

Miscarriages Of Justice

Blind Justice John J. Eddleston 2000-05-26 This book examines 50 crimes where the accused was found guilty and either executed or sentenced to life imprisonment; in each case it is asserted that there was reasonable doubt, either as to the guilt or the sanity of the accused.

Justice Denied James Morton 2015-07-09 An incisive examination by the bestselling author of *The Mammoth Book of Gangs* of some of the many miscarriages of justice of this and the previous century, which have seen innocent men and women found guilty, and sometimes executed. This shocking 'manual of injustice' exposes wrongful convictions and acquittals as a result of the chicanery of some forensic scientists, over-zealous or negligent police officers under pressure to get results, incompetent lawyers, lying witnesses, bribed juries, judicial blunders and feeble politicians. Sometimes, however, it is truculent and uncooperative defendants who prove their own worst enemies. It shows the mistakes that can be made in the face of a baying public and a rabid press, mistakes which have seen innocent men and women found guilty, and sometimes executed, while others have served lengthy sentences. It reveals critical flaws in criminal justice systems throughout the world (it is estimated, for example, that two per cent of felony cases in America result in wrongful convictions). Morton explores folk devils and moral panics, both historical such as the 'witches' of Salem and and much more recent cases like that of the West Memphis Three. It considers cases of race hatred, the impact of DNA, fit-ups, fake 'experts', doubtful science and the long road to the court of appeal. He also looks at what happens to the victims of miscarriages of justice, whether they go on to prosper or, as is sadly so often the case, never really recover. How did the boxer Rubin 'The Hurricane' Carter come to be wrongly convicted of a triple homicide? The alibi of Joe Hill, the Industrial Workers of the World activist wrongly executed for the murder of a Utah grocer and his son, came too late to save him from execution. On the other hand, Lindy Chamberlain (famously portrayed by Meryl Streep in *A Cry in the Dark*), has finally, over thirty years after the fact, had her claim that her baby Azaria was taken by a dingo at Ayers Rock in the Australian Outback upheld by a coroner. Among many other cases, Morton also considers the 1910 case of two men convicted of the murder of a man still alive in 1926, and case of the West Memphis Three, who were convicted as teenagers in 1994 of the murders of three boys in Arkansas and released in 2011 in a plea bargain after eighteen years, though the prosecution still refuses to accept their innocence.

Expert evidence and miscarriage of justice. The case of Sally Clark Jasmin Chilley 2016-03-08 Essay from the year 2015 in the subject Law - Penology, grade: 81, University of the West of England, Bristol, course: Forensic Computing and Security, language: English, abstract: This essay examines the role of expert evidence in court decisions and subsequent miscarriage of justice. To this end, it takes a look at the case of Sally Clark, who was initially convicted for murdering her two infant children and later cleared of the charges. A miscarriage of justice is an ambiguous phase that is capable of instigating many distinctive meanings, interpreted and influenced by life experiences. The widely considered definition is a failure to attain justice. However this undermines The Criminal Justice System who robustly endeavours to convey justice for all, by convicting the guilty and protecting the innocent. Unfortunately this ambition is belittled by the never-ending statistic that defendants are still being wrongfully imprisoned this is because some experts are culprits of fabricating and concealing evidence. Sally Clark's trial replicates similar characteristics.

Wrongful Convictions and Miscarriages of Justice C. Ronald Huff 2013 This volume brings together the world-class scholarship of 23 widely acclaimed and influential contributing authors from North America and Europe. The latest research is presented in 18 chapters focusing on the frequency, causes, and consequences of wrongful convictions and other miscarriages of justice and offering recommendations for both legal and

public policy reforms that can help reduce the causes of these errors while protecting public safety as well.

When Law Fails Charles J. Ogletree, Jr. 2009 Essays that view wrongful convictions not as random mistakes but as organic outcomes of a misshaped larger system that is rife with faulty eyewitness identifications, false confessions, biased juries, and racial discrimination. Together the contributors reveal the dramatic consequences as well as the daily realities of breakdowns in the law's ability to deliver justice swiftly and fairly, and calls on us to look beyond headline-grabbing exonerations to see how failure is embedded in the legal system itself.

