

Citing References: Law

This document provides guidance on citing UK and EU legal materials and specific guidance for law students on citing references in assignments.

IMPORTANT

If you are a **LAW** student, you should use this guide to help you cite **ALL** types of sources in your work. You should use the footnote system of referencing, which is conventional in legal academic writing.

If you are **NOT** a law student, you should **ONLY** use this guide to help you cite legal materials (cases and legislation). You should **NOT** use the footnote system of referencing. You should use instead the 'Author Date' method, as described in the BU Guide to Citation in the Harvard Style
http://www.bournemouth.ac.uk/library/citing_references/docs/Citing_Refs.pdf

This guide is based on the Oxford Standard for the Citation of Legal Authorities (OSCOLA) 4th edition (2010), see http://www.law.ox.ac.uk/published/OSCOLA_4th_edn.pdf for the full guide. If you wish to cite international legal materials, see http://www.law.ox.ac.uk/published/OSCOLA_2006_citing_international_law.pdf

1. Introduction

1.1 Why reference?

When you write an assignment, you will need to research the topic using legal sources (e.g. cases, legislation, books, journals, etc). You must reference ('cite') all the sources you've used. This allows someone marking your work to find them. Plus, if you don't acknowledge that you have used another person's work in your assignment, you will be committing plagiarism. This is a serious academic offence.

You must cite references in two places:

- In the text of your work, using footnotes
- In a list at the end of your work (a bibliography).

1.2 Footnotes

To create a footnote, insert a superscript number at the end of the sentence (or directly after the word or phrase to which it relates, if that's clearer). Then insert a numbered note at the foot of the page giving the full reference for the source. End the footnote with a full stop. If you have more than one reference in a footnote, separate them with a semi-colon.

You should number footnotes continuously throughout your assignment. If you are writing a dissertation, organise your footnotes chapter by chapter (each chapter begins with footnote '1', the footnotes continue in sequence to the end of that chapter).

- **Cases:** if the case name (e.g. *Carlill v Carbolic Smoke Ball Co*) is given in the text of your work, give only the case citation in a footnote.¹
- **Legislation:** if a full reference to the legislation is given in the text of your work (e.g. Sale of Goods Act 1979), there is no need to create a footnote. If your text doesn't include a full reference, give the information in a footnote.²
- **Secondary sources:** if you use a secondary source (such as reports, Command Papers, Hansard, books, journals, newspapers and websites) in the text of your work, you should give the full reference in a footnote.³

1.3 Repeated references

You may refer to the same source several times in your work. The first time it is mentioned, you must give the full reference in a footnote. After that, you can reference the source in a footnote as follows.

- (1) Give a shortened form of the source name:
 - Case – use one of the party names, e.g. *Carlill*
 - Legislation – use an abbreviation of the title, e.g. SGA 1979 for Sale of Goods Act 1979

¹ [1893] 1 QB 256 (CA).

² Sale of Goods Act 1979.

³ Jill Poole, *Casebook on Contract Law* (10th edn, OUP 2010).

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- Secondary source – use the author’s surname, e.g. Poole.

(2) Indicate the footnote number where the full reference was last given (n...).

For example, the full reference to the case *Carlill v Carbolic Smoke Ball Co* is given in footnote 1 (see previous page). The next time the case is referenced in a footnote, it can be given as a repeated reference⁴. This directs the reader to look at back at footnote 1 for the full case citation.

1.4 Latin terms

Avoid the use of Latin terms such as *supra*, *infra*, *op cit*, *loc cit*, etc. The abbreviation ‘ibid’ meaning ‘in the same place’ can be used to repeat a citation in the immediately preceding footnote. So, ‘ibid’ means ‘in the very same place’ whereas ‘ibid 345’ means ‘in the same work, this time at page 345’.

1.5 Bibliography

Your bibliography should contain full references for all of the sources you have used in your assignment. It should be divided into the following categories:

- Statutes (Acts)
- Statutory instruments
- Cases
- Official materials (e.g. Reports, Command Papers, Hansard)
- Books
- Journal articles
- Newspaper articles
- Websites.

List sources in alphabetical order within each category.

