Legal Ease—A Guide to Criminal Law, Evidence, and Procedure

by Andrea Campbell and Ralph C. Ohm

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(300 pages, \$68.95)

Reviewed by Percy Mather

The authors have written this book to provide the reader with an expansive and practical guide to the various aspects of law (pages vii–viii). It is set out in three distinct areas of interest. The first part covers an explanation of the criminal law and its historical development; defines what criminal conduct is; and breaks it down into the constituent elements. Part Two covers criminal procedure and arrest. It ‘teaches the steps of a constitutional arrest, search and seizure’ (page viii). The final part is ‘A walk through the Criminal Justice System’. Throughout the book, there are cases cited and illustrative anecdotes to assist the reader. The cited cases help the reader understand how the law has developed, and why challenges on appeal have or have not succeeded. The Mapp case (pages 111–2) is an example of this approach, as is the ‘stop and frisk’ case of Officer McFadden (page 99). The doctrine of transferred intent (page 20) is illustrated by the use of an anecdote. The format is helpful to the reader in developing difficult legal concepts.

Despite the book containing many references to case law, I nevertheless felt less than confident, having read it, that I could function as a law enforcement practitioner on the basis of the content. The style of *Legal Ease* contrasts with books¹ used in the UK by a similar target audience, and seems to fit more comfortably in a series published in the ‘Made Simple’ form, as with ‘Commercial Law Made Simple’. They are interesting, informative texts but not ones that readers would choose if they had more than a passing interest in the subject matter. They whet the appetite and, for lay readers, provide a substantial dimension to their knowledge of the criminal law. However, this book is guilty of using an incorrect legal term. In the discussion of due process (page 121), the text cites the case of *Gideon v. Wainwright* (1963).² The commentary is useful and interesting except for the reference to the fact that ‘... a cigarette machine and a jukebox had apparently been robbed’. If readers remember the reference to robbery earlier in the book (page 44), they may now be confused, since the definition showed clearly that the offence cannot be committed against an inanimate object. There needs to be a person against whom the perpetrator acts in one or more clearly defined ways to constitute an offence of robbery. In the ‘Gideon’ example, there is no evidence that such is the case. The authors use the term ‘robbery’ incorrectly as, on the facts given, no such offence has taken place. Loose terminology, particularly in a book about the law, is something that one must avoid. Using the wrong legal terms leads to skewed legal concepts and, for the practitioner, wrong decisions. Accuracy is essential in a legal textbook and, one may justifiably add, in any textbook. Readers may find it difficult to accept any other element of the content without checking its source, given the apparently casual use of an incorrect legal term.

The book is a useful primer for anyone with an interest in the criminal law. It covers a wide range of legal and practical law enforcement topics. The two columns per page and colloquial writing style make the book easy for anyone to read.

Percy Mather
Newcastle Centre for Family Studies
University of Newcastle Upon Tyne

Notes

- 1 Eg Smith and Hogan Criminal Law, Butterworth’s Police Law, Moriarty’s Police Law.
- 2 *Gideon v. Wainwright*, 372 U.S. 335, 83 S. Ct. 792, 9 L. Ed. 2d 799 (1963).