

OSCOLA 2002
The Oxford Standard
for the
Citation of Legal Authorities

BIG OSCOLA
to which

LITTLE OSCOLA
serves as a Short Guide

BIG OSCOLA
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COMMONWEALTH LAW JOURNAL

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The paramount principles of the presentation and citation of legal authorities are consistency and the convenience of the reader. It is difficult to be consistent if one does not subscribe to some fixed system. OSCOLA is such a system and in general it both promotes consistency and serves the reader's convenience. Any fixed system will occasionally produce inconvenience. In such cases an exercise of judgment is required, and the system may have to give way. OSCOLA is reviewed every two years. If you spot a recurrent irritation, you should register your criticism and your proposed improvement with The Administrator, The Faculty of Law, St Cross Building, Oxford OX1 3UR. The Administrator keeps a file of such suggestions which are taken into consideration at every revision.

A GENERAL STYLE POINTS

1 Foreign Words

Rules: Foreign words and phrases are italicized and, if necessary, translated in an immediately following parenthesis.

However, foreign words and phrases which have been anglicized are not italicized. Unfortunately, there is no agreed method of determining whether foreign words or phrases have been anglicized. However, as a guide, those appearing in the following list may be judged to have passed into everyday legal usage, and do not require italicization:

amicus curiae; a priori; a fortiori; bona fide; de facto; de jure; ex parte; ex post facto; indicia; inter alia; laissez-faire; novus actus interveniens; obiter dicta; per se; prima facie; quantum meruit; quid pro quo; raison d'être; ratio decidendi; stare decisis; terra nullius; ultra vires; vice versa; vis-à-vis; viz.

For words with a foreign origin which do not appear in the above list, the format of the word as it appears in the current edition of the *Oxford English Dictionary* (2nd edn Oxford University Press Oxford 1989) will be followed.

Example: The Court may exercise jurisdiction with respect to the crimes in the Statute if a situation is referred to the Prosecutor ... by the Prosecutor acting *proprio motu* (on his or her own initiative) following an independent investigation.

There are two important exceptions to the rule that foreign words are italicized. A quotation in a foreign language is left in roman font. As the comparative law section shows, the general rule requiring the italicization of foreign words is suspended in any citation of foreign authority and replaced by the normal OSCOLA rules as to italicization in citations.

2 Title

The golden rule is to keep your title short. It is not the business of the title to explain the content of the thesis. The introduction will do that work. Try to keep the title within six words. The same principle of economy applies to the titles of chapters and to headings and sub-headings. The title of the article or chapter should be bolded, centred, and appear in capitals:

TITLE HEADING **TITLE (CENTRED)**

3 Headings and Sub-Headings

It is essential to use a logical and consistent hierarchy of headings. You have to attend not only to the numbering but also to other elements such as style and case of the font and location on the page. Do not introduce too much elaboration. This mnemonic

‘A, 1, A, 1, A, nothing’

may serve to fix six levels in your mind. These six levels use one font (Times New Roman) and variations of style and case. Thus, under and excluding the number and title of the chapter, you should use the following six levels. You will not often need more than four. Every heading is separated from the text by a double gap (ie double your standard gap) before and after.

LEVEL ONE	A	MAIN HEADING WITHIN A CHAPTER (CENTRED)
LEVEL TWO	1	First Sub-Heading within the Main Heading (Full Left)
LEVEL THREE	(a)	Sub-sub-heading within a sub-heading (full left)
LEVEL FOUR	(i)	Next level down (full left)
LEVEL FIVE	(α)	<i>Rarely reached (full left)</i>
LEVEL SIX		<i>Almost never needed (indented)</i>

There are occasions when you need to make a list within one level without changing levels. Such a list is best made alphabetically in lower case but differentiated from level three by italicization and by the omission of the first bracket. Thus a list at any level runs *a)... b)... c)... d)...* The matter listed should not be italicized. It is also acceptable to leave a list unnumbered.

4 Gender-Neutral Language

Rules: It is not acceptable to substitute the words ‘they’, ‘their’ and ‘them’ as neutral singular pronouns. However, it is acceptable *either* to use ‘he or she’, ‘him or her’ or ‘his or her’ *or* to alternate evenly between the male and female pronouns. It is also acceptable to use ‘you’ impersonally: ‘If you want to make a gratuitous promise binding, you have to reduce it to the form of a deed.’

The use of gender neutral language is, for many, a contentious point. You should be courteous both to authors and to readers. Repeated use of ‘he or she’, ‘her or his’, and like phrases can detract from good style. For this reason, the following are recommended as effective ways to avoid (or at least to reduce) the use of singular personal pronouns:

- Nouns can sometimes simply be repeated or omitted without awkwardness, especially when the document is of a legislative nature —

Example: ‘When an employee wishes to resign, the employee must ...’

OR ‘An employee wishing to resign must ...’

- Using the passive voice is often possible, although a mass of passive can undermine precision —

Example: ‘Notice must be given by the employee in writing ...’ rather than ‘The employee must tender his or her notice in writing ...’

- Using plurals—

Example: ‘Employees must give notice in writing ...’

- Consistent use of ‘he’ for claimants and ‘she’ for defendants (or vice versa). This can enhance readability.

5 ‘-ize’ or ‘-ise’?

