

R. v. ZWAO alias CONTINAU.

CRIMINAL REVIEW CASE NO. 205 OF 1939.

Recording finding of Court on record.

This abstract from the judgment of His Honour the Acting Judge indicates the correct method of recording the finding of court.

Jeffreys, A.J.: It is necessary to show of what offence the accused person is convicted. "Guilty" is not sufficient, see Criminal Procedure Code section 158 (2).

Ordinarily, where the accused person is convicted of the offence with which he is charged it is sufficient to record "Guilty of the charge as laid". Where, however, a person is charged (for example) with theft *contra* Penal Code section 243, but is convicted of receiving, which can be lawfully done by virtue of Criminal Procedure Code section 171,¹ the judgment would read "Guilty of receiving stolen property knowing it to be stolen, *contra* Penal Code section 286 (1)" and a note should be added "see Criminal Procedure Code section 171".

¹ Now by virtue of section 174 (1) (a) Criminal Procedure Code.—*Editor.*