

# When the Law Fails

The purpose of this assignment is to give students an opportunity to examine several case studies of wrongful convictions in Canadian legal history. In particular, students will work in groups to study a particular case of wrongful conviction, note reasons for the failure of the justice system in that case and draw conclusions about such failures, and, finally, make recommendations about how such failings can be corrected in the future.

## WHAT TO DO:

1. Students will analyze the following cases of wrongful conviction:
  - David Milgaard
  - Donald Marshall
  - Guy Paul Morin
  - Stephen Truscott
  - Thomas Sophonow
  - James Driskell
  - Romeo Phillion
2. Using the resources listed below, research your case. Using the chart attached, record all pertinent information pertaining to your case.
3. Be prepared to; present your findings to the class. Be sure to do the following:
  - Present a comprehensive overview of the major facts of the case
  - Explain, in your view, the major reasons why justice failed in this case

## RESOURCES:

The following will prove useful as you research your cases:

- CBC News in Review (available at the WCI Library)
- CBC News has an excellent website devoted to wrongful convictions in Canada. Go to:
  - [CBC News Indepth: Wrongfully Convicted](#)
  - See also: [The Wrongful Conviction of David Milgaard - People - CBC Archives](#)
  - [Wrongful Convictions in Canada](#)
  - [Wrongful Convictions in the Criminal Justice System \(BP285e\)](#)
  - [Mapleleafweb.com: The Steven Truscott Case - Wrongful Convictions in Canada](#)
  - [CBC the fifth estate: The Steven Truscott Story](#)

**Be sure as well to google your case to find additional information.**

1. Identify the major facts of the case (Who/what/when/where/why):

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2. Identify the types of evidence used to convict:

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3. What were the major factors that led to the conviction?

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4. What errors were made by the courts, the juries or the lawyers which led to the conviction?

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5. Based on your research, what were the major reasons for the wrongful conviction in this case?

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6. How might the justice system be improved to prevent such an injustice in the future?

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