

— THE —
HAMLYN
LECTURES
— 2017 —

To be delivered by

Professor Andrew Burrows,

**MA, BCL, LLM (Harvard), QC (Hon), FBA, DCL
Barrister and Honorary Bencher of Middle Temple,
Professor of the Law of England and a Fellow of All Souls,
University of Oxford**

Thinking about Statutes: Interpretation, Interaction, Improvement

Lecture 1 -

Wednesday 1 November, 17.30-18.30

Venue: Gulbenkian Lecture Theatre,
Faculty of Law, St Cross Building,
University of Oxford, OX1 3UL

Booking: www.law.ox.ac.uk/events/hamlyn-lectures-2017-oxford

Statutory Interpretation

Chair: Baroness Hale of Richmond,
President of the UK Supreme Court.

Lecture 2 -

Thursday 9 November, 18.00-19.00

Venue: Whitworth Hall, University of
Manchester, Manchester M13 9NR

Booking: www.eventbrite.com/e/school-of-law-hamlyn-lecture-tickets-38534461612

The Interaction between Common Law and Statute

Chair: Lord Dyson

Lecture 3 -

Wednesday 15 November, 18.00-19.00

Venue: Institute of Advanced Legal Studies,
17 Russell Square, London WC1B 5DR

Booking: www.sas.ac.uk/events/event/8559

Improving Statutes

Chair: Elizabeth Gardiner,
First Parliamentary Counsel

www.law.ox.ac.uk/hamlyn
www.cambridge.org/haml



Hamlyn Lectures 2017

Professor Andrew Burrows QC (Hon), FBA, DCL

Thinking about Statutes: Interpretation, Interaction, Improvement

Lecture 1: Statutory Interpretation

Lecture 2: The Interaction between Common Law and Statute

Lecture 3: Improving Statutes

Lecture 1: Statutory Interpretation

Despite its central importance, the study of statutes as a coherent whole has been and remains sadly neglected in UK law schools. These lectures address some of the central issues that arise if one thinks seriously and at a practical level about statutes. This first lecture on statutory interpretation examines four main questions. What is the present English law on how a statute is to be interpreted? Is statutory interpretation best understood as seeking to effect the intention of Parliament or is that an unhelpful fiction? What insights are to be gained by the idea that a statute is 'always speaking'? And can one assimilate statutory interpretation with other types of legal interpretation, in particular the interpretation of contracts and common law precedents?

Lecture 2: The Interaction between Common Law and Statute

In a common law system, intriguing questions arise about the interaction between common law and statute. This lecture examines three main issues concerned with that interaction. First, it looks at the development of the common law by analogy to statutes. Secondly, it explores the removal of the common law, or the freezing of its development, by statute. Thirdly, it considers the reform of the common law: should that be by judicial development or by statute?

Lecture 3: Improving Statutes

How might we improve the quality of our statutes? In this lecture, and drawing on the experience of having been a Law Commissioner for England and Wales, a number of different avenues are explored. These include the style of statutory drafting, the role of Parliamentary Counsel, pre and post-legislative scrutiny, and the work of the Law Commission in respect of consolidation and statute law repeals.