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The Social Consequences of Wrongful Convictions

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ABSTRACT

When someone is found guilty of a crime, the court considers three key factors when deciding the punishment: retribution, deterrence, and rehabilitation. However, wrongful convictions are not a new concept they have been increasingly recently in various jurisdictions. The concept of wrongful convictions can also be referred to as "miscarriages of justice" and these are caused not only by inefficiencies on the part of the government but also by the lack of responsibility on part of the public. Article 21 of the Constitution in India guarantees that people cannot be deprived of their lives or liberty without due process of law . However, when a miscarriage of justice occurs, the Constitution's purpose is defeated, and question is raised on the credibility of the procedure and the justice system. These wrongful convictions not just cause immense harm to the person convicted, but they also cause deep emotional pain to their family and friends. The criminal justice system and the procedures involved can be an intimidating and frightening experience for the parties involved and in cases when the accused is innocent that may end up affecting his loved, mainly if they are of the belief that the person is innocent. It becomes important to recognize that wrongful convictions have long-lasting adverse effects, and we must strive to prevent them from occurring by ensuring that justice is served fairly and equitably.

At the end it becomes essential to restore the public's confidence in the legal system by making sure that the justice is served, and the innocent is protected of all the rights that have been guaranteed to him under the constitution.

***Keywords**: Wrongful conviction, Miscarriage of justice, Article 21 of Indian Constitution, Psychological factor.*

I. INTRODUCTION

A question that needs to be addressed and understood is what exactly is wrongful conviction? This concept has been gaining certain attention over period, and it can be established that this miscarriage of justice system take place when people misuse the right, they have been given under the law to just make sure the other party suffers, or the other party undergoes the legal procedure. The concept of an innocent person could be punished for a crime they didn't commit

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is a terrifying thought. Currently, it's more important to understand the causes and consequences of wrongful convictions.

Our Indian justice system is structured so that the guilty are punished and face the consequences of their actions, and the innocent are saved and protected from any kind of miscarriage of justice.

A conviction may be classified as wrongful for two reasons:

1. The person convicted is factually innocent of the charges.
2. There were procedural errors that violated the sentenced person's rights.[2]

When an innocent individual is erroneously found guilty of a crime they did not commit, such convictions not only damage the individual but also negatively impact the society. When an innocent person is convicted, it undermines the fairness and accuracy of the justice system. It raises questions about whether the procedures were conducted properly and accurately. This failure in the procedure leads to questioning the justice system's credibility, ultimately leading to a loss of trust in the system by the public.

Moreover, wrongful convictions can have severe consequences for the accused. They can result in the loss of one's life and liberty, guaranteed under Article 21 of the Constitution. In many cases, innocent people have been sentenced to death or life imprisonment due to wrongful convictions. This not only takes away their freedom but also has a long-lasting impact on their lives.

II. CAUSES OF WRONGFUL CONVICTION

In our justice system, wrongful convictions can cause significant harm to innocent people. Therefore, it's essential to understand the various factors that can lead to such miscarriages of justice. False confessions, official misconduct, flawed forensic science, false accusations, inadequate defense, faulty forensic evidence, ineffective lawyers, eyewitness misidentification, perjury, and witness tampering are some of the most common causes of wrongful convictions. It's essential to identify these issues and develop strategies to prevent them.

Furthermore, it's crucial to ensure that victims of wrongful convictions receive appropriate compensation and support to help them cope with the trauma. Compensation should not only be limited to financial aid; emotional support and other assistance can also be provided to help them move forward. The trauma caused by wrongful convictions can have a significant impact

[2] *https://nij.ojp.gov/topics/justice-system-reform/wrongful-convictions*

not just on the person who has been wrongfully convicted but also on their families.

It's also important to note that wrongful convictions can sometimes occur due to false complaints made by alleged victims or their family members. In such instances, it's crucial to hold the person making false complaints accountable and punish them accordingly. Filing a complaint against an innocent person is a serious matter, as it can cause them to lose their identity, job, and reputation in society. They may even face imprisonment and a prison sentence. Therefore, it's crucial to ensure that the person accused of a crime is proven guilty before any action is taken.

Thorough investigations prevent wrongful convictions and protect innocent individuals from losing their livelihoods, reputation, and freedom. Hastily acting solely on a complaint without proper investigation can risk punishing an innocent person and undermine the justice system's fairness and integrity. It's critical to gather all evidence, interview all parties involved, and thoroughly examine the facts before making decisions that can have severe consequences.

For instance, in the case of the Central Park Five, five teenagers were wrongfully convicted of rape and assault due to a rush to judgment and a lack of thorough investigation. It was later discovered that the confessions were coerced, and DNA evidence proved their innocence. Similarly, in the case of Cameron Todd Willingham, a man was executed for a house fire that was later determined to be accidental. These cases are stark reminders of the consequences of not conducting proper investigations before accusing and convicting individuals.

Ensuring justice is served and preventing innocent individuals from being wrongly punished is crucial. By thoroughly investigating all evidence and allowing all parties involved to present their case, we can protect victims from being taken advantage of. Convicting innocent individuals not only results in the injustice of punishing the wrong person, but it also perpetuates a system that fails to uphold the principles of fairness and integrity. It erodes trust in the criminal justice system and can cause irreparable harm to the lives of those who have been wrongfully accused and convicted. Therefore, it is imperative that we prioritize ethical considerations and ensure that thorough investigations are conducted to prevent such miscarriages of justice.

