

# Book Review

*Naughton, M. (2013) The Innocent and the Criminal Justice System: A sociological analysis of miscarriages of justice. Palgrave Macmillan.*

From a lay perspective and understanding of the CJS this book is somewhat disturbing and unsettling because it removes the mask of certainty that our system is not only fair and just but that it is morally right and correct.

The notion of a system that contrives and connives to frustrate the quest for a truth that lay people assume is at the heart of the system, 'the best in the world', is indeed a worry and knowledge of this unnerving. Of course, only the naive who have never had contact with the CJS would blindly enjoy the mistaken comfort of this false discourse, something that this book successfully explodes as a myth.

For this reason, this publication and/or its author may well be vilified and scorned in order to maintain the status quo. These writings are akin to the realisation that Father Christmas does not exist. Any manmade entity or system of course has inherent human flaws, but faults once recognised can and should be rectified. A failure to do so could indicate incompetence, unwillingness or, at worse, contempt for those that seek to highlight failures in the system. To the intransigent, trouble shooters are oft viewed as trouble makers!

After all, criminals even those 'getting away with it' are generally from the lower classes not the ruling élite who make and frame legislation. And, those that can bring about change are employed by the very same system, a system that from the very outset of legal understanding is/was put in place to protect the élite from the under classes from whom they profit.

The engineering mirror employed is both simple to understand and difficult to repudiate. It reveals the possibilities for redress and the beneficial outcome for society as a whole. Being published in the wake of scandals that have shaken public confidence such as the News of the World phone hacking outrage, police corruption and bribery, parliamentary expenses fiddles and, more globally, the banking fiasco, these writings may not send out the shock waves that is deserved. Having been drip-fed a stream of unsettling revelations, the public may well be inured by further undermining of their core beliefs and may be, unsurprisingly bludgeoned into a torpor of resignation: "what can anyone do about it, they are all the same"; "it doesn't matter what you say or think or who you vote for they are all the same".

This apathy is understandable until something goes wrong in your life. Like with most things in life we are content to be ignorant of matters that don't concern us, but when we are caught up in the machinery of the state whether as a result of being accused of crime or of experiencing, for instance, the labyrinth of the benefit or care system we then start to show an interest and, no doubt, sooner rather than later, outrage. We come up against unimaginable hurdles and obstacles and of course a system that

operates via contradictory rules and regulations giving rise to the phrase "computer says no!"

The thwarted efforts of those seeking a fair trial, appeal, retrial and compensation for redress and hurt caused by the CJS are stymied by the very system that put them in the shit in the first place. Why wait for a crisis before addressing errors? If it ain't broke, don't fix it! But it IS broke, so get on and fix it. Be honest as a society and treat victims with compassion and help restore lost dignity and status so that those harmed by the CJS can become useful and contributing members of society. This book has the ability to provide the momentum to secure meaningful change but does the system have the honour, grace and integrity to accept this challenge?

*Aneurin Morgan Lewis*