Separate cases and legislation from different jurisdictions, e.g. list UK cases first, then EU cases and then international cases.

NB an author’s name is referenced differently in the bibliography and the footnotes. In the bibliography, give the author’s surname first, followed by the author’s initial(s) and a comma:

⁴ *Carlill* (n 1).

e.g. Fisher E, *Risk Regulation and Administrative Constitutionalism* (Hart Publishing 2007)

In footnotes, give the author’s name exactly as it appears in the source, followed by a comma:

e.g. Elizabeth Fisher, *Risk Regulation and Administrative Constitutionalism* (Hart Publishing 2007)

2. Cases from England & Wales

Please note: these guidelines apply whether you found the case in print or online.

2.1 Law reports

Cite a judgment from a law report series as follows:

case name | [year] OR (year) | volume | report abbreviation | first page | (court)

e.g. *Barrett v Enfield LBC* [2001] 2 AC 550 (HL)

- Case name

- Use *italics* for the party names, separated by an *italic v*
- Name only the first claimant and first defendant
- Omit the first names and initials of individuals
- Include terms indicating corporate status (*Ltd*, *plc*)
- Use ‘*Re*’, not ‘*In re*’ or ‘*In the matter of*’
- Use ‘*Ex p*’, not ‘*Ex parte*’
- Abbreviate common words and phrases (see OSCOLA appendix 4.2.4).

- Year

- [] indicates the year the case was reported
- () indicates the date that judgment was handed down.

- Report abbreviation

- Use a standard abbreviation for the title of a law report series (see OSCOLA appendix 4.2.1)
- No punctuation is needed: use ‘QB’, not ‘Q.B.’
- Use the ‘best report’ of a judgment. If possible, cite the *Law Reports* (Appeal Cases, Chancery, Family, King’s/Queen’s Bench). If not, cite the *Weekly Law Reports* or the *All England Law Reports*. If not reported in these, cite a specialist series (such as *Lloyd’s Law Reports*).

- Court

Give an abbreviated reference to the court in brackets:

- (SC) = Supreme Court
- (HL) = House of Lords
- (CA) = Court of Appeal
- (QB) or (Ch) or (F) = divisions of the High Court.

2.2 Neutral citations

Since 2001, some courts have issued judgments with a neutral citation. This is a case identifier which is independent of any published law report series (see OSCOLA appendix 4.1 for a complete list of neutral citations).

case name | [year] | court | number

e.g. *Re Guardian News and Media Ltd* [2010] UKSC 1

If a judgment has a neutral citation AND a citation from a law report series, give the neutral citation followed by a comma and the law report citation. There is no need to give the court at the end of the law report citation, as this is indicated in the neutral citation.

case name | [year] | court | number, | [year]
OR (year) | volume | report abbreviation | first page

e.g. *Corr v IBC Vehicles Ltd* [2008] UKHL 13, [2008] 1 AC 884

2.3 Cases before 1865

Pre-1865 cases were published in 'nominate reports'. Many of these judgments have been reprinted in a series called the *English Reports*. If you have both citations, give the nominate report citation followed by a comma and the *English Report* citation.

case name | (year) | volume | nominate report abbreviation | first page, | volume | English Report abbreviation | first page

e.g. *Boulton v Jones* (1857) 2 H&N 564, 157 ER 232

2.4 Unreported cases

If a case is unreported but has a neutral citation, give that. If not, give the court and date of judgment in brackets after the case name:

case name | (court, | date)

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

2.5 Pinpoint

A pinpoint is a reference to a particular page of a law report or a paragraph in a judgment.

