Liverpool Law School
Guide to Legal Citation

This guide is intended primarily to assist students writing essays and dissertations as part of their studies. It outlines the conventions used in legal academic writing and illustrates what is expected of students in their studies. These conventions should be followed in all coursework and dissertations submitted for assessment at the University of Liverpool. It is also useful at demonstrating how legal materials should be cited in reports and legal opinions, though here it should be borne in mind that the audience may be different and therefore sometimes a less legalistic or less formal style may be appropriate.

This guidance is based on the 4th edition of OSCOLA, produced by the University of Oxford. See http://www.law.ox.ac.uk/published/OSCOLA_4th_edn.pdf.

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August 2016
Understanding the importance of legal citations and academic referencing

Legal citations are the references in the text or in footnotes to the primary source of the rule you are relying on in your exposition or argument. In other words it is your source of authority (or proof) for the claim that ‘the law is x’. This is why legal citations are so important – the law is not as it is because you say so, or because a textbook writer says so, but because it is written in a recognised source of law. Thus whenever you make a claim that ‘the law is x’, you should cite authority for that proposition, and that authority should be a primary source. Knowing where the law is stated allows your reader to assess not only whether your claim is accurate, but also how strong the authority is and what it would take to change the law. The citation is therefore not just a nicety but an integral part of the evidence that supports your argument.

Over the years conventions and shorthand methods for citation have developed. As a guiding principle, citations should enable the reader to find the precise source, and the place in that source, where the rule is stated. Thus it is important for your readers that you use recognised forms of shorthand in your citations. It is also important that you, as a student, can decode the citations you encounter in your reading and research so that you can locate and examine the original source relied on in the writings of others whenever that is appropriate.
Academic references also follow strict protocols regarding when and how they are used. In academic work it is as important in law as in other subjects to credit ideas and quotes from other writers whose work you have relied on in formulating your own ideas and writing your essay. References to academic work are acknowledgements of an intellectual debt and if you fail to make appropriate references it may look as though you are claiming credit for ideas which are not your own, which in turn 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 https://www.liverpool.ac.uk/student-administration/student-administration-centre/policies-procedures/academic-integrity/).

Secondary referencing

Citing a publication cited within another text is known as secondary referencing and should be avoided; you should always try to read the original text. If that isn’t possible, use ‘as cited in’ for secondary sources such as books or journal articles. For a primary source, such as a case cited within a case, use ‘citing’. See the examples below:


In the bibliography, cite only the source you have actually read. So in the examples above, the bibliography would include the book by Peter Aldridge but not the Hentrich v France case and the Barrett v Enfield case but not the Miles v Wakefield Borough Council case.

How should I incorporate citations and references in my work?

There are many styles of bibliographic citation. The Liverpool Law School require you to use the OSCOLA style, which is in keeping with legal practice in the UK and elsewhere. OSCOLA (the Oxford Standard for Citation of Legal Authorities) is a footnote\(^1\) 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.

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: it is recommended that you keep this to a minimum in student essays, where you will be working to tight word limits. A good rule of thumb here 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.

It is recommended that you set your word processing programme so that the footnotes appear at the foot of each page in print view. Using the automatic numbering function, and automatic cross-referencing too if you like, you can ensure that the numbering remains consecutive and correct even if you add in new footnotes at a later stage.

\(^1\) Footnotes can easily be added by modern word processing packages. It is important to learn how to use the footnote feature in your chosen application. Following the rule of thumb described above the footnote you are now reading would probably be judged to be an inappropriate attempt to add significant substance to this document by including text in footnotes.

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UK Law reporting

References to cases were traditionally the reference to the set of Law Reports in which the case was reproduced. In England and Wales the various sets of Law Reports produced by different publishers, such as the Weekly Law Reports and the All England Law Reports, contained only some decided cases, selected for their importance i.e. because they were judged by the law reporters to have established, or affirmed, an important legal principle. Law reports were not traditionally produced by the courts, but by independent reporters, usually qualified barristers.

Now, electronic publication allows for the courts to take a more direct role in publishing reports of cases and the form of ‘neutral citation’ developed. Neutral citations do not distinguish between print and online sources and they are independent of any published series of law reports. Technically they are not reports at all but “transcripts” and you will find many of these transcripts freely available on the court websites, as well as on sites such as the British and Irish Legal Information Institute (BAILII) website, see http://www.bailii.org. You will come across both types of citation in your studies, so it is essential to understand both. Any individual case may be reported in a number of law reports, and more recent cases may be published as transcripts online. Although there are rules that govern which reports ought to be cited by lawyers in court where multiple versions are available, for academic purposes you must simply cite the version that you have read.

