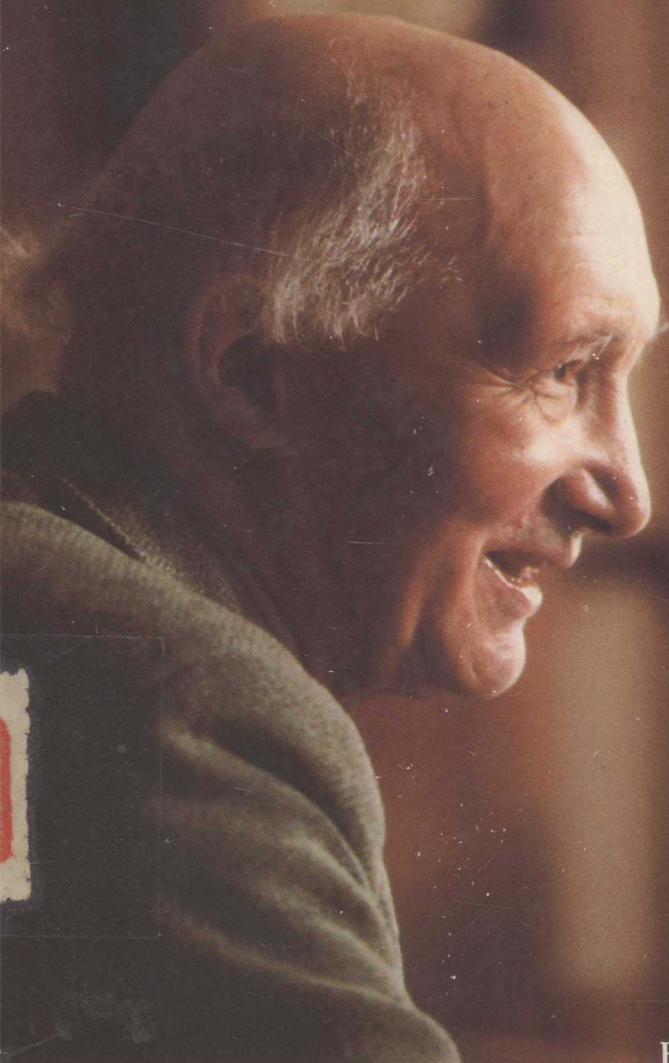


WHAT NEXT IN THE LAW

Denning



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by the Rt Hon
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Preface

After *The Family Story*, being still active, I thought of writing another book. But what should it be about? Seeing that, at my age, I shall not see as much done as I would like, I decided to look into the future and to set down some things – in the hope that they perhaps may be done by those who come after. Not in any visionary sense. Not the idealism of Tennyson who looked to the time

‘Till the war-drum throb’d no longer,
and the battle-flags were furl’d
In the Parliament of man, the Federation
of the world.

There the common sense of most shall
hold a fretful realm in awe,
And the kindly earth shall slumber, lapt
in universal law.’¹

I decided to reach forth to the reform of the law in the several branches where it is most in need of reform – and where there is, or should be – a reasonable prospect of it being achieved.

Soon I found that there had been others already engaged on the same task. There have been Royal Commissions, Departmental Committees and Blue Books – all recommending reforms. But each turned down by the Government for one reason or another –

¹ *Locksley Hall*.

or for no reason – just for lack of parliamentary time. Sometimes there has been a debate in Parliament. Sometimes not.

So I thought: Some spur is needed so as to get things done. Then I added, with undue presumption: My book shall be the spur. I will try to make it interesting – not only to lawyers – but also to others who may be concerned. Perhaps then something may be done. After all, everyone should be concerned – seeing that the law affects the lives of all of us at some time or other.

Here it is. You will find many descriptions of law cases in times past. Some of them are of importance in the history of our country. Some of them are of importance in establishing legal principles. Some of them are fascinating in themselves. Time after time you will find that current events turn up in the courts of law. So they fit in with my theme. The experience of the past points the way to the future. Some of you will be familiar with the cases already. If so, do pass them by: and turn to those you have not met before.

