

Book review

Adult Social Care Law (Second Edition)



Author: Stephen Knafler QC
 Publisher: Legal Action Group
 ISBN: 978-1912273331
 Pages: 1,520
 RRP: £75

A little less than half way through the second edition of *Adult Social Care Law*, Stephen Knafler QC writes: 'This is only a textbook'. That is partly true, but it is also a force of nature. It is an undertaking which has been performed with such obvious attention to detail, that the resulting tome is so vast as to almost have its own gravitational field. On his Landmark Chambers webpage, Mr Knafler QC is described by one client as having 'a brain the size of a planet'. That may indeed be true, because he (aided by a team of contributors from Landmark Chambers and Garden Court Chambers) has authored a book the size of a small moon.

Context matters

In the introduction to the first edition, Mr Knafler QC explains the struggle to determine what his brief should be: he felt that a 'full-scale textbook' was too monumental a task (perhaps partly in deference to those who had attempted the feat previously), but a simple casebook would be of too little practical use without a contextual analysis.

He describes the various compromises he made in order to come to what, he says, remains at its heart a casebook. That is a fair synopsis of this book, and although the end result feels rather closer to the

'full-scale' textbook model, that is but a compliment to the way in which each chapter is developed, before moving forward with the main work of setting out the authorities.

“There would be as much for the administrators of the system to learn from this book as there is for practitioners & students”

The structuring of the chapters is a subtle nuance, each commencing with a chronological list of the relevant authorities and a very short summary of the respective ratios. Whether this is as useful or necessary as it is novel might be debated. On reading the admirably brief summaries, one is invariably drawn to wonder about the greater detail of the case, which is of course then provided just a few pages later in the chapter in any event.

In dealing with the case law, the author says he 'makes no apologies' for extensive citation from judgments, preferring the words of judges to the words of 'textbook writers'. In fact, this is perhaps not so much of a differentiating factor as Mr Knafler QC feels it may be, but in any event, even had they been proffered, no apologies would be required. The authorities are rendered in a useful and engaging fashion.

Going public on politics?

Given the subject matter, politics cannot be kept out of the discussion entirely. Whereas the introduction to the first edition was rather introspective, the introduction to the second edition of this book is given over to a rebuke of central government for what Mr Knafler QC suggests is the collapse in funding for the public sector. There is a sense that the work in compiling this book has been a difficult process, almost of cataloguing the scale of unfairness in the current (and historic) system.

With that said, it may still be a little too far to say, as he does, that there is a systemic lurch towards a 'far less caring society'. Nonetheless, it is true that there would be as much for the administrators of the system to learn from this book as there is for practitioners and students.

Mr Knafler QC rather modestly says that the book is, 'a decent upgrade on the first edition'. That is as may be, but judged in its own right, it is a rather fine casebook, written with a clarity of purpose by an expert in the field. Its weight, therefore, is in its authority more than in its mass, but with regard to the latter, it is worth upgrading your shelving unit so you can own it.

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Reviewer: David Locke, solicitor-advocate, partner, Hill Dickinson LLP (www.hilldickinson.com).

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