

The University of South Wales Guide to
OSCOLA Referencing



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Acknowledgements

This guide is based on the *Oxford University Standard for Citation of Legal Authorities (OSCOLA)*, published by the Faculty of Law, University of Oxford:
http://www.law.ox.ac.uk/published/OSCOLA_4th_edn.pdf

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The USW guide contains examples of popular sources of UK and EU law, for examples of international materials please refer to *OSCOLA 2006: Citing International Sources*:
https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_2006_citing_international_law.pdf

'*Citing the Law*' is an online tutorial from Cardiff University licensed under a Creative Commons Attribution 4.0 International License:
<https://sites.cardiff.ac.uk/ilrb/resource/citing-the-law/>

Guides created by other UK universities have also inspired this guide.

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If you have feedback about the guide please email
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Contents

Part 1

Referencing

1. The Importance of Referencing3

Introduction

What is referencing?

Why reference?

Quality and relevance of sources

Solicitors Regulation Authority

Plagiarism – academic integrity

Help

2. How to Reference.....5

Basic requirements

What is a footnote marker?

How do I insert a footnote marker?

What are tables of cases and statutes?

What is a bibliography?

What are primary and secondary sources of law?

Punctuation

Pinpoints

Latin terms

Summarising

Paraphrasing

Secondary Referencing

Presenting Quotations

Short quotations Long

quotations Presenting

Footnotes

How do I refer to sources within footnotes?

First mention of a source

Subsequent mention of a source

Part 2

How to Cite Sources of UK and EU Law

A. Citing UK Case Law7

Law reports hierarchy

Brackets

Abbreviations

Citing cases:

Traditional and neutral case citation

Traditional case citation example

Neutral case citation example

Unreported Cases

Cases before 1865

B: Citing EU Case Law8

Reported EU Cases

Unreported EU Cases

Opinions of Advocates General

Decisions of the European Commission

Judgments of the European Court of Human Rights

Unreported European Court of Human Rights Cases

C: Citing UK Primary Legislation9

Citing Statutes (Acts of Parliament)

Explanatory Notes to Acts

Bills

D: Citing Secondary Legislation10

Statutory Instruments

E: Citing EU Legislation10

F: Official Publications10

Law Commission reports

Command papers

Parliamentary debates (Hansard)

G: Books 11

Book with a single author

Book with two or three authors

Book with more than three authors

Book with editor(s)

Contribution to a book

Encyclopaedias

H: Journal Articles (Print and e-Journals)..... 12

Online only journals

Case comments or case notes

I: Websites and Blogs 12

Websites

Blogs

Part 3

Tables of Cases and Statutes

and Bibliography13

How to compile tables of cases and statutes

How to compile a bibliography of secondary sources

Formatting

Part 1 - Referencing

1. The importance of referencing

Introduction

The aim of this guide is to explain the importance of referencing as well as how to format references based on the *OSCOLA* style. It highlights examples from some of the most popular sources of UK and EU law, illustrating the conventions involved in legal academic writing. It is important to note that coursework, such as essays or dissertations, submitted by all Law students and all students studying Law modules as part of another discipline for assessment in the Law School should follow the examples provided in this guide.

What is referencing?

Referencing is indicating in assignments when you have used material that has not originated from you. This might include various types of information such as data, images, facts or opinions. You may choose a direct quotation, or to summarise or paraphrase the work of other people.

Why reference?

The majority of academic assignments measure your ability to understand, analyse and evaluate the work of others. It is important to remember that as a matter of policy referencing in the Law School carries a percentage (currently 5%) of the overall marks for an assignment and if undertaken appropriately will contribute to your grade and therefore your academic success.

Consequently, referencing is crucial as it informs the reader of the texts you have consulted during your research. The quality and relevance of these sources also forms part of the assessment. When writing assignments it is important to refer to every source cited in a clear and consistent way, this shows consideration for the reader as it enables them to check easily the legal authorities you have referred to and to follow the arguments or propositions you put forward.

Quality and relevance of sources

It is particularly important in law to refer to the primary sources of law (typically legislation and case law) as this allows your reader to understand which rule of law you are referring to when you state, 'the law is x'. Citing primary sources provides proof of authority and allows your reader to make an assessment about the strength of that authority. Secondary sources (typically books and journal articles) provide explanations, comment upon and review the primary sources of law and are persuasive but are not the law itself.

Solicitors Regulation Authority and Bar Standards Board

In Law, there is a further imperative to learn how to reference correctly as the Solicitors Regulation Authority and Bar Standards Board will assess the character and suitability of all students who apply for memberships and will refuse an application in the absence of *exceptional circumstances* if a deliberate assignment offence has been committed, or has been adjudged to have been committed, amounting to plagiarism and cheating to gain advantage for yourself or others.

Plagiarism – academic integrity

This section is based on University guidance on 'Referencing, Plagiarism, and Good Academic Practice', available on UniLife:

<http://unilife.southwales.ac.uk/pages/3272-referencing-plagiarism-and-good-academic-practice?locale=en>

A key element of academic integrity is to understand good academic practice in written work and creative practice. Understanding how to use the work of other scholars, including your peers, to develop your own insights into a subject is an important professional skill.