I start by telling you of a few men who did much in their time to reform the law. We can learn from their examples as well as by our own exertions.

I then take you to several topics and go into details of proposals. I hope you will forgive the occasional lapse into intricacies. Legal argument abounds with them. You cannot avoid them. Skip them if you please – until you have a case which depends on them.

Finally, I leave the special topics and speak generally. I take you to the Richard Dimbleby Lecture which I gave on the *Misuse of Power*. Many saw it on television: but will not have read it. So I set it out to remind you of it – because it deals with somewhat the same theme. In it, too, I have tried to show that the most important function of the law is to restrain the abuse of power by any of the holders of it – no matter whether they be the Government, the newspapers, the television, the trade unions, the multi-national companies, or anyone else.

There it is in outline. Most of it is controversial – I have deliberately made it so. It is to set you thinking, talking and

writing about what I have said. None of it is a final view. It is done without hearing argument. It is done without consulting others. As always, I am ready to change my mind. So agree or disagree. But do please help to get things going.

Denning.

February 1982

Table of cases

	PAGE		PAGE
Ahmad v Inner London Education Authority [1978] 1 QB 36 . . .	283	British Steel Corpn v Granada Television [1980] 3 WLR 774 . . .	246, 252, 255
Annesley v Earl Anglesea (1743) LR 5 QB 317n	239	Broome v Cassell & Co Ltd [1971] 2 QB 354; on appeal [1972] AC 1027	202, 203, 215
Argyll (Duchess of) v Duke of Argyll [1967] 1 Ch 302 . . .	223, 254	Burmah Oil Co Ltd v Governor & Co of the Bank of England [1979] 1 WLR 473; affd. [1980] AC 1090 . . .	233, 234, 236
Associated Leisure Ltd v Associated Newspapers Ltd [1970] 2 QB 450	208	Butterfield v Forrester (1809) 11 East 60	122
A-G v BBC [1981] 1 WLR 109 . . .	257, 265, 267		
A-G v Foster [1963] 2 QB 477: 241, 250, 252		C (a minor) v Wiseman, Re [1982] 1 WLR 71	148
A-G v Lundin (1982) Times, 20 February (not yet reported) . . .	252	Candler v Crane, Christmas & Co [1951] 2 KB 164	268
A-G v Mulholland [1963] 2 QB 477	241, 248, 250, 252	Cassidy v Daily Mirror Newspapers Ltd [1929] 2 KB 331 . . .	176, 213
A-G v Times Newspapers Ltd [1973] QB 710; revsd. [1974] AC 273	253, 326	Castanho v Brown and Root (UK) Ltd [1980] 1 WLR 833; affd. [1981] AC 557	105
		Colt (John) and Glover v Bishop of Coventry and Lichfield (1617) Hob 140	9
Baker v Bolton (1808) 1 Camp 493: 143		Conway v Rimmer [1968] AC 910: 235	
Baker v Market Harborough Industrial Co-operative Society Ltd [1953] 1 WLR 1472	124	Cook v Alexander [1974] 1 QB 279: 190	
Benham v Gambling [1941] AC 157: 144		Cotton v Wood (1860) 8 CBNS 568: 121	
Blackburn v A-G [1971] 1 WLR 1037	300	Cropp v Tilney (1693) 3 Salk 225 . . .	165
Bonham's Case (1608) 8 Co Rep 1136	319		
Boston v Bagshaw & Sons [1966] 1 WLR 1126	184	D v National Society for the Prevention of Cruelty to Children [1978] AC 171	227, 229
Bradburn v Great Western Rly Co (1874) LR 10 Exch 1	125	Davies v Mann (1842) 10 M & W 546	123
Bray v Ford [1896] AC 44	201	Defrenne v Sabena [1981] 1 All ER 122	294
Bridges v Directors & Co of North London Rly Co (1874) LR 7 HL 213	53		