To pinpoint a page from a law report, give the relevant page number after the citation. To pinpoint several pages, insert a dash between the first and last page number.

e.g. *Donoghue v Stevenson* [1932] AC 562 (HL) 566

To pinpoint a paragraph from a judgement, give the relevant paragraph number(s) in square brackets after the citation. To pinpoint several paragraphs, insert a dash between the first and last paragraph number.

e.g. *Bunt v Tilley* [2006] EWHC 407 [1]-[37]

2.6 Judges

To reference a judge's opinion in a footnote, give the judge's surname followed by the conventional abbreviation identifying their judicial office in brackets after the case citation and pinpoint.

e.g. *Crown River Cruises Ltd v Kimbolton Fireworks Ltd* [1996] 2 Lloyd's Rep 533 (QB) 547 (Potter J)

The conventional abbreviations are as follows:

- High Court judge – Mr (or Mrs) Justice Smith (abbreviated Smith J)
- Court of Appeal judge – Lord (or Lady) Justice Smith (abbreviated Smith LJ, unless the judge is a peer in which case they are called Lord or Lady Smith)
- House of Lords judge – Lord (or Lady) Smith (no abbreviation)
- Supreme Court judge – Lord (or Lady) Smith SCJ (or, if not a peer – Sir John Smith SCJ or Dame Janet Smith SCJ).

If referring to more than one judge of the High Court, Court of Appeal or the Supreme Court in the short form, follow their surnames with JJ, LJ and SCJJ respectively. However, refer to Lord Smith and Lord Jones, not Lords Smith and Jones.

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To reference a judge's opinion in the text of your work, you can use either the full form of the judge's name ("Lord Woolf rejected the argument because...") or the short form ("As Tugendhat J pointed out...").

3. EU Cases

Please note: these guidelines apply whether you found the case in print or online.

3.1 Judgments of the European Court of Justice and Court of First Instance

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).

ECJ cases have the prefix C- (this is not needed for pre-1989 cases). CFI cases have the prefix T-. Civil Service Tribunal judgments have the prefix F-.

Where possible, cite 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-).

Cite an ECR judgment as follows:

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

e.g. Case T-344/99 *Arne Mathisen AS v Council* [2002] ECR II-2905

If an ECR report is not available, use the *Common Market Law Reports*. Alternatively, some cases are reported in the *Law Reports*, the *Weekly Law Reports* or the *All England Law Reports (European Cases)*.

- Unreported cases

If a case is unreported, cite the notice from the Official Journal (O) C series:

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

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

e.g. Case T-277/08 *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).

e.g. Case 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, follow the case citation with a comma and add 'Opinion of AG [name]' before any pinpoint.

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

- Decisions of the European Commission

If these relate to competition law and mergers, they are referenced as cases. Cite as follows:

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

e.g. *Alcatel/Telettra* (Case IV/M.042) Commission Decision 91/251/EEC [1991] OJ L122/48

3.2 European Court of Human Rights

Cite judgments of the European Court of Human Rights (ECtHR) from either:

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

e.g. *Osman v UK* ECHR 1998-VIII 3124
Omojudi v UK (2010) 51 EHRR 10

- Unreported cases

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

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

- Pinpoint

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

e.g. *Omojudi v UK* (2010) 51 EHRR 10, paras 4-15

4. UK Legislation

Please note: these guidelines apply whether you found the legislation in print or online.

4.1 Statutes (Acts of Parliament):

Cite an Act by its short title and date. You should not include 'the' at the beginning of the title, nor any punctuation between the title and the date:

e.g. Act of Supremacy 1558

- Pinpoint

To reference a particular part of an Act, use the following terms or abbreviations (you must use the abbreviation in footnotes, but you can use either the term or abbreviation in the text of your work):

e.g. Consumer Protection Act 1987, s 2

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

If specifying a paragraph or subsection as part of a section, use only the abbreviation for the section:

e.g. Human Rights Act 1998, s 15(1)(b)

- Explanatory notes to Acts

Precede the name of the Act with 'Explanatory Notes to the...'. If pinpointing a paragraph, cite the paragraph number(s) preceded by 'para(s)'.

e.g. Explanatory Notes to the Charities Act 2006, para 15

4.2 Bills

Cite a Bill as follows:

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

e.g. Consolidated Fund HC Bill (2008–09) [5]

To cite a part of a Bill, use 'cl' (or 'cls') followed by the clause number(s):

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

4.3 UK Statutory Instruments (SI):

Cite SI as follows:

name | year, | SI number

e.g. Penalties for Disorderly Behaviour (Amendment of Minimum Age) Order 2004, SI 2004/3166

- Pinpoint

To reference a particular part of SI, use the following terms or abbreviations (you must use the abbreviation in footnotes, but you can use either the term or abbreviation in the text of your work):

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

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

5. EU Legislation

The main source for EU legislation is the Official Journal (OJ).

