



HKU | LAW

LECTURE 7: INTERPRETATION

Instructions

Do the assigned reading and prepare answers to the questions below. The answers will be elicited through class discussion. Although there is a group on call, anyone can be called upon to join the discussion.

Assignment Reading

L. Hoffmann, 'Language and Lawyers' (2018) 134 *Law Quarterly Review* 553–573

Questions

Based on the assigned reading, answer the following questions.

- a. What is the author's argument?
- b. Why is background relevant to construing utterances in everyday language?
- c. What is the difference between 'word meaning' and 'speaker meaning'? How does this distinction relate to the commission of verbal errors? How does this different impact the interpretation of utterances (including contracts)?
- d. What are the two ways in which legal interpretation is different from ordinary language interpretation?
- e. How have courts approached the commission of verbal errors in law? Is there an example you can make from a decided case?
- f. How have different approaches to construction of legal instruments evolved? What are the pros and the cons of the two possible approaches?