Table of cases

	PAGE		PAGE
Edwards v Wooton (1608) 12 Co Rep 35	163	Lewis v Daily Telegraph Ltd [1963] 1 QB 340; affd. [1964] AC 234	180, 212, 213
Fitter v Veal (1701) 12 Mod 542	133	Leyland Cars Ltd v Vyas [1979] 1 QB 144; affd. [1980] AC 1028	231, 232
Five Knights' Case (1627) 3 State Trials 1	272	Lickbarrow v Mason (1787) 2 Term Rep 63	22
Ford v Blurton (1922) 38 TLR 801	59	Lim Poh Choo v Camden and Islington Area Health Authority [1979] 1 QB 196; varied [1980] AC 174	138, 140
French v Woolston 1 Sch & Lef 152:	23	Loudon v Ryder [1953] 2 QB 202	198, 199, 200
Gammell v Wilson [1981] 2 WLR 248	147, 156	Macarthy's Ltd v Smith [1979] ICR 785; on appeal [1980] ICR 672	297, 299, 300
Gaskin v Liverpool City Council [1980] 1 WLR 1549	236	M'Naghten's Case (1843) 10 Cl & Fin 200	47
Gouriet v Union of Post Office Workers [1977] 2 WLR 310	324	Morgan v Odhams Press [1970] 1 WLR 820; revsd. [1971] 1 WLR 1239	177, 213
Greenlands v Wilmhurst [1913] 3 KB 507	201	Neilson v Laugharne [1981] 1 WLR 537	236, 237
Hadmor Productions Ltd v Hamilton [1981] 3 WLR 139; revsd. [1982] 2 WLR 322	322	Newstead v London Express Newspaper Ltd [1940] 1 KB 377	175
Hayward v Thompson [1981] 3 WLR 470	204	Oliver v Ashman [1962] 2 QB 210	146, 147
Home Office v Harman [1981] 2 WLR 310	259	Parry v Cleaver [1970] AC 1	125
Hough v London Express Newspaper Ltd [1940] 2 KB 507	177	Phillips v London and South Western Rly Co (1879) 5 QBD 78	151
Huckle v Money (1763) 2 Wils 205	198	Pickett v British Rail Engineering Ltd [1980] AC 136	147
Hulton E. & Co v Jones. See Jones v E. Hulton & Co		Pickin v British Railways Board [1974] AC 765	319
Hunter v Wright [1938] 2 All ER 621	129	Prince Albert v Strange (1849) 1 Hall & Twells 1	221, 226, 248
Initial Services Ltd v Putterill [1968] 1 QB 396	240	R v Bear (1698) 2 Salk 417	167
Jackson v Union Marine (1874) LR 10 CP 125	54	R v Chief Immigration Officer, Heathrow Airport, ex parte Bibi [1976] 1 WLR 979	281
John Colt and Glover v Bishop of Coventry and Lichfield. See Colt (John) and Glover v Bishop of Coventry and Lichfield		R v Dudley and Stephens (1884) 14 QBD 273	48
Jones v E. Hulton & Co [1909] 2 KB 444; on appeal sub nom. E. Hulton & Co v Jones [1910] AC 20: 173, 174, 176, 178, 205, 212, 213		R v Evening News ex parte Hobbs [1925] 2 KB 158	193
Knupffer v London Express Newspaper Ltd [1944] AC 116	167	R v Geach (1840) 9 C & P 499	67
Laker Airways Ltd v Department of Trade [1977] 2 All ER 182	324		
Lamb's (John) Case (1911) 9 Co Rep 596	163		