The Victimology of a Wrongful Conviction Nicky Ali Jackson 2022 "This book exposes the myriad of victims of wrongful conviction by going beyond the innocent person who has been wrongfully incarcerated to include the numerous indirect victims who suffer collaterally. In no way overlooking the egregious effects on the wrongfully convicted, this book widens the net to also examine consequences for family, friends, co-workers, witnesses, the initial victims of the crime, and society in general—all indirect victims who are often forgotten in treatments of wrongful conviction. Through interviews of exonerees and indirect victims, the authors capture the tangible and intangible costs of victimization across the board. The prison experience is examined through the lens of an innocent person, and the psychological impact of incarceration for the exoneree is explored. Special attention is given to the often-ignored experience of female exonerees and to the impact of race as a compounding factor in a vast number of miscarriages of justice. The book concludes with an overview of the victimization experiences that follow exonerees upon release. Unique to this book is its interdisciplinary approach to the troubling subject of wrongful conviction, combining perspectives from a number of fields, including criminal justice, criminology, victimology, psychology, sociology, social justice, history, political science, and law. Undergraduate and graduate students in these disciplines will find this book helpful in their respective areas of study, and professionals in the legal system will benefit from appreciation of the far-reaching costs of wrongful convictions"--

Miscarriages of Justice in Canada Kathryn M. Campbell 2018-06-12 Innocent people are regularly convicted of crimes they did not commit. A number of systemic factors have been found to contribute to wrongful convictions, including eyewitness misidentification, false confessions, informant testimony, official misconduct, and faulty forensic evidence. In *Miscarriages of Justice in Canada*, Kathryn M. Campbell offers an extensive overview of wrongful convictions, bringing together current sociological, criminological, and legal research, as well as current case-law examples. For the first time, information on all known and suspected cases of wrongful conviction in Canada is included and interspersed with discussions of how wrongful convictions happen, how existing remedies to rectify them are inadequate, and how those who have been victimized by these errors are rarely compensated. Campbell reveals that the causes of wrongful convictions are, in fact, avoidable, and that those in the criminal justice system must exercise greater vigilance and openness to the possibility of error if the problem of wrongful conviction is to be resolved.

Miscarriages of Justice Justice (Society) 1989

Wrongful Convictions Jack Smith 2015-08-24 Astonishingly Wrongful convictions that led to rethinking capital punishment Ever since DNA evidence started exonerating death row inmates, public concern about wrongful executions has been on the rise. It has been such a source of worry that some states have abolished the death penalty entirely. Although we want to believe that the criminal justice system designed to protect us is infallible, mistakes can be and are made. The ultimate tragedy is when an innocent person is executed for a crime that he or she didn't commit. Inside find three stories of wrongful executions in the UK, where justice was swift and limitless appeals were not supported. In one case the person was actually exonerated forty-six years after being hanged. *Eliza Fenning and the Devilish Dumplings* In March 1815, the entire household of Robert Turner, a London law stationer, was struck by a mysterious illness. When a search was made for its cause, a substance believed to be arsenic was found in the dish used to mix up yeast dumplings the family had eaten for dinner. Although she had fallen ill too, Eliza Fenning, the twenty-one-year-old maid who

had prepared the dumplings, was charged with attempted murder and hanged. Her execution is still regarded as one of Britain's worst miscarriages of justice. The Messalina of Ilford Edith Thompson and her younger lover, Frederick Bywaters, were executed in January 1923 for the murder of Edith's husband. Although Mr. Bywaters confessed and insisted that Mrs. Thompson had nothing to do with the murder, she was held equally responsible for the crime because of some letters that expressed hostile intent toward her overbearing spouse. Her supporters believed that she had really been condemned for being an adulteress. There is currently a campaign in process to win her a posthumous royal pardon. "Let Him Have It" On January 28, 1953, nineteen-year-old Derek Bentley was hanged at Wandsworth Prison for the murder of a Metropolitan Police constable. Bentley had not fired the fatal shot, but his sixteen-year-old accomplice was too young to receive the death penalty, so the mentally impaired Bentley went to the gallows instead. In 1998, thanks to four decades of vigorous campaigning by his family, he received a posthumous pardon. His execution was instrumental in the abolition of capital punishment in the UK. It is too late to save these victims of wrongful execution, but the time has come to accept that, regardless of our individual feelings about the death penalty, all future debates on the subject must proceed with the knowledge that innocent people have been put to death. Grab your copy today!