Always follow professional academic conventions. Within the international academic community, it is never acceptable to use the words of others or their creative output (whether published or unpublished, including material from the internet) without explicit acknowledgement. To do so would not just be seen as a mark of disrespect but also plagiarism.

When you take notes from sources, make sure you do so in ways which identify where you are recording your own observations based on the document you are reading, where you are paraphrasing and where you are recording direct quotations. This will be particularly important if you are taking notes over a longer period and then reviewing them later.

Help

Please seek advice from your lecturer, the Student Development and Study Skills Service or your Faculty Librarian if you need further guidance.

EXAMPLE 1 –condensed, illustrated version of an assignment

Table of Cases

Edwards v Skyways [1964] 1 All ER 494
Tweddle v Atkinson [1861] 1 B & S 393; 121 ER 762 (QB)

Table of Statutes

Contract (Rights of Third Parties) Act 1999
Landlord and Tenant Act 1995

The case of *Edwards v Skyways*¹ demonstrates that even when an attempt is made to claim that the commercial agreement was not intended to be legally binding, that generally the agreement will be held to be so. Sir John Smith argues that:

“In ordinary business matters ... such an intention is presumed. The ordinary shopper in the high street does not have a conscious intention to create legal relations as he makes his various purchases, but he is undoubtedly entering into a series of contracts for the sale of goods.”²

Therefore, a claim can be made for work that has legally been done.³ However, the burden of proof would likely be to prove this point, as Treitel argues, “The family circle differs from the market place in that it is not the setting for bargaining but for an exchange of gifts or gratuitous services.”⁴ Ultimately, it is unlikely that a family member could claim on these grounds, but possibly if proven the work was done via a commercial relationship and that it is not a responsibility to maintain the property as a tenant.⁵ It is further held that consideration must move from the promise. This point of law is established in the case of *Tweddle v Atkinson*⁶ whereby it was held that somebody outside the contract could not rely on the contract, even though it sought to benefit that person. Although the Contract (Rights of Third Parties) Act 1999 has now sought to resolve this problem for the purpose of equity, the principle still stands, since the agreement has not been made for the defendant’s benefit.⁷

¹ *Edwards v Skyways Ltd* [1964] 1 All ER 494.

² J Smith, *The Law of Contract* (4th rev edn, Sweet & Maxwell 2002) 117.

³ *ibid* 120.

⁴ GH Treitel, *Treitel on the Law of Contract* (11th rev edn, Sweet & Maxwell 2003) 174.

⁵ As was stated in the Landlord and Tenant Act 1995, s 8.

⁶ *Tweddle v Atkinson* [1861] 1 B&S 393; 121 ER 762 (QB).

⁷ Smith (n 2) 135.

Tables at the beginning and the Bibliography at the end should begin on separate pages to the main body of the work

Bibliography

Smith J, *The Law of Contract* (4th edn, Sweet & Maxwell 2002)

Treitel GH, *The Law of Contract* (11th edn, Sweet & Maxwell 2003)

2. How to reference

Basic requirements

There are three basic requirements for incorporating references into your work when using *OSCOLA*: (See Example 1 on page 4.)

- Citation: when you acknowledge a source, place a **footnote marker** after the full stop at the end of the sentence, or after any other punctuation mark, or after the word or phrase to which it relates;
- Footnote: when referring to a publication for the first time, provide a full reference to the source at the foot of the page. Any 'Subsequent mention of a source' can then be provided in note form. (See page 6 for examples);
- Bibliography: compile a **Table** of primary sources at the beginning and a **Bibliography** of secondary sources at the end of your work.

What is a footnote marker?

As can be seen in Example 1 on page 4, footnote markers are a continuous run of numbers placed in the main body of the text and refer the reader to a numerical sequence of references positioned at the bottom of the same page (footnotes).

How do I insert a footnote marker?

Inserting both footnote marker and footnotes beginning with a ¹ can be done automatically in Word. The in-text marker should be inserted after a full stop, or after the word or phrase to which it relates. (See Example 1.) Use the 'References' tab to look for the 'Footnotes' group, and then click on 'Insert Footnote'.

What are tables of cases and legislation?

These primary sources of law are most authoritative and as such, they are placed at the beginning of the work, on a separate page to the main body of the work. Examples of this can also be seen in the leading legal textbooks. (See Part 3 – Tables of Cases and Legislation for details.)

What is a bibliography?

A bibliography is a list of all the secondary sources you have referred to in researching your assignment, it is placed on a separate page, at the end of the work following the main body of text and any appendices. (See Part 3 – Bibliography for details.)

What are primary and secondary sources of law?

Primary sources of law are the law itself: mainly case law and legislation. Secondary sources are all other materials that comment upon, analyse, summarise and otherwise explain the primary sources. For example, books, journals, encyclopaedias and dictionaries, indexes and digests, official publications etc.