For the sound expressed in Z, use Z rather than S. Words end in -ize/-ization rather than -ise/-isation in words where this alternative exists (eg civilize, organize). However, some words are always spelt with an ‘s’: eg advertise, analyse, chastise, compromise, otherwise, paralyse,

supervise. In all doubts on spelling the *Oxford English Dictionary* (2nd edn OUP Oxford 1989) should be followed.

6 Names

Rules: Conventional titles such as Mr and Ms, and honorific titles or titles indicating qualification, such as Dame, Dr or Professor, may be included in the text before a person's name (although this practice is not required).

No titles, whether conventional or honorific, should be included before an author's name cited in footnotes, including honorific titles such as Sir, Dame. Since peerage displaces the peer's name, 'Lord Whiteacre' behaves as a name.

For judge authors, see 'Dealing with Judges' below.

Postnominals, such as QC or AM, may be referred to after names in text but only where absolutely necessary in the footnotes, as where the note states the qualification and status of the author.

It should be noted that inconsistency, which is bad in itself, can in this matter give offence. If you use titles or postnominals at all you should take care to use them for all persons similarly entitled.

Examples: In the text: Ms Mary Bloggs ... Professor Joe Smith ... Dame May Day ... Mr Peter Pan
Citing the same authors in a footnote: M Bloggs ... J Smith ... M Day ... P Pan.

There is a separate section below dealing with curial and extra-curial utterances of judges.

7 Grammar

Rules: Grammar is to be guided by RW Burchfield (ed) *The New Fowler's Modern English Usage* (3rd edn rev Oxford University Press Oxford 1998).

8 Full Stops

Rule: Abbreviations, whether in text or footnotes, are not marked by full stops.

Examples: eg **not** e.g. HL, **not** H.L. LJ and LJJ **not** L.J. and L.JJ.

Rule: A full stop should appear inside a closing bracket only when it completes a full sentence contained therein.

Examples: While some part-time workers are low-skilled, many more are working in jobs for which they are over-skilled (because of discrimination against part-time workers in access to the relevant jobs).

The report recommended that there be no legal obligation on employers to structure their training in order to accommodate part-timers. (This was the subject of such criticism that the final Regulation was amended.)

9 Hyphens and Dashes

Rule: A hyphen is used to make one word out of the two words separated by the hyphen.

Examples: The following are correctly hyphenated: law-making, decision-making, Secretary-General.

Rules: An em-dash (the longer dash) is used to mark an interruption in the structure of a sentence. A pair of em-dashes can be used to enclose a parenthetical remark. Alternatively, an em-dash can be used to replace a colon.

Examples: The documented international humanitarian law violations by troops participating in UN military operations demonstrates the need—now that the United Nations has been given a breath of new life and may become the ‘tool’ for enforcing or maintaining peace—to consider whether the UN can be held accountable for laws of war violations by its troops.

‘Widespread’ indicates the scale of an attack against a civilian population—not an isolated act but large scale action directed against multiple victims.

Rules: An en-dash is longer than a hyphen and half as long as an em-dash. It is used for ranges of numbers. It is also sometimes used to suggest an opposition and carries the sense ‘versus’.

Examples: ‘Although the policy–operational dichotomy appeared to have been relatively well-established by the *Anns* case, from the late 1980s it seemed to play a rather diminished role’. (Note the use of both hyphen and en-dash in this sentence extract.)

Those in the £25,000–£30,000 salary range ...

10 The Use of Capitals

Rules: Other than at the beginning of a sentence, in the titles of works, and in OSCOLA headings, capitals should only be used for proper nouns. For the avoidance of doubt, the following should be capitalized:

Act of Parliament
 Attorney-General
 Bill
 Cabinet
 Commonwealth
 Constitution (but constitutional)
 Crown
 Executive Council
 Governor
 Governor-General
 Her Majesty, the Queen
 his Honour, her Honour, their Honours
 Law Lords
 their Lordships
 Lords Justices
 Parliament (but parliamentary) (and the Houses thereof)
 Prime Minister
 State (in international contexts)
 Vice-Chancellor

The following words should not be capitalized:

common law, and other names of legal classification (eg criminal law)
 court (unless naming it—eg High Court)
 judiciary
 legislature
 local government
 press
 schedule
 statute

For abbreviated versions of some of these, see Appendix C.

B DEALING WITH JUDGES

1 Identifying Judges

Rules: Where necessary, the author/s of the judgment being cited may be identified in round brackets after the pinpoint. ‘Per’ is **not** to be used. Judges should only be identified in footnotes where there is good reason for doing so.

When naming Law Lords omit the provenance unless such omission would result in confusion: Lord Keith, not Lord Keith of Kinkel.

Examples: *Quade v Commonwealth Bank of Australia* (1991) 99 ALR 567 (HCA) 596 (Dawson J).

Breen v Williams (1996) 186 CLR 71 (HCA) 93 (Dawson and Toohey JJ).

Harman v Secretary of State for the Home Dept [1983] 1 AC 280 (HL) 308 (Lord Keith).

2 Statements Given by Judges During Argument

Rules: Statements made by a judge during argument should be identified by the words ‘in argument’. ‘Arguendo’ is not used.

Example: *Re Gee & Co (Woolwich) Ltd* [1975] Ch 52 (Ch) 58 (Brightman J in argument).

3 Subsequent Elevation of Judges

Rules: When referring to a decision of a judge, the judicial office of that judge at the time of the decision is used. The phