

ITS 25.8 – Dictionaries

Dictionaries may be consulted to ascertain the meaning of terms, even those of which judicial notice is taken. The court, however, is always free to depart from a dictionary definition.^{^1}

COMMENTS

Judges often consult dictionaries to clarify word meanings, even though they generally take judicial notice of commonly understood meanings. While dictionaries are not considered authoritative sources for interpreting words in Acts of Parliament, courts often assume words are used in their ordinary sense and may refer to dictionaries for guidance.^{^2} This practice indicates that courts are not strictly bound by dictionary definitions; they may interpret words differently depending on context. If a term has a judicially established definition in a relevant context, that interpretation is typically more reliable than a dictionary's. Dictionaries may also be consulted to trace a word's origin, providing context that aids judicial understanding. When referencing a dictionary, it should be reputable and authoritative. Moreover, if the court examines the meaning of a word as understood when an Act was enacted, consulting a dictionary from that time period may be particularly relevant.

¹ Bennion 2020 s 24.23

² R v Peters (1886) 16 QBD cited in Bennion 2020 p 778