

## BOOK REVIEWS

### *THE LAW RELATING TO SCHOOLS*

By N. HARRIS

Fourmat Publishing, 1990. xxiii + 311 pp.  
(£25).

A review by The Ven. T. Hughie Jones

The volume of legislation since the 'Butler' Education Act 1944, culminating, but by no means ending with the Education Reform Act 1988, has demanded such a guide as Dr. Harris provides in this wide-ranging survey. Its accuracy is as expected of its author, an academic lawyer of distinction, while its exposition of major themes like local management of schools, grant-maintained status, and special educational needs will commend it to legally literate governors, head-teachers and administrators alike.

For Anglicans in general, and such in particular as are interested in ecclesiastical law, the book has, however, some shortcomings. A topic of current importance, commanding the interest and assiduous activity of no less than a retired Master of the Rolls, is the disposal of premises formerly used as church schools, particularly aided schools established by a trust deed. The interplay of the School Sites Acts (notably 1841), the Law of Property Act 1925, the Education Act 1973 and the Reverter of Sites Act 1987, has produced for diocesan boards of education, whose own functions have been altered by the Diocesan Boards of Education Measure 1991, tensions with parishes which are both regrettable and difficult of removal. Of this Harris has nothing to say.

Technically, the lack of a bibliography is inexcusable, as is the omission from the abbreviations list of references in the text to journals such as JSWL, MBC, MLR and TES, not all of which will be familiar reading matter to most of Harris's readers. 'Footnotes' which are neither at the foot of the page, nor at the end of the chapter, but incorporated in the text, are an added irritant, as is the unhelpful, though common, confusion between 'can' and 'may'. In a legal work the distinction of usage is sometimes important. The index is incomplete. 'Homosexuality' in it does not refer to the text treatment of *Saunders v Scottish National Camps* (1980), an important Employment Appeal Tribunal decision.

Nonetheless, the book will be useful, though it has its rivals, along with which, in this field of education law more than in most others, it was doomed to be outdated even before publication.

### *ESSAYS IN CANON LAW*

#### *A STUDY OF THE LAW OF THE CHURCH IN WALES*

Edited by NORMAN DOE

Cardiff University of Wales Press, Cardiff, 1992, xxv + 200pp.  
(Hardback £14.95)

A review by Chancellor George Spafford

It may be a sign of hubris for me to review this book! Norman Doe is its editor, and is a part contributor. He is also the tutor at Cardiff of the University of Wales' post-graduate degree course on canon law. I am one of his pupils. In consequence I can confirm the book's erudition.