III. CONSEQUENCES OF WRONGFUL CONVICTION

A wrongful conviction sometimes leas to the perpetrator being released and causing harm. When accusations are false, it can result in loss of job, respect, and reputation in the society. There are many such instances where the woman has filed false rape complaints, which can be incredibly damaging to a person’s reputation and life, and not just hampering the persons peace

but also leading to destroy his family because such false accusations made. The main impact of such false accusations makes in doubting every single complaint that has been filed in the name of 'Rape', no doubt the Indian police take immediate action, in starting the investigation but sometimes the victim can tamper such evidence and make the entire situation look like such case has been occurred.

'Given an instance of a case, where the man is accused of rape where the intercourse has taken place with both the parties consent but later the women out of some reason files a complaint against the man on the grounds of rape in such cases when the investigation takes place, and a rape kit test is done it would be shown that there is some kind of action happened, but the fact of such intercourse has happened with the consent of two remains hidden by such report and the complaint made by the women.

During the rape kit test it must be clearly determined whether there has been a forceful entry or any kind of struggle taken place, all the procedure must be followed thoroughly to make sure such kind of miscarriage of procedure doesn't take place and the innocent is not punished for the crime he has not committed.'

For the statistic purpose regarding how many such false rape cases have taken place are mentioned below, the reference for the same is in the NCRB report[3].

Table 1

Sl.No	Crime Head	Cases ended as final report false	Cases ended as mistake of fact or of law or civil dispute
1.	Murder with Rape/ gang Rape	2	4
2.	Rape	4340	1130

These above-mentioned crimes in the Table 1 are completely related to Police disposal of crime against women (Crime Head wise) – 2022 [4]

When someone is falsely accused, they are forced to go through legal proceedings, and

[3] *https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1701607577CrimeinIndia2022Book1.pdf*
[4] Refer Table 3A.5, pg. 231 of the Crime in India statistics 2022, volume 1

sometimes, they are detained due to incorrect judgments or statements from false witnesses. In some cases, there are circumstances that arise where it is found that the witnesses are coerced or threatened into making such false statements. Situations like these can have a significant impact on the innocent person's mental health, and in some instances, they may seek revenge since their image and reputation have been ruined.

In our justice system, it is not uncommon for innocent people to be wrongly convicted of crimes they did not commit. Sometimes, it may take several years before the case is reopened and the truth comes to light. It is a heartbreaking reality that many individuals have been punished for crimes they have never committed simply because the evidence or witness statements were irrelevant or false. The consequences of being falsely accused and incarcerated can be devastating, leading to long- lasting psychological effects that can affect a person's mental health indefinitely. Those who have been wrongfully convicted may experience anxiety, depression, and post-traumatic stress disorder. It becomes very difficult for the person who has been wrongfully convicted to get to normalcy as all things that he needs and requires to survive in the society has been snatched away due to this mark on his life.

It becomes an important aspect to provide proper support and mental health resources to individuals who have been wrongfully convicted. This support can help them rebuild their lives and recover from the injustices they have faced. It is also crucial for the justice system to monitor these factors closely and ensure that the judicial process is fair and impartial. By doing so, we can protect the rights of innocent people and promote justice for all.

To achieve this, we must continue to evaluate and improve the justice system. This includes ensuring that police investigations are thorough and impartial, that prosecutors are held to the highest ethical standards, and that judges are fair and unbiased. Additionally, we must prioritize using evidence-based practices, such as DNA testing, to ensure that the right person is held accountable for their actions even though such mechanism is in practice it becomes even more important to make sure that whatever procedure is being done it is accurate and proper.

IV. CONCLUSION

The Indian legal system for wrongful prosecution is complex and has been the subject of controversy. The right to a fair trial is a fundamental aspect of the justice system, as enshrined in Article 21 of the Indian Constitution, which guarantees that nobody can be deprived of their life or personal liberty without following lawful procedures. This includes the right to a fair and unbiased trial, where the accused can defend themselves and evidence is assessed objectively.

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The interpretation of Article 21 by the Apex Court in Maneka Gandhi v. UOI[5] is essential, stating that the procedure must be "right, just, and fair" and not "arbitrary, fanciful, or oppressive." This interpretation serves as the basis for subsequent rulings regarding compensation for victims.

It is worth noting that malicious prosecution violates both Article 22 (Protection against illegal imprisonment) and Article 21 (Right to life and personal liberty) of the Indian Constitution. Public interest litigation emerged as a new tool for seeking justice in the early 1980s, allowing individuals and organizations to file cases on behalf of marginalized or disadvantaged people.

Therefore, it is crucial for the Indian legal system to ensure a fair trial in all cases. Justice, fairness, and impartiality must be maintained to uphold the rule of law and protect the rights of all citizens, irrespective of their backgrounds.

Preventing wrongful convictions requires us to learn from past mistakes and take steps to ensure they do not happen again. This could include improving police training, enhancing the use of forensic science, and implementing reforms in the criminal justice system. By doing so, we can create a society that values justice, equity, and compassion, where the rights of all individuals are respected and protected.

By concluding that these wrongful convictions completely change the entire life of that person, and it changes the person himself, giving reference to a case that took place in the year ‘1998’, case of Aamir who was put in jail wrongfully accused of being a terrorist, and he was kept in the custody for 14 years without being given bail. Cases of being wrongfully convicted is not just restricted to being under rape or murder but sometimes it also becomes a case of terrorism and political crime. When such accusations are made the person who is innocent goes through mental and physical torture, these kind of torture’s leads to completely traumatizing a person.

Lastly would like to mention that the concept and rule of stating “a person is innocent until proven guilty” must prevail and has to be adhered to so that no innocent suffers and the victim gets proper justice.

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[5] AIR 1978 SC 597

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