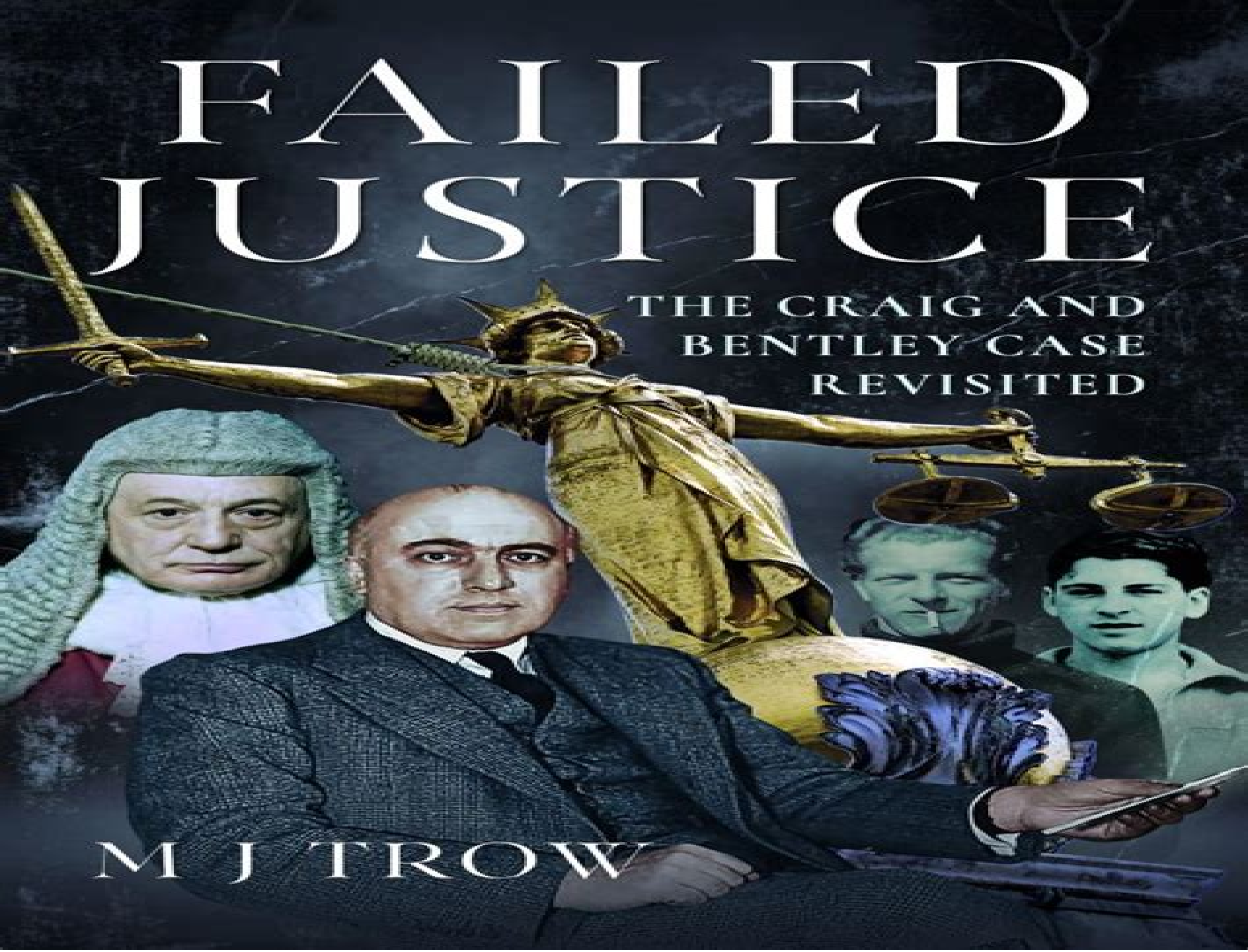


# FAILED JUSTICE

THE CRAIG AND  
BENTLEY CASE  
REVISITED

M J TROW



# Failed Justice

**Catherine Gross**



## **Failed Justice:**

**Failed Justice** M J Trow, 2025-03-30 Uncovers the wrongful conviction of Derek Bentley revealing new evidence that challenges his unjust execution in 1953 On 2 November 1952 two teenagers Derek Bentley and Christopher Craig tried to break into a warehouse in Croydon Surrey The police were called and in the minutes that followed Craig wounded one policeman and shot another dead At 16 Craig was too young to hang but Bentley at 19 was not Even though he had not fired a shot or carried a gun and was under arrest at the time PC Sidney Miles died Bentley was deemed to be guilty of murder The law of joint felonious enterprise was unjust and Bentley had an IQ of 66 the national average is 100 Even so he was hanged at Wandsworth in February 1953 Nearly forty years later PC Claude Pain who was there at the time of the shooting told a different story He was on the warehouse rooftop and saw the whole thing What really hanged Bentley were the words he allegedly used Let him have it Chris And Pain did not hear those words M J Trow s Let Him Have It Chris published in 1990 was based on Pain s new evidence Eight years later the conviction against Bentley was overturned not as a result of police corruption but because of the appallingly partial performance of the trial judge Lord Goddard At the time access to any material relating to the case was denied and only now with the Freedom of Information Act can Pain s testimony be refuted He was not on the roof His original deposition is still in The National Archive This book aims to put the record straight There was indeed a dreadful miscarriage of justice in 1952 one of many before and since and in a way Claude Pain was part of it

**Failing Justice** Craig Alan Smith, 2015-01-24 In the history of the U S Supreme Court Associate Justice Charles Evans Whittaker 1957 1962 merited several distinctions He was the only Missourian and the first native Kansan appointed to the Court He was one of only two justices to have served at both the federal district and appeals court levels before ascending to the Supreme Court And Court historians have routinely rated him a failure as a justice This book is a reconsideration of Justice Whittaker with the twin goals of giving him his due and correcting past misrepresentations of the man and his career Based on primary sources and information from the Whittaker family it demonstrates that Whittaker s life record is definitely not one of inadequacy or failure but rather one of illness and difficulty overcome with great determination Nine appendices document all aspects of Whittaker s career Copious notes a selected bibliography and two indexes complete a work that challenges the historical assessment of this public servant from Missouri

**When Justice Is a Game** MaDonna Maidment, 2021-01-10T00:00:00Z All too often the police do not get the right person Wrongful convictions are framed as mistakes or failures of the justice system However many of the wrongfully convicted are from among the poor and visible minority groups The law then becomes an ideological mask relieving us