

CASE ANALYSIS AND STATUTORY INTERPRETATION – CASES AND MATERIALS BY ROBERT C BECKMAN, BRADY S COLEMAN AND JOEL LEE [Faculty of Law, National University of Singapore, 2001, xxxi + 584 pp (including index). Paperback: S\$80 (S\$48 for students)]

WHEN the first edition of this book was published in 1992, it was welcomed by both students and teachers of law in Singapore as an invaluable guide to the operation of the common law system. For almost a decade, it has proved to be essential reading – and indeed the core source of information – not only for students in their first year of study in the Law Faculty at NUS, but for anyone who requires an introductory guide to the way in which judges in both England and Singapore develop the common law and deal with problems of statutory interpretation.

During the past decade, significant changes have taken place within Singapore's legal system. Section 9A of the Interpretation Act has introduced a broad and liberal 'purposive' approach to the interpretation of statutes; appeals to the Privy Council have been abolished and the Court of Appeal has given itself the power to depart from its own prior decisions; and the Application of English Law Act has (among other things) signalled the end to the uncritical assumption that English case law should form the basis for Singapore decisions. These developments, and the fact that the book was approaching its tenth anniversary, combined to suggest that the time was ripe for a second edition. The task of producing the new edition

was undertaken by Brady Coleman and Joel Lee, both teachers on the Legal Method and System course in the Law Faculty at NUS. They had the advantage of being able to work in consultation with Robert Beckman, the author of the first edition, who, although no longer teaching the Legal Method and System course, is still a prominent member of the Faculty.

In their preface to the second edition, the authors explain the substantial changes which they have made to the original book. To reflect the developments within the legal system, they have included more Singapore cases and legislative extracts, and they have added a number of secondary materials (principally articles by academics in the field) to supplement the primary ones. They have also made major revisions to the book's organisation. The six chapters of the first edition have been reduced to four. This has been achieved by integrating the two chapters dealing with statutes and the two chapters dealing with common law into one chapter each. Almost all of the materials in the original have been retained in spite of this amalgamation, although the cases relating to the rule in *Rylands v Fletcher* (which were previously to be found in the section on common law reasoning) are no longer included.

The streamlining process has without doubt made this edition easier to use. One knows immediately that all the materials relating to common law reasoning and development will be found in the third chapter and that all those concerning statutes and statutory interpretation will be in the fourth. (The first chapter offers a general introduction to law, the courts and cases, as well as to the significance of English law in Singapore, while the second deals with the principles of stare decisis both here and in England). The loss of the *Rylands v Fletcher* materials will be felt by those who appreciated their value as a tool for introducing the concepts of *ratio decidendi* and *obiter dictum*, but it is probably true that the distinction between common law reasoning and common law development is too tenuous to justify the inclusion of separate materials for each.

The additions which have been made in various areas have broadened the book's depth and scope. For example, a brief but extremely clear and useful comparison of civil law and common law systems has been included in the first section of the first chapter (which provides an introduction to major divisions and classifications of law) and information on electronic research has also been inserted into the third section of that chapter. The articles which have been added relate mostly to the section on common law reasoning and development, although some are also to be found in the section on approaches to statutory interpretation. All are of the highest quality and they immeasurably increase the level of knowledge and understanding which can be achieved by readers of this edition. Some of the articles are perhaps rather complex for students who (like most potential readers of this book) are new to the study of law, but there is no harm in stretching one's readers, and the authors make it clear in their preface that these materials are expected to supplement the primary materials, not to be used as a substitute for them.

The addition of local cases (such as *Mah Kah Yew v PP*) and of other primary materials (such as extracts from the Application of English Law Act, section 9A of the Interpretation Act, and the Practice Statement of the Court of Appeal) is very helpful, and it contributes to the more local flavour of this edition. This reader would have liked to have seen slightly fuller materials relating to local legislation – such as more detailed extracts from the Application of English Law Act and its schedules (and perhaps even the Minister’s Statement). She would also have preferred the various provisions of section 9A to have been reproduced together, rather than being divided by illustrative or explanatory cases. However, these are purely personal views, and other readers – particularly those studying law for the first time – might well find the system adopted by the authors far more accessible because of the selective nature of the statutory extracts. Where notes and questions have been added to supplement the new materials, they are uniformly excellent – clear, concise and insightful.

In making the various changes and additions, the authors have remained faithful to the spirit and substance of the first edition. Indeed, many parts of the original have been retained in their entirety (such as the section on English cases relating to *stare decisis*), and the new parts of the book so closely mirror the style of the first edition that all of the material merges to form a seamless whole.

The authors are to be congratulated on producing an excellent second edition, and one which will surely meet with a level of success at least equal to that enjoyed by the original. This book offers such an admirable combination of information, analysis and academic insight that no Singapore student will wish to embark on the study of law without it.