Tips on using the OSCOLA style

- Put the footnote marker at the end of a sentence, unless for the sake of clarity, it is necessary to put it directly after the word or phrase to which it relates. If the word or phrase to which the footnote marker relates is in brackets, put the marker before the closing bracket.

- Close footnotes with a full stop. Where more than one citation is given in a single footnote reference, separate them with semi-colons, with primary sources (case law, legislation etc.) before secondary sources (books, journal articles etc.) If citing legislation and case law for a single proposition, put the legislation before the cases.

- When citing more than one source of the same kind for a single proposition (for example, two separate cases illustrating the same point), put the sources in chronological order with the oldest first, separating the citations with semi-colons.

- OSCOLA uses very little punctuation; there are no full stops after abbreviations or initials in author’s names. For example, use WLR not W.L.R or JG Fleming, not J.G. Fleming. In addition commonly used abbreviations such as e.g. or i.e. are not italicized and have no full stops.

- In the text, italicise foreign words and phrases but not quotations. Provide a translation immediately afterwards in brackets or in a footnote. Do not italicize words that are in common usage in legal English, such as obiter dicta and ratio decidendi.

- Avoid the use of Latin terms such as supra, ante, id, op cit, loc cit and contra. The abbreviation ibid, which is short for ibidem, meaning ‘in the same place’ can be used – see the point below.

Subsequent citations

- The abbreviation ibid, which is short for ibidem, meaning ‘in the same place’ can be used to repeat a citation in the immediately preceding footnote. Used alone, ‘ibid’ means strictly ‘in the very same place’ while ‘ibid 345’ means ‘in the same work, but this time at page 345’. Alternatively you can repeat the immediately preceding citation. Do not italicize ibid.
In a subsequent citation of a source, briefly identify the source and provide a cross-citation in brackets to the footnote in which the full citation can be found. If the subsequent citation is in the footnote immediately following the full citation, you can use ‘ibid’ instead, as noted above. For example:

1. Austin v Commissioner of Police for the Metropolis [2009] AC 564. (full citation)
2. ibid 577. (citation immediately after the full citation)
3. Austin (n 1). (a shortened citation later in the work, with a cross-citation to the full citation)

Citing UK case law

The authority of law reports

The Law Reports series are regarded as the most authoritative reports and if a case is reported in this series, it should generally be cited in preference to any other report. If a judgment is not reported in the Law Reports, cite the Weekly Law Reports or the All England Law Reports. If a judgment is not reported in any of these general series, then cite a specialist series, such as the Family Law Reports or the Criminal Appeal Reports.

The names of the Law Reports are abbreviated according to established practice. For a comprehensive guide to abbreviations see the Cardiff Index to Legal Abbreviations at http://www.legalabbrevs.cardiff.ac.uk

A note on brackets

In law reports citations, the year may be enclosed in square or round brackets. The type of brackets indicates the importance of the date when finding the case. Square brackets show that the date is essential to finding the case report, usually because the law report series publishes more than one volume per year. Round brackets indicate the year is not essential to locating the report of the case, usually because the law report series publish just one volume per year, numbered consecutively. Note also that square brackets usually indicate the year a case was reported, rather than the year it was decided. Round brackets indicate the year the case was decided.

Cases with a neutral citation

Neutral citations first appeared in 2001 and were later extended to all divisions of the High Court in 2002. The neutral citation identifies a judgment independent of any printed law report series and this form of citation was introduced to acknowledge publication of transcripts of judgments on the internet, on websites such as BAILII http://www.bailii.org/. Cases are numbered consecutively throughout the year and the abbreviation indicates the court in which the case was heard, rather than a law report series. To cite a case with a neutral citation, give the following information:

Case name | [year] | court | number |

Example


In this example, the case is the 13th judgment issued by the House of Lords in 2008.

Where a judgment has subsequently been reported in a printed series of law reports, the neutral citation should be listed first, followed by a citation of the most authoritative report, separated by a comma.
Case name | [year] | court | number, | [year] OR (year) | volume | report abbreviation | first page.

