OSCOLA Referencing Quick Guide

Introduction
- The importance of legal citations and academic referencing
- Why referencing systems matter
- The OSCOLA referencing style

Books
- Book with a single author
- Book with two authors
- Book with three authors
- Book with more than three authors
- Edited book
- Chapter in an edited book
- Encyclopaedias
- eBooks

Journal articles
- Print article without a volume number
- Print article with a volume number
- Online journal articles
- Case notes

Cases
- Case with only a neutral citation
- Case with only a law report citation
- Case with both a neutral and law report citation
- Unreported cases

Legislation
- Statutes
- Statutory instruments

Official publications
- House of Commons Hansard
- House of Lords Hansard
- Command Papers and Law Commission Reports
- Parliamentary Reports

EU Sources
- EU Treaty/Protocol
- EU Regulation/Directive/Decision/Recommendation/Opinion
- EU case with an ECLI
- EU case with an ECLI and a law report citation
- Creating a footnote for EU official documents

European Court of Human Rights
- European Court of Human Rights case
- European Court of Human Rights unreported case

International sources
- International treaty
- International judgment
- Cases and legislation from other jurisdictions
- Citing other types of international source

Web sites
- Footnotes and bibliography
Introduction

The importance of legal citations and academic referencing

Legal citations are the references in the text or in footnotes to the legal, academic and other sources which support your argument.

Whenever you make a claim that ‘the law is x’, you should cite a legal authority for that proposition. This allows your reader to assess not only whether your claim is accurate, but also how strong the authority is. The citation is therefore an integral part of the evidence that supports arguments about what the law says and what it means.

When writing a law essay you will usually incorporate material and ideas from books, journal articles, official publications and other sources. It is essential that you use the correct referencing technique to give credit for quotes which come from other writers. You must also provide a reference even if you are not quoting directly from other work, but where that work has nevertheless helped you to formulate your own ideas.

If you fail to make appropriate references it may look as though you are claiming credit for ideas which are not your own, which is viewed in UK universities as poor academic practice or worse – please ensure you are familiar with the rules on plagiarism and the University Academic Integrity Policy.

Why referencing systems matter

As a guiding principle, citations should enable the reader to find the precise source you have quoted or relied on, and also which part of that source you have used. All referencing systems allow writers to provide that information in a type of ‘code’ which obeys very specific rules. Students and academics working within specific disciplines, like law, all use the same referencing code so that they can easily comply with it when writing legal texts, but also so that they can all ‘de-code’ references when reading each other’s work. The code, or style of referencing, used in the Liverpool Law School is the OSCOLA referencing style.

The OSCOLA referencing style

OSCOLA (the Oxford Standard for Citation of Legal Authorities) is a footnote style. It does not use in-text citations or endnotes. This guide is based on the 4th edition of OSCOLA and covers the main sources of information that you are likely to need to cite in your work. For a more detailed guide to OSCOLA see http://www.law.ox.ac.uk/published/OSCOLA_4th_edn.pdf.

This guide will begin by describing how to write footnotes for different types of legal materials in a manner which obeys the OSCOLA rules.

At the end of the guide there is an important section which explains when and how to add footnotes to your text, and how to build a bibliography.
Books

General guidance

1. Organisations and institutions can be named as authors; if no person or organisation is claiming authorship then start the reference with the title.
2. In footnotes the author’s first name comes before their surname. In the bibliography, the surname comes first followed by the author’s initial(s), not their first name.
3. All publications with an ISBN should be cited as a book, whether read online or in print. An ISBN is a 13 digit number usually located with the publication details of a source.
4. Use capital letters for the first letter of all major words in a title. Words such as ‘for’, ‘or’ and ‘the’ do not need a capital letter unless they are the first word of the title or subtitle.

Creating the footnote

1. Start with the author’s name, then the book title in italics followed by a comma. Next is the edition information (if it is not the first edition) followed by a comma, the publisher and year of publication in round brackets. End the footnote with a full stop.
2. To reference a specific page insert the page number at the end of the citation. Do not include ‘p’ or ‘pp’ before page numbers. If appropriate, use a specific range of pages using the format 22-24.

