

Social Psychology

with Professor Caroline Erentzen

Talking points

Knowledge

1. Based on estimates, what percentage of serious offences result in convicting an innocent person?
2. On average, how long does it take for a person to be exonerated?

Comprehension

3. Why might wrongful convictions be higher than we know?
4. What are some of the factors that can cause wrongful convictions?
5. How is Caroline using members of the public as part of her research, and why?

Application

6. How do you think psychology applies to the law and justice systems?

Analysis

7. Why does risk perception affect the justice system?
8. What is the problem with offence-based stigma?

Evaluation

9. What are two reforms that Caroline is campaigning for, and what effects do you think these would have?

Creativity

10. Caroline mentions the role that stigma and stereotyping plays in wrongful convictions. What do you think could be done to reduce this? How do you think we can reduce prejudice and bias in jury members?

Activity

Create a mock trial in your classroom, based on the scenario that someone has been accused of shoplifting. There is no CCTV, and so the case is based on the claim of the accuser (the shopkeeper), the testimony of the defendant (the accused shoplifter), and any eyewitnesses.

As a group, come up with the main ideas of the crime and the situation that took place. Choose two people to represent the defendant and accuser, and allocate the rest of the group to swap between being lawyers and members of the jury.

Run the trial twice. During the first run, the defendant's budget means that they can only afford one lawyer, and the lawyer only has 5 minutes to prepare. The prosecuting team has a much higher budget and can afford five prosecutors who each get 15 minutes to prepare.

Choose one person from your classroom to act as the defence lawyer and five people to act as the prosecutors. The rest of the class get to be the jury. Run the trial, allowing each of the prosecuting lawyers, and the one defence lawyer, time to make statements outlining their key points. They should then take turns to examine and cross examine the accuser and defendant, and give closing speeches. What does the jury decide?

Afterwards, run the trial again, but this time the defendant has substantially more money to fund their trial. This means that they can afford the same number of lawyers as the prosecution, and these lawyers can all have 15 minutes to prepare as well. What defence can these lawyers come up with if they have more time and resources? With a more equal and balanced trial, what does the jury decide?

Reflect on the impact that money played in the mock trial and what role it might play in wrongful convictions. How do you think this influenced the result? What impact would equal funding for defence and prosecution have had on the final verdict?

More resources

- Read through the stories from Innocence Canada about exonerations: innocencecanada.com
- There is a Canadian registry of wrongful convictions produced by volunteer researchers: wrongfulconvictions.ca