of the responsibility of engaging with the real issues that underscore wrongful convictions MaDonna Maidment illustrates how the desire to get a conviction and paint the police and the courts in a positive light often means that false evidence and court decisions based on prejudice and racism lead to innocent people being convicted The official version of the law says Maidment despite its claims of impartiality neutrality and

objectivity is a tool of the state and its elite club members designed to maintain the illegitimate domination of society Turning back to the very system that got it wrong in the first place therefore should be a non starter

**Redressing Miscarriages of Justice: Practice and Procedure in (International) Criminal Cases** Geert-Jan Knoops, 2013-06-27

In *Redressing Miscarriages of Justice* 2nd ed Geert Jan Alexander Knoops offers an extensive review of the procedural mechanisms available in different international criminal law systems in order to prevent and redress miscarriages of justice The mechanisms will be illustrated on the basis of the causes of miscarriages of justice Disclosure deficiencies false confessions eyewitness misidentification and fraudulent forensic sciences are all topics that pass in review The new chapter to this 2nd edition gives particular insight from a defence perspective it delves into the issue of challenging and investigating forensic science reports and is illustrated with some vivid case examples The book is essential to everyone studying and challenging wrongful convictions since it combines both procedures and causes

*Fairness and Justice in Environmental Decision Making* Catherine Gross, 2014-01-10 By crossing disciplinary boundaries this book uniquely connects theories of justice with people's lived experience within social conflicts over resource sharing It shows why some conflicts such as local opposition to wind farms and water disputes have become intractable social problems in many countries of the world It shows the power of injustice in generating opposition to decisions The book answers the question why are the results of many government initiatives and policies not accepted by those affected Focusing on two social conflicts over water sharing in Australia to show why fairness and justice are important in decision making the book shows how these conflicts are typical of water sharing and other natural resource conflicts experienced in many countries around the world particularly in the context of climate change It tells the stories of these conflicts from the perspectives of those involved These practically based findings are then related back to ideas and constructs of justice from disciplines such as social psychology political philosophy and jurisprudence With a strong practical focus this book offers readers an opportunity to develop a deep understanding of fairness and justice in environmental decision making It opens up a wealth of fairness and justice ideas for decision makers practitioners and researchers in natural resource management environmental governance community consultation and sustainable development as well as people in government and corporations who interface and consult with communities where natural resources are being used