The Oxford Handbook of Criminal Process Darryl K. Brown 2019-02-22 The Oxford Handbook of Criminal Process surveys the topics and issues in the field of criminal process, including the laws, institutions, and practices of the criminal justice administration. The process begins with arrests or with crime investigation such as searches for evidence. It continues through trial or some alternative form of adjudication such as plea bargaining that may lead to conviction and punishment, and it includes post-conviction events such as appeals and various procedures for addressing miscarriages of justice. Across more than 40 chapters, this Handbook provides a descriptive overview of the subject sufficient to serve as a durable reference source, and more importantly to offer contemporary critical or analytical perspectives on those subjects by leading scholars in the field. Topics covered include history, procedure, investigation, prosecution, evidence, adjudication, and appeal.

Misleading DNA Evidence Peter Gill 2014-06-18 *Misleading DNA Evidence: A Guide for Scientists, Judges, and Lawyers* presents the reasons miscarriages of justice can occur when dealing with DNA, what the role of the forensic scientist is throughout the process, and how judges and lawyers can educate themselves about all of the possibilities to consider when dealing with cases that involve DNA evidence. DNA has become the gold standard by which a person can be placed at the scene of a crime, and the past decade has seen great advances in this powerful crime solving tool. But the statistics that analysts can attach to DNA evidence often vary, and in some cases the statistical weight assigned to that match, can vary enormously. The numbers provided to juries often overstate the evidence, and can result in a wrongful conviction. In addition to statistics, the way the evidence is collected, stored and analyzed can also result in a wrongful conviction due to contamination. This book reviews high-profile and somewhat contentious cases to illustrate these points, including the death of Meredith Kercher. It examines crucial topics such as characterization of errors and determination of error rates, reporting DNA profiles and the source and sub-source levels, and the essentials of statement writing. It is a concise, readable resource that will help not only scientists, but legal professionals with limited scientific backgrounds, to understand the intricacies of DNA use in the justice system. Ideal reference for scientists and for those without extensive scientific backgrounds Written by one of the pioneers in forensic DNA typing and interpretation of DNA profiling results Ideal format for travel, court environments, or wherever easy access to reference material is vital

The First Miscarriage of Justice Jon Robins 2014-10-20 'I would have been the first miscarriage of justice... There was this spate of cases: the Birmingham Six, Guildford Four and Cardiff Three. Each one was another nail in my coffin': Tony Stock, 2008. The story of Tony Stock is astonishing: deeply disturbing it sent out ripples of disquiet when he was sentenced to ten years for robbery at Leeds Assizes in 1970. Over the next 40 years the

case went to the Court of Appeal four times and has the distinction of being the first to have been referred to that court twice by the Criminal Cases Review Commission. Tony Stock died in 2012 still fighting to clear his name: spending from his meagre savings to hire private investigators and hoping beyond hope to see justice. Reviews 'The story of Tony Stock should be mandatory reading for everyone, not merely those involved with the laws. It concerns the quality of our criminal justice system and its serious reluctance and unwillingness to root out injustice': Michael Mansfield QC. 'One of the most outrageous miscarriages of justice of modern times': Barry Sheerman, Labour MP for Huddersfield. In the Press 'If anyone seriously believes the Court of Appeal has reformed itself since the dark days of the Birmingham Six and Bridgewater Four, they should study the unreported and amazing case of Tony Stock': Private Eye. 'I would have thought that the injustice done to Tony (Stock) was fairly self-evident and yet his conviction still stands. I find this very difficult to accept': Ralph Barrington, investigations adviser at the Criminal Cases Review Commission. 'The fight for justice that will not die': Yorkshire Post.