Examples

Book with a single author

Footnote

When referring to a specific page

Bibliography

Book with two authors

Footnote

When referring to a specific page

Bibliography
Book with three authors

Footnote

When referring to a specific page

Bibliography

Book with more than three authors

Footnote

When referring to a specific page

Bibliography

Edited book

An edited book is a collection of chapters on a central theme, often written by different authors and compiled by an editor. Use (ed) or (eds) if there is more than one editor.

Footnote

When referring to a specific page

Bibliography

Chapter in an edited book

To refer to a specific chapter within an edited book, cite it in a similar way to a journal article followed by ‘in’, then give the editor’s name, the title of the book in italics and the publication information. Include the book, not the individual chapter, in the bibliography.

Footnote
Fiona Beveridge, ‘Gender, the Acquis and Beyond’ in Michael Dougan and Samantha Currie eds) *50 Years of the European Treaties: Looking Back and Thinking Forward* (Hart 2009).

When referring to a specific page
Fiona Beveridge, ‘Gender, the Acquis and Beyond’ in Michael Dougan and Samantha Currie (eds) *50 Years of the European Treaties: Looking Back and Thinking Forward* (Hart 2009) 59.
**OSCOLA Referencing Quick Guide**

**Bibliography**

_Dougan M and Currie S (eds), 50 Years of the European Treaties: Looking Back and Thinking Forward_ (Hart 2009).

**Encyclopaedias**

Cite an encyclopaedia in a similar way to a book, but exclude the author/editor and the publisher information and include a volume number, if applicable. If pinpointing to a specific paragraph, insert the paragraph number after the volume number and a comma.

**Footnote**


**When referring to a specific paragraph**


**Bibliography**


**eBooks**

eBooks are cited in the same way as printed books. There is no need to include a web address or the date the book was accessed online.
Journal articles

General guidance

1. If there are multiple authors follow the author guidance in the Books section.
2. Organisations and institutions can be named as authors; if no person or organisation is claiming authorship then start the reference with the title.
3. The author’s first name comes before their surname. In the bibliography, the surname comes first followed by the author’s initial(s), not their first name.
4. Use capital letters for the first letter of all major words in a title. Words such as ‘for’, ‘or’ and ‘the’ do not need a capital letter unless they are the first word of the title or subtitle.
5. Treat case notes with titles as if they were journal articles. Where there is no title, use the name of the case in italics and add (note) at the end of the citation.
6. Journal articles found on databases such as Westlaw or Lexis Library are printed journals which have been accessed online and should be cited as if they were print. Do not include a database URL.
7. Square brackets around the year of publication indicate that you need to know the year to find the printed journal volume on the shelf. Round brackets mean you do not need the year as there will be a unique volume number.
8. Find journal title abbreviations at www.legalabbrevs.cardiff.ac.uk. Use either journal abbreviations or full journal titles throughout your work; you must be consistent.

Creating the footnote

1. Start with the author’s name and a comma, followed by the article title in ‘single quotation marks’ and the year of publication in square or round brackets (see General guidance point 7). Next is the journal abbreviation (see General guidance point 8) or the full journal title and the number of the first page of the article. End the footnote with a full stop.
2. To reference a specific page within an article, insert a comma after the first page of the article followed by the page number to which the pinpoint refers. Do not include ‘p’ or ‘pp’ before page numbers. If appropriate, use a specific range of pages using the format ‘22-24’. If an article has paragraph numbers, insert ‘para’ followed by the paragraph number or paragraph range.

Examples

Print article without a volume number

Footnote

When referring to a specific page

Bibliography
Print article with a volume number

Footnote
Alison L Young, ‘In Defence of Due Deference’ (2009) 72 MLR 554.

When referring to a specific page

Bibliography

Online journal articles

Journal articles accessed via databases such as Westlaw or Lexis are usually print journal articles made available in an online format and should be cited as if they were print journal articles - do not include a URL in your reference. Some journals are only published online and the URL and the date of access should be included in the citation. Online-only journals may have paragraph numbers and can be pinpointed by putting the paragraph number in [square brackets] before the URL.