*Pursuing Justice* Ralph A. Weisheit, Frank Morn, 2025-09-15 *Pursuing Justice* Fourth Edition examines the issue of justice by considering the origins of the idea formal systems of justice current global issues of justice and ways in which justice might be achieved by individuals organizations and the global community Part I demonstrates how the idea of justice has emerged over time starting with religion and philosophy and then to the concept of social justice Part II outlines the very different mechanisms used by various nations for achieving state justice including systems based on common law civil law and Islamic law with a separate discussion of the U S justice system Part III focuses on six contemporary issues of justice war immigration domestic terrorism genocide slavery and the environment Finally Part

IV shows how individuals and organizations can go about pursuing justice and describes the rise of global justice This updated book uses current events and debates to help students understand the complexities and nuances of a society's pursuit of justice It provides students with the foundations of global justice systems integrating Greek philosophies and major religious perspectives into a justice perspective and contributes to undergraduate understanding of international justice bodies NGOs and institutions

**Globalizing Transitional Justice** Ruti G. Teitel, 2014-04-02 Among the most prominent and significant political and legal developments since the end of the Cold War is the proliferation of mechanisms for addressing the complex challenges of transition from authoritarian rule to human rights based democratic constitutionalism particularly with regards to the demands for accountability in relation to conflicts and abuses of the past Whether one thinks of the Middle East South Africa the Balkans Latin America or Cambodia an extraordinary amount of knowledge has been gained and processes instituted through transitional justice No longer a byproduct or afterthought transitional justice is unquestionably the driver of political change In *Globalizing Transitional Justice* Ruti G Teitel provides a collection of her own essays that embody her evolving reflections on the practice and discourse of transitional justice since her book *Transitional Justice* published back in 2000 In this new book Teitel focuses on the ways in which transitional justice concepts have found legal expression especially through human rights law and jurisprudence and international criminal law These essays shed light on some of the difficult choices encountered in the design of transitional justice criminal trials vs amnesties or truth commissions domestic or international processes peace and reconciliation vs accountability and punishment Transitional justice is considered not only in relation to political events and legal developments but also in relation to the broader social and cultural tendencies of our times

*Human and Environmental Justice in Guatemala* Stephen Henighan, Candace Johnson, 2018-10-17 In 1996 the Guatemalan civil war ended with the signing of the Peace Accords facilitated by the United Nations and promoted as a beacon of hope for a country with a history of conflict Twenty years later the new era of political protest in Guatemala is highly complex and contradictory the persistence of colonialism fraught indigenous settler relations political exclusion corruption criminal impunity gendered violence judicial procedures conducted under threat entrenched inequality as well as economic fragility *Human and Environmental Justice in Guatemala* examines the complexities of the quest for justice in Guatemala and the realities of both new forms of resistance and long standing obstacles to the rule of law in the human and environmental realms Written by prominent scholars and activists this book explores high profile trials the activities of foreign mining companies attempts to prosecute war crimes and cultural responses to injustice in literature feminist performance art and the media The challenges to human and environmental capacities for justice are constrained or facilitated by factors that shape culture politics society and the economy The contributors to this volume include Guatemalans such as the human rights activist Helen Mack Chang the environmental journalist Magal Rey Rosa former Guatemalan Attorney General Claudia Paz y Paz as well as widely published Guatemala scholars

**Police Interrogation**

**and American Justice** Richard A. Leo, 2009-09-30 Read him his rights We all recognize this line from cop dramas But what happens afterward In this book Leo sheds light on a little known corner of our criminal justice system the police interrogation An important study of the criminal justice system this book provides interesting answers and raises some unsettling questions

**Adversarial versus Inquisitorial Justice** Peter J. van Koppen, Steven D. Penrod, 2012-12-06 This is the first volume that directly compares the practices of adversarial and inquisitorial systems of law from a psychological perspective It aims at understanding why American and European continental systems differ so much while both systems entertain much support in their communities In the chapters it is demonstrated how the different systems chose different solutions for many of the same problems and how the solutions are related to the typical characteristics of the adversarial and the inquisitorial systems of criminal law Particular emphasis is placed on problems addressed by psychological researchers and practitioners in the two systems Chapters cover topics including police investigative techniques risk assessment the death penalty recovered memories child witnesses line up practices expert witnesses trial procedures and lay versus judge decision making The book is written for advanced audiences in psychology and law

