

## Review of Statutory Interpretation

Francis Bennion Butterworths £187

This book is now in its third edition of 1,000 pages. The erudition of Francis Bennion is manifest. His book is a delight from start to finish. All government and local government public sector in-house lawyers, all chambers and every serious firm of solicitors will want a copy.

For the workaholic, this book can be read with amusement on a beach during the summer holidays. The checklist of interpretative criteria in the preliminary questions to be asked and the possible guides to legal meaning of the enactment are themselves capable of paying for the book. Any astute trainee or assistant solicitor wanting to gain a partnership and the admiration of senior members of the firm should not hesitate to go straightaway to Appendix B Before sending instructions down to counsel.

For example, his reminder that unfortunately judges sometimes blur the distinction between judgment and discretion. Bennion castigates the House of Lords in *Pepper v Hart* for the remarkable way in which the judges in this case failed to grasp that it turned on a question of judgment — namely what was the proper proportion of certain expenditure. He warns that it is notorious that different judicial minds may, and frequently do, conscientiously arrive at different readings. He rebukes further down the same page by pointing out that in *O'Brien v Benson's Hosiery Limited*, the House of Lords allowed themselves to be persuaded by counsel for the taxpayer, citing a 25-year old House of Lords decision on quite different legislation, that the plain words should be given an artificially restricted meaning.

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