	PAGE		PAGE
R v Holbrook (1878) 4 QBD 42	170	Slim v Daily Telegraph Ltd [1968] 2 QB 157	185, 212
R v Horsham JJ, ex parte Farquharson (1981) Times, 14 November, [1982] 2 WLR 430	192	Sun Printers Ltd v Westminster Press Ltd (1982) February (not yet reported)	255
R v John Wilkes (1770) 4 Burr 2527: 168		Sunday Times v United Kingdom [1979] 2 EHRR 245	265, 287
R v Lewes [1972] 1 QB 232; on appeal sub nom. Rogers v Secretary of State for Home Department [1973] AC 388	228	Sweet v Parsley [1970] AC 132	213
R v Mason [1980] 3 WLR 617	65	Tesco Supermarkets Ltd v Nattrass [1972] AC 153	250
R v Metropolitan Police Comr, ex parte Blackburn (No. 2) [1968] 2 QB 150	329	Thompson v London, Midland and Scottish Rly Co [1930] 1 KB 41	54
R v Orme and Nutt (1699) 1 Ld Raym 486, 3 Salk 224	166	Thorley v Lord Kerry (1812) 4 Taunt 355	169
R v Secretary of State for the Home Department, ex parte Bhajan Singh [1976] QB 198	280	Tolley v J. S. Fry & Son Ltd [1930] 1 KB 467; revsd. [1931] AC 333	224, 225
R v Sheffield Crown Court, ex parte Brownlow [1980] 1 WLR 892	64	United Kingdom Association of Professional Engineers v Advisory Conciliation and Arbitration Service [1979] 1 WLR 570	285
Reynell v Sprye (1849) 8 Hare 222	89	Van Duyn v Home Office [1975] Ch 358	295
Rookes v Barnard [1964] AC 1129	198, 199, 203, 206, 212, 214	Wakelin v London and South Western Rly Co (1886) 12 App Cas 41	122
Rothermere v Times Newspapers [1973] 1 WLR 448	209	Wallis v Duke of Portland (1797) 3 Ves Jun 494; on appeal (1798) 8 Bro Parl Cas 161	89
Rowley v London and North Western Rly Co (1873) LR 8 Exch 221	134	Ward v James [1966] 1 QB 273	60
Russell v Russell [1924] P 1; revsd. [1924] AC 687	55	Watson v Powles [1968] 1 QB 596	134
Saxton, Re [1962] 1 WLR 968	93	Waugh v British Railways Board [1980] AC 521	243
Schering Chemicals Ltd v Falkman Ltd [1981] 2 WLR 848	253, 257, 262	Webb v Times Publishing Co [1960] 2 QB 535	188, 214
Science Research Council v Nassé [1979] 1 QB 144; affd. [1980] AC 1028	231, 232	West (H.) & Son Ltd v Shephard [1964] AC 326	152
Scott v Scott [1913] AC 417	261	Wilkes v Wood (1763) Lofft 1	197
Scott v Shepherd (1773) 2 Wm Bl 892	18	Wise v Kaye [1962] 1 QB 638	151
Seager v Copydex [1967] 1 WLR 923	226	Worringham v Lloyds Bank Ltd [1981] 1 WLR 950	301
Sears v Lyons (1818) 2 Stark 317	200	Wyatt v Wilson (1820) 1 Hall & Twells 25	222
Shields v E. Coomes Holdings Ltd [1978] 1 WLR 1408	296		

Contents

Preface	v
Table of cases	xxi
 <i>Part one</i>	
Some great reformers	
Introduction	3
1 Henry Bracton c 1200–1268	5
1 'From precedent to precedent'	
2 'The King is under no man'	
2 Sir Edward Coke 1552–1634	8
1 The trial of Sir Walter Raleigh	
2 'Yes, Yes, Yes' – 'No' said Coke	
3 Revise those <i>Reports</i>	
4 Coke is dismissed	
5 He is active in Parliament	
6 Coke's <i>Reports</i>	
7 Coke's <i>Institutes</i>	
3 Sir William Blackstone 1723–1780	13
1 'Render each man his due'	
2 The Duke was 'the most curiously ridiculous being'	
3 Mr Viner leaves money	
4 Blackstone's <i>Commentaries</i>	
5 Jeremy Bentham writes from Whitchurch	
6 'Eureka!'	
7 A squib is thrown	
8 Too fat	