Punctuation

There is always a full stop at the end of each footnote. Do not use full stops after abbreviations (QB not Q.B. for Queen's Bench), nor after the 'v' between two parties. Within a footnote, if there is more than one source cited, separate each with a semi-colon.

Pinpointing

Use pinpoint numbers to direct the reader to particular pages and paragraphs within a source. These come at the end of the footnote citation if necessary. Use 'pt' for part, 'ch' for chapter, and 'para' for paragraph. Page numbers stand alone; i.e. you do not need to use 'p' for page or 'pp' for pages.

Summarising

Summarising is briefly stating in your own words the main points of a longer text, often to give an overview of a topic. At the end of your sentence put a footnote marker and include details of the original source in the footnotes and in your Tables or Bibliography.

Paraphrasing

Paraphrasing is re-writing the statements of others in your own words often to clarify a point, rather than quoting their words exactly. At the end of your sentence put a footnote marker and include details of the original source in the footnotes and in your Tables or Bibliography.

Secondary referencing

A secondary reference is when you read a text in which the author refers to the work of another and you wish to refer to that work in your assignment. This practice is discouraged as you should always attempt to find the original source which you can analyse and evaluate on its own terms.

If it is not possible to find the original source, reference the source that you have not personally read first then in brackets put 'as cited in' then cite the secondary source that you have read including the page number. For example:

⁴ Quoted in WL Clay, *The Prison Chaplain, A Memoir of the Reverend John Clay* (London 1861) 554 (as cited in M Wiener, *Reconstructing the Criminal Culture, Law and Policy in England 1830-1914* (CUP 1990) 79).

Presenting Direct Quotations

How do I include quotations in my work?

Short quotations

Incorporate quotations of up to three lines into the text, within single quotation marks. Quotations within short quotations take double quotation marks:

EXAMPLE

The government included a high maximum penalty of 5 years imprisonment for breaching an anti-social behaviour order in the bill 'because the offender should be sentenced for his "pattern of behaviour", including the conduct giving rise to the making of the anti-social behaviour order.'³⁴

³⁴ Andrew Ashworth, 'Social Control and "Anti-Social behaviour": The Subversion of Human Rights' (2004) 120 LQR 263, 278.

Long quotations

Present quotations longer than three lines in an indented paragraph. Leave a line space either side of the indented paragraph. You do not need to use quotation marks, except for single quotation marks around quotations within quotations.

EXAMPLE

Sir John Smith argues that:

In ordinary business matters ... such an intention is presumed. The ordinary shopper in the high street does not have a conscious intention to create legal relations as he makes his various purchases, but he is undoubtedly entering into a series of contracts for the sale of goods.²

Therefore, a claim can be made for work that has legally been done.³

Presenting Footnotes

How do I refer to sources within footnotes?

Footnotes are the list of numerical references located at the bottom of a page (See Example 1 on page 4).

First mention of a source

The full details of each source must be included at first mention in the footnote.

From Example 1 on page 4:

²J Smith, *The Law of Contract* (4th rev edn, Sweet & Maxwell 2002) 117.

Subsequent mention of a source

When referring to the same source in the next footnote, you may use *ibid*, meaning 'in the same place', accompanied by the relevant page number.

From Example 1 on page 4:

³*ibid* 120.

If you use the same source again but later on in the assignment, identify it briefly and indicate the original footnote in which the full details can be found, this time including the subsequent page number (or paragraph number).

From Example 1 on page 4:

⁷Smith (n 2) 135.

Part 2 – How to cite sources of UK and EU law

This section will illustrate how to cite the most widely accepted sources of UK and EU law in the footnotes. (For bibliography examples see ‘Part 3 – Bibliography’ for formatting details).

A: Citing UK Case Law

Law reports hierarchy

There are many series of law reports published, with *The Law Reports* from the Incorporated Council of Law Reporting (ICLR) being considered the most authoritative (AC, QB, Ch, Fam). Lawyers in Court would cite a report from this series in preference to any other, but in academia where several versions of the same report may be available, you should cite the report that you have read. The next best reports are *The Weekly Law Reports* (WLR) or the *All England Law Reports* (All ER). These are known as general series of law reports, if a judgment is not available from any of these sources, then cite a specialist series such as the *Criminal Appeal Reports*, *Industrial Cases Reports* etc.

The citation for the most authoritative report can be found directly following the case name (pre-2001) or the neutral case citation (post-2001) in the citation lists in the legal databases and the printed volumes of the *Current Law Case Citor*.

Brackets – round or square?

In case citation there are either square or round brackets around the year. [] indicates the year the case was reported and that you need to know the year in order to find the case in print. () indicates the year is not necessary to find the correct volume and that you use the volume number to find the case report within the series.

Abbreviations

A comprehensive guide to accepted case law report and journal title abbreviations can be found online in the Cardiff Index to Legal Abbreviations www.legalabbrevs.cardiff.ac.uk

Citing Cases

When citing cases, give the name of the case, the neutral citation (if appropriate), and volume and first page of the relevant law report, and where necessary the Court.