Footnote

When referring to a specific paragraph

Bibliography

Case notes

Cite case notes like journal articles. Where there is no title, use the name of the case in italics and add (note) at the end of the citation. If the case in the note is referred to in the text, it is not necessary to put the name of the case in the case note citation.

Footnote
Andrew Ashworth, ‘R v (Singh) v Chief Constable of the West Midlands Police’ [2006] Crim LR 441 (note).

If the case is referred to in the text
Andrew Ashworth [2006] Crim LR 441 (note).

When referring to a specific page
Andrew Ashworth, ‘R v (Singh) v Chief Constable of the West Midlands Police’ [2006] Crim LR 441, 443 (note).

If the case is referred to in the text
Andrew Ashworth [2006] Crim LR 441, 443 (note).

Bibliography
**General guidance**

1. Cases may be reported in more than one place.
2. UK courts have passed rules which mean that some reports are more authoritative than others.
3. The most authoritative series is called *The Law Reports* is the most authoritative. This includes volumes called the *Appeal Cases* (AC), *Chancery Division* (Ch), *Family Division* (Fam) and *Queens Bench* (QB). These law report series contain cases on all areas of law. You can find out more about the hierarchy of law reports in the full OSCOLA guide.
4. Other law reports series are organised by field of law. We refer to these as specialist series and they contain cases on specific areas of law, such as the *Entertainment and Media Law Reports* (EMLR).
5. Neutral citations are references which the courts themselves assign to cases independently of the references which are used in different series of law reports. Some courts publish their judgments online before the official law reporters publish them in their series. That is why we need a new type of ‘neutral’ citation to refer people to those judgments.
6. Law report titles are usually abbreviated. Use this link [www.legalabbrevs.cardiff.ac.uk](http://www.legalabbrevs.cardiff.ac.uk) to find out what these abbreviations mean.
7. Party names should be in italics in the text of your work and the footnote but not in the bibliography.
8. If the case name is included in the text, you only need to include the case citation in your footnote.

**Creating the footnote**

1. Start with the party names.
2. If there is a neutral citation, that comes next with the year in square brackets, the abbreviation for the court in which the case was heard and the judgment number.
3. If the case was subsequently reported in a printed set of law reports, the citation for this comes next after a comma. The year comes first, in square brackets if the year is essential to locating the report and round brackets if it is not essential (usually because there is a consecutive volume number).\(^*\)
   This is followed by the volume number (if there is one), the abbreviation for the law report series in which the case is reported and the number of the first page. End the footnote with a full stop.
4. To reference a specific page within a judgment insert a comma after the first page of the report followed by the page number to which the pinpoint refers. Do not include ‘p’ or ‘pp’ before page numbers. If appropriate, use a specific range of pages using the format 22-24. Cases with neutral citations have paragraphs and you use square brackets to pinpoint to a specific paragraph or range of paragraphs, for example [3] or [12] - [15]. If you have multiple pinpoints in the same footnote, separate them with a comma.

*Use of brackets*

1. Brackets denote whether the year is required to locate the correct version of a law report. This convention was established when law reports were only published in hard copy; now, most law report retrieval is undertaken online and the shape of the brackets is not important. However, the rule around the use of square and round brackets in legal citation remains and you should follow whichever style of brackets is given in the source you are using.
Examples

Case with only a neutral citation

Footnote

When referring to a specific paragraph

Bibliography

Case with only a law report citation

Footnote

When referring to a specific page

Bibliography

Case with both a neutral and law report citation

Footnote

When referring to a specific page

Bibliography

Unreported cases

Not all cases are reported in a law report series. If a case has a neutral citation then give that, but of there is no neutral citation (which will always be the case before 2001) give the court and the date of the judgment in brackets after the party names in italics. There is no need to add the word ‘unreported’. For exampleStubbs v Sayer (Court of Appeal, 8 November 1990).
Legislation