Example

Cases without a neutral citation
For cases without a neutral citation, give the following information:

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

Example

Rules relating to case names

- Where there are multiple parties, name only the first claimant and first defendant.
- Where the parties are individuals, omit forenames and initials.
- Abbreviate common words and phrases; for example, use BC for Borough Council or Co for Company (see the full OSCOLA guide for more abbreviations).
- Use Re in preference to In re, for example Re the Companies Act 1985.
- Abbreviate Ex parte to Ex p, with a capital E only if it is the first word of the case name and the ‘p’ has no full stop.
- Do not include expressions such as and another, which may appear in titles in law reports.
- Omit descriptions such as a firm if the party in question is named, but if only the initial of the party is provided, then the description (such as a minor) should be given, at least in the first citation.
- Terms indicating corporate status (such as Ltd and plc) should be included if in the heading of the reports.
- Give the name of the case in full when it is first mentioned in the text or footnotes; it may be shortened thereafter.
- In shipping cases, the name of the ship can be used instead of the full case name.

Examples
Re A (conjoined twins) [2001] Fam 147.


Examples of subsequent citations
1 Austin v Commissioner of Police for the Metropolis [2009] AC 564. (full citation)
2 ibid 567. (citation immediately after the full citation)
10 Austin (n 1). (a shortened citation later in the work, with a cross-citation to the full citation).

Subsequent citations would then look like this: 20 The Aliakmon (n 25).
Unreported cases
If a case is unreported but has a neutral citation, give that. If an unreported case does not have a neutral citation (which will always be the case before 2001), give the court and the date of the judgment in brackets after the name of the case. There is no need to add the word ‘unreported’.

Examples
Stubbs v Sayer (CA, 8 November 1990).

Pinpoints
A pinpoint is a reference to a particular paragraph of a judgment or page of a report. If a judgment has numbered paragraphs (as will generally be the case where there is a neutral citation), pinpoint to a particular paragraph by putting the relevant paragraph number in square brackets. If you are pinpointing to a page number, don’t use brackets. Separate multiple pinpoints with a comma, or signify spans of paragraphs or pages using a dash.

If a law report citation ends with the identification of the court in brackets, the pinpoint follows the closing bracket, without any comma. Where the court is not identified and you are pinpointing to a page number, insert a comma to prevent the first page number and the pinpoint from running together. Where the pinpoint reference is to the first page of the report, repeat the page number.

Examples
Callery v Gray [2001] EWCA Civ 117 [42], [45].
Beattie v E & F Beattie Ltd [1938] Ch 708 (CA) 720, 723.
R v Leeds County Court, ex p Morris [1990] QB 523 (QB) 530-331.

Cases before 1865
Before 1865 and the start of the ‘official’ Law Reports series, cases were reported by individuals and collectively known as the ‘nominate reports’. These reports have subsequently been reprinted in the English Reports. If a judgment is reprinted in the English Reports, you should give the citations in both the nominate report and the English Reports, divided by a comma (unless there is a pinpoint, in which case use a semi-colon to divide the nominate from the English Report citation).

Examples
Boulton v Jones (1857)2 H&N 564, 157 ER 232.
Henly v Mayor of Lyme (1828) 5 Bing 91, 107; 130 ER 995, 1001.
Citing European Union case law

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 *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 reference 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)*.

For unreported cases, cite the notice in the *Official Journal* (OJ). If the 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.

Give the case registration number and then the name of the case in italics, with no punctuation between them. Give the report citation in the same form as for UK cases. When pinpointing, use ‘para’ or ‘paras’ after a comma.

**Examples**


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

Case T-277/08 *Bayer Healthcare v OHMU Uriach Aquilea OTC* (CFI, 11 November 2009)

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

**European Case Law Identifier**

In April 2014, the European Case Law Identifier was introduced to facilitate easier location and citation of EU case law. The Court of Justice adopted this system and has assigned an ECLI to all decisions made by the EU courts since 1954. (Member States are yet to decide whether to adopt the same numbering). The ECLI can be broken down as follows.

**Example**

EU:C:2014:317

EU indicates the decision was delivered by an EU Court or Tribunal.
C indicates the decision was delivered by the Court of Justice (T would indicate the General Court, F would indicate the Civil Service Tribunal).
2014 is the year the decision was delivered.
317 indicates it was the 317th ECLI attributed in respect of that year.