Cite EU treaties and protocols as follows:

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

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

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

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

e.g. Council Regulation (EC) 1984/2003 of 8 April 2003 introducing a system for the

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statistical monitoring of trade in bluefin tuna, swordfish and big eye tuna within the Community [2003] OJ L295/1

- Pinpoint

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

e.g. Consolidated Version of the Treaty on European Union [2008] OJ C115/13, art 2

To reference a paragraph or paragraphs in EU legislation, follow the OJ citation with a comma, then 'para' (or 'paras') and the paragraph number(s).

e.g. 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, para 2

If pinpointing several articles or paragraphs, insert a dash between the first and last numbers cited.

6. Secondary Sources:

6.1 Law Commission reports

Cite a Law Commission report as follows:

Law Commission, | *title* | (Law Com No | number, | year)

e.g. Law Commission, *Reforming Bribery* (Law Com No 313, 2008)

To pinpoint, follow the citation with 'para(s)' and the relevant paragraph number(s):

e.g. Law Commission, *Reforming Bribery* (Law Com No 313, 2008) paras 3.12–3.17

6.2 Command Papers

Cite a command paper as follows:

department, | *title* | (command paper number, | year)

e.g. Department for Children, Schools and Families, *2008 Autumn Performance Report* (Cm 7507, 2008)

To pinpoint, follow the citation with either the page number(s) or 'para(s)' and the relevant paragraph number(s):

e.g. Department for Children, Schools and Families, *2008 Autumn Performance Report* (Cm 7507, 2008) 54

6.3 Select Committees

Cite a report of a select committee from either House as follows:

committee name, | *title* | (HL or HC | session, | paper number | volume number)

e.g. Science and Technology Committee, *Genomic Medicine* (HL 2008–09, 107–I)

To pinpoint, follow the citation with 'para(s)' and the relevant paragraph number(s):

e.g. Science and Technology Committee, *Genomic Medicine* (HL 2008–09, 107–I) paras 3.1–3.6

6.4 Hansard (parliamentary debates)

Cite Hansard as follows:

HL Deb OR HC Deb | date, | vol | volume number, | col(s) | column number(s)

e.g. HC Deb 3 February 1977, vol 389, cols 973–76

In the House of Commons, written answers are indicated by 'W' after the column number.

e.g. HC Deb 4 July 1996, vol 280, col 505W

In the House of Lords, they are indicated by 'WA' before the column number:

e.g. HL Deb 21 July 2005, vol 673, col WA261

7. Books:

You should only refer to this section if you are a **LAW** student. Otherwise, please use the Library's BU Guide to Citation in the Harvard Style.

Give the author's name exactly as it appears in the publication. If there are more than 3 authors, give the name of the first author followed by 'and others'. If no individual author is named, but an organisation claims responsibility for the work, cite it as the author. If no person or organisation claims responsibility for the work, begin the citation with the title.

7.1 Authored books

Cite an authored book as follows (NB not all books will have additional information or an edition number):

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

e.g. Gareth Jones, *Goff and Jones: The Law of Restitution* (1st supp, 7th edn, Sweet & Maxwell 2009)

7.2 Pinpoint

To pinpoint, give the page number(s) after the citation. You do not need to include 'p' or 'pp' before the page number(s):

e.g. Andrew Burrows, *Remedies for Torts and Breach of Contract* (3rd edn, OUP 2004) 317

7.3 Edited books

Cite a book with an editor in the same way as a book with an author, adding (ed) or (eds) after the editor(s) name(s):

e.g. Jeremy Horder (ed), *Oxford Essays in Jurisprudence: Fourth Series* (OUP 2000)

7.4 Contributions to edited books

Cite a chapter or essay in an edited book as follows (NB not all books will have additional information or an edition number):

author, | 'title' | in editor (ed), | *book title* |
(additional information, | edition, | publisher
| year)

e.g. John Cartwright, "The Fiction of the "Reasonable Man"" in AG Castermans and others (eds), *Ex Libris Hans Nieuwenhuis* (Kluwer 2009)

You do not need to give the page numbers of the chapter or essay unless you are citing information from a specific page in a footnote.

