SCHOOL LAW UNDER THE CHARTER OF RIGHTS AND FREEDOMS by E.L. Hurlbert and M.A. Hurlbert (Calgary: University of Calgary Press, 1989) pp. 259 at xvi.

The advent of the *Charter of Rights and Freedoms* has wrought many changes in the Canadian legal scene, and the area of school law has been no exception. Although the full impact of the *Charter* on school law remains to be seen, this new publication provides lawyers, educators and other interested persons with a progress report, and insights as to possible developments. Given the need for comprehensive, current texts detailing this particular topic, *School Law Under the Charter of Rights and Freedoms* is a welcome addition to the study of the *Charter* and education issues.

Comprised of a father-daughter team, the authors have drawn upon their backgrounds as a Professor of Education and a lawyer to produce this collaborative effort. Topics of concern or interest to students, teachers and administrators are presented, with discussion focusing on practical problems and difficulties that may be encountered and the law applicable to those situations. Purportedly written with the educator primarily in mind, lawyers will nonetheless find this text an interesting and useful read. Indeed, discussions canvassing different aspects and approaches of Canadian and American case law, while of value to lawyers and legal scholars, may exceed the ken or interests of educators. Despite this, the range of information and insights contained in this volume is sufficient to offer something of use or value to any reader interested in the school law field.

Organized in six chapters, this book is not burdened with overly technical dialogue or interminable analysis. Quite simply, it succeeds in providing a readable synopsis of *Charter* related education issues. The opening chapter presents a review of fundamental legal principles, the Canadian court structure and like items which legally trained readers may find somewhat elementary. Subsequent chapters, however, deal with more weighty material covering topics such as student and teacher rights, search and seizure, young offenders, minority language rights, and religion in the public schools. In discussing these subjects, the authors have adopted a practical approach utilizing extensive case examples to illustrate the points under discussion. Where Canadian case law is silent or nonexistent, they have not hesitated to draw upon American jurisprudence to fuel speculation as to likely outcomes. This type of discussion is particularly useful for practitioners working on the cutting edge of this field. The practicality of this book is further enhanced by the summary of implications for school administrators found at the end of most topics. In this fashion, the law is made both immediate and accessible.

Unfortunately, while there is much to commend about this text, there is also much to criticize. Most of the criticisms concern only irritating matters of form, but some substantive problems also appear. After reading this book cover to cover, one is left with the overall impression of a hastily assembled work. How else to explain glaring typographical errors more typical of a student newspaper than a scholarly tome? These range from the simple lack of spacing between words to misalignment of text, and even outright disappearance of dialogue in the middle of sentences and paragraphs. Certainly, the number and frequency of these obvious errors of proofreading do nothing to enhance one's estimation of the accuracy and reliability of this work.

On a stylistic note, the authors have chosen to break up the flow of sentences by incessant resort to the contractions "i.e." and "e.g." This practice is made particularly distracting and disruptive by the fact that it is often used only to offer trite or redundant information. The following example, found at page 1, is illustrative:

> Because the needs, values and aspirations of individuals and of society are dynamic, i.e., undergoing constant change, the law too should be perceived as a dynamic, evolving system of conflict resolution...

Other examples of superfluous and, at times patronizing information are not difficult to find. Bald reference to the dates that women were first appointed to the Saskatchewan Court of Appeal and Supreme Court of Canada, for example, looks oddly out of place in a discussion of the Canadian court structure when unaccompanied by further explanation. So too, one must question the need for including a discourse on the steps to be taken by a lawyer who is aware that his client will give perjured testimony at trial. The actual advice given is controversial at best and certainly unnecessary to a general review of trial procedure.

On a more fundamental level, the authors fail to satisfactorily address the crucial question raised early on concerning the applicability of the *Charter of Rights and Freedoms* to the school setting. The refusal to expand upon a perfunctory reference to section 32 and equally brief mention of "state agents performing a government service" and "in loco parentis" leaves this important question dangling. Such an oversight is regrettable, particularly since the authors themselves acknowledge in their preface the need to deal with *Charter* issues and concerns in a thorough and in depth manner.

In a similar vein, the bland statement that it is obscure whether and how the *Charter* may apply between private persons, without more, is entirely unsatisfactory. Regardless of the correctness of this assertion, the question would appear to be of sufficient interest to educators, administrators and their advisers to merit fuller discussion, particularly in a text dealing with school-centered *Charter* issues. Unfortunately, while many questions like these are raised, supporting analysis is sometimes shallow or incomplete. The suspicion is that sacrifices in content and technical analysis may have been made at the altar of readability.

In summary, this book can be recommended as a handy reference source for an overview of various *Charter* related school law issues. Beyond this, however, readers may wish to look elsewhere for a definitive and complete statement of the law.

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ADMISSIBILITY OF STATEMENTS, Seventh Edition, by René J. Marin (Aurora, Ontario: Canada Law Book,1989) XXIV +360 pages.