

**CONSOLIDATE THE CRIMINAL CODE.**

Is it not time that the Criminal Code was again "consolidated?" The last consolidation was in 1906 on the issue of the Revised Statutes of Canada. While a decennial revision of the Canada Statutes is not called for in their entirety, it would seem that a ten-year period is a long enough interval between revisions of a law which is so frequently amended upon points of practice as is the Criminal Code of Canada.

It is sometimes said that this Code is based upon the English draft Code which was formulated by leading jurists of England over thirty years ago. That statement is, however, applicable only to half of our present Code. The first half of the Code in which the offences are declared was largely derived from the English draft Code which was an admirable statement of the law although it did not pass into the statute books of Great Britain.

The second half of our Code is little better than a jumbled accumulation of various statutes of Canada relating to criminal procedure. This is the part that demands a thorough revision and re-classification and re-arrangement of the clauses affecting criminal procedure. Then there are many subjects of criminal law as to which the Code contains only an incidental reference in some alleged curative clause, and the practitioner must search elsewhere for the common law or the old English statutes dealing with the matter. The trial practice might well be codified and the principal laws of evidence relating to criminal trials included. The law as to *habeas corpus* and *certiorari* should also be formulated into a uniform Code for the entire Dominion.

It is to be hoped that the proper authorities at Ottawa will take up this question with a full appreciation of the public benefit which would result from having the criminal law procedure assimilated in all the provinces and clearly and concisely defined.