Until the 5th edition of OSCOLA is published, guidance on using the ECLI is as follows. Insert an ECLI after the case name and before the report citation, in the same way as neutral citations are used in cases from the UK High Courts. If there is no report citation or the case is unreported, use the ECLI on its own.
Examples


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

Opinions of Advocates General

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

Example


Decisions of the European Commission

Decisions of the European Commission relating to competition law and mergers are to be treated as cases. Give the names of the parties (or the commonly used short name) in italics, the case number in brackets, the Commission Decision number (where available) and the Official Journal reference.

Examples


Judgments of the European Court of Human Rights

Cite either the official reports, the *Reports of Judgments and Decisions* (cited as ECHR) or the *European Human Rights Reports* (EHRR), but be consistent. Before 1996 the official reports were known as Series A and numbered consecutively; the EHRR series is also numbered consecutively, but from 2001 case numbers have been used instead of page numbers.

Examples


*Vernon v UK* ECHR 1998-VIII 3124.

For examples of how to cite cases from other jurisdictions, please consult the full OSCOLA guide at [http://www.law.ox.ac.uk/published/OSCOLA_4th_edn.pdf](http://www.law.ox.ac.uk/published/OSCOLA_4th_edn.pdf) or the Citing International Law in OSCOLA guide at [http://libguides.liverpool.ac.uk/id.php?content_id=17671293](http://libguides.liverpool.ac.uk/id.php?content_id=17671293).
Citing UK primary legislation

Citing statutes
Cite an Act by its short title and year, without a comma before the year.

Examples
Act of Supremacy 1558.

If you are referring to an Act a number of times in quick succession, you can usually provide an abbreviated form of title in the footnotes, as long as the reader has been notified in advance. The abbreviation is usually the initials of the main words in the title along with the year – so the Human Rights Act 1998 would become ‘HRA 1998’ and not just ‘HRA’.

Examples
12 Human Rights Act 1998 (HRA 1998) s 7. (full citation, with an abbreviated title at the end)
23 HRA 1998, s 33. (subsequent citation, using the abbreviated title)

You do not need to add a citation to a footnote when citing legislation providing that all the information about the source is provided in the text:

Example
This case highlights the far-reaching judicial role ushered in by the Human Rights Act 1998.

Where the text does not include the name of the Act or the relevant section, this information should be provided in a footnote.

Examples
Text
British courts must only consider Strasbourg jurisprudence: they are not bound by it. ¹

Footnote
¹Human Rights Act 1998, s 2.

Citing parts of statutes

Statutes are divided into parts, sections, subsections, paragraphs and subparagraphs. In addition, the main text of the statute may be supplemented by schedules, which are divided into paragraphs and subparagraphs. When referencing, the abbreviations to use are listed below:

<table>
<thead>
<tr>
<th>Full form</th>
<th>Abbreviation</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>

¹Human Rights Act 1998, s 2.
Use the full form at the beginning of a sentence, or when referring to a part of a statute without repeating the name of the Act. Elsewhere in the text, either form can be used, although it is conventional to use the short form when referring to subsections or paragraphs. Use the short form in any footnotes. When citing part of an Act in a footnote, insert a comma after the year, and a space but no full stop, between the abbreviation and the initial number, letter or opening bracket.

**Example**

Consumer Protection Act 1987, s 2.

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

**Examples**

Paragraph (b) of subsection (1) of section 15 of the Human Rights Act 1998 is expressed as follows:


**Text**

... section 5(1)(a) of the Race Relations Act 1976... OR ... the Race Relations Act 1976, s 5(1)(a) .

... by virtue of section 11(1A) of the Limitation Act 1980... Sub-section (1) does not apply to...

... as subs-s (3) shows ...

**Footnote**

16Criminal Attempts Act 1981, ss 1(1) and 4(3).

17Sexual Offences Act 2003, s 1(1)(c).

**Older statutes**

For older statutes, it may be helpful to give the regnal year and chapter number.

**Example**

Crown Debts Act 1801 (41 Geo 3 c 90).

The regnal year refers to the year of the sovereign’s reign in which the Act was passed. You can find a useful guide to regnal years on the JustCite website at [http://www.justcite.com/kb/search-technology/regnal-years/](http://www.justcite.com/kb/search-technology/regnal-years/).

**Explanatory notes**

When citing explanatory notes to statutes, precede the name of the statute with the words ‘Explanatory Notes to the...’. When pinpointing, cite the paragraph number(s), preceded by ‘para(s)’.

**Example**

Explanatory Notes to the Charities act 2006, para 15.

