Reply2

Thank you for a thought-provoking post.

In *Woolmington v DPP [1935*], the pr*esumption of innocence* principle was reinforced by the court when the appeal went through, and the conviction quashed on the ground that the burden of proof lied with the prosecution and that the defendant should be presumed innocent throughout the trial. Judge Viscount Sankey reasoned that the innocence of the accused person could only be overturned by the prosecution prove beyond a reasonable doubt that the defendant is guilt[[1]](#footnote-1). In essence, any iota of doubt cast by evidence from the prosecution or defense side would mean acquittal of the accused.

The innocence of the defendant, regardless of how strong the evidence against him or her is, must be upheld until the trial is completed and case determined[[2]](#footnote-2). The issue of whether the evidence is strong and sufficient or not is subject to the court’s interpretation. The presumption of innocence is a fundamental principle of law that protects the conventional rights of the defendant during trial[[3]](#footnote-3). In a nutshell, the operation of the presumption of innocence simply implies the burden of proof is on the prosecution.

1. Woolmington v DPP [1935] UKHL 1. [↑](#footnote-ref-1)
2. Article 11 of the UN's Universal Declaration of Human Rights [↑](#footnote-ref-2)
3. International Covenant on Civil and Political Rights, art. 14, paragraph 2. [↑](#footnote-ref-3)