

ARCHBOLD'S PLEADING, EVIDENCE & PRACTICE IN CRIMINAL CASES.
Edited by S. MITCHELL, Consultant Editors, HIS HONOUR JUDGE
BUZZARD, T.R. FITZWALTER BUTLER. 39th edition. [London:
Sweet & Maxwell. 1976. cxcviii+1823 pp. £30.00]

This recognised work of authority on criminal pleading and practice hardly needs reviewing: it now comes handsomely bound in red and in a larger format. The editors have also recognised the utility of a table of contents at the beginning of every 'important chapter' though they probably should have adopted the practice throughout, if only for the sake of tidiness. Legislative developments incorporated in the text include the Powers of Criminal Courts Act 1973, the Juries Act 1974, Costs in Criminal Cases Act 1973, Legal Aid Act 1974, all indicating increased legislative concern over the sentencing process as well as the problems of costs in providing legal representation at criminal trials. These enactments are of academic interest to lawyers practising in other jurisdictions. Of more relevance to them, probably, are the judicial developments in the law of evidence. The House of Lords' decisions in *Hester*, *Kilbourne*, *Boardman*, *Ping Lin* are all nicely incorporated and discussed in the relevant parts of the text. Subsequent cases such as *Scarrott*, *Hoskyn v. Comr. of Police for the Metropolis*, *Comr. of Police etc. v. Hills* (all 1978 cases) will no doubt be mentioned in the expected supplements to follow. *Turnbull* is already discussed in the First Supplement issued in 1976.

A new chapter most welcome and certainly needed is entitled "The Mental Element in Crime" dealing as it were not only with the basic concepts of *mens rea* (such as "incomplete *mens rea*", "transferred malice") but also with the problems created by drinks and drugs and duress. The House of Lords has been very active in this area as the cases of *Morgan*, *Hyam*, *Lynch*, *Majewski* can attest to.

The editors have also on occasions referred to reports on evidence, for instance, the Criminal Law Revision Committee's report on Evidence. However, very little mention is made of other reports on *mens rea* and on specific offences such as conspiracy and the other inchoate offences. It may be that such reports are outside the scope of a practitioner's work. *Archbold* will no doubt continue to be indispensable to lawyers at the criminal bar.