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Rethinking Miscarriages of Justice—Beyond the Tip of the Iceberg

Arguing that the criminal justice process itself causes miscarriages of justice, and can prevent the overturning of convictions, Naughton interprets error as the norm - a mundane feature that is an inbuilt part of the legal system. Further, by redefining the term 'miscarriage of justice' he shows how it can be applied to thousands of cases per year.

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Dr Naughton is a Lecturer in Sociology and Law at the University of Bristol and Founder of the University of Bristol Innocence Project and the Innocence Network UK. This new paperback edition, with a new foreword by Jonathan Simon (University of California, Berkeley) is available from Amazon.co.uk. In this highly provocative and fascinating study, Michael Naughton radically re-assesses the notion of miscarriages of justice.

— Rethinking Miscarriages of Justice — by Dr Michael Naughton

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Hall (1994) suggests that what we define as a miscarriage of justice may also depend upon how we define the term "justice", highlighting that where the state seeks to sanction an individual, the...

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Introduction. 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 justices are rare and exceptional cases of wrongful imprisonment.

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