

Correspondence 9 December 1986

Sir,

At [1986] Stat L R 57-58 you published a note on my article 'The Controversy over Drafting Style' (1983) L.S. Gaz 2355-2356. The note mentioned that the article drew replies from Sir George Engle and the late Sir George Baker, published at (1983) L.S.Gaz. 2644. It did not however mention that a reply from me to these letters was published at (1983) L.S. Gaz, 3211.

It is worth drawing attention to this because it gives me the opportunity to report the outcome of the publication of that reply, which may interest your readers, First I should set out Its terms, which were as follows:

'With the greatest respect to Sir George Baker, I fear he will find himself disappointed if he believes that the Parliamentary Counsel Office has in any way altered its policy of refusing to discuss with outsiders their reform proposals on matters within its sphere of activity. Study of the carefully-drafted letter from Sir George Engle in your last issue appears to confirm this. However there is a simple way to make sure.

My book 'Statute Law' contains many proposals for reform. These have been carefully worked out after a lifetime of experience of legislation in various Commonwealth countries (including fifteen years in the Parliamentary Counsel Office itself). I am grateful that the book has been well received by reviewers all over the world.

When the book came out I sent a complimentary copy to Sir George Engle's predecessor, who returned a brief acknowledgement. That was nearly three years ago, but there has been no response from the Office to my proposals. Now a second edition has appeared, with added proposals. I should be very pleased to send a complimentary copy of this to Sir George Engle, if he is willing to receive it-I respectfully make this suggestion to Sir George Engle. If as I should dearly like to be the case, I am wrong, and the Parliamentary Counsel Office has indeed altered its policy of refusing to discuss reform proposals with outsiders, let him arrange for me to come to the Office and have serious discussions about the proposals in my book.

This would require the presentation of supporting argument and evidence, but. I would gladly give up the time needed. I have no wish to pursue an arid controversy All I have ever been interested in is improving the law. in ways I believe it could be improved.'

What was the response of the Parliamentary Counsel Office to that offer? Why, there was no response at all! Your readers will draw their own conclusions from this.

Yours faithfully,
Francis Bennion

Statute Law Review, Spring 1987, page 68. This letter is referred to in Zander, *The Law-Making Process* (5th edn) page 45.