

CRIMINAL LAW AND PROCEDURE IN A NUTSHELL, 12th Ed. By Marston Garsia. [London: Sweet and Maxwell. 1964. xviii + 148 pp. 10s.]

CRIMINAL LAW: LEADING CASES IN A NUTSHELL. By Michael Walker. [London: Sweet and Maxwell. 1964. ix + 185 pp. 10s.]

QUESTIONS AND ANSWERS ON CRIMINAL LAW AND PROCEDURE. Revised by D. A. Wood. [London: Sweet and Maxwell. 1964. v + 94 pp. 10s.]

These three small books comprise the Sweet and Maxwell "Students' Aids" to criminal law and procedure. They appear to be designed primarily for students preparing for the English professional examinations in law. It would be comforting to think both that students will use these books, particularly Garsia's and the *Questions and Answers*, only as aids to the more substantial texts and the law reports, and also that that was what the authors and publishers, with knowledge of the surrounding circumstances, intended. The more substantial texts that are referred to in the Prefaces to Garsia and *Questions and Answers* (the ageing *Harris's Criminal Law* is the first one referred to in Garsia and the only one in *Questions and Answers*) are, however, limited to those from the Sweet and Maxwell/Stevens stable.

Garsia's *Criminal Law and Procedure*, as befits its apparent purpose, is a thorough-going embodiment of the black-letter approach to law and constitutes a pressing invitation to rote learning. The law it lays out is made to appear problemless. It is in the form of numbered notes ranging from single words, to short, usually one-sentence, paragraphs, and all arranged under hierarchies of headings. Examples, usually from cases, are added to some of the notes, case names are freely sprinkled around, and there are few footnotes. There are 80 pages on criminal law and 60 on procedure. The Abbreviations given at the beginning do not correspond with their explanations.

Walker's *Leading Cases* contains extracts from about 130 judgments or jury-directions averaging a little over a small page each. Each extract is preceded by a statement of the rule laid down by the part extracted and by a short summary of the relevant facts. All the citations of a case are also given. There are quite useful notes appearing after some of the extracts. The cases are divided among eight chapters. The selection seems quite well balanced, with a good proportion of more recent cases.

Wood's *Questions and Answers* could be helpful in familiarising students with the kind of answer that is looked for by law examiners. It could be quite harmful if it were used by students in an attempt to learn all the necessary criminal law and procedure — harmful both to their understanding of the law and to their examination chances. There are 101 questions in all, 57 on criminal law and 44 on procedure. The majority of the questions require essay-type answers, the rest pose fairly simple problems. The answers given average a little over half a page. There is the occasional inaccurate or questionable statement in an answer, e.g. that the accused in *Wheat & Stocks* "believed in good faith and on reasonable grounds that he had been divorced" (p. 14), that there is "no consent where it is obtained by fraud" (p. 48). Citations of cases are included in the text of answers and this could lead a student to believe he was required to learn citations. Two birds could be killed at once by including a table of cases with citations, as Garsia has done in his book.

One interesting side-light on these three books touches the extent of the correlation among them. The MENS REA section of *Questions and Answers*, for instance, contains references to a total of 40 cases. Of these cases, Garsia's book refers only to 8, while only 7 of them are reproduced and 6 of the remainder referred to in Walker's casebook. Even allowing for the fact that a number of cases can usually

be cited as illustrations of (or, even as laying down) *a* rule, students of Garsia or of Walker may not always serve up in an answer quite what Wood requires.

These books will be of little aid to students of Malaysian criminal law and procedure, for the sufficient, though perhaps not the only, reason that the Malaysian Penal and Criminal Procedure Codes differ significantly in many crucial areas from English criminal law and procedure.

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