

Editorial ? Innocence is important in our system

In the great scheme of things, it's not going to attract a lot of attention.

Indeed, we think it would be a safe bet that most of you don't know that tomorrow (Oct. 2) is Wrongful Conviction Day. Caledon councillors passed a proclamation to that effect at their meeting this week.

This was at the request of the Association in Defence of the Wrongly Convicted (AIDWYC).

As the name implies, AIDWYC is a Canadian, non-profit organization with a mandate is to identify, advocate for and exonerate people who have been convicted of crimes they did not commit and to prevent wrongful convictions through legal education and reform.

We all like to think of Canada as a just society, where the rule of law is paramount and the rights of those accused of crimes are protected. Indeed, we often hear complaints that the accused have too many rights, at the expense of the victims.

But no matter who has how many rights, it is a sad, and even frightening fact that our system, for want of a better term, sometimes blows it. And no matter how noble the intentions are of those who make the mistakes, or how honourable they might be, such incidents harm those who are wrongly convicted, as well as those close to them. They also harm the victims. No victim of crime ever benefits when they lock up the wrong guy.

As well, council's motion made the point that wrongful convictions result in questions about the integrity and fairness of the criminal justice system, undermining trust in that system.

Does it happen often? Alas, we have no way of knowing for sure. There have been a couple of well-publicized cases. Names like Robert Baltovich, David Milgaard and Guy Paul Morin spring to mind. All three of these men were convicted of murder, and all three of those convictions were subsequently thrown out. And the worrisome thing is these are cases we found out about.

There are, of course, cases when everyone knows the right person has been found and sent away.

On the other hand, people were pretty sure some 55 years ago that they got the right guy when 14-year-old Steven Truscott was sentenced to hang for the murder of Lynne Harper. He was acquitted by the Ontario Court of Appeal in 2007.

Fortunately, we live in a country that no longer puts criminals to death, but there's still the question of how many innocents went to the gallows.

Canadian statesman Thomas D'Arcy McGee was assassinated in 1868, and Patrick James Whelan was hanged the following year for the act. There is considerable evidence that an innocent man was executed.

The system we have here in Canada is a pretty good one. Indeed, we think most people would have a very hard time coming up with something better. But it is certainly not perfect, which means all of us have an obligation to push for improvement.

Even if cases of wrongful conviction are rare, they still happen, who knows who the next person will be to endure something like that.

Most of us meet the basic qualification, namely innocence.