RESHAPING THE CRIMINAL LAW. P.R. GLAZERBROOK (ed.). [London: Stevens and Sons. 1978. xii+492 pp. Hard cover £12.50]

The publication of *Reshaping the Criminal Law,* to mark the retirement of Glanville Williams from the position of Rouse Ball Professor of English law in the University of Cambridge, is timely. Lord Edmund-Davies in his *Forward* pointed out that Glanville Williams' reputation is most generally associated with the teaching and

reform of the criminal law. In his writings Glanville Williams has demonstrated the frequent intellectual complexity and social significance of the subject. It is therefore very appropriate to have honoured him with *Reshaping the Criminal Law.* It contains twenty four essays on substantive criminal law, criminal procedure, evidence and penology. In addition there is an introduction of "Glanville" himself and a compilation of his published writings between 1933-1977.

While some of the suggestions and recommendations on reshaping the English criminal law may not be relevant in the Singapore context, nevertheless, they contain a mine of information and thought-provoking material which a criminal lawyer from any jurisdiction ought to find interesting. Other areas may be of more than passing interest to the Singapore criminal lawyer — he should find Edward Griew's discussion of two *mens rea* words, "recklessness" and "belief", enlightening. In Singapore "reckless" is not statutorily defined but courts resort to the *Oxford English Dictionary* and to English decisions. It is noteworthy that in the Law Commission Working Paper No. 31 (1970), *The Mental Element in Crime* "reckless" is defined as: "A person is reckless if (a) knowing that there is a risk that an event may result from his conduct or that a circumstance may exist, he takes that risk, and (b) it is unreasonable for him to take it having regard to the degree and nature of the risk which he knows to be present." If this definition is implemented it will give a tighter meaning to "reckless" than has hitherto been the case in England. Singapore legislators take note! Edward Griew points out that the word "belief" "has received almost no attention either in the literature or in the case law" (p. 69). In Singapore, not much assistance is obtained from section 26 of the Penal Code which provides that "A person is said to have 'reason to believe' a thing, if he has sufficient cause to believe that thing, but not otherwise." What degrees of "belief" would be sufficient? Edward Griew discusses the various degrees of belief.

There is much food for thought in Brian Hogan's "On Modernising the Law of Sexual Offences" (pp. 175-189). His premise for the modernisation of this branch of the law is founded on Mills' simple principle that punishment has no justification where no mischief has been produced to any body by the act in question. To Brian Hogan, freedom is so precious that he would add two riders to Mills' principle. First, that the burden of proof of the alleged harmfulness of an activity should rest on those who seek to prohibit it. Second, that the criminal law should be used as a last resort. He urges the reformer to strip away all the myths and present the facts of human sexual behaviour. Hogan suggests a modification of the law relating to the age of consent of a boy or girl under 16. In considering the extent to which consensual sexual conduct ought to be punishable he would like to see the law take into consideration the age differential. There is much good sense in this suggestion. Other areas of sexual offences under discussion include whether incest should as such cease to be a crime.

Administrators of criminal justice in Singapore will find Nigel Walker's "Punishing, Denouncing or Reducing Crime?" (pp. 391-403) and Colin Howard's "An Analysis of Sentencing Authority" (pp. 404-421) much to reflect upon.

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