7.5 Encyclopedias

Cite an encyclopedia as a book, but excluding the author/editor and publisher:

e.g. *Halsbury's Laws* (5th edn, 2010) vol 57

To pinpoint, follow the citation with either the page number or 'para(s)' and the relevant paragraph number(s):

e.g. *Halsbury's Laws* (5th edn, 2010) vol 57,
para 53

NB this applies whether you found the encyclopedia in print or online.

8. Law Journals:

You should only refer to this section if you are a **LAW** student. Otherwise, please use the Library's BU Guide to Citation in the Harvard Style.

Cite a journal article as follows:

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

e.g. Alison L Young, 'In Defence of Due Deference' (2009) 72 MLR 554

Give the title of the journal in abbreviated form with no full stops. For guidance on journal abbreviations see OSCOLA appendix 4.2.1 or check www.legalabbrevs.cardiff.ac.uk/

- Pinpoint

To pinpoint, follow the citation with a comma and the page number(s):

e.g. JAG Griffith, 'The Common Law and the Political Constitution' (2001) 117 LQR 42, 64

- Online journals

If a journal is available in print (the journals on HeinOnline, Lexis Library and Westlaw generally

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are) follow the guidelines for journal articles, above.
If a journal is only published online, cite it as follows:

author, | 'title' | (year) | volume/issue |
journal abbreviation | <web address> | date
accessed

e.g. Graham Greenleaf, 'The Global
Development of Free Access to Legal
Information' (2010) 1(1) EJLT
<<http://ejlt.org/article/view/17>> accessed 27
July 2010

9. Newspaper articles:

You should only refer to this section if you are
a **LAW** student. Otherwise, please use the
Library's BU Guide to Citation in the Harvard
Style.

Cite a newspaper article as follows:

author, | 'title' | *newspaper* | (city of
publication, | date)

e.g. Jane Croft, 'Supreme Court Warns on
Quality' *Financial Times* (London, 1 July 2010)

If the reference is to an editorial, cite the author as
'Editorial'. If no individual author is named, but an
organisation claims responsibility for the work, cite it
as the author. If no person or organisation claims
responsibility for the work, begin the citation with the
title.

- Pinpoint

To pinpoint, follow the citation with the page
number(s):

e.g. Jane Croft, 'Supreme Court Warns on
Quality' *Financial Times* (London, 1 July 2010)
3

If the article is from the Internet and there is no page
number available, provide the URL and the date of
access:

e.g. Ian Loader, 'The Great Victim of this Get
Tough Hyperactivity is Labour' *The Guardian*
(London, 19 June 2008)
<[http://www.guardian.co.uk/commentisfree/
2008/jun/19/justice.ukcrime](http://www.guardian.co.uk/commentisfree/2008/jun/19/justice.ukcrime)> accessed 19
November 2009

10. Websites

You should only refer to this section if you are
a **LAW** student. Otherwise, please use the
Library's BU Guide to Citation in the Harvard
Style.

Cite information from websites, which is not covered
elsewhere by OSCOLA, as follows:

author, | 'title' | (*publication title*, |
publication date) | <URL> | date accessed

e.g. Sarah Cole, 'Virtual Friend Fires
Employee' (*Naked Law*, 1 May 2009)
<[http://www.nakedlaw.com/2009/05/index.h
tml](http://www.nakedlaw.com/2009/05/index.html)> accessed 19 November 2009

Further Information

You can find Quick Guides to Referencing at
[http://www.bournemouth.ac.uk/library/infoskills/inf
oskills_refguides.html](http://www.bournemouth.ac.uk/library/infoskills/infoskills_refguides.html)

There is an interactive tutorial on legal referencing
using OSCOLA at <http://ilrb.cf.ac.uk/oscola>

Contact Details:

Bournemouth House Library

19 Christchurch Road, Bournemouth BH1 3LH UK
For information and subject advice:
Tel: +44 (0) 1202 965959.

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