Traditional and Neutral Case Citation

There are two types of case citation, ‘traditional’ which includes details of a printed volume number and page number and ‘neutral’ which began in 2001 when the Court of Appeal and later all divisions of the High Court adopted a form of citation which includes details of the case number

and the Court. There are no references to printed volumes or pages in neutral citation; it is format and publisher neutral, and was introduced to enable easier location of unreported cases or transcripts from websites such as BAILLI

<http://www.bailii.org/>.

Traditional case citation example

For cases which have a traditional case citation, cite as follows:

Reference order:

Party names | [year] OR (year) | volume | report abbreviation | first page or case number | (abbreviated Court name)

First citation in footnote:

¹ *Giles v Thompson* [1994] 1 AC 142 (HL).

Subsequent citations in a footnote:

If you refer to a source more than once in your footnotes, give the full citation at first mention (as above) and thereafter briefly identify the source and the footnote in which the full details can be found.

⁵ *Giles* (n 1).

Remember, it is also acceptable to use ‘ibid’, meaning ‘in the same place’. Use this to repeat information in the immediately preceding footnote. Ibid alone means ‘in the very same place’. Ibid should not be italicised.

⁵ *Giles* (n 1).

⁶ *ibid*.

Subsequent citations in footnotes with pinpoint:

If you refer to a source more than once in your footnotes and wish to specify a particular page use a pinpoint as follows, for example, ‘*ibid* 150’ means ‘in the same work, but this time at page 150’.

⁵ *Giles* (n 1) 145.

⁶ *ibid* 150.

Citations containing pinpoints to page or paragraph numbers

When pinpointing within a case, give paragraph numbers in square brackets at the end of the citation. If the judgment has no paragraph numbers, give the page number pinpoint after the Court.

³ *Callery v Gray* [2001] EWCA Civ 1117, [2001] 1 WLR 2112 [42].

⁴*Bunt v Tilley* [2006] EWHC 407 (QB), [2006] 3 All ER 336 [1]-[37].

⁵*R v Leeds County Court, ex p Morris* [1990] QB 523 (QB) 530-31.

If citing a particular judge:

³*Arscott v The Coal Authority* [2004] EWCA Civ 892, [2005] Env LR 6 [27] (Laws LJ).

For cases which have a neutral case citation, where you have both the neutral citation and the traditional citation, give the neutral citation first followed by a comma and then the citation for the most authoritative report.

Reference order:

Party names | [year] | Court | case number, | [year] OR (year) | volume | report abbreviation | first page

¹⁰*R (Roberts) v Parole Board* [2004] EWCA Civ 1031, [2005] QB 410.

Unreported cases

If a case is unreported i.e. not published in a printed law report, cite the neutral citation if available. If this is not available, cite as follows:

Reference order:

Party names | (Court, date of the judgment)

⁷*Calvert v Gardiner* [2002] EWHC 1394 (QB).

⁹*Stubbs v Sayer* (CA, 8 November 1990).

Cases before 1865

Cases heard prior to 1865 were published in a variety of report series named after the individual law reporter, otherwise known as the 'nominate reports'. These cases are available both in print in the library in CAT.5 and in Lexis and Westlaw in the reprinted form of the 'English Reports'. Cite as follows:

Reference order:

Party names | (year) | volume | nominate report abbreviation | first page, | volume | English Report abbreviation | first page

¹*Boulton v Jones* (1857) 2 H&N 564, 157 ER 23.

If there is a pinpoint use a semi-colon after the page number to separate the citation for the nominate report and English Report.

⁴*Henly v Mayor of Lyme* (1828) 5 Bing 91, 107; 130 ER 995, 1001.

B: Citing European Case Law

Reported EU Cases

Since 1989, EU cases have been numbered according to whether they were registered at the European Court of Justice (ECJ) or the Court of First Instance (CFI) and given the prefix C- (for ECJ cases or T- (for CFI cases). Cases prior to 1989 have no prefix.

Where possible, refer to the official reports, the *European Court Reports* (ECR). ECJ cases are reported in volume one (ECR I-) and CFI cases are reported in volume two (ECR II-).

If an ECR report is not available, cite the *Common Market Law Reports* (CMLR). Some cases are also reported in the *Law Reports*, the *Weekly Law Reports* and/or the *All England Law Reports* (*European Cases*).

Reference order:

Case number | *case name* | [year] | report abbreviation | first page

¹²Case 240/83 *Procureur de la République v ADBHU* [1985] ECR 531.

Unreported EU Cases

Cite the notice from the *Official Journal* (OJ) C series (following the reference order as for reported cases above).

¹⁵Case C-556/07 *Commission v France* [2009] OJ C102/8.

If the case is not yet reported in the OJ, cite the case number and case name, followed by the Court and the date of judgment in brackets.

⁴⁸Case T-227/08 *Bayer Healthcare v OHMI-Uriach Aquilea OTC* (CFI, 11 November 2009).

Pinpoint:

To pinpoint, follow the case citation with a comma, 'para' or 'paras' and the paragraph number(s) in square brackets.