Miscarriages of Justice Bibi Sangha 2015-09-08 This work presents an unprecedented and scholarly critique of the post-appeal review phase of the Australian criminal justice system. It offers a unique insight for students and practitioners into a new and developing area of criminal law. The authors identify a fundamental flaw that lies at the heart of the Australian criminal justice system: an inconsistency between what constitutes a miscarriage of justice under substantive law against what constitutes a miscarriage of justice under procedural law. By examining the problematic nature of the criminal appeal rights in Australia, Sangha and Moles argue that the existing system does not comply with the rule of law provisions or Australia's international human rights obligations. South Australia has introduced a new statutory right of appeal and Tasmania is considering doing the same, to address this issue which represents the first substantive change to the criminal appeal rights in Australia in 100 years. *Miscarriages of Justice: Criminal Appeals and the Rule of Law in Australia* explains the operation of this legislation and advances a compelling argument for its nationwide adoption. This is achieved through an examination of a number of Australian (and international) wrongful conviction cases as well as discussion of specific legal issues and the problematic area of compensation for wrongful convictions. Features o Authoritative analysis o Examines leading Australian cases o Unique text on a new and developing area of law Related Titles D Chappell & P Wilson, *Issues in Australian Crime and Criminal Justice*, 2005

Miscarriages of Justice Clive Walker 1999 The authors examine the various steps within the criminal justice system which have resulted in the conviction of the innocent, and suggest remedies as to how miscarriages might be avoided in the future. The contributors comprise academics, campaigners and practitioners.

The Victimology of a Wrongful Conviction Nicky Ali Jackson 2022-07-07 This book exposes the myriad of victims of wrongful conviction by going beyond the innocent person who has been wrongfully incarcerated to include the numerous indirect victims who suffer collaterally. In no way overlooking the egregious effects on the wrongfully convicted, this book widens the net to also examine consequences for family, friends, co-workers, witnesses, the initial victims of the crime, and society in general—all indirect victims who are often forgotten in treatments of wrongful conviction. Utilizing interviews of exonerees and indirect victims, the authors capture the tangible and intangible costs of victimization across the board. The prison experience is examined through the lens of an innocent person, and the psychological impact of incarceration for the exoneree is explored. Special attention is given to the often-ignored experience of female exonerees and to the impact of race as a compounding factor in a vast number of miscarriages of justice. The book concludes with an overview of the victimization experiences that follow exonerees upon release. Unique to this book is its interdisciplinary approach to the troubling subject of wrongful conviction, combining perspectives from a number of fields, including criminal justice, criminology, victimology, psychology, sociology, social justice, history, political science, and law. Undergraduate and graduate students in

these disciplines will find this book helpful in their respective areas of study, and professionals in the legal system will benefit from appreciation of the far-reaching costs of wrongful convictions.

Convicting the Innocent Brandon Garrett 2011-08-04 DNA exonerations have shattered confidence in the criminal justice system by exposing how often we have convicted the innocent and let the guilty walk free. In this unsettling analysis, Garrett examines what went wrong in the cases of the first 250 people exonerated by DNA testing, and proposes systemic reforms.

Redressing Miscarriages of Justice: Practice and Procedure in (International) Criminal Cases Geert-Jan Knoops 2013-06-27 The author offers an extensive review of the mechanisms available in different (international) law-systems to prevent and redress miscarriages of justice, from the causes of miscarriages of justice to examining forensic reports.

Understanding Miscarriages of Justice Richard Nobles 2000 When justice is contested and uncertain, how can miscarriage of justice be viewed. This book addresses this question, looking at the relationship between the legal construction of criminal justice, most notably that of trials and appeals.

Justice in Error Clive Walker 1993 The authors examine the various steps within the criminal justice system which have resulted in the conviction of the innocent, and suggest remedies as to how miscarriages might be avoided in the future. The contributors comprise academics, campaigners and practitioners.

American Justice in the Age of Innocence Sandra Guerra Thompson, Jennifer L. Hopgood, and Hillary K. Valderrama 2011-07-27 The exoneration of more than two hundred and fifty people who have been wrongfully convicted makes it clear that America's criminal justice system isn't foolproof. It's important to understand the causes of wrongful conviction in order to find solutions to this growing problem. Edited by one of the nation's leading legal scholars and two of her top students, this collection of essays examines critical issues, including • what American justice in the age of innocence looks like; • how to implement procedural mechanisms to ensure the integrity of the judicial system while safeguarding the public; • whether or not the legal system is doing a good enough job uncovering wrongful convictions. This anthology provides insightful lessons based on cutting-edge research and legal analysis. Wrongful convictions are not a foregone conclusion, but the justice system must break free from a pattern of punishing innocent people and go after the true culprits. Written for judges, lawyers and scholars alike, *American Justice in the Age of Innocence* educates the public and helps current prisoners who are innocent contest their wrongful convictions.