General guidance

1. Statutes (Acts) are primary legislation and are referred to by their short title and year of enactment.
2. If you include the name of the statute and the relevant section and year in your text, there is no need to use a footnote. For example, ‘This case highlights the far-reaching judicial role ushered in my the Human Rights Act 1998’ does not require a footnote.
3. Statutory Instruments (SI) are examples of secondary legislation and may also be known as orders, regulations or rules.
4. Statutory Instruments are numbered consecutively throughout the year and this number is combined with the year and the abbreviation ‘SI’ to give a unique identifying number. For example SI 2014/1291.
5. Statutes are divided into parts, sections, subsections, paragraphs and subparagraphs. The main text of the statute may be supplemented by schedules which are divided into paragraphs and subparagraphs. Use the appropriate abbreviation:

<table>
<thead>
<tr>
<th>For Statutes (Acts)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>part/parts</td>
<td>pt/pts</td>
</tr>
<tr>
<td>section/sections</td>
<td>s/ss</td>
</tr>
<tr>
<td>subsection/subsections</td>
<td>sub-s/sub-ss</td>
</tr>
<tr>
<td>paragraph/paragraphs</td>
<td>para/paras</td>
</tr>
<tr>
<td>subparagraph/subparagraphs</td>
<td>subpara/subparas</td>
</tr>
<tr>
<td>schedule/schedules</td>
<td>sch/schs</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>For SIs</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>regulation/regulations</td>
<td>reg/regs</td>
</tr>
<tr>
<td>rule/rules</td>
<td>r/rr</td>
</tr>
<tr>
<td>article/articles</td>
<td>art/arts</td>
</tr>
</tbody>
</table>

Creating a footnote for a statute

1. Start with the short title of the statute followed by the year. End the footnote with a full stop.
2. To refer to a specific part or section, insert a comma after the year and use the relevant abbreviation and the part number.
3. If referring to a paragraph or subsection within a section, just use the abbreviation for section.
4. If you are referring to a statute several times during a piece of work, you can use an abbreviated form of the title and the year in subsequent footnotes, provided your reader has been alerted in advance. The first time you cite a statute use the short title and year and put the abbreviation (usually the first letters of the main words in the title) in brackets afterwards —for example, Human Rights Act 1998 (HRA 1998). When you next refer to the statute you can use HRA 1998.
Examples

Footnote

When referring to a specific section

When referring to a subsection within a section

Bibliography

Explanatory notes of a statute

Footnote
Explanatory Notes to the Charities Act 2006.

When referring to a specific section
Explanatory Notes to the Charities Act 2006, para 15.

Bibliography
Explanatory Notes to the Charities Act 2006.

Creating a footnote for a statutory instrument

1. Start with the title of the SI, the year and after a comma insert the SI number. End the footnote with a full stop.
2. To refer to a specific part, insert a comma after the SI number and use the relevant abbreviation and the part number.
3. As with statutes, an abbreviated form of an SI title and year can be used if you are referring to the same SI a number of times, provided you notify your reader in advance by putting the abbreviated form in brackets after the first full citation.

Examples

Footnote

When referring to a specific section

Bibliography
Official publications

General guidance

1. An official publication is any document issued by an organisation that can be described as an official or public body. Official publications are generally available to the wider public.

2. OSCOLA does not provide examples for how to cite documents from every kind of public body. Sometimes you will have to create a footnote by following the guidance for a similar document type. The important thing to remember is to be consistent. The basic format for citing documents for which there is no other guidance is as follows:

   Author, ['title'] (additional information, | publisher | year).

3. Additional information may include a document number or a document description and any other information that will help your reader to locate the source. It may be that no publisher can be identified or perhaps it may be more appropriate to include a publication date rather than just a year. If a publication is available only online, give the web address and the date of access as described in the Web sites section.

Creating a footnote for Hansard

1. Hansard is the record of debates in Parliament, both in the House of Commons (HC) and the House of Lords (HL). A further series records debates in the Public Bill committees of the House of Commons.

2. When citing Hansard, start with the House abbreviation (HL or HC) followed by ‘Deb’ then the full date, volume and the column (Hansard is still available in print and uses columns). Use ‘col’ or ‘cols’ to refer to a specific column(s). End your footnote with a full stop.

3. In the House of Commons, written answers are indicated by a ‘W’ after the column number. In the House of Lords they are indicated by the prefix ‘WA’ before the column number.