⁴⁴Case C-176/03 *Commission v Council* [2005] ECR I-7879, paras [47-48].

Opinions of Advocates General

When citing an opinion of an Advocate General, add 'opinion of AG [name]' after the case citation and a comma, and before any pinpoint.

⁴²Case C-411/05 *Palacios de la Villa v Cortefiel Servicios SA* [2007] ECR I- 8531, Opinion of AG Mazak, paras 79-100.

Here are some examples of neutral citations you are most likely to see when studying law:

- Supreme Court – [2010] UKSC 2
- House of Lords – [2008] UKHL 8
- Court of Appeal (Civil Division) – [2001] EWCA Civ 5
- Court of Appeal (Criminal Division) – [2001] EWCA Crim 7
- High Court (Administrative Court) – [2005] EWHC Admin 12
- High Court (Chancery Division) – [2005] EWHC 15 (Ch)
- High Court (Queen's Bench Division) – [2005] EWHC 18 (QB)
- High Court (Family Division) – [2005] EWHC 24 (Fam)

Decisions of the European Commission

Decisions in relation to competition law and mergers are to be referenced as cases.

Reference order:

Case name | (case number) | Commission Decision number | [year] | OJ L issue/first page

³² *Alcatel/Telettra* (Case IV/M.042) Commission Decision 91/241/EEC [1991] OJ L122/48.

³⁶ *Georg Verkehrsorgani v Ferrovie dello Stato* (Case COMP/37.685) Commission Decision 2004/33/EC [2004] OJ L11/17.

Judgments of the European Court of Human Rights

Cite judgments of the European Court of Human Rights (ECtHR) consistently throughout an assignment from one of the following series:

- *European Court Reports* (ECR) or
- *Reports of Judgments and Decisions* (ECHR) or
- *European Human Rights Reports* (EHRR)

²⁷ *Osman v UK* ECHR 1998-VIII 3124.

Unreported European Court of Human Rights Cases

Cite unreported judgments using the case name, application number, then the Court and date of judgment in brackets.

²³ *Balogh v Hungary* App no 47940/99 (ECtHR, 20 July 2004).

Pinpoint:

To pinpoint, follow the case citation with a comma, ‘para’ or ‘para(s)’ and the paragraph number(s) in square brackets.

²⁵ *Omojudi v UK* (2010) 51 EHRR 10, [paras 4-1].

C: Citing UK Primary Legislation

Note: The full *OSCOLA* guide contains examples for citing Parliamentary bills and for citing legislation from Wales, the EU and international jurisdictions.

Citing Statutes (Acts of Parliament)

Cite an Act by short title and year, leave out ‘the’ at the beginning of a title.

If you refer to the Act by short title and year in the text of your work, you do not need to create a footnote because all the information the reader needs about the source is already in the text. If however you do not include the full title of the Act or relevant section in your text then footnote it as below.

²¹ Gambling Act 2005.

In-text example with pinpoint:

The statutory definition of remote gambling is “any gambling in which persons participate by the use of remote communication.”¹

¹ Gambling Act 2005, s 4.

Pinpoints:

To refer to a specific part, section, subsection, paragraph, subparagraph or schedule, or more than one of these elements, cite as follows:

Term	Abbreviation
part/parts	pt/pts
section/sections	s/ss
subsection/subsections	sub-s/sub-ss
paragraph/paragraphs	para/paras
subparagraph/subparagraphs	subpara/subparas
schedule/schedules	sch/schs

⁹ Consumer Protection Act 1978, s 2.

¹⁸ Human Rights Act 1998, sch 1 pt 1.

Explanatory Notes to Acts

When citing an explanatory note, precede the name of the Act with the words ‘Explanatory Notes to the...’. If pinpointing, cite the paragraph number(s) preceded by ‘para’ or ‘para(s)’.

⁷ Explanatory Notes to the Charities Act 2006, para 15.

Bills

Cite a Bill as follows:

Reference order:

title | HC Bill | (session) | [number] OR title | HL Bill | (session) | number

³ Consolidated Fund HC Bill (2008-09) [5].

To cite part of a Bill, use ‘cl’ or ‘cls’ followed by the clause number(s).

⁶ Academies HL Bill (2010-11) 1, cl 8(2).

D: Citing Secondary Legislation**Statutory Instruments**

Cite a Statutory Instrument (SI) by name, year and number; leave out ‘the’ at the beginning of a title.

Reference order:

name | year | SI number

¹² Gambling Act 2005 (Amendment of Schedule 6) Order 2012/1633.

In the text of your work if you refer to the SI by name and date, you do not need to create a footnote because all the information the reader needs about the source is in the text.

Pinpoints:

Mirroring the rules for statutes, and in addition to those abbreviations given above for parts of statutes, use the following for parts of statutory instruments:

Term	Abbreviation
regulation/regulations	reg/regs
rule/rules	r/rr
article/articles	art/arts

¹⁵ Eggs and Chicks (England) Regulations 2009, SI 2009/2163, reg 7(2).

