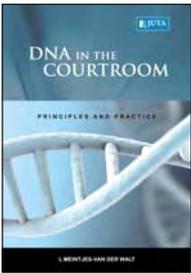


From THE PUBLISHERS



DNA in the Courtroom – Principles and Practice
By Lirieka Meintjes-Van der Walt
Juta Law (2010)
Soft cover: xviii & 177 pp

In the preface the author describes the objectives of this book ‘to empower lawyers to become informed users of science and technology in DNA evidence, to acquaint lawyers with knowledge of the scientific principles involved in DNA profiling and to familiarise them with knowledge of specific areas on DNA evidence that may present particular problems.’ The author achieves these objectives as the basic underlying biological and legal principles of DNA are described in relatively simple terms which should empower lawyers with a workable knowledge of the subject. However, the science underlying DNA receives substantial attention in the publication which tends to be repetitive to a

certain extent. The reference to acceptable laboratory controls and technical guidelines for forensic DNA testing in laboratories, the different instruments and software programs used for DNA profiling are useful as it provides information not generally accessible to legal practitioners.

The author convincingly points out that the real possibility for false incriminations based on DNA profiling still exists which might lead to incorrect convictions to which especially defence lawyers should be alerted to. The importance of pre-trial investigative procedure is discussed with reference to the applicable sections of the Criminal Procedure Act 51 of 1977 as well as the Criminal Law (Forensic) Amendment Bill 2 of 2007. The inclusion of an explanation of the standard crime kits currently used in South Africa in the collection of forensic evidence in sexual assault cases, as an example, could have been significant in the discussion of the importance of the chain of custody of samples collected for purposes of DNA profiling.

Interesting views of the author are found in the publication regarding the importance of pre-trial disclosure which are relevant

regarding accused persons’ right to a fair trial. A useful check list is further provided for legal practitioners who wish to apply for further particulars. Handy hints are also enclosed for both prosecutors and defence lawyers regarding examination in chief and cross-examination of witnesses regarding DNA. However, the inclusion of a standard statement made in terms of section 212(4) of Act 51 of 1977 which is currently used by the Forensic Science Laboratory in South Africa could have been of good use in the discussion of the mentioned section of the Act as it is often referred to in the book.

The general layout of the publication is user-friendly and the check list, which covers the contents of the publication, provided for prosecutors, the defence and presiding officers alike, is meaningful from a practical point of view. This is a publication that every practitioner facing the intricacies of DNA evidence should have at hand in preparation for criminal trials and in the court room. **A**

Belinda Daffue, member of the National Forum of Advocates, Bloemfontein



Stella Iuris: Celebrating 100 years of teaching law in Pietermaritzburg
Edited by Michael Kidd and Shannon Hoxtor
Juta Law (2010)
Hard cover: xi & 375 pp

This belated review deals with the first 100 years of the University of Natal (Pietermaritzburg) Law Faculty, which ended in 2010.

Stella Aurorae (‘The star of the dawn’) the motto of the former University of Natal

has been adapted by the editors to give this book its title. It is a star in many ways.

It contains a speech by Ellison Kahn (which is a history of the Faculty from inception to 1990, a recent history by the editors (1991–2010), and a faculty history of the Burchell dynasty by the youngest of them Jonathan Burchell. All the characters are there and one is led to marvel again at the excellence of one’s legal education at Pietermaritzburg. The Burchells, Matthews, Blackman, Baxter, Hunt, Milton, Lund and lately Hoexter and Schwikkard. Famous students abound, nationally and internationally. There is a photograph of the Forsyth family, all Pietermaritzburg graduates, with Christopher Forsyth now a Cambridge professor and the present author of *Wade on Administrative Law*.

Closer to home in Christopher’s year were Justice Madlala, and Judges Leach and Swain (as one of the photographs proves).

Apart from this there is the array of modern legal scholars who have contributed articles on modern legal issues. Hoexter, Kidd, Hoxtor, Carey Miller, Sharrock, Schwikkard, Carnelly, Plasket, Lupton, du Plessis, Jaichand, Freedman and Couzens, and Blackmore have added to the scholarship which made the faculty famous and admired.

This is a wonderful book to waken memories and to enjoy the legal comment of experts on topical cases from the Dalai Lama, administrative law developments to an assessment of 100 years of adultery. **A**

AJ Dickson SC, Pietermaritzburg Bar