**Institutional Racism and Restorative Justice** Diane Carpenter Emling, 2019-11-27 Invisible intractable and deadly such is the nature of institutional racism But are there mitigating actions that society could take against them Diane Carpenter Emling explores this question in Institutional Racism and Restorative Justice Oppression and Privilege in America Moving beyond the immediate sources and consequences of prejudice racism and inequality to thoroughly assess approaches to restorative justice Emling details America's complex history of racism demonstrating how it becomes embedded in society through land ownership housing education health care employment public services and criminal justice For each of these issues she suggests actions to restore justice But societies don't operate institution by institution and extraordinary changes will be necessary to address systemic racism Directed at college undergraduate students Emling's book offers a valued contribution for teaching courses in African American studies sociology economics politics and American history Written in a comprehensive and accessible style this book offers a much needed perspective in the literature on institutional racism

**Wrongful Convictions and Miscarriages of Justice** C. Ronald Huff, Martin Killias, 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

**Justice Beyond Our Borders** Christina Biebesheimer, Francisco Mejía, 2000 Improving systems of justice in Latin America is important to consolidate democracy and develop equitable and efficient market economies Judicial reform involves strengthening the rule of law and developing a modern and transparent juridical process as well as a system of justice that is impartial independent efficient and accessible to all

William Wayne Justice Frank R. Kemerer, 2008-11-01

In his forty years on the federal bench in Texas William Wayne Justice has been a formidable force for change His rulings have prompted significant institutional reforms in education prisons and racial relations to name only a few areas of society in Texas and beyond that have been affected by Justice s work For his labors Judge Justice has received numerous awards including the Outstanding Federal Trial Judge Award the Thurgood Marshall Award from the Section on Individual Rights and Responsibilities of the American Bar Association and the Morris Dees Justice Award from the University of Alabama School of Law This paperback reprint of William Wayne Justice chronicles his judicial career and the decisions he reached It includes a new epilogue that describes Justice s move to Austin as a judge on senior status yet with a full caseload tracks the long running institutional reform cases to their conclusion and examines the legacy of this remarkable and controversial jurist

**Encyclopedia of DNA and the United States Criminal Justice System** Louis J. Palmer, Jr.,2024-10-17 Forensic DNA analysis was first introduced to the American criminal justice system in the mid 1980s Since then DNA testing has become the leading forensic tool both for obtaining sexual assault criminal convictions and for establishing the innocence of criminal suspects and wrongfully convicted defendants This encyclopedia provides straightforward information on the role of DNA in the American courts Entries explain the relationship of forensic DNA analysis to microbiology population genetics statistics and the legal rules of the admissibility of scientific evidence Full texts preceded by summaries are presented of all the statutes created by the states and the federal government that address the forensic use of DNA analysis and the edited text of judicial case opinions that address specific DNA issues There are many entries on organizations that use DNA testing to free wrongly convicted defendants and on individuals who were released from prison many from death row after DNA tests proved their innocence

**Justice and Diplomacy** Mark S. Ellis,Yves Doutriaux,Timothy W. Ryback,2018-03-08 Provides case studies of the intersection of diplomacy and transitional judicial processes during humanitarian crises in Rwanda Bosnia Kosovo Darfur and Libya

**False Justice** Jim Petro,Nancy 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

**Encyclopedia of American Civil Liberties** Paul Finkelman,2013-11-07 This Encyclopedia on American history and law is the first devoted to examining the issues of civil liberties and their relevance to major current events while providing a historical context and a philosophical discussion

of the evolution of civil liberties Coverage includes the traditional civil liberties freedom of speech press religion assembly and petition In addition it also covers concerns such as privacy the rights of the accused and national security Alphabetically organized for ease of access the articles range in length from 250 words for a brief biography to 5 000 words for in depth analyses Entries are organized around the following themes organizations and government bodies legislation and legislative action statutes and acts historical overviews biographies cases themes issues concepts and events The Encyclopedia of American Civil Liberties is an essential reference for students and researchers as well as for the general reader to help better understand the world we live in today      **Courts** Cassia Spohn,Craig Hemmens,2011-11-09 Authored text sections and carefully selected accompanying readings that illustrate the questions and controversies legal scholars and court researchers are investigating in the 21st century Edited readings introduce students to classic studies of the criminal court system and to cutting edge research on decision making by court actors An introduction to each reading gives students an overview of the purpose main points and conclusion of each article and evaluates their policy implications How to Read a Research Article tied to the first reading in the book guides students in understanding and learning from the research articles Mini chapters precede the selection of readings and offer clear and concise explanations of key terms and concepts in each section coupled with boxes with special interest topics and review materials that enhance student comprehension      In Doubt Dan Simon,2012-06-30 Criminal justice is unavoidably human Detectives witnesses suspects and victims shape investigations prosecutors defense attorneys jurors and judges affect the outcome of adjudication Simon shows how flawed investigations produce erroneous evidence and why well meaning juries send innocent people to prison and set the guilty free



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