E: Citing EU Legislation

The most authoritative source for EU legislation is the *Official Journal of the European Communities* (OJ).

Cite EU treaties and protocols as follows:

Reference order:

Legislation title | [year] | OJ series | issue/first page

¹⁰ Consolidated Version of the Treaty on European Union [2008] OJ C115/13.

Cite Regulations, Directives, Decisions, Recommendations and Opinions as follows:

Reference order:

Legislation type | number | title | [year] | OJ series | issue/first page

¹² Council Regulation (EC) 1984/2003 of 8 April 2003 introducing a system for the statistical monitoring of trade in bluefin tuna, swordfish and big eye tuna within the Community [2003] OJ L295/1.

Pinpoints:

To refer to an article or articles in EU legislation, follow the OJ citation with a comma, then ‘art’ or ‘arts’ and the article number(s):

¹⁵ Consolidated Version of the Treaty on European Union [2008] OJ C115/13, art 8.

To refer to a paragraph or paragraphs in EU legislation follow the same sequence above but use ‘para’ or ‘paras’ instead.

F: Official Publications

An official publication is any document issued by an organisation that may be considered an official body, and then made available to the public. These may include House of Commons and House of Lords Papers and Bills, command papers (including Green and White papers), Hansard (both Commons and Lords), standing, select and Public Bill committee debates, government responses to select committee reports, Law Commission reports plus others. If a source has an ISBN, cite it like a book, otherwise official parliamentary publications may be cited as follows:

Law Commission Reports**Reference Order with pinpoint:**

Law Commission, | *Title* | (Law Commission report number Command paper number where available, Year) [paragraph number]

⁹ Law Commission, *Unfair Terms in Contracts* (Law Com No 292 Cm 6464, 2005).

Command Papers

It is important to note carefully the abbreviation for ‘Command’ given on the title page, as there has been several series of Command papers, each with a different form of abbreviation.

Reference Order with pinpoint:

Author, | *Title* | (Command paper number, Year) | page number

⁸ Department for Education and Employment, *Learning to Succeed: a New Framework for Post 16 Learning* Cm 4392, 1999).

Parliamentary Debates (Hansard)

Cite Hansard as follows, use ‘cols’ for more than one column:

Reference Order with pinpoint:

HC Deb OR HL Deb | date, | volume number | column number

¹² HC Deb 3 February 1977, vol 389, cols 973-76.

Hansard HC (House of Commons) or Hansard HL (House of Lords) | volume number | column number | (Date)

¹² Hansard HC vol 508 col 1258 (8 April 2010).

G: Books

The publication details can usually be found on the title page in hard copy (the page where the copyright information is on the reverse) or on the homepage of an e-book. The author’s name should appear exactly as in the publication, but initials and surname are also acceptable. The book title should always appear in italics. Give relevant information about the edition before the publisher and year.

Pinpoint:

If referring to information from a specific page or paragraph, include the page or paragraph directly after the year. Use ‘pt’ for part, ‘ch’ for chapter, and ‘para’ for paragraph. Page numbers stand alone; you do not need to use ‘p’ or ‘pp’.

Book with a single author**Reference order:**

author, | *title* | (edition, | publisher | year)

Example without pinpoint:

¹ J Knowles, *Effective Legal Research* (2nd edn, Sweet & Maxwell 2009).

In-text example with pinpoint:

Knowles suggests that the best place to start legal research is with the books in the law library.¹

First citation in footnote:

¹ J Knowles, *Effective Legal Research* (2nd edn, Sweet & Maxwell 2009) para 1.3.

Subsequent citations in footnote:

If you refer to a source more than once in your footnotes, give the full citation at first mention (as above) and thereafter briefly identify the source and the footnote in

which the full details can be found.

⁵ Knowles (n 1) para 4.6.

Book with two or three authors

If there is more than one author insert ‘and’ before the last author’s name.

Reference order:

author and author, | *title* | (additional information, | edition, | publisher | year)

author, author and author | *title* | (additional information, | edition, | publisher | year)

¹ S Bailey and N Taylor, *Bailey, Harris and Jones: Civil Liberties Cases, Materials, and Commentary* (6th rev edn, OUP 2009).

Book with more than three authors

If there are more than three authors, give the name of the first author followed by ‘and others’.

Reference order:

author and others, | *title* | (additional information, | edition, | publisher | year)

¹ S Gardiner and others, *Sports Law* (3rd edn, Cavendish 2006).

Book with editor(s)

If there is no author, cite the editor as you would an author, adding in brackets after their name ‘(ed)’ or ‘(eds)’ if there is more than one.

⁸ M Woodley (ed), *Osborn’s Concise Law Dictionary* (11th edn, Sweet & Maxwell 2009).

Contribution to a book

When a book contains chapters written by a number of different authors and collated by an editor, cite the author of the chapter and the chapter’s title in single quotation marks, then give the editor’s name, the book title in italics and the publication information. In the Bibliography refer to the book as a whole, leaving out the individual chapter details.

