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Book Reviews

Flynn Asher and Fitz-Gibbon Kate (2013) *A Second Chance for Justice: The Prosecutions of Gabe Watson for the Death of Tina Thomas*. Newcastle Upon Tyne, UK: Cambridge Scholars Publishing.

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This book chronicles a nine-year journey for justice involving two continents, two justice systems, two families, and two people: Gabe Watson and Tina (Thomas) Watson. As the book details, on 22 October 2003, on the fifth day of their honeymoon, Tina and Gabe, both United States (US) citizens, embarked on a SCUBA dive to view the wreckage of the *Yongala* on Australia's Great Barrier Reef. Within seven minutes Gabe had returned to the surface without Tina and, just minutes later, Tina was found lying still at the bottom of the ocean floor by a dive instructor who brought her lifeless body to the surface. Tragically, Tina Thomas Watson was pronounced dead just 11 days after her wedding.

Although the book begins with this tragic event, the real focus is about what happened over the ensuing nine years. In their carefully crafted examination of the *Watson* case (popularly known as the 'Honeymoon Killer' case), Flynn and Fitz-Gibbon painstakingly detail the complex legal and criminal justice processes involved in investigating, prosecuting, and adjudicating the case across two nations and, particularly, the weaknesses and failures of these processes. Significantly, it was not until 2008, five years after Tina's death, that Gabe Watson was charged with murder in Queensland, Australia. In 2009, he accepted a bargain to plead guilty to a charge of manslaughter by criminal negligence. Then, in 2010, Watson was charged with capital murder in the US state of Alabama, creating the potential for a 'second chance at justice'. In 2012, following a bench trial held nine years after the fateful dive, a judge acquitted Gabe of all charges.

A Second Chance for Justice reports on the impressive and extensive comparative social science research about the case conducted by Flynn and Fitz-Gibbon, including courtroom observations and in-depth interviews with key investigators, prosecutors, attorneys and family members in both Australia and the US. While Flynn and Fitz-Gibbon acknowledge that a small number of key players are missing from their interviews, a central theme of the book is the fact that both justice and 'the truth' must be constructed out of available information, which is inevitably limited and partial.

A Second Chance for Justice is smartly written, thoroughly researched, and incredibly compelling; indeed, it often reads like a murder mystery set on the Great Barrier Reef. Flynn and Fitz-Gibbon provide remarkably rich detail and skillfully unfold the evidence so that the reader discovers the facts bit by bit, just as the facts must have been slowly revealed to investigators and courtroom players. Perhaps most amazing – and most disturbing – is the fact that a significant portion of the evidence contained in the book was never heard in a court of law, despite its powerful relevance to the case.

A central question of the book is whether justice was served in the *Watson* case. Flynn and Fitz-Gibbon primarily employ a procedural justice framework and argue that 'it is the process of getting to the outcome, as opposed to the outcome alone, that is the key determinant of justice'. Using this metric and based upon their research and interviews with key actors, they argue that the case was characterized by numerous failures of procedural justice and lack of closure that ultimately undermined the realization of justice for many of those directly involved in the case. Despite a nine-year legal process that spanned two continents, Flynn and Fitz-Gibbon emphasize that no jury trial occurred in the *Watson* case and, thus, there was no forum for the 'full evidence' to be heard. As a consequence, they argue that substantive justice – or 'felt justice' – was also lacking, given the lack of finality and resolution that accompanied the legal conclusion of the case.

A Second Chance for Justice makes a valuable contribution to the fields of legal studies, criminology and criminal justice, sociology of law, and public law. The book starkly reveals that the facts of a case are not nearly as important as 'which facts can be heard when'. The book highlights the critical, though imperfect, role of juries for creating a sense of fairness and community input, as well as the role of experts and politics in legal decision-making. Additionally, *A Second Chance for Justice* details the significant power of routine investigative, prosecutorial, and judicial decisions in shaping how, when, and whether to move a case through the legal process to resolution. As the authors repeatedly illustrate, limited financial resources are frequently key determinants of justice in both Australia and the US and resource constraints are even more profound when a case must be considered by multiple agencies across international borders.

In addition to their careful analysis of the legal structures and financial constraints that shaped the justice process in the *Watson* case, the authors do an excellent job of interrogating the role of particular personalities in shaping how justice was (or was not) realized. The case of the 'Honeymoon Killer' featured a range of charismatic characters, such as Tina's dynamic and unrelenting father Tommy, as well as unsympathetic characters including Gabe Watson, whose constantly changing story and lack of visible displays of grief tended to further heighten suspicions. The rich descriptions of the people involved add invaluable texture to the book and heighten its readability for both experts and for a more general audience.

Because the book does such an excellent job of featuring many stages of the legal process within the context of a compelling real-life narrative, it is an ideal text for use in classes that focus on legal and court processes, discretionary decision-making, evidentiary standards, and the concept of justice. It will also be of great value to those interested in comparative criminology and international justice challenges.

In *A Second Chance for Justice*, Flynn and Fitz-Gibbon eloquently reveal how lives are changed forever by the shortcomings of legal processes. There are simply no 'winners' in this story. The case demonstrates how elements of ordinary justice in the US and Australia – such as limited funds for investigations, the prevalence of plea bargains and bench trials, and prolonged delays – can result in injustice, particularly in the case of international trials which pose unique challenges at every step. An important theme of the book is that time is no friend to justice; indeed, when the pursuit of justice is delayed, memories fade, witnesses and evidence disappear, and even the most powerful moral outrage diminishes, making a 'second chance at justice' virtually impossible.

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