**Bills**

Cite a Bill by its title, the House in which it originated, the relevant Parliamentary session in brackets and the running number assigned to it. Running numbers for House of Commons Bills are put in square brackets; those for House of Lords Bills are not. When a Bill is reprinted at any stage, it is
given a new running number. When referring to parts of Bills, ‘clause’ and ‘clauses’ may be abbreviated to ‘cl’ and cls’ in the text and footnotes.

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

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

Citing secondary legislation

Statutory instruments
Statutory instruments (orders, regulations or rules) are numbered consecutively throughout the year. This serial number combines with the year to provide an SI number that follows the abbreviation ‘SI’ and which is used to identify the legislation. When citing a statutory instrument, give the title followed by the year and (after a comma) the SI number.

Example

As with statutes, where the same SI is cited a number of times in the same work, an abbreviated form can be used in the footnotes, provided due notice is given with the first full citation.

Citing parts of statutory instruments
The rules for referring to parts of statutory instruments mirror those for referring to parts of statutes. In addition to those given for parts of statutes, use the following abbreviations:

<table>
<thead>
<tr>
<th>Full form</th>
<th>Abbreviation</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>

Citing European Union legislation
Official notices of the EU relating to legislation are carried in the Official Journal of the European Communities (OJ). EU legislation should be cited in the format:

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

Examples
Protocol to the Agreement on the Member States that do not fully apply the Schengen acquis – Joint Declarations [2007] OJ L129/35

The letter ‘L’ denotes the legislation series, ‘C’ denotes cases and ‘S’ invitations to tender.

Cite Regulations, Directives, Decisions, Recommendations and Opinions by giving the legislation type, number and title, followed by publication details in the OJ. Note that the year precedes the running number in citations to Directives, but follows it in citations to Regulations.

As of 1 January 2015, the numbering of EU legislation has changed and EU legislation will now have a unique, sequential number. The numbering of documents published before 1 January 2015 remains unchanged.

**Examples (legislation published before 1st January 2015)**


**Examples (legislation published after 1st January 2015)**


Give EU legislation its full name on first citation. In subsequent citations, a short form of the title may be used, provided warning is given in the first citation, and in a footnote you may also use the abbreviations ‘Reg’ or ‘Dir’. Pinpoints indicating articles or paragraphs (abbreviated ‘art’ or ‘arts’; ‘para’ or ‘paras’) follow the OJ citation and a comma.

For examples of how to cite legislation from other jurisdictions, please consult the full OSCOLA guide at [http://www.law.ox.ac.uk/publications/oscola.php](http://www.law.ox.ac.uk/publications/oscola.php).

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### Citing secondary sources

**General principles**

**Authors’ names**

- Cite the author’s name as it appears in the publication, but omit postnominals such as QC.
- If there are more than three authors, give the name of the first author followed by ‘and others’.
- If no individual author is identified but an organisation or institution claims responsibility for the work, cite it as the author.
- If no person, organisation or institution claims responsibility for the work, begin the citation with the title.
- In footnotes, the author’s first name or initial(s) precede their surname. In bibliographies, the surname comes first, then the initial(s), followed by a comma. (See the section on *Creating a bibliography* for more information on the rules for bibliographies).
\textbf{Titles}

- Italicise the titles of books, including all publications with ISBNs. All other titles should be within single quotation marks.
- Capitalise the first letter of all major words in a title; words such as ‘for’, ‘and’, ‘or’ and ‘the’ do not need a capital letter unless they begin the title or subtitle.

\textbf{Parts, chapters, pages and paragraphs}

- Pinpoints to parts, chapters, pages and paragraphs come at the end of the citation. Use the abbreviations ‘pt’ for part, ‘ch’ for chapter and ‘para’ for paragraph. Page numbers stand alone without ‘p’ or ‘pp’. If citing a chapter/part and a page number, insert a comma before the page number. Where possible, give a specific range of pages.

\textbf{Electronic sources}

- Citations of publications which are only available electronically should end with the web address (URL) in angled brackets < > followed by the date of most recent access.

\textbf{Subsequent citations}

- The abbreviation \textit{ibid}, which is short for \textit{ibidem}, meaning ‘in the same place’ can be used to repeat a citation in the immediately preceding footnote. Used alone, ‘ibid’ means strictly ‘in the very same place’ while ‘ibid 345’ means ‘in the same work, but this time at page 345’. Alternatively you can repeat the immediately preceding citation. Do not italicize ibid.