Reference order:

chapter author, | ‘chapter title’ | in editor (ed), | *book title* | (additional information, | publisher | year)

⁵ T Weir ‘Tort’ in C Barnard, J O’Sullivan and G Virgo (eds), *What about Law? Studying Law at University* (2nd edn, Hart Publishing 2011).

Encyclopaedias

Cite an encyclopaedia as you would a book, but exclude the author / editor and publisher and include the edition and year of issue or reissue. Pinpoints to volumes and paragraphs come after the publication information.

Footnote with pinpoint:

⁷ *Halsbury’s Laws of England* (5th edn, 2010) vol 45, para 25.

H: Journal Articles (Print & e-Journals)

Give the publication year in round brackets where there is a separate volume number; this applies to the majority of journals. Only include an issue number if pages begin at page 1 for each issue within a volume, if so put the issue number in brackets immediately after the volume number. If citing the whole article, give only the first page number.

Reference order:

author, | 'article title' | (year) | volume | journal name or abbreviation | first page of article

[OR]

author, | 'title' | [year] | journal name or abbreviation | first page of article

¹⁸ D Whitehead, 'Messages on parenthood: the Human Fertilisation and Embryology Bill' (2008) 42 Law Teach 242.

Footnote with pinpoint:

If citing information from a specific page, add a comma after the first page of the article and then the page where the information can be found.

²⁰ R Owen, 'The View at the Start of the Decade' (2010) 44 Law Teach 75, 82.

Note:

Use a standard abbreviation for the journal title, these can be found in the Cardiff Index to Legal Abbreviations <http://www.legalabbrevs.cardiff.ac.uk/>

Online Only Journals

If the journal title is published only online with no print equivalent or if the version of the journal article you have read is online and lacks page numbers or other elements cite as in the following example.

Reference order:

author, | 'title' | year | volume | journal name or abbreviation | <web address> | date accessed

⁷H Power and B Dowrick, 'Issues in Corporate Crime: An Introduction' [1998] 2 Web J Current Legal Issues
<<http://webjcli.ncl.ac.uk/1998/issue2/power2.html>> accessed 6 January 2012.

Case Comments or Case Notes

Where these have titles treat them as journal articles (see above), where there is no title, use the name of the case in

italics instead and add 'note' at the end of the citation. If no author is given begin the citation with the title of the case comment if one is given or the name of the case.

⁹ Andrew Ashworth, 'R (singh) v Chief Constable of the West Midlands Police' [2006] Crim LR 441 (note)

¹⁰ 'Interim relief denied to musicians dropped from play: Ashworth and ors v Royal National Theatre' [2014] 1000 IDS Brief HR July (note)

I: Websites and Blogs

To cite information from a website where the information is in a format not otherwise covered in *OSCOLA*, proceed as follows:

Websites

Reference Order:

Author | 'Web Page Title' (*Website*, publication date) <url> accessed date

¹⁵ 'Liberty and the Civil Liberties Trust' (*A Year in Review*, 2011) <<http://www.liberty-human-rights.org.uk/newsletter/libertyyearinreview2011/index.html>> accessed 10 August 2012.

Blogs

Reference Order:

author | 'Title of blog post' (*title of blog*, date of publication if available) <url> accessed date

¹⁸R English, 'Defining "dignity" – nailing jelly to the wall' (*UK Human Rights Blog*, 8 August 2012) <<http://ukhumanrightsblog.com/>> accessed 10 August 2012.

²³ K Broadhurst, 'Not another brick in the wall?' (9 Park Place Chambers, 4 June 2014) <<http://www.9parkplace.co.uk/news-and-events//2014/06/04/not-another-brick-in-the-wall/>> accessed 15 July 2014.

Note: The quality of a web page with no author or date needs to be questioned i.e. is it suitable for academic work? If no author is identifiable and it is appropriate to cite, begin with the first significant word of the title and include the rest of the details in the usual way.

Live Hyperlinks

To remove live links in Word right click on the link and select 'Remove hyperlink'.

Part 3 – Tables of Cases and Legislation and Bibliography

EXAMPLE 4

Table of Cases

UK Cases

Boulton v Jones (1857) 2 H&N 564; 157 ER 232
 Calvert v Gardiner [2002] EWHC 1394 (QB)
 Edwards v Skyways [1964] 1 All ER 494
 Giles v Thompson [1994] 1 AC 142 (HL)
 Henly v Mayor of Lyme (1828) 5 Bing 91, 107; 130 ER 995, 1001
 R (Roberts) v Parole Board [2004] EWCA Civ 1031, [2005] (QB)
 Stubbs v Sayer (CA, 8 November 1990)
 Tweddle v Atkinson [1961] 1 B & S 393; 121 ER 762 (QB)

Table of Legislation

Bills

Presumption of Death Bill HL Bill (2012-13) 65
 Alan Turing (Statutory Pardon) Bill HC Bill (2013-14) [124]

Statutes

Contract (Rights of Third Parties) Act 1999 Human Rights
 Act 1998
 Landlord and Tenant Act 1995

Statutory Instruments

Eggs and Chicks (England) Regulations 2009, SI 2009/2163

EU Legislation

Consolidated Version of the Treaty on European Union [2008] OJ C115

How to compile tables of cases and statutes

(See Example 4 above)

Tables listing full citations for the primary sources of law, typically case law reports and primary and secondary legislation (Acts and Statutory Instruments) referred to in your assignment should appear at the very beginning of the work, on a separate page, preceding the main body of the text. Depending on the sources included, the list could

be separated into sub-sections for each category as illustrated in Example 4.

