

Review of the 1st edition of *Statutory Interpretation* by F. A. R. Bennion

by

(Butterworths, London. 1984, cii - 904 pp. £85 Hardback)

Page 631

This new book by the author, a former United Kingdom Parliamentary Counsel and sometime Lecturer and Tutor in Jurisprudence at St. Edmund Hall, Oxford, seeks (and most assuredly succeeds) to bring order and to rationalise the subject of statutory interpretation. It is a major work which considers the modern system of interpretation in great depth, the author's examination and presentation of material giving the book a high level of self-consistency.

The book takes the form of a Code. It is, as the author points out, drafted in a way similar to that used for Acts of Parliament. The Code is divided into numbered sections. These are arranged in Parts, each with a brief introductory note. The Parts are presented in two Divisions. Division One contains the gist, while Division Two consists of supplementary provisions. Each section of the Code is followed by a critical commentary, giving relevant examples, case authority

Page 632

and other information, in many instances drawn from other Commonwealth jurisdictions.

While all this may sound complex, it is an arrangement that proves extremely convenient given the subject matter and the size of the work, and one finds after a moment's use of the book an overall presentation that is clear and very coherent.

The book is an offering of new insights and methods of approach that administrators, lawyers and researchers will find invaluable. As the author notes in his Introduction: "Our courts have moved on from the old simplistic view. No longer is a problem of statutory interpretation settled by applying some talisman called the 'literal rule', or the 'golden rule', or the 'mischief rule'. Nowadays we have purposive construction, coupled with respect for the text and a recognition by judges that interpreting a modern Act is a matter sophisticated and complex."

The book then is a timely and very special contribution by Mr Bennion who is undoubtedly one of the leading specialists in this, still vexed, area of law. The fact is, as the author reminds us of recent remarks by the Lord Chancellor, Lord Hailsham, over nine out of ten cases heard on appeal turn on the meaning of legislation.

Website: www.franciscbennion.com

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For full version of abbreviations click 'Abbreviations' on FB's website.