False Justice Jim Petro 2014-07-11 Compelling and engagingly written, this book by former Attorney General of Ohio Jim Petro and his wife, writer Nancy Petro, takes the reader inside actual cases, summarizes extensive research on the causes and consequences of wrongful conviction, and exposes eight common myths that inspire false confidence in the justice system and undermine reform. Now published in paperback with an extensive list of web links to wrongful conviction sources internationally, *False Justice* is ideal for use in a wide array of criminal justice and criminology courses. Myth 1: Everyone in prison claims innocence. Myth 2: Our system almost never convicts an innocent person. Myth 3: Only the guilty confess. Myth 4: Wrongful conviction is the result of innocent human error. Myth 5: An eyewitness is the best testimony. Myth 6: Conviction errors get corrected on appeal. Myth 7: It dishonors the victim to question a conviction. Myth 8: If the justice system has problems, the pros will fix them.

Criminal Injustice F. Belloni 1999-10-10 Beginning with an exploration of the awful miscarriages which prompted the establishment of the Royal Commission on Criminal Justice, the authors examine the role played by institutions and legal factors within the criminal process. Tracking the shift from due process rhetoric to the 'new penology' of efficient risk management of suspect populations, they assess the impact of recent reforms such as curtailment of the right to silence; the removal of the right to jury trial; and the appeal process itself.

Miscarriages of Justice Bob Woffinden 1987-01-01 Argues that the infallibility of the British courts is a myth, looks at specific cases, and assesses the way in which they were redressed

Miscarriages of Justice Brent E. Turvey 2014-05-19 Miscarriages of justice are a regular occurrence in the criminal justice system, which is characterized by government agencies that are understaffed, underfunded, and undertrained across the board. We know this because, every week, DNA testing and innocence projects across the United States help to identify and eventually overturn wrongful convictions. As a result, the exonerated go free and the stage is set for addressing criminal and civil liability. Criminal justice students and professionals therefore have a need to be made aware of the miscarriage problem as a threshold issue. They need to know what a miscarriage of justice looks like, how to recognize its many forms, and what their duty of care might be in terms of prevention. They also need to appreciate that identifying miscarriages, and ensuring legal remedy, is an important function of the system that must be honored by all criminal justice professionals. The purpose of this textbook is to move beyond the law review, casebook, and true crime publications that comprise the majority of miscarriage literature. While informative, they are not designed for teaching students in a classroom setting. This text is written for use at the undergraduate level in journalism, sociology, criminology and criminal justice programs - to introduce college students to the miscarriage phenomenon in a structured fashion. The language is more broadly accessible than can be found in legal texts, and the coverage is multidisciplinary. *Miscarriages of Justice: Actual Innocence, Forensic Evidence, and the Law* focuses on the variety of miscarriages issues in the United States legal system. Written by leaders in the field, it is particularly valuable to forensic scientists and attorneys evaluating evidence or preparing for trial or appeal in cases where faulty evidence features prominently. It is also of value to those interested in developing arguments for miscarriage in post-conviction review of criminal cases. Chapters focus specifically on issues of law enforcement bias and corruption; false confessions; ineffective counsel and prosecutorial misconduct; forensic fraud; and more. The book closes by examining innocence projects and commissions, and civil remedies for the wrongfully convicted. This text ultimately presents the issue of miscarriages as a systemic and multi-disciplinary criminal justice issue. It provides perspectives from within the professional CJ community, and it serves as warning to future professionals about the dangers and consequences of apathy, incompetence, and neglect. Consequently, it can be used by any CJ educator to introduce any group of CJ students to the problem. Written by practicing criminal justice professionals in plain language for undergraduate students Covers multiple perspectives across the criminal justice system Informed by experience working for Innocence Projects across the United States to achieve successful exonerations Topical case examples to facilitate teaching and learning Companion website featuring Discussion topics, Exam questions and PowerPoint slides: <http://textbooks.elsevier.com/web/Manuals.aspx?isbn=9780124115583>

Innocent Scott Christianson 2006-11-01 Innocent graphically documents forty-two recent criminal cases to find evidence of shocking miscarriages of justice, especially in murder cases. Based upon interviews with more than 200 people and reviews of hundreds internal case files, court records, smoking-gun memoranda, and other documents, Scott Christianson gets inside the legal cases, revealing the mistakes, abuses, and underlying factors that led to miscarriages of justice, while also describing how determined prisoners, post-conviction attorneys, advocates, and journalists struggle against tremendous odds to try to win their exonerations. The result is a powerful work that recounts the human costs of a criminal justice system gone awry, and shows us how wrongful convictions can—and do—happen everywhere.

