

Bennion on Statutory Interpretation

Extracts from various reviews , letters etc.

' . . . the standard English text on statutory interpretation . . . '

Murray Gleeson, Chief Justice of the High Court of Australia (2008)

'Francis Bennion's blend of old and new and his search for an 'overall evaluation' rather than hard and fast rules have resulted in a major work which can be used for purposes of reference (almost as a dictionary of statutory construction) and/or read as an original and challenging analysis of the subject. Statutory interpretation will never be the same again.'

Professor Sir David Williams, Vice-Chancellor of Cambridge University

' . . . Bennion's *STATUTORY INTERPRETATION* is undoubtedly ambitious in its aspirations and execution . . . It is multi-layered, the narrative being pitched at different levels of detail and of comprehension. It is aimed, like legislation itself, at an audience comprising many different kinds of interpreters who are invited to read the book at different levels according to their purpose. The text depends upon several key organising principles to which, like a well-crafted statute, the narrative cross-refers each time they are used . . . This is a weighty book, both literally and metaphorically, and contains much to admire . . . It is an immensely valuable work of reference which eclipses earlier books on statutory interpretation.'

Public Law

'This is . . . an appropriate time for a major new work and Francis Bennion has provided it with this book of remarkable scholarship and authority . . . This book will undoubtedly become the standard work on statutory construction and deserves to be widely read by lawyers not only because of the importance of its subject but because of its intellectual clarity and vigour. It is, in this reviewer's opinion, one of the most significant and fascinating legal works to be published in the United Kingdom in recent years.'

Northern Ireland Legal Quarterly

'This is a mighty tome . . . this great work . . .'

Irish Law Times

'Generally this book is comprehensive and useful for different users - the practitioner and the judge, the academic and the lawyer-legislator. Mr Bennion has drawn on three phases of his personal experience, as a legal academic, as a parliamentary draftsman and as a legal author'.

Legal Studies

'Mr Bennion's breadth of learning and incisiveness of reasoning have produced a work which should be a bench mark for the future construction of statutes.'

Justice of the Peace

' . . . a timely and very special contribution by Mr Bennion, who is undoubtedly one of the specialists in this, still vexed, area of law.'

Commonwealth Law Bulletin

'This is institutional writing of a high order, and one of those indispensable, indispensable books.'

Alec Samuels

‘This new and remarkable book is a significant contribution to an area of law which is - in part because of Francis Bennion’s persistence - rapidly improving in academic and professional recognition . . . What Francis Bennion has attempted to produce is an authoritative guide to the law and practice of statutory interpretation worked out in British courts over several centuries. He is acutely aware of the pragmatic approach often adopted by judges, he is realistic about the political overtones of some recent cases, he takes full account of new developments such as the influence on interpretation of the European Convention on Human rights, and he is prepared to accept qualifications and exceptions to the principles or rules expounded in the book.’

Cambridge Law Journal

‘A classic is born.’

Solicitors Journal

‘Francis Bennion is a notable lawyer, scholar, author, lecturer, sometime lecturer and tutor in jurisprudence at St Edmund Hall, Oxford. . . He has produced a code, contained in 396 propositions. . . massive, full of history, learning, wide reading, displaying a profound knowledge of our case law and statute law.’

New Law Journal

‘F. A. R. Bennion, *STATUTORY INTERPRETATION* (4th edn, 2002), a *tour de force* in which Mr Bennion has single-handedly produced a code on statutory interpretation of over 1,000 pages including an extended commentary and a wealth of examples’

Professor Michael Zander QC,
The Law-Making Process,
Cambridge University Press, 6th edn, 2004, pp. 213-214

‘Enough praise cannot be showered on you for your classic publication *STATUTORY INTERPRETATION A Code*, Second Edition. I wish simply to say THANK YOU.’

Faizool Mohammed, Barrister and Legislative Draftsman, Bahamas

‘The first edition of this book was published in 1984. Over the past eight years it has become an indispensable reference book for practitioners. It is a treasure trove of useful references to decided cases and academic articles on every topic which it covers. It aims to be comprehensive rather than selective. Thus the practitioner searching for an authority in support of a particular proposition of law on statutory interpretation will often strike gold in the pages of *Bennion*.’

Beverley Lang, *Public Law*

‘From the time the book landed in my hands, I knew my practice would never be the same again! For *Bennion on Statutory Interpretation* overhauls a stuffy old art, breathing life into it anew as a modern science in its own right, a virtual fine art, and a genuine code, all rolled into one. And in the process, it fashions out an exquisite whetstone for honing practice into perfection in various fields of law. In its compendious framework, the book is as much a practitioner’s gold-mine as it is a comprehensive philosophy of the interpretation of modern laws, — at any rate in the common law systems of the English-speaking world.’