4 William Murray, afterwards Earl of Mansfield 1705–1793	19
1 He came from Scotland	
2 Englishmen dislike Scotsmen	
3 But English <i>women</i> do not	
4 Any prejudice overcome	
5 His contributions to English law	
6 Infusing equity	
7 His views on religious toleration	
8 His library goes up in flames	
9 He presides at the trial of Gordon	
10 ‘The great Lord Mansfield’	
5 Lord Brougham 1778–1868	26
1 A skit on him	
2 His defence of Queen Caroline	
3 His speech on Law Reform	
4 The great Reform Bill	
5 The effects of the mulled port	
6 ‘A magnificent oddity’	
 <i>Part two</i>	
Trial by jury	
1 Its glories	33
1 Panegyrics	
2 Embodied in the USA Constitution	
3 The lamp of freedom	
2 Causes célèbres 1367–1688	36
1 ‘I would rather die in prison’	
2 ‘Without meat, drink, fire or candle’	
3 Pippins in their pockets	
4 The trial of the Quakers	
5 The infamous conduct of Judge Jeffreys	
6 The King’s Brewer and the Seven Bishops	
3 Causes célèbres in crime since 1770	44
1 Erskine defies the judge	
2 The golden age of trial by jury	

3	When is a man insane?	
4	A shot at Queen Victoria	
5	The three sailors ate the cabin boy	
6	Getting rid of the body	
7	Diminished responsibility	
4	Civil cases tried by jury	53
1	The train was too long for the platform	
2	The condition on the excursion ticket	
3	The ship on the rocks	
4	The Russell baby	
5	A glance backward	57
1	All reasonable men	
2	High drama	
6	Reforms in my time	59
1	No juries in civil cases	
2	Majority verdicts	
3	No room for complacency	
4	Anyone can be on a jury	
5	Jury vetting – rival philosophies	
6	Jury vetting – now approved	
7	Is it constitutional?	
8	I stand corrected	
9	Right of challenge	
10	‘Peremptory’ challenge	
11	‘Packing’ the jury	
7	Proposals for consideration	70
1	Abolish the ‘peremptory’ challenge	
2	The panel of jurors	
3	Special jurors for fraud cases	
4	Alternatively, judge with assessors	
5	Let minor cases be tried by magistrates	
6	The qualification to be a juror	
7	The ordinary man is no longer suitable	
8	A new way of selecting jurors	
	Conclusion	78

Part three

Legal aid

Introduction 81

1 Costs as they used to be 83

- 1 Don't go to law
- 2 Dodson and Fogg – their honourable conduct
- 3 Not one farthing from Mr Pickwick
- 4 Mr Pickwick goes to prison
- 5 The cobbler in Chancery
- 6 Mrs Bardell in prison for costs
- 7 Free at last

2 Side effects in old days 88

- 1 'Mountains of costly nonsense'
- 2 The Duke refuses to pay
- 3 No contingency fees
- 4 Ambulance-chasers

3 The coming of legal aid 92

- 1 Only for the poor
- 2 There must be reasonable grounds
- 3 Poverty to be disregarded
- 4 Counsel's opinion carries the day
- 5 'Chuck it, Smith!'
- 6 A barrister is sued
- 7 Value of the scheme
- 8 Charge on property recovered or preserved

4 Drawbacks of the scheme 97

- 1 Running up costs
- 2 Jumping off the pier
- 3 Settling cases
- 4 The echo sounder
- 5 Pity the unassisted person
- 6 The surgeon pulled too hard and too long
- 7 The man who jumped out of the window
- 8 Don't leave it to the unadmitted clerk
- 9 Never work on a contingency fee
- 10 The case is settled

