

CRIMINAL LAW: CASES AND MATERIALS. By J.C. SMITH and B. HOGAN. Second Edition. [London: Butterworths. 1980. xxx+690 pp.+Index. Hardcover £22.50 Limp £14.95]

The authors have set as their objective the compilation of materials suitable for the case method teaching of criminal law. Accordingly, a prominent feature of the book is the substantial extracts of selected cases. The length of case extracts has therefore been preferred to a larger number of cases usually found in books of this nature. Although its coverage is smaller than the whole field of criminal law ordinarily

contained in textbooks, this work incorporates those topics which are principally concentrated in law school courses. To achieve the objective, a list of questions and problems appear after most cases in order to direct students to relevant and controversial points in the particular area of the law.

This second edition is a worthy successor to its predecessor. In the past five years, the criminal law of England has undergone extensive changes at the hands of judges and legislators. The authors have included all the most important cases decided since the first edition and performed the formidable work of eliminating some cases and pruning the extracts from others. They have also increased the range of statutes and collected them in chronological order at the end of the book for easier reference. Another admirable feature is the extracts from articles and textbooks alongside cases which serve to enlighten students to problem areas and their possible solutions. Furthermore, there are extracts from reform commission reports at the end of a considerable number of chapters.

The topic of fitness to plead illustrates how the above features appear in a well organised sequence: a quality which exists throughout this work. The chapter begins with a substantial extract of *R. v. Podola* [1959] 3 All E.R. 418 where the English Court of Appeal held that a loss of memory as to events, however genuine the condition might be, did not render an accused unfit to plead. The authors then draw our attention to statutory provisions on the subject (which are produced at the back of the book) and question whether it would be preferable to try the accused notwithstanding his unfitness. This is followed by an extract of the Report of the Committee on Mentally Abnormal Offenders (Cmnd. 6244, 1975) which proposes procedures whereby a trial of the facts should, in any event, be held to enable the acquittal of the accused where the evidence is not sufficient for a conviction.

Similarly, on "Killing by Provocation", the latest pronouncement on this issue by the House of Lords in *D.P.P. v. Camplin* [1978] 2 All E.R. 168 appropriately sets the stage for discussion. A comparison is then made with the ruling by the House in *Mancini v. D.P.P.* [1941] 3 All E.R. 272 which was decided prior to the Homicide Act of 1957 (U.K.). This is followed by extracts from two cases which reveal how the Judicial Committee of the Privy Council has treated the matter in other jurisdictions possessing statutes similar to the Homicide Act. There is also added an extract from an article, "The Physiology of Provocation" [1970] Crim. L.R. 634 by Peter Brett who uses the results of recent research on bodily changes in stress situations to recommend that the reasonable man rule in provocation should be abolished.

A new chapter, "Impossibility in Inchoate Offences" is included. The introduction, questions and overall layout of the chapter provide a promising format for discussing the interesting concepts arising from this aspect of the law.

The new edition is a product of student response to the first edition. Having been moulded in this critical fashion, it makes a highly recommended book for use in law schools adopting the case study method of teaching.