

BOOK REVIEW

Haskell M. Pitluck,¹ J.D.

Review of: *Forensic Practice in Criminal Cases*

REFERENCE: Townley L, Ede R. *Forensic practice in criminal cases*, The Law Society London, London, England, 2004, 471 pp.

Forensic Practice in Criminal Case is co-authored by Lynne Townley, a barrister practicing criminal law, and Roger Ede, a solicitor and a member of the Governing Council for the Registration of Forensic Practitioners, who also sits as a Deputy District Judge in England. As such, any potential reader should be aware that this book deals with the criminal justice system in England and not the United States. In the introduction in Chapter 1, the authors state that “this book is written principally for lawyers who defend and prosecute, and judges and magistrates who try criminal cases . . . but (that) it will also be of interest to students of forensic practice, police officers, other investigators, and anybody else who works with or takes an interest in the criminal justice system.”

That being said, it may also be of interest to lawyers and forensic scientists in the United States. For the inexperienced, it is almost a “cookbook” with “recipes” for how to be aware of, use and deal with forensic science. For the experienced veteran, this book is a good review, as well as presenting some information and resources to add to your knowledge and to look at some familiar things with a different perspective.

The book is divided into two sections. Section A, “Crime Scene Investigations, Forensic Examinations, and Presentation of findings,” deals with the nature of forensic investigations. Section B, “Understanding Areas of Forensic Specialty” deals with the specific area of forensic expertise which may be utilized.

The detailed Table of Contents, with numbered paragraphs, makes it easy to find what you are looking for in your area of interest. There are many references to websites, both English and American, for additional information throughout the book. There is also one chapter (34) that contains only references for further reading and information for the areas of forensic specialties of the chapters of Section B.

There are a great number of abbreviations, especially in Section A, which, at times, makes for ponderous and slow reading as you refer to the abbreviation section at the beginning of the book, but as you read, it becomes easier as you begin to learn and understand them.

While there are many good nuggets of information, some particular highlights that are universally applicable are as follows:

1. At the beginning of Chapter 7, (“The Forensic Scientist”), a one page listing covering “What does an Expert Do?” (7.1) and “What Qualities Does a Lawyer Look For in an Expert?” (7.2)
2. Of particular interest, and something which we should all be aware of, at the beginning of Chapter 9 (“The Forensic Scientist Working for the Defense”) (9.1 Defense Forensic Investigations) “No witness statement should be assumed to be incontrovertible fact, beyond challenge or question, and totally accurate simply because: it comes from a laboratory, it has been produced by a scientist, it is expressed in emphatic terms, it creates the impression of precision and irrefutability, and the witness is prestigious. Contrary to some popular belief, science is a highly uncertain endeavor: it does not deal in certainties, but probabilities; expert evidence depends upon concurrence between scientists which may not last; experts may disagree about the interpretation to be placed on agreed findings of fact.”
3. There is a brief, but good, discussion in Chapter 17 (DNA, blood and hair) regarding “Presentations of DNA Evidence in Court” (17.11), “The Prosecutors Fallacy” (17.12), and “Defense Challenges to DNA Evidence and Instructing a Defense Expert” (17.14).
4. There is also mentioned throughout the book and explained in Appendix 3, the CRFP (Council for the Registration of Forensic Practitioners). The CRFP is an independent regulatory body to promote public confidence in forensic practice in the UK and strives to achieve this by publishing a list of competent forensic practitioners ensuring through periodic revalidation that forensic practitioners keep up to date and maintain competence and deals with registered practitioners who fail to meet necessary standards. Registration is voluntary and carries both privileges and responsibilities but is not required to be allowed to testify as a forensic practitioner. However, the standards in the Code would be good practice for anyone testifying as an expert.

As this is definitely an English book, the Table of Cases cited will have little use for readers outside the UK. However, readers outside the UK will gain insight as to how the English system works. They will also be able to see differences and similarities to their own system which may suggest different or better alternative ways to conduct an investigation.

¹ Retired Circuit Court Judge, State of Illinois, 19th Judicial Circuit, Woodstock, IL.