

### Criminal Law: Pre-Trial Practice and Procedure

By Michael Francis Lillas | Lillas Legal Publishing Pty Ltd | 2016

This is an excellent book because there are so few like it.

The book provides a very comprehensive summary of many if not all of the issues that may arise before a committal hearing and prior to trial. The author also considers legislation relevant to committals and trials in the various states of Australia and legislation which applies to Commonwealth matters.

I note that although the committal hearing largely doesn't happen any more in NSW, there are a few, and practitioners may need a reminder as to what to do!

Importantly, in relation to committal hearings the author deals with defects in charge sheets, service of the charges, arrest warrants, failure to appear and the particular state law which applies to determine the outcome of the hearing.

The author also deals with the important issue of cross examination at committal hearings which of course is associated with particular rules. The author also deals with the perhaps less controversial issue of costs in committal proceedings and also advocacy at committal and trials. He provides a useful and detailed summary of the law in relation to opening and closing addresses by prosecutors.

Another very interesting and rare issue that the author deals with is witnesses. That is, a prosecutor's duty regarding what witnesses to call, the Crown as a 'model litigant', and the 'Powers of a cross examiner', so this book also provides some important law relevant to advocacy. He also provides useful information about proofing witnesses, preparing a witness generally and for cross examination, and understanding

what 'type' of witness you have or need to deal with.

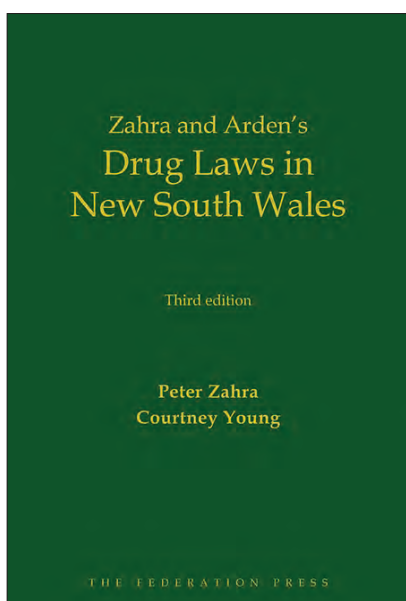
The book also provides the law in relation to many pre trial issues, which now are almost always part of doing a criminal trial. For example, he deals with separate trial applications, disclosure, *nolle prosequi*, joinder and severance of counts, duplicity, Judge alone trials, amendment of indictments, how many indictments you should have, particulars, demurrer and stay of proceedings. There is also a brief summary of the law relating to 'accessories' and an interesting summary on jury selection.

This book is a very useful addition to any criminal practitioner's library.

**By Caroline Dobraszcyk**

### Zahra and Arden's Drug Laws in NSW

By Peter Zahra & Courtney Young | The Federation Press | 2016



This book, which is now in its third edition, is a very comprehensive account of all the issues that may arise in a drug matter.

The book is appropriately divided into three main sections and it is very easy to find what you are looking for. Part A is entitled 'Substantive offences' and includes all the main laws in relation to drug matters including Commonwealth drug matters. Part B is entitled 'Evidence and Procedure' and includes all the main evidentiary issues that may apply more often in drug matters. Part C is entitled 'Sentencing' and of course deals with the NSW and Commonwealth laws in relation to sentencing in drug matters.

Part A deals with the offences and penalties under the *Drug Misuse and Trafficking Act 1985* (NSW), issues in relation to summary prosecutions, including prosecutions in relation to forging and obtaining by false representation, prescriptions. It also provides an up to date summary of the law in relation to 'possession'. There is then a detailed examination of the law surrounding indictable offences including cultivation, manufacture and production of prohibited drugs, supply and deemed supply. There is then a very useful summary of the law in relation to the admissibility of circumstantial evidence-eg money found in the possession of the accused, evidence of an