

Plagues in Our Justice Systems: A Cross-National Analysis of Wrongful Convictions



PRESENTER:

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BACKGROUND: Criminal justice systems depend on their ability to accurately convict the guilty, yet we know wrongful convictions (WC) occur regularly. Comparative scholarship is one of the best ways to analyze causes of wrongful convictions by increasing global cooperation, allowing for procedural and policy change when necessary. The current study considers and compares the causes of wrongful convictions in Canada, the United States (US), the United Kingdom (UK), New Zealand (NZ), and Australia.

METHODS

1. Collected 500 wrongful conviction cases from legal databases, news articles, and Innocence Project resources.
2. Coded the cases according to the contributing cause(s) of the wrongful conviction. After coding, n=440.
3. Results analyzed through Excel.

PRELIMINARY RESULTS

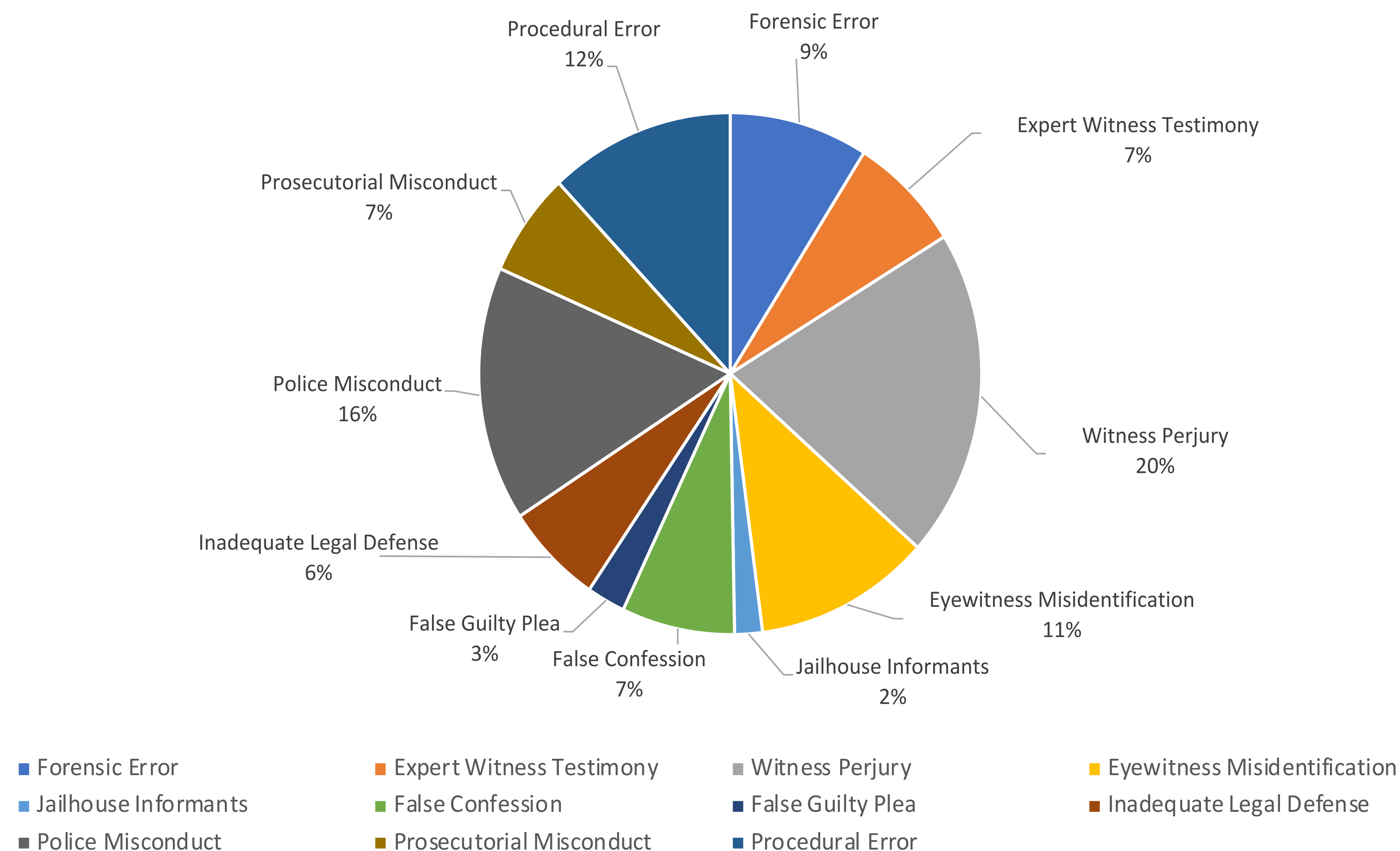
- Witness perjury contributed to the greatest number of wrongful convictions (20%).
- Police misconduct was the second most common cause (16%).
- Procedural error (12%) and eyewitness misidentification (11%) were the third and fourth most common cause.

DISCUSSION

- The main cause(s) of wrongful convictions are different depending on the country.
- This indicates the importance of comparing policy and legal procedure across these countries to determine best practices.

Witness perjury, police misconduct, and procedural errors contributed to the greatest number of wrongful convictions.

Main Causes of Wrongful Convictions in Canada, the US, the UK, New Zealand, and Australia (N=440)



Additional Preliminary Findings and Next Steps

- In Canada, the main cause of wrongful convictions was found to be witness perjury (15%).
- In the US, the main cause of wrongful convictions is witness perjury (28%).
- In the UK, the main causes of wrongful convictions are witness perjury (21%) and police misconduct (21%).
- In Australia, the main cause of wrongful convictions is police misconduct (20%).
- In NZ, the main cause of wrongful convictions is procedural error (41%).
- Statistical tests regarding the significance of results are currently in progress.
- An analysis of public Commissions, Reports, and Inquiries in each of these countries regarding wrongful convictions is currently underway. The goal of this is to determine what, if any, recommendations could be applied to the Canadian justice system to reduce the numbers of wrongful convictions and other miscarriages of justice.

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