When Justice Fails Robert J. Norris 2018 Wrongful convictions have become a prominent concern in state and federal systems of justice. As thousands of innocent prisoners have been freed in the United States in the past few decades, social science researchers and legal actors have produced a wealth of new insights about how and why mistakes occur and what can be done to help prevent further injustices. *When Justice Fails* surveys the field of innocence scholarship to offer an overview of the key research, legal, and policy issues associated with wrongful convictions.

Topics include the leading sources of error, the detection and correction of miscarriages of justice, the aftermath of wrongful convictions, and more. The volume includes references to historic and contemporary instances of miscarriages of justice and presents information gleaned from media sources about the cases and related policy issues. The book is ideally suited for use in undergraduate classes which focus on wrongful convictions and the administration of justice. PowerPoint slides are available to professors upon adoption of this book. You can download a sample of the full 139-slide presentation here. If you have adopted the book for a course, contact bhall@cap-press.com to request the PowerPoint slides. "The learning objectives presented in the beginning of each chapter are accomplished through a variety of ways. Importantly, regardless of a student's background, discussions are presented from so many different angles that the material is tailored to all readers. Each chapter starts with a case study, introduces new concepts, discusses the related law, and concludes with presenting policy reforms. The authors not only present the issues related to wrongful convictions but the potential solutions as well." -- Matthew R. Hassett, UNC-Pembroke "I will continue to frequently open this book and read it to make myself a better police officer and to pass on knowledge to do my part in preventing wrongful convictions." -- Earthen McEachen, Senior Capstone student at Curry College in Boston

Miscarriages of justice Poyser, Sam 2018-05-16 Miscarriages of justice occur far more frequently than we realise and have the power to ruin people's lives. It is crucial for criminal justice practitioners to understand them, given significant developments in recent years in law and police codes of practice. This text, part of the Key themes in policing textbook series, is written by three highly experienced authors with expertise in the fields of criminal investigation, forensic psychology and law and provides an up-to-date and comprehensive analysis of miscarriages of justice. They highlight difficulties in defining miscarriages of justice, examine their dimensions, forms, scale and impact and explore key cases and their causes. Discussing informal and formal remedies against miscarriages of justice, such as campaigns and the role of the media and the Court of Appeal and the Criminal Cases Review Commission (CCRC), they highlight criticism of the activities and decision-making of the latter and examine changes to police investigation in this area. Designed to incorporate 'evidence-based policing', each chapter provides questions reflecting on the issues raised in the text and suggestions for further reading.

Wrongful Conviction and Criminal Justice Reform Marvin Zalman 2013-10-30 Wrongful Conviction and Criminal Justice Reform is an important addition to the literature and teaching on innocence reform. This book delves into wrongful convictions studies but expands upon them by offering potential reforms that would alleviate the problem of wrongful convictions in the criminal justice system. Written to be accessible to students, Wrongful Conviction and Criminal Justice Reform is a main text for wrongful convictions courses or a secondary text for more general courses in criminal justice, political science, and law school innocence clinics.

Memory and Miscarriages of Justice Mark L. Howe 2017-08-16 Memory is often the primary evidence in the courtroom, yet unfortunately this evidence may not be fit for purpose. This is because memory is both fallible and malleable; it is possible to forget and also to falsely remember things which never happened. The legal system has been slow to adapt to scientific findings about memory even though such findings have implications for the use of memory as evidence, not only in the case of eyewitness testimony, but also for how jurors, barristers, and judges weigh evidence. Memory and Miscarriages of Justice provides an authoritative look at the role of memory in law and highlights the common misunderstandings surrounding it while bringing the modern scientific understanding of memory to the forefront. Drawing on the latest research, this book examines cases where memory has played a role in miscarriages of justice and makes recommendations from the science of memory to support the future of memory evidence in the legal system. Appealing to undergraduate and postgraduate students of psychology and law, memory experts, and legal professionals, this book provides an insightful and global view of the use of memory within the legal system.