Formatting the Table of Cases

Case citations appear as in the footnote but note that case names are not italicised in a table of cases and should appear in alphabetical order of the first significant word, e.g. ³ *Giles v Thompson* [1994] 1 AC 142 (HL). in a footnote would become *Giles v Thompson* [1994] 1 AC 142 (HL) in the Table of Cases.

Note: no full stops or pinpoints are included for any source in a Table.

Some examples of various forms of case name follow:

Re *Jones* becomes Jones, Re

Re *W (Illegitimate Child: Change of Surname)* becomes W (Illegitimate Child: Change of Surname)

R v Smith becomes Smith (In a criminal law essay, but in an essay on another area list by full name under 'R', also do this for judicial review cases with the Crown as the first-named party.)

The Starsin becomes Starsin, The. See Homburg Houtimount BV v Agrosin Prostate Ltd. Trade-mark and shipping cases should be listed under the full case name, but also insert an additional entry in the table under the trade-mark or the name of the ship, using the first significant word with a cross reference to the full name.

Case T-344/99 *Arne Mathisen AS v Council* [2002] ECR II-2905 becomes Arne Mathisen AS v Council (T-344/99) [2002] ECR II-2905 (If not listed separately, EU cases should be arranged alphabetically by first party name in the table of cases, with the case number following the case name in brackets.)

Formatting the Table of Statutes

Legislation should be listed in alphabetical order of the first significant word of the title, not chronological by date of enactment.

Consumer Protection Act 1978

Gambling Act 2005

Human Rights Act 1998

How to compile a bibliography of secondary sources

(See Example 5 on page 15)

A bibliography contains details of all the secondary sources that have been referred to within the main body of the text as well as those that have informed understanding and analysis of the topic but which have not been directly cited (i.e. background reading). The bibliography should appear at the end of the main body of text and following any appendices. Depending on the sources included, the list could be separated into sub-sections for each category as illustrated in Example 5:

Formatting

It is necessary to make slight changes to the way sources are formatted for the bibliography.

Note: no full stops or pinpoints are included for any source.

Secondary Sources: books and journal articles

There are three rules for formatting books and journal articles in a bibliography:

1. Reverse the name so that the surname is first.
2. Use a comma after the final initial and before the title.
3. Pinpoints, leave these out but retain the starting page number for journal articles.

Books

In a footnote:

¹²J Smith, *The Law of Contract* (4th edn, Sweet & Maxwell 2002) 117.

In a bibliography:

Smith J, *The Law of Contract* (4th edn, Sweet & Maxwell 2002)

In a bibliography, you may find you need to list several books by the same author. These should be placed in chronological order (starting with the oldest). There is no need to repeat the author's name. This can be replaced by a double em-dash as follows:

Hart HLA, *Law, Liberty and Morality* (OUP 1963)

— — *Punishment and Responsibility* (OUP 1968)

Arrange works in alphabetical order of author surname, with any unattributed works listed at the beginning in alphabetical order of the first major word of the title.

Journal articles

In a footnote with a pinpoint:

²⁰R Owen, 'The View at the Start of the Decade' (2010) 44 *Law Teach* 75, 82.

In a bibliography where no pinpoint is necessary:

Owen R, 'The View at the Start of the Decade' (2010) 44 *Law Teach* 75

Journal titles should appear in their full form in the bibliography. *Cardiff Index to Legal Abbreviations* <http://www.legalabbrevs.cardiff.ac.uk/> can be used to check the full journal title of any abbreviation.

EXAMPLE 5

Bibliography

Books

Bailey S and Taylor N, *Bailey Harris and Jones: Civil Liberties Cases, Materials and Commentary* (6th rev edn, OUP 2009)

Gardiner S and others, *Sports Law* (3rd edn, Cavendish 2006)

Janis M W, Kay R S and Bradley A W, (3rd edn, Oxford University Press 2008)

Knowles J, *Effective Legal Research* (2nd edn, Sweet & Maxwell 2009)

Smith J, *The Law of Contract* (4th edn, Sweet & Maxwell 2002)

Treitel GH, *The Law of Contract* (11th edn, Sweet & Maxwell 2003)

Journal Articles

Whitehead D, 'Messages on parenthood: the Human Fertilisation and Embryology Bill' (2008) 42 *Law Teach* 242

Websites

English R, 'Defining "dignity" – nailing jelly to the wall' (*UK Human Rights Blog*, 8 August 2012) <<http://ukhumanrightsblog.com/>> accessed 10 August 2012

This document is available in Welsh. Mae'r ddogfen hon ar gael yn Gymraeg.

End of Guide