuality sadomasochism prostitution male rape learning disabilities sexual ethics and the age of consent It is the first collection to publish exclusively on issues of sexual consent and both makes sense of sexual consent in contemporary society and guides debate towards better consent standards and decisions in the future Making Sense of Sexual Consent will excite considerable discussion amongst academics professionals and all those who think that freedom to make decisions about our sexual selves is important It will set the agenda for debate on sexual consent into the 21st Century Feminist Perspectives on Evidence Mary Childs, Louise Ellison, 2000-12-19 This text offers a collection of essays examining various aspects of the law of evidence Each chapter provides a feminist critique of some aspect of evidence scholarship and evidence law Much has been written about evidence and about feminist legal theory this text explores their intersection IBSS: Sociology: 1993 Vol 43 International Committee for Social Science Information and Documentation, 1994 This bibliography lists the most important works published in sociology in 1993 Renowned for its international coverage and rigorous selection procedures the IBSS provides researchers and librarians with the most comprehensive and scholarly bibliographic service available in the social sciences The IBSS is compiled by the British Library of Political and Economic Science at the London School of Economics one of the world's leading social science institutions Published annually the IBSS is available in four subject areas anthropology economics political science and sociology Violence, Gender and Justice Maggie Wykes, Kirsty Welsh, 2008-12-19 This is a very impressive piece of thorough scholarship It is an important book that highlights the need to consider gender when developing policies to respond to interpersonal violence It is written in a clear and accessible style and should be required reading for all criminal justice students Dr Malcolm Cowburn Sheffield Hallam University This comprehensive text provides an overview of the relationship between violence gender crime and justice It brings together theory with contemporary cases to enable the reader to understand the key concepts issues and connections involved Enlightening and accessible the book examines the experiences and treatment of men and women as victims and criminals It explores whether and how offending patterns differ according to gender and investigates the connections between gender offending and victimisation The book covers different types of inter personal violence including sexual violence domestic violence domestic murder male on male violence and child abuse It explores how sexual and domestic violence have been represented in the media in the law and in criminal justice processes Not only does the book present a comprehensive introduction to the field it also offers reflective

questions at the end of each chapter to enable the reader to integrate and interrogate the material covered Chapter summaries and annotated bibliographies enhance the learning process by helping students to consolidate and further investigate key points This book is essential for students and academics in criminology criminal justice sociology and gender Mary Queen of Scots Retha M. Warnicke, 2006-04-18 Scholars now have Warnicke to use as their chief one studies volume study of Mary Julian Goodare University of Edinburgh In this biography of one of the most intriguing figures of early modern European history Retha Warnicke widely regarded as a leading historian on Tudor gueenship offers a fresh interpretation of the life of Mary Stuart popularly known as Mary Queen of Scots Setting Mary s life within the context of the cultural and intellectual climate of the time and bringing to life the realities of being a female monarch in the sixteenth century Warnicke also examines Mary's three marriages her constant ill health and her role in numerous plots and conspiracies Placing Mary within the context of early modern gender relations Warnicke reveals the challenges that faced her and the forces that worked to destroy her This highly readable and fascinating study will pour fresh light on the much debated life of a central figure of the sixteenth century providing a new interpretation of Mary Stuart's impact on politics gender and nationhood in the Tudor era Crime, Justice and Society in Scotland Hazel Croall, Gerry Mooney, Mary Munro, 2015-08-20 Crime Justice and Society in Scotland is an edited collection of chapters from leading experts that builds and expands upon the success of the 2010 publication Criminal Justice in Scotland to offer a comprehensive and critical overview of Scottish criminal justice and its relation to wider social inequalities and social justice This new volume considers criminal justice in the context of the Scottish politics and the recent referendum on independence and it includes a discussion of the complex relationships between criminal justice and devolution nationalism and nation building There are new chapters on research and policy sectarianism gangs victims and justice organised crime and crimes of the powerful in Scotland as well as chapters reflecting on the use of electronic monitoring desistance and practice and major changes in the structure of Scottish policing Comprehensive and topical this book is essential reading for academics and students in the fields of criminal justice criminology law social science and social policy It will also be of interest to practitioners researchers policymakers civil servants and politicians Criminal Justice in Scotland Peter Duff, Neil Hutton, 2019-01-15 Published in 1999 Scottish criminal law and procedure are very different from their counterparts elsewhere in the United Kingdom This book is the first socio legal account of the Scottish criminal justice process and its constituent institutions Its aims are to explain the operation of the various elements which make up the system to summarise the considerable volume of relevant Scottish research and to locate this knowledge within contemporary theorising about criminal justice To this end the editors commissioned a team of experts to write chapters on the various stages of institutions of the Scottish criminal justice process Given Scotland's broad social and cultural similarities to the rest of the United Kingdom the book also provides a useful comparative perspective which should help to discourage the tendency towards overly ethnocentric theorising south of the