Examples

House of Commons Hansard

Footnote

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

House of Lords Hansard

Footnote


Bibliography

In your bibliography, list the debates in date order, starting with the oldest. Use the same format as your
footnote. Official publications should be listed in the Secondary Sources section of your bibliography.

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

Creating a footnote for Command Papers and Law Commission Reports

1. Command Papers include White and Green papers, government responses to select committee reports and reports of committees of inquiry.
2. Start with the name of the department or body that produced the paper. Give the title of the paper in italics followed by the command paper number, a comma and the year in round brackets. If there is additional information which will help your reader, insert that in the round brackets before the command paper number. End your footnote with a full stop.
3. Every command paper number has an abbreviation before it, determined by the year of publication. For example the abbreviation Cmd means the paper was published between 1919-1956. Make sure you record the abbreviation correctly as noted in the publication.
4. For Law Commission reports, start with ‘Law Commission’ followed by a comma. Give the title of the paper in italics followed by ‘Law Com’ and the report number, a comma and the year in round brackets. End your footnote with a full stop.

Examples

Footnote

When referring to a specific page or paragraph

Bibliography

Creating a footnote for parliamentary reports

When referring to select committees of either House or joint committees of both Houses, start with the name of the committee followed by a comma. Follow this with the title of the report in italics, then in round brackets put ‘HC’ or ‘HL’ and the parliamentary session followed by a comma and the paper number. If there is a volume number, put a dash after the paper number, inserting the volume number in Roman numerals. End your footnote with a full stop.
Examples

Footnote
Science and Technology Committee, *Setting Priorities for Publicly Funded Research* (HL 2009-10, 104-I).

When referring to a specific paragraph

When referring to a joint committee report

Bibliography
Science and Technology Committee, *Setting Priorities for Publicly Funded Research* (HL 2009-10, 104-I).
EU Sources

General guidance

1. Official notices of the EU are published in the *Official Journal of the European Communities* (abbreviated to OJ). The OJ citation is given in the order year in square brackets, OJ series (‘L’ for legislation’, ‘C’ for information and notices, ‘S’ for invitations to tender), number/page.

2. The official law reports are the *European Court Reports* (ECR) and the next authoritative reports are the *Common Market Law Reports* (CMLR). EU cases now have a European Case Law Identifier (see point 4) to facilitate consistent citation and ease retrieval.

3. EU cases are numbered according to whether they were first registered at the European Court of Justice (cases will have the prefix C-) or the Court of First Instance (cases will have the prefix T-). Cases before 1989 do not have the prefix C-.

4. The European Case Law Identifier (ECLI) was introduced in 2011 so all Member States and EU courts use the same format to identify case law and it works in a similar way to a neutral citation. An ECLI consists of the country code, the code of the court giving the judgment, the year of the judgment and the judgment number. Each component is separated by a colon. For example EU:C:2015:298. An ECLI has been assigned to all decisions delivered by EU courts since 1954.

5. Much EU documentation is available from official web sites, such as Europa. For guidance on how to cite web documents, see the Web sites section.

Creating a footnote for EU legislation

1. When referring to EU treaties give the title (including amendments if applicable) followed by the year of publication in square brackets, the OJ series and the issue and page numbers. Legislation is published in the ‘L’ series although older treaties were published in the ‘C’ series.

2. Cite regulations, directives, decisions, recommendations and opinions by giving the legislation type, number and title, followed by the OJ publication details.

3. From 1 January 2015 EU legislation has a unique sequential number and should be cited in the format (Domain/Body), Year/Number. Document numbering before this date remains unchanged.

4. If you are referring to a piece of EU legislation several times during a piece of work, you can use an abbreviated form of the title in subsequent footnotes, provided your reader has been alerted in advance. The first time you cite the legislation use the full title and put the short form of the title in brackets afterwards. For example, Council Directive (EC) 93/104 concerning aspects of the organisation of working time [1993] OJ L307/18 (Working Time Directive).

