

THE ENGLISH LEGAL SYSTEM. By R. J. WALKER, (6th Edition). [London: Butterworths. 1985. li + 709 pp. Hardcover: £28.00, Softcover: £16.95]

THIS is not a new work, and many readers may be familiar with it. Basically, Walker and Walker provides a capsule view of the English legal system conveniently located between the covers of one book. Considering the scope of this work, one might expect that a certain amount of simplification would be necessary. However, the author has managed to cram in an enormous amount of detail and for superficial research the book is entirely adequate. Of course, a serious researcher may have to look elsewhere as well, but this can be said of most text books. The value of the work lies in its convenience. It provides a handy reference to most aspects of the English legal system. The footnotes are generally excellent and form a more than adequate base upon which to commence further research.

Of course the utility of any book dealing with the English legal system is limited in the Singapore context. While our system is very broadly based upon that of England's, there are too many differences of detail between the systems to make a text book on the English system really relevant in Singapore. The work is broadly divided into six parts: the historical sources of English law, the legal and literary sources of English law, the administration of justice, civil procedure, criminal procedure and an outline of the law of evidence. Of these only three can be considered of more than academic interest, i.e., the parts dealing with the sources of English law (Parts I & II) and civil procedure (Part IV).

The most useful portion is Part I, which discusses the historical sources of English law. Chapters 1 and 2 deal with the origins of the common law and equity. While this is not essential reading for a Singapore lawyer, it is nevertheless interesting and relevant in the light of the reception of English common law and equity effected by virtue of the Second Charter of Justice¹. A knowledge of the roots of the com-

⁶ A second edition of the book has become available immediately prior to the printing of this Review.

¹ See the interpretation placed on the Charter by the Court in *Reg. v. Willans* (1858)3 Ky. 16 (Court of Judicature of Prince of Wales Island, Singapore and Malacca) per Sir Peter Benson Maxwell R.

mon law and equity will broaden the Singapore lawyer's understanding of our system. Part II deals with the legal and literary sources of English law. Legislation is described in Chapter 5. While our legislative system is based on that of England, there are differences in detail, principally due to the fact that we have a unicameral rather than a bicameral legislature. The discussion, while interesting, is of limited utility. The same can be said of Chapters 6 and 7, which deal with law reports, the doctrine of precedent, and the authority of text books.

Part IV covers civil procedure. Our Rules of the Supreme Court 1970 are an almost exact copy of the U.K. Rules of the Supreme Court and so any discussion of English civil procedure is valuable. This is all the more so in view of the fact that the author is a Queen's Counsel and speaks from knowledge. Having said that, the discussion is of course limited to providing a general overview of the subject. This is valuable from the point of view of providing the reader with a general perspective of the subject. Those requiring nitty-gritty detail will of course consult the "White Book".

Of the other parts, all are interesting but of limited relevance to Singapore. The description of the administration of justice in England is instructive and valuable in allowing one to better understand the law reports. However, very little of what is said is of direct relevance in Singapore. The portion concerning criminal procedure is almost useless, given that we have our own Criminal Procedure Code². However, it should be noted that section 5 of the Criminal Procedure Code does make English criminal procedure applicable in Singapore should there be a lacuna in our own law, so it is conceivable that one might find some value in reading Part V. Finally, Part VI presents an outline of the law of evidence. Singapore has an Evidence Act³ that is grounded on English principles but which, as expected, differs substantially in detail. However, the discussion is interesting and does provide a basic framework within which a deeper understanding of our own Act may be obtained.

All in all, this is a well-written book. However, it is more useful to an academic than to a practitioner, and even then only as a general reference.

² Cap. 68, Statutes of the Republic of Singapore, Rev. Ed. 1985.

³ Cap. 97, Statutes of the Republic of Singapore, Rev. Ed. 1985.