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## *COMPENSATION FOR MISCARRIAGES OF JUSTICE.*

The case of the unfortunate Adolph Beck who, though innocent, was compelled to serve a lengthy term of penal servitude is now almost "ancient history" in the rapid rush of events in this busy twentieth century. His case will go down to history as one that has brought great discredit upon the administration of justice in England. It is said that this miscarriage of justice arose from two causes—the incorrect ruling of the judge who tried the case; and the failure of the Home Office, on review, to appreciate, and so to remedy the state of affairs that ensued.

The report of the Committee of Enquiry, consisting of the Master of the Rolls, Sir Spencer Walpole and Sir John Edge, shews that there was such gross injustice to the accused and such a display of red tape-ism and careless indifference in the Home Office as to be almost incredible. This report, which seems to evince a desire to excuse the judge, nevertheless contains the following damning sentence: "He was convicted on evidence from which everything that told or might be thought to tell in his favour was excluded." Such an accusation needs no comment. The subsequent proceedings in the Home Office were equally discreditable and tell their tale of criminal carelessness and incompetence.

We only refer, however, to this matter at present in its connection with the subject of compensation by the State. In England persons who have been wrongfully convicted or imprisoned have no such claim. At the common law neither the person who is unjustly accused or one who is wrongfully convicted or imprisoned is entitled to compensation by the Crown, and there is no legislation on the subject. The report in this case has however had the good effect of inducing the Government to introduce a Bill to amend the Crown Cases Act as to reserving questions of law for appeal, and as to the ordering a re-trial under certain circumstances.