Examples

EU Treaty/Protocol

**Footnote**


**When referring to a specific article**


**Bibliography**

EU Regulation/Directive/Decision/Recommendation/Opinion

Before 1 January 2015

Footnote

When referring to a specific paragraph

Bibliography

After 1 January 2015

Footnote

When referring to a specific paragraph

Bibliography

Creating a footnote for EU case law

1. Start with the case number followed by the case name in italics.
2. Next comes the ECLI and, if you have it, the official citation in the European Court Reports (ECR) or the Common Market Law Reports (CMLR).
3. End your footnote with a full stop. Unreported judgments should be cited using just the ECLI.

Examples

EU case with only an ECLI

Footnote
Case C-542/09 Commission v the Netherlands EU:C:2012:346.

When referring to a specific paragraph
Case C-542/09 Commission v the Netherlands EU:C:2012:346 para 5.

Bibliography
Case C-542/09 Commission v the Netherlands EU:C:2012:346.
EU case with an ECLI and a law report citation

Footnote

When referring to a specific paragraph

Bibliography

Creating a footnote for EU official documents

Start with the body that produced the document followed by a comma. Then comes the document title in single quotation marks. If the paper is of a particular type and it is not clear from the title, then you can include a description in round brackets. Next is the document number, which might also include an abbreviation such as COM or SEC, followed by a comma and the date (include the day, month and year if you have it). End your footnote with a full stop.

Example

Footnote

When referring to a specific paragraph

Bibliography
The European Court of Human Rights

Creating a footnote for ECHR cases

For judgments of the European Court of Human Rights cite either the official *Reports of Judgments and Decisions* (ECHR) or the *European Human Rights Reports* (EHRR). For unreported judgments, include the Application Number after the case name in italics, followed by the date of the judgment in round brackets. End your footnote with a full stop.

**European Court of Human Rights case**

**Footnote**


**When referring to a specific page**

_Omojudi v UK_ (2010) 51 EHRR 10, 16.

**Bibliography**


**European Court of Human Rights unreported case**

**Footnote**

_Balogh v Hungary_ App no 47940/99 (ECHR, 20 July 2004).

**When referring to a specific paragraph**

_Balogh v Hungary_ App no 47940/99 (ECHR, 20 July 2004), para 29.

**Bibliography**

International sources

General guidance

1. Where possible, refer to the primary international treaty series, such as the United Nations Treaty Series (UNTS), the Consolidated Treaty Series (CTS) or the League of Nations Treaty Series (LNTS). The official treaty series of one of the States parties, for example the UK Treaty Series (UKTS) is can also be used.

2. Cite the full date on which the treaty was opened for signature. If this is not available the give the date the treaty entered into force or failing that, the date the treaty was signed or adopted.

3. A shortened version of the title may be used in subsequent references provided the shortened version is given in round brackets after the first full citation in your work.

4. References to articles should only give the article number, not the title of the article.

5. Where possible, for international judgments refer to the International Court of Justice Reports (ICJ) otherwise refer to the ICJ web site. If referring to the web site, remember to include the web address in <angled brackets> and the date of access.

Creating a footnote for an international treaty

1. Start with the title of the Treaty.

2. In round brackets put ‘adopted’ and the day, month and year if available, followed by a comma, then ‘entered into force’ and the day, month and year before closing the brackets.

3. Then insert the volume number and the abbreviation of the treaty series to which you are referring, and the page number.

4. If appropriate, you can include a short title or abbreviation for the treaty for use in later references. End your footnote with a full stop.

Example

Footnote

When referring to a specific article

Bibliography

Creating a footnote for an international judgment

Start with the case name in italics and then in round brackets include information on the type of case, such as Advisory Opinion or Application for Intervention. Then include the year in square or round brackets, the abbreviation for the law report series and the number of the first page. If referring to a website instead, include the URL in angled brackets and the date of access.
Example

Footnote

*Corfu Channel Case (UK v Albania) (Merits) [1949] ICJ Rep 4.*


When referring to a specific page

*Corfu Channel Case (UK v Albania) (Merits) [1949] ICJ Rep 4, 11.*

Bibliography

*Corfu Channel Case (UK v Albania) (Merits) [1949] ICJ Rep 4.*


Cases and legislation from other jurisdictions

Cite cases and legislation from other jurisdictions as they are cited within their own jurisdictions, but without any full stops in the abbreviations.