- In a subsequent citation of a source, briefly identify the source and provide a cross-citation in brackets to the footnote in which the full citation can be found. If the subsequent citation is in the footnote immediately following the full citation, you can use ‘ibid’ instead, as noted above. See the example below:

4 Robert Stevens, \textit{Torts and Rights} (OUP 2007). (full citation)
5 \textit{ibid} 166. (citation immediately after the full citation)
10 Stevens (n 4) 212. (a shortened citation later in the work, with a cross-citation to the full citation).

\textbf{Secondary referencing}

- Not to be confused with secondary sources, secondary referencing is when you cite a publication cited within another text, but you haven’t read the original source. This is to be avoided; you should always try to read the original text. If that isn’t possible, use ‘as cited in’. See the example below:


- In the bibliography, cite only the source you have actually read. In this example, the bibliography would include the book by Peter Aldridge but not the \textit{Hentrich v France} case.

\textbf{Books}

Cite all publications with an ISBN as if they were books, whether read online or in print. Older books without ISBNs should be cited as books, even if read online.

\textbf{Authored books}

Cite the author’s name first, followed by a comma, then the title of the book in italics. If the book has a title and subtitle not separated with punctuation, insert a colon. The publication information
follows, within round brackets, and should include the publisher and year of publication with a space but no punctuation between them. The place of publication need not be given. If you are citing an edition other than the first edition, indicate that using the form ‘2nd edn’ or ‘rev edn’ for revised edition. Any additional information should be of a clarifying nature and may include the editor or translator. The citation should be given in the form:

author, | title | (additional information, | edition, | publisher | year) page.

Examples

Timothy Endicott, Administrative Law (OUP 2009) 56.

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

Edited books

To cite a chapter or essay in an edited book, cite the author and title of the chapter, in a similar format to that used when citing an article, and then give the editor’s name, the title of the book in italics and the publication information. It is not necessary to give the pages of the chapter. The citation should be given in the form:


Example


If a book has up to three authors, insert ‘and’ between their names. For more than three authors, give the details of the first author and add ‘and others’.

Examples


Encyclopedias

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

Example


Articles

Printed journals

If you read an article online but it is also available in print, cite it as if it was the hard copy version. Whether you find the article in print or online is not relevant. Give the author’s name first, followed by a comma, then the title of the article in single quotation marks. After the title, give the publication information in the following order:
• year of publication, in square brackets if it identifies the volume or in round brackets if there is a separate volume number.
• the volume number, if there is one (include an issue number only if the page numbers begin again for each issue within a volume, in which case put the issue number in brackets after the volume number).
• the name of the journal, in full or abbreviated form, with no full stops.
• the first page of the article.

**Author, | ‘title’ | [year] | journal name or abbreviation | first page of article.**

**OR**

**Author, | ‘title’ | (year) | volume | journal name or abbreviation | first page of article.**

**Examples**


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

Put a comma after the first page of the article if there is a pinpoint.

**Example**


For guidance on abbreviations, use the Cardiff Index to Legal Abbreviations available online at http://www.legalabbrevs.cardiff.ac.uk/.

**Case notes**

Treat case notes with titles as if they were journal articles. Where there is no title, use the name of the case in italics instead and add ‘note’ at the end of the citation.

**Example**

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

If the case discussed in the note is identified in the text, it is not necessary to put the name of the case in the case-note citation as well. The following would be sufficient if the case is identified in the text:

**Example**

15 Andrew Ashworth [2006] Crim LR 441 (note).

Even if not separately cited, the case should be included in the table of cases, citing the most authoritative report.

**Online journals**

When citing journal articles which have only been published electronically, give the publication details as you would for a hard copy article, but remember that some of the publication details (such as page numbers) may not be available. If citation advice is offered by the online journal, follow it, removing full stops as necessary to comply with OSCOLA rules. Follow the citation with the web address.
address in angled brackets and the date you most recently accessed the article. Pinpoints follow the citation and come before the web address. Follow the format:

Author, | ‘title’ | [year] OR (year) | volume/issue | journal name or abbreviation | <web address> | date accessed.

**Example**


**Working papers**

Working papers may be available online on institution websites and on sites such as the Social Science Research Network (www.ssrn.com). They should be cited in the same way as electronic journal articles. The content of working papers is often subject to change, so the date of access is particularly important. If a working paper is subsequently published in a journal, cite that in preference to the working paper.

**Example**


**Hansard and parliamentary papers**

There are three series of Hansard:

- One reporting debates in the House of Commons
- One reporting debates in the House of Lords
- One reporting debates in the Public Bill committees in the House of Commons.