Miscarriages of Justice Sam Poyser 2018

Guilty Until Proven Innocent Jon Robins 2018-05-08 Whenever a miscarriage of justice hits the headlines, it is tempting to dismiss it as an anomaly - a minor hiccup in an otherwise healthy judicial system. Yet the cases of injustice that feature in this book reveal that they are not just minor hiccups, but symptoms of a chronic illness plaguing the British legal system. Massive underfunding, catastrophic failures in policing and shoddy legal representation have all contributed to a deepening crisis - one that the watchdog set up for the very purpose of investigating miscarriages of justice has done precious little to remedy. Indeed, little has changed since the 'bad old days' of the Guildford Four and Birmingham Six. Award winning journalist Jon Robins lifts the lid on Britain's legal scandals and exposes the disturbing complacency that has led to many innocent people being deemed guilty, either in the eyes of the law or in the court of public opinion.

Rethinking Miscarriages of Justice M. Naughton 2007-09-05 Drawing on Foucauldian theory and 'social harm' paradigms, Naughton offers a radical redefinition of miscarriages of justice from a critical perspective. This book uncovers the limits of the entire criminal justice process and challenges the dominant perception that miscarriages of justice are rare and exceptional cases of wrongful imprisonment.

Wrongful Conviction in Canadian Law Gary Botting 2010 "Miscarriages of justice in wrongful conviction happen more often than the criminal court system would like to admit. Awareness of the causes can reduce the overall potential for miscarriage of justice. These causes include: Prosecutorial tunnel vision?, Failure to make full disclosure, Suborned or concocted evidence, Eyewitness misidentification, False confessions, Reliance on in-custody informers, Incompetent experts?, Flawed legal representation. Wrongful Conviction in Canadian Law is the first book to review and analyze recommendations of Commissions of Inquiry into wrongful convictions. Comparative analyses reveal which recommendations have been implemented as policy, passed into legislation, or endorsed by the courts. You'll learn how the authorities could have made or could have avoided such major errors." --Publisher.

When Law Fails Austin Sarat 2009-01-01 Since 1989, there have been over 200 post-conviction DNA exonerations in the United States. On the surface, the release of innocent people from prison could be seen as a victory for the criminal justice system: the wrong person went to jail, but the mistake was fixed and the accused set free. A closer look at miscarriages of justice, however, reveals that such errors are not aberrations but deeply revealing, common features of our legal system. The ten original essays in *When Law Fails* view wrongful convictions not as random mistakes but as organic outcomes of a misshaped larger system that is rife with faulty eyewitness identifications, false confessions, biased juries, and racial discrimination. Distinguished legal thinkers Charles J. Ogletree, Jr., and Austin Sarat have assembled a stellar group of contributors who try to make sense of justice gone wrong and to answer urgent questions. Are miscarriages of justice systemic or symptomatic, or are they mostly idiosyncratic? What are the broader implications of justice gone awry for the ways we think about law? Are there ways of reconceptualizing legal missteps that are particularly useful or illuminating? These instructive essays both address the questions and point the way toward further discussion. *When Law Fails* reveals the dramatic consequences as well as the daily realities of breakdowns in the law's ability to deliver justice swiftly and fairly, and calls on us to look beyond headline-grabbing exonerations to see how failure is embedded in the legal system itself. Once we are able to recognize miscarriages of justice we will be able to begin to fix our broken legal system. Contributors: Douglas A. Berman, Markus D. Dubber, Mary L. Dudziak, Patricia Ewick, Daniel Givelber, Linda Ross Meyer, Charles J. Ogletree, Jr., Austin Sarat, Jonathan Simon, and Robert Weisberg.

The Innocent and the Criminal Justice System Michael Naughton 2013-06-11 *The Innocent and the Criminal Justice System* examines competing perspectives on, and definitions of, miscarriages of justice to tackle these questions and more in this critical sociological examination of innocence and wrongful conviction. This book: - Is the first book of its kind to cover wrong convictions, from definition and causation to the limits of redress -

Provides a wealth of case studies and statistics to apply theoretical discussions of the criminal justice system to real-life situations - Discusses ideas and challenges that are highly relevant to current political and social debates Elegantly written by a leading expert in the field, this book is essential reading for students of criminology, criminal justice and law, looking to understand the workings of the criminal justice system and how it can fail the innocent.

