

## *Criminal Justice*

By Steve Uglow

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Reviewed by Arthur Faerua<sup>[\*]</sup>

This is yet another book written on the subject of ‘criminal justice’ and like all books from that category it has not failed to include in it the traditional topics such as an overview of the criminal justice system, investigation of crime, prosecution process, evidentiary matters, the criminal trial and of course, sentencing. At first view, it would seem like an ‘ordinary’ criminal justice textbook. Having had the opportunity to peruse the book in more detail and used parts of it in teaching my course in the latter part of semester 2, 2003, I have come to greatly appreciate the scope of this textbook and the manner that the subject, especially in the United Kingdom, is presented.

Primarily, the book focuses on the United Kingdom, but it also covers the jurisdictions of Wales and Scotland. The first edition was published in 1995 and this edition being published in 2002 is well-timed given the recent developments and challenges that the UK criminal justice system are facing and the problems that have arisen with recent attempts at reforming the criminal justice process. Also, given the enactment of the *Human Rights Act* 1998 and the *Police and Criminal Justice Act* 2001 the publication of this revised edition is timely since both legislation now have significant impact on the criminal justice process.

Uglow devotes two whole chapters to issues concerning the police and their role within the criminal process and law enforcement. Uglow’s attention to police powers and duties reconfirms the centrality of this institution when it comes to studying criminal justice. Students studying the subject of criminal justice finds as part of their study the role of police and their powers within the law. The author also maps the history of the constabulary in the UK and explains the level of powers that the constabulary have beyond the black letter of the law. The police structure in the UK is also discussed. The level of presence that police have in all aspects of our lives and of the ‘big brother’ effect concerning the police is quite well-known. I made this statement based on the portrayal of the UK policing culture in the book. In total, those chapters are effective in putting across the message that the institution and agencies of the police in the UK have had the biggest impact on its system of criminal justice. Uglow states that the number of police officers has increased by 80% in just 40 years.

The fast pace of technology and the innovations in investigation techniques has also impacted on the practise and administration of criminal justice. In the chapter on ‘Investigation of Crime’, the author creatively portrays the many new techniques police and law enforcers are using to detect and prosecute offenders. These techniques range from cellular phone tracking to Forward Looking Infrared (FLIR) devices. The author does comment on the applicability of current laws that allow police to carry out investigation using these means. He also offers some in depth explanations of the legal challenges facing

such modes of investigation when they can be considered to have breached human rights and the right to privacy.

One novel subject area that this book brings forward is that of 'Youth Justice' which is presented as the last chapter of the book. This is a topic of interest especially for academics and students of the Pacific region where over 60% of the population are under 20 years of age. Whilst a co-author was responsible for this part of the book, the topic has the same flavour and momentum as the other parts and highlights the current developments in the area of youth justice. The western concept of juvenile justice used to concentrate mainly on sending offenders to reform schools or boot camps. There now is a new youth justice system which emphasises the need to focus on the individual and also to involve the community in that process. New laws have also been passed to bring in new measures and sentencing schemes such as those of local child curfew schemes, parenting orders, sex offender orders and reparation orders. The authors have offered critical comments on these new measures which make the chapter an attractive part of the book offering various viewpoints and indicating how policies translate into practice.

The structure and presentation of the book is tremendously user-friendly and is also very accessible. Each chapter is subdivided into sub-chapters and each carries content relevant to its heading. Each chapter illustrates its subject with the use of legal authorities, research papers and studies, government white papers, historical facts and archives and general statistics and figures. The thorough explanation of relevant pieces of legislation makes this book an instant legal resource for both students and practitioners in the field of criminal justice. Sections of the law are explained, illustrated with examples and commented on their usefulness and effectiveness in practice. Such a tool is useful when one is searching for a resource that can summarise and give an overview on an area which spans over three centuries and contains over 50 pieces of legislation.

Steve Uglow has teamed up with three other co-authors to produce this book although the majority of the chapters were written by him. He admits in the preface to the book that this book grew out of his experiences in teaching criminal law in law schools and facing the day-to-day issues such as law enforcement, pre-trial processes and the operation of the penal system. A 'hazardous' aspect of law teaching is that it can propel a few law teachers to 'air out' their views through a publication of this kind. Throughout the book Uglow constantly offers his views on how the system should operate ideally.

Steve Uglow and his co-author make several explicit statements about the failure of government policies and legislation and the lack of consultation by governments concerning criminal justice with affected communities. Uglow states in the preface that the publication is a product of his teaching criminal law in context. The proof of that statement is the book itself. This is not a 'run of the mill' publication on criminal justice. It goes beneath the issues, it criticises contemporary policies, it maps historical developments and links them with current trends and developments. As a result, readers have a book which acts as a resourceful tool and a good guide in the subject area.

*Criminal Justice* by Steve Uglow is recommended especially for students and academics. The book should also prove useful as a legal resource for lawyers, policy-makers and those interested in developing knowledge of and understanding in aspects of criminal justice and procedure.

[\*] Assistant Lecturer  
School of Law  
University of the South Pacific  
Port Vila  
Vanuatu.