When referring to the first two series, cite the House abbreviation (HL or HC) followed by ‘Deb’, then the full date, the volume and the column number. Use ‘col’ or ‘cols’ for column(s). In the House of Commons, written answers are indicated by the suffix ‘W’ after the column number; in the House of Lords, they are indicated by the prefix ‘WA’ before the column number. Follow the format:

**HL Deb OR HC Deb | date, | volume, | column.**

**Examples**

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

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


Cite debates in the Public Bill committees of the House of Commons with the title of the Bill, followed by ‘Deb’, followed by the date and the column number.

**Example**


When citing reports of select committees of either House, or joint committees of both Houses, give the name of the committee and the title of the report in italics. Then in brackets, follow that with either HL or HC, the session, the paper number and volume number in Roman numerals.
Example

Command papers
Command papers include White and Green papers, relevant treaties, government responses to select committee reports and reports of committees of inquiry. Begin the citation with the name of the department or other body that produced the papers, then give the title of the paper in italics, followed by the command paper number and the year in brackets. The abbreviation preceding a command paper number depends on the year of publication:

1833-69 (C (1st series)) 1870-99 (C (2nd series)) 1900-18 (Cd)
1919-56 (Cmd) 1957-86 (Cmnd) 1986- (Cm)

Law Commission reports
Cite Law Commission reports by title in italics, Law Com number and year. For Law Commission consultation papers, give the Law Com CP number.

Examples


European Commission Documents
When citing European Commission documents, give the body that produced the document, followed by the title in quotation marks and the COM number. Describe the document type in brackets after the title, if appropriate. In subsequent citations, just give the COM number.

Example

Conference papers
When citing conference papers that were only available at a conference or directly from the author, give the author, the title in quotation marks and then in brackets the title, location and date of the conference. If a conference paper has been published, cite the published version instead. Papers that are available online should include a web address and date of access. Cite conference papers that are not publicly available only if you have the author’s permission.

Example

Theses
When citing an unpublished thesis, give the author, the title and then in brackets the type of thesis, university and year of completion.
Example

Websites and blogs
Where there is no relevant advice elsewhere in OSCOLA, follow the general principles for secondary sources, earlier in this document.
If there is no author identified, and it is appropriate to cite an anonymous source, begin the citation with the title in the usual way. If there is no date of publication on the website, give only the date of access.

Examples

Remember to carefully evaluate information you find on the internet before you cite it in your work.
If you access information via Lexis Library or Westlaw, you do not need to mention this, just cite the article or document in the usual way.

Newspaper articles
When citing newspaper an article, give the author, the article title, the name of the newspaper in italics and then in brackets the city of publication and the date. If known, give the number of the page on which the article was published after the brackets. If the newspaper is divided into sections and the page numbering begins afresh in each section, put the section name before the page number, with a space but no comma between the two. If the reference is to an editorial, cite the author as ‘Editorial’. If the article is sourced from the internet and there is no page number, provide the web address and the date of access.

Examples
Jane Croft, ‘Supreme Court Warns on Quality’ Financial Times (London, 1 July 2010) 3.

Interviews
When citing an interview you conducted yourself, give the name, position and institution (if relevant) of the interviewee, and the location and full date of the interview. If the interview was conducted by someone else, the interviewer’s name should appear at the beginning of the citation.

Examples
Interview with Irene Kull, Dean, Faculty of Law, Tartu University (Tartu, Estonia, 4 August 2003).
Timothy Endicott and John Gardner, Interview with Tony Honoré, Emeritus Regius Professor of Civil Law, University of Oxford (Oxford, 17 July 2007).

Personal communications
When citing personal communications, such as emails and letters, give the author and recipient of the communication and the date. If you are the author or recipient, say ‘from author’ or ‘to author’, as appropriate.

Examples
Letter from Gordon Brown to Lady Ashton (20 November 2009).
Email from Amazon.co.uk to author (16 December 2008).

TV programmes
When citing TV programmes such as documentaries, use the format:

   Name of Director or Producer, | ‘title’ [Television broadcast] | (additional information, | TV channel | year).

Example

Radio broadcasts
When citing radio broadcasts, cite the name of the speaker (if a direct quote), the title of the programme, the radio station and the date of the programme. If there is no obvious author/speaker, begin the citation with the title of the programme. If available online, include the URL and date of access.