Redressing Miscarriages of Justice: Practice and Procedure in National and International Criminal Law Cases Geert-Jan Knoops 2021-08-30 Professor Knoops' work functions not only as an essential textbook but also as a practical guide for practitioners on the procedural mechanisms available to them after they have exhausted all locally available remedies for redressing miscarriages of justice. Redressing Miscarriages of Justice in (Inter)national Criminal Cases succinctly analyzes techniques and practices before both national courts and international criminal tribunals, attempting to answer such questions as "when is a conviction safe or unsafe" and "when and how to assess and introduce fresh evidence to reopen a criminal case." While addressing, inter alia, the role of human rights protection and forensic sciences in this area, the text develops a legal framework which is instrumental for practitioners dealing with review procedures before domestic courts (U.S., U.K., Canada, the Netherlands) and international criminal tribunals such as the ICTY, ICTR and ICC. Published under the Transnational Publishers imprint.

Compensation for Wrongful Convictions Wojciech Jasiński 2023-03-14 This book presents a comprehensive comparative analysis of the substantive and procedural aspects of compensation for wrongful convictions in European countries and the USA, as well as the standard derived from the case law of the European Court of Human Rights. The collection draws comparative conclusions as to the similarities and differences between selected jurisdictions and assesses the effectiveness of the national compensation schemes. This enables the designing of an optimum model of compensation, offering accessibility and effectiveness to the victims of miscarriages of justice and being acceptable to jurisdictions based on common law, and civil law traditions, as well as inquisitorial and adversarial types of criminal process. Moreover, the discussion of the minimum European standard as established in the case law of the European Court of Human Rights enables readers to identify how the Strasbourg Court can contribute to strengthening the compensation scheme. The book will be essential reading for students, academics and policymakers working in the areas of criminal law and procedure.

The Innocent and the Criminal Justice System Michael Naughton 2013-06-11 The Innocent and the Criminal Justice System examines competing perspectives on, and definitions of, miscarriages of justice to tackle these questions and more in this critical sociological examination of innocence and wrongful conviction. This book: - Is the first book of its kind to cover wrong convictions, from definition and causation to the limits of redress - Provides a wealth of case studies and statistics to apply theoretical discussions of the criminal justice system to real-life situations - Discusses ideas and challenges that are highly relevant to current political and social debates Elegantly written by a leading expert in the field, this book is essential reading for students of criminology, criminal justice and law, looking to understand the workings of the criminal justice system and how it can fail the innocent.

A Miscarriage of Justice Cassia Roth 2020-01-14 A Miscarriage of Justice examines women's reproductive health in relation to legal and medical policy in Rio de Janeiro, Brazil. After the abolition of slavery in 1888 and the onset of republicanism in 1889, women's reproductive capabilities—their ability to conceive and raise future citizens and laborers—became critical to the expansion of the new Brazilian state. Analyzing court cases, law, medical writings, and health data, Cassia Roth argues that the state's approach to women's health in the early twentieth century focused on criminalizing fertility control without improving services or outcomes for women. Ultimately, the increasingly interventionist state fostered a culture of condemnation around poor women's reproduction that extended beyond elite discourses into the popular imagination. By tracing how legal

thought and medical knowledge became cemented into law and clinical practice, how obstetricians, public health officials, and legal practitioners approached fertility control, and how women experienced and negotiated their reproductive lives, *A Miscarriage of Justice* provides a new way of interpreting the intertwined histories of gender, race, reproduction, and the state—and shows how these questions continue to reverberate in debates over reproductive rights and women's health in Brazil today.

Wrongful Conviction C. Ronald Huff 2010-01-15 Imperfections in the criminal justice system have long intrigued the general public and worried scholars and legal practitioners. In *Wrongful Conviction*, criminologists C. Ronald Huff and Martin Killias present an important collection of essays that analyzes cases of injustice across an array of legal systems, with contributors from North America, Europe and Israel. This collection includes a number of well-developed public-policy recommendations intended to reduce the instances of courts punishing innocents. It also offers suggestions for compensating more fairly those who are wrongfully convicted.

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