5 Criminal legal aid	107
1 No legal aid in former times	
2 Dock brief	
3 Legal aid now	
4 Waiting time	
6 Proposals for consideration	111
1 Costs of unassisted persons	
2 A new principle for granting legal aid	
3 What should be the income limit?	
4 Husband and wife	
5 Duty towards the Legal Aid Fund	
Conclusion	116
 <i>Part four</i>	
Personal injuries	
1 The Royal Commission Report is shelved	119
2 Old days	121
1 Negligence must be proved	
2 Contributory negligence was fatal	
3 The donkey is hobbled	
4 Parliament puts things right	
5 But still much uncertainty	
6 No insurance in old days	
7 The plaintiff is insured	
3 Modern times	126
1 Motors are dangerous things	
2 Compulsory insurance	
3 Social security benefits	
4 No need to prove negligence	
4 No-fault liability	130
1 The Royal Commission considers it	
2 Calculating the compensation	
3 Should liability for negligence be continued?	

5 Damages for personal injuries	133
1 'Fain to be trepanned'	
2 Not full but fair	
3 Previously not itemised	
4 Now itemisation is with us	
6 Living death	137
1 The lady doctor has a minor operation	
2 If she had died under it	
3 Her life now not worth living	
4 Keep her in comfort	
5 Injury to the body politic	
6 The Lords part company	
7 Should there be periodic payments?	
7 When the person is killed	143
1 The stage-coach overturns	
2 One reform after another	
3 The prospect of happiness	
8 Loss of future earnings	146
1 No compensation for 'lost years'	
2 Now there is compensation for them	
3 The chickens came home to roost	
4 Let the dependants claim	
5 The baby blind and paralysed	
9 Pain and suffering and loss of amenities of life	151
1 'The sleeping beauty'	
2 The problem is insoluble	
3 Replace it by a solatium	
Conclusion	154
Addendum	156
 <i>Part five</i>	
Libel	
Introduction	161

1 The Star Chamber	163
1 'The most honourable court'	
2 Prynne loses his ears	
2 The common law takes over	165
1 The Old Pretender causes trouble	
2 'Riding Skimmington'	
3 Men of the gown	
4 God save the King	
3 The nineteenth century	169
1 A crime and a wrong	
2 But not now	
3 The underlying policy	
4 The law takes a wrong turning	173
1 All about Artemus Jones	
2 Intention does matter	
3 'Liked having two wives at once'	
4 An engagement is announced	
5 The dog-doping girl	
6 Parliament steps in	
5 Technicalities beyond belief	179
1 'True' or 'false'?	
2 The fraud squad come in	
3 The judge sums up	
4 The jury award damages	
5 If I had been there	
6 Inordinate length	184
1 Three little pigs	
2 Fair comment	
3 'Double think'	
4 'Write to the newspaper'	
7 Fair information	188
1 The dismembered body	
2 The Bishop launches out	
3 A parliamentary sketch	
4 To be worked out	

Contents

5 A dangerous new provision	
6 A monumental fraud	
7 Wrong to make a blanket order	
8 Exemplary damages before 1964	196
1 Awarded to deter wrongdoing	
2 The pocket-book filled the mouth of the sack	
3 Beef-steaks and beer	
4 A young lady is beaten	
5 Was it not a forcible entry?	
6 Poisoning the barley	
7 The conduct of F E Smith	
9 Exemplary damages after 1964	202
1 The gallant Commander Broome RN	
2 Lord Wilberforce gets it right	
3 Aggravated damages	
4 A wealthy benefactor of the Liberal party	
5 The intention of the journalist	
6 The amount of damages	
7 Put technicalities aside	
10 Trial by jury – or by judge?	208
1 Lord Justice Lawton adds his aid	
2 The editor came in person	
11 Legal aid	211
Conclusion	212
1 Throw out Artemus Jones	
2 'Fair information on a matter of public interest'	
3 Throw out <i>Rookes v Barnard</i>	
4 Another Report shelved	
5 Summary	

Part six

Privacy and confidence

1 Two human rights in conflict	219
---------------------------------------	------------