



Statutory Interpretation Refresher

James Emmett

12 Wentworth Selbourne Chambers

The vast bulk of a tribunal's work involves the interpretation and application of statutes. In some cases, tribunal members have little assistance from the parties in resolving difficult questions of interpretation. In other cases, it can seem like they have too much help, with powerful arguments being advanced on both sides in favour of competing constructions.

Resolving these problems requires consideration of a range of interpretive factors that do not always point in a single direction.

In this session, James Emmett, provides a review of the modern Australian approach to interpretation, primarily by reference to the leading High Court decisions on the subject. The session then moves to concrete examples of difficult statutory provisions illustrating some of the issues that often arise. He will encourage members of the audience to participate in developing the best resolution of those issues, consistent with current principles.