Citing other types of international source

For more detailed guidance on citing international law sources, refer to the international section of the 2006 version of OSCOLA found here [www.law.ox.ac.uk/sites/files/oxlaw/oscola_2006_citing_international_law.pdf](http://www.law.ox.ac.uk/sites/files/oxlaw/oscola_2006_citing_international_law.pdf)
Web sites

General guidance

1. When citing web sources in your work it is important to evaluate the information to for reliability. Some web sites can be valuable sources of free legal information, but remember that anyone can post information to the Internet. You must be confident that the sources you rely on in your academic work are reliable and of good quality.

2. Check first whether there is guidance elsewhere in OSCOLA which you should follow for citing a particular document type. For example, if the document has a C, Cd, Cmd, Cmnd or Cm number follow the guidance on how to cite a command paper. Or if the document has an ISBN cite it as a book.

3. In general, you only include a web address when the document is only available online or when the web address is particularly helpful for finding the document. You should avoid citing references that end in .pdf and try to reference the web page on which the pdf document is located.

4. Never cite web addresses that are the result of a database search. Remember to cite the source, not the tool used to locate it.

Creating a footnote

1. If the web document you want to cite does not fall into any other source category, start with the author followed by a comma and put the title of the document in single quotation marks. In round brackets include the web site title in italics and a date of publication if there is one. Follow this with the web site address in <angled brackets> and the date of access. End your footnote with a full stop.

2. If there is no personal or corporate author, start the footnote with the title of the web page. However, is the source reliable if you do not know who wrote it? Remember you need to cite reliable, good quality sources to back up your arguments.

Example

Footnote

Bibliography
Footnotes and bibliography

Creating footnotes

Legal citations and academic references should be dealt with together, as they arise in the text, in a single set of footnotes. Sometimes additional information and comments are placed in footnotes but you should try to avoid this in student essays, where you will be working to tight word limits. A good rule of thumb is that if the information is important enough to include, it should be in the text. If it is not important enough to warrant inclusion in the text, it is better excluded altogether.

Footnotes are easy to create using Microsoft Word. Click the References tab and position the cursor where you want the footnote to be inserted and click the Insert Footnote button. You will see the footnote superscript number\(^1\) is inserted into your text and at the bottom of the page, ready for you to enter the reference.

Always put the footnote marker at the end of a sentence, unless it relates to a specific word or phrase, and close footnotes with a full stop.

Referring to multiple sources within a footnote

Use a semi-colon to separate multiple references within the same footnote. If you are citing legislation and case law within the same footnote, put the legislation before the cases, separated by a semi-colon. If you are citing case law and/or legislation alongside sources such as books or journal articles, put the case law/legislation first. Remember that your footnotes count as part of your word count, so only include multiple sources within a footnote if they are really necessary. Choose the source which backs up your argument most effectively.

Referring to the same source several times

If you want to repeatedly refer to the same source, there are ways you can do this which minimise the impact on your word count. If a subsequent citation is in the footnote immediately following the full citation, use ‘ibid’. Used alone, ‘ibid’ means ‘in the very same place’ while ‘ibid 345’ means ‘in the same work, but this time at page 345’. If there are other footnotes in between the original footnote and the next time the source is cited, use a shortened version of the source name, for example one of the parties in a case, an abbreviation of a statute or an author’s surname, with a cross-citation in brackets to the footnote with the full citation (n).

Examples

1 Austin v Commissioner of Police for the Metropolis [2009] AC 564. full citation the first time

2 ibid 567. citation immediately after the full citation, so you can use ibid

10 Austin (n 1) 565. a citation later in the work, with a shortened version of the case name and a cross-reference to the full citation

You can continually use ibid until you want to refer to a different source and you can use ibid after a cross-reference. However, if you do find that you are continually referring to the same source throughout your work or using ibid several times in succession, consider re-wording your paragraphs to minimise the number of repeat footnotes. This may make your academic writing style more succinct.
Including web links in footnotes

Include links to web documents if OSCOLA tells you to for that particular source type. Do not include links to databases such as Westlaw or Lexis. It does not matter which database contains the information you are using, what is important is the original source of law or opinion.