Bu-Buakei Jabbi, Sierra Leone

‘This . . . has come to be regarded as the leading textbook in its field. Sure, there are other works which deal with the subject in an exemplary manner . . . but none are as detailed or as thorough as *Bennion* . . . the value of this work cannot be overstated. Already this year, we have had recourse to *Bennion* on many occasions; we think every set of barrister’s chambers and every solicitor’s practice would be wise to invest in a copy, as well as a multitude of government departments, university and polytechnic libraries, together with the legislators themselves. Those of our readers who are intimidated by its length would do well to remember that the great strength of Mr Bennion’s work is that it can be used in a dual

sense, i.e. as a source of reference, or, for more detailed discussion on, say, a linguistic canon of construction.’

Justice of the Peace

‘The first edition of Bennion’s *Statutory Interpretation* was a unique, pioneering work of scholarship. The second edition has the same enviable characteristics. It is as invaluable to any serious law library as was its predecessor . . . It is essentially a work of reference but anyone will learn something of value just by dipping in . . . Delegated legislation is considered in detail. Having regard to the huge mass of delegated legislation which appears each year and the minimal discussion of the subject elsewhere, this part of the book is invaluable.’

Law Quarterly Review

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.

New Law Journal

‘It substitutes for the conventional categories a series of derived principles and propositions which make it possible often to crack a problem of interpretation by approaching it laterally’.

Lord Justice Sedley

‘. . . the book retains its unique place as a well from which all concerned with statutory interpretation must regularly quaff.’

Professor W A Wilson, *Statute Law Review*

‘Is it really beyond the wit of man to put together a set of guidelines for the interpretation of statutes which would be applicable except where explicitly excluded? . . . Until that glorious day the prudent lawyer will rely on *Bennion*.’

Justice of the Peace

‘. . . the most highly respected and up to date work on statutory interpretation available in the common law world . . . Comparisons are odious, but Bennion’s scholarship makes *Craies* and *Maxwell*, the two conventionally famous authorities on statutory interpretation, almost unworthy of reading in comparison.’

Anupam Gupta, *The Tribune* (India)

‘*Statutory Interpretation* rapidly achieved in Australia (and has maintained) pre-eminence as the preferred exposition and discussion of what might be called Common Law Statutory Interpretation.’

Brett Walker SC, President New South Wales Bar Association

‘As Francis Bennion said in his monumental work, “*We are ruled by statutes, so we had better learn to apply them*”’.

Magistrate Zygmunt Szramka, Tasmania

‘It is after all difficult to overlook the fact that the majority of reported cases are concerned with points of statutory interpretation. Of the several books designed to clarify the principles of this vital art, *Bennion*, in my opinion, is the best by a long stretch . . . *Bennion* is more than just a book outlining the methodology and principles of statutory construction. Drawing both on his understanding of Parliamentary practice and the mechanics of the legislative process as well as on a profound learning, it sometimes contains the type of information that other books on statutory matter omit altogether.’

Roderick Munday, Fellow of Peterhouse Cambridge.

‘[Francis Bennion] is arguably the most distinguished living scholar and writer on statutory interpretation in the UK . . .’

Adrian Turner LL B, (barrister and editor), *Justice of the Peace*.

‘I find this book quite invaluable.’

Professor John Tiley, President of the Society of Public Teachers of Law.

‘A landmark decision on this point is of the Supreme Court in State (through CBI, New Delhi) versus S. J. Chaudhary (1996; 2 S.C.C. 428). The court relied on Francis Bennion's classic which laid down the principle that while construing a statute the interpreter is to presume that Parliament intended the Act to be applied at any future time in such a way as to give effect to the true original intention. Accordingly, the interpreter is to make allowances for any relevant changes that have occurred in law, social conditions, technology, the meaning of words, and other matters.’

H.P.Ranina, *The Hindu Business Line* (Internet edition)

‘. . . the 1992 edition of the practitioner's bible on statutory interpretation, Bennion's *Statutory Interpretation: A Code* . . .’

Murray Hunt in *Human Rights: Changing the Culture*

Edited by Luke Clements and James Young (1999) Published by Blackwood, Page 98

As a leading scholar observed statutory provisions evolve in much the same way as a common law rule. See F. Bennion, *Statutory Interpretation* 618 (2nd ed. 1992).

Evolution and the Common Law (2005) by Allan C. Hutchinson

Cambridge University Press

‘Bennion’s *Statutory Interpretation* should be compulsory reading in all law schools. By times wry and very humorous it leaves no area of its subject uncovered and is very useful in practice.’

Listmania! Indispensable Law Books