The Technoscientific Witness of Rape Andrea Quinlan, 2017-01-01 The Technoscientific Witness of Rape is the first book to chart the thirty year history of the sexual assault evidence kit and its role in a criminal justice system that revictimizes many assault victims in their quest for medical treatment and justice Sexualizing the Social Lisa Adkins, Vicki Merchant, 1996-06-12 Sociologists are increasingly aware that analyses of social life must include a consideration of how the social may be structured by the sexual In turn this insight is contributing to a shift in understandings of sociology This volume drawn from papers from the 1994 British Sociological Association Annual Conference on Sexualities in Social Context brings together a range of writers who are contributing to this exciting new agenda Various aspects of social life including employment family life representations politics identities and the workings of the law are considered in terms of how sexuality shapes their organization and they shape sexuality In so doing a series of ongoing and new controversies and debates are confronted from the relationship of feminism to prostitution to the constitution of the self in late modernity

**Anthropology and Expertise in the Asylum Courts** Anthony Good, 2007-03-12 Offering an analysis of asylum processes in UK courts this study of asylum as an aspect of globalization focuses on the role of anthropologists as expert SCOLAG,2004 witnesses and compares the use of social scientific and medical evidence in decision making Consent Alan Reed, Michael Bohlander, Nicola Wake, Emma Smith, 2016-10-14 This volume presents a leading contribution to the substantive arena relating to consent in the criminal law In broad terms the ambit of legally valid consent in extant law is contestable and opaque and reveals significant problems in adoption of consistent approaches to doctrinal and theoretical underpinnings of consent This book seeks to provide a logical template to focus the debate The overall concept addresses three specific elements within this arena embracing an overarching synergy between them This edifice engages in an examination of UK provisions with specialist contributions on Irish and Scottish law and in contrasting these provisions against alternative domestic jurisdictions as well as comparative contributions addressing a particularised research grid for consent The comparative chapters provide a wider background of how other legal systems treat a variety of specialised issues relating to consent in the context of the criminal law The debate in relation to consent principles continues for academics practitioners and within the criminal justice system Having expert descriptions of the wider issues surrounding the particular discussion and of other legal systems approaches serves to stimulate and inform that debate This collection will be a major source of reference for future discussion Sexual History Evidence in Rape Trials Charlotte Herriott, 2023-03-16 This book provides an in depth examination of current high profile debates about the use of sexual history evidence in rape trials and its impact on jurors In doing so it presents findings of the first mock jury dataset in England and Wales to explore how jurors interpret discuss and rely upon such evidence within their deliberations Drawing on both qualitative and quantitative insights from the 18 mock jury panels the book highlights the complex nuanced and intersectional impact of sexual history evidence within the deliberative ideal Indeed findings exemplified routine and ongoing

prejudicial framings of sexual history amongst jurors and frequent endorsement of rape myths that served to mistakenly infer relevance and undermine the perceived credibility of the complainant The findings discussed within this book are therefore key to addressing the current knowledge gap around the impact of sexual history evidence and are embedded within broader discussions about evidential legitimacy in rape trials The book draws on good practice observed in other jurisdictions to makes numerous recommendations for change Aiming to inform academic policy and legislative discussions in this area Sexual History Evidence in Rape Trials will be of great interest to students and scholars of Criminal Law and Criminology as well as policy makers and legal practitioners The Open Access version of this book available at www taylor francis com has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4 0 license Evidence and Human Rights Paul Roberts, Jill Hunter, 2012-05-18 Criminal procedure in the common law world is being recast in the image of human rights The cumulative impact of human rights laws both international and domestic presages a revolution in common law procedural traditions Comprising 16 essays plus the editors thematic introduction this volume explores various aspects of the human rights revolution in criminal evidence and procedure in Australia Canada England and Wales Hong Kong Malaysia New Zealand Northern Ireland the Republic of Ireland Singapore Scotland South Africa and the USA The contributors provide expert evaluations of their own domestic law and practice with frequent reference to comparative experiences in other jurisdictions Some essays focus on specific topics such as evidence obtained by torture the presumption of innocence hearsay the privilege against self incrimination and rape shield laws Others seek to draw more general lessons about the context of law reform the epistemic demands of the right to a fair trial the domestic impact of supra national legal standards especially the ECHR and the scope for reimagining common law procedures through the medium of human rights This edited collection showcases the latest theoretically informed methodologically astute and doctrinally rigorous scholarship in criminal procedure and evidence human rights and comparative law and will be a major addition to the literature in all of these fields

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