Example

Quotations
Quotations from other works, cases and statutes must be faithful to the original.

Incorporate quotations of up to three lines into the text, within single quotation marks. Punctuation follows the closing quotation mark, unless it is an essential part of the quotation (as a question or exclamation mark might be) or unless the whole sentence is a quotation. Use double quotation marks around quotations within short quotations. The footnote marker comes last after both the closing quotation mark and the punctuation.

Example
The Chief Justice explains that this power ‘is not limited to defence against aggression from a foreign nation’. 61
If a quotation is incorporated into the text, use a comma to introduce it.

Example

Bix raises the question, ‘What is the point of a dissent, after all, at least on the highest court of the jurisdiction, if the law is simply whatever the majority on that court says it is?’

Quotations longer than three lines should be presented in an indented paragraph, with no further indentation of the first line. Do not use quotation marks, except for single quotation marks around quotations within quotations. Leave a line space on both sides of the indented quotation and introduce the quotation with a colon.

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.\(^\text{12}\)


Add emphasis to words within a quotation by italicising the relevant section and adding (emphasis added) after the footnote citation. See example above.

When a quotation begins in the middle of a sentence in the text, the first letter of the quotation should be capitalised if the quotation itself is a complete sentence, but not otherwise.

When a quotation begins at the start of a sentence in the text, the first letter should be capitalised and square brackets placed around it if it was not capitalised in the original text.

When text is missing from a quotation or if it ends mid-sentence in the original text, use an ellipsis (...) to indicate that some of the original text is missing. Leave a space between an ellipsis and any text or punctuation, except quotation marks.
Creating a bibliography using OSCOLA

In addition to footnotes, students are required to include a comprehensive bibliography at the end of the main body of text and any appendices.

A bibliography should include all sources cited within the piece of work and have three distinct sections:

**Table of cases**

In a table of cases, case names are not italicised. Unless there are very few cases, divide the table into separate sections for different jurisdictions. Cases should be listed in alphabetical order of the first significant word:

**Example**

Re Farquar’s Estate should be listed in the table as ‘Farquar’s Estate, Re’.

Cases identifying parties by initial only should be listed under the initial:

**Example**

Re F (mental patient: sterilisation) becomes ‘F (mental patient: sterilisation)’.

When listing cases with names such as R v Smith in a piece of work on criminal law, drop the R and list the case as Smith; but if citing such cases in a work primarily concerned with another area of law, list them by their full names, under ‘R’ and also do this when citing judicial review cases with the Crown as the first-named party.

List trade-mark cases and shipping cases under the full case name, but insert an additional entry in the table under the trade-mark or the name of the ship (again, using the first significant word, so that The Starsin becomes Starsin, The), with a cross-reference to the full name.

**Example**

Starsin, The. See Homburg Houtimport BV v Agrosin Pvt Ltd.

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 name of the case in brackets.

**Example**


**Table of legislation**

Tables of legislation and other tables, such as tables of international treaties and conventions, UN documents, official papers and policy documents, should follow the table of cases. A table of legislation should list every statute cited in the work, with statutory instruments listed separately at the end of the list of statutes. Legislation should be listed in alphabetical order of the first significant word of the title, not chronologically by date of enactment. If legislation from more than one jurisdiction is cited, it may be helpful to have separate lists for each jurisdiction.
Secondary sources
Items in bibliographies take the same form as all other citations in OSCOLA, with three exceptions:

- The author’s surname should precede his or her initial(s), with no comma separating them, but with a comma after the final initial
- Only initials should be used and not forenames
- The titles of unattributed works should be preceded by a double em-dash (--).

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

Examples

Footnote

Bibliography

If citing several works by the same author, list the author’s works in chronological order, starting with the oldest, and in alphabetical order of the first major word of the title within a single year. After the citation of the first work, replace the author’s name with a double em-dash (--).

Works by more than one author should be listed alphabetically under the first author’s name, but after that author’s sole-authored works.

If a first author has more than one co-author, arrange the co-authored works in alphabetical order of co-author surname. If you are citing more than one work by the same first author and co-author, arrange the works in chronological order, repeating the co-author’s name each time.

Examples
Hart HLA, *Law, Liberty and Morality* (OUP 1963)
--‘Varieties of Responsibility’ (1967) 83 LQR 346
--*Punishment and Responsibility* (OUP1968)
--and Honoré AM, ‘Causation in the Law’ (1956) 72 LQR 58, 260, 398