Chapter: (p. 232) 11. Judge-made law

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This chapter considers a further source of the UK constitution: the law made by the judicial branch of government as a result of the cases heard by the courts. Today it is widely accepted that judge-made law is a reality. It takes two main forms: the development of the common law; or the interpretation of statutes. The two main approaches of the courts to interpretation of Acts of Parliament—the literal approach and the purposive approach—are discussed. The interpretative obligation imposed on the courts by s 3 of the Human Rights Act 1998 is also reviewed.
11. Judge-made law

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