Citing a source within a source (secondary referencing)

Sometimes you may want to cite a source that has been referred to in another source. For example you might wish to cite a case you read about in a textbook. This is known as secondary referencing and should be avoided. You should always try to read the original source and cite it directly, rather than someone else’s interpretation of it. However if you cannot locate the original work you can still cite it. If you are citing a case within a case, you insert ‘citing’ between the case citations. If you are referring to a source cited within a book or article, you use ‘as cited in’. In your bibliography you cite only the source you have actually read. For example:

Example: case cited within a textbook

Footnote
Hentrich v France (1994) 18 EHRR 40 (as cited in Peter Aldridge, Money Laundering Law (Hart Publishing 2003), 64).

Bibliography

Example: case citing another case

Footnote

Bibliography

Incorporating quotations into your work

Quotations—direct copying word for word from a text—should ideally be kept short. Short quotations should be incorporated into your text and indicated by single quotation marks.

Example

The Chief Justice explained that this power ‘is not limited to defence against aggression from a foreign nation’. 28

Quotations of longer than three lines should be presented as an indented paragraph without quotation marks but with a line space either side.

Example

Lord Hoffman reasoned as follows:

It seems to me logical to found liability for damages upon the intention of the parties (objectively
ascertained) because all contractual liability is voluntarily undertaken. It must be in principle wrong to hold someone liable for risks for which people entering into such a contract in their particular market, would not reasonably be considered to have undertaken.\textsuperscript{12}

Creating a bibliography

At the end of your piece of work you need to include a bibliography which lists all the sources you have referred to in the text. In many cases the references in your bibliography look the same as your footnotes, but for some sources you do need to make changes to the way the information is presented. Your bibliography will usually have three sections: a Table of Cases, a Table of Legislation and Secondary Sources, which includes books, journal articles and any other documents which provide legal commentary and opinion. Your bibliography is not included in your word count.

Table of cases

This comes first in your bibliography.

1. Do not put case names in italics. Split the table into separate sections for different jurisdictions, with headings, if you have a lot of cases.
2. List cases in alphabetical order of the first major word for example Re Farquar’s Estate would be listed as Farquar’s Estate, Re.
3. Cases identifying parties by initial should be listed under the initial, so Re G (A Child) would be listed as G (A Child), Re.
4. If you have a separate section for EU cases, list them chronologically with the case number first but leave out the word ‘Case’. For example Case C-542/09 Commission v the Netherlands EU:C:2012:346 becomes C-542/09 Commission v the Netherlands EU:C:2012:346.
5. If EU cases are not listed separately you should arrange them alphabetically by first party name within the Table of Cases, with the case number following the name of the case in brackets. For example Case C-176/03 Commission v Council EU:C:2005:542 becomes Commission v Council (C-176/03) EU:C:2005:542, [2005] ECR 1-7879.

Table of legislation

This follows the table of cases

1. List every statute cited in your work in alphabetical order of the first significant word of the title (not by date), followed by any statutory instruments.
2. Do not include section or sub-section information.
3. If you are citing legislation from more than one jurisdiction, consider using separate lists with appropriate headings, such as International Treaties, for example.

Secondary sources

This is where you list books, journal articles, and any other sources you have cited within your work.

1. Arrange the sources in alphabetical order of author surname followed by the author’s initial(s) and a
comma. Do not use author’s full first names in the bibliography.

2. If there is no author, list in alphabetical order of the first major word of the title.

3. If you are citing several works by the same author, list the works chronologically starting with the oldest. If you are citing works by the same author published in the same year, list them alphabetically within the year.

4. When citing multiple works by the same author, after the first citation you can use a double em-dash in place of the author’s name (--) instead of the full name. For example:
   
   Hart HLA, Law, Liberty and Morality (OUP 1963).
   --‘Varieties of Responsibility’ (1967) 83 LQR 346.

5. Capitalise the major words in both the main title and any sub-titles.
Adapted from OSCOLA(4th edn, Hart 2012)
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You can access the full OSCOLA referencing guide as a pdf document at https://www.law.ox.ac.uk/research-subject-groups/publications/oscola

For further help with referencing see the KnowHow pages on the student intranet:

student.liverpool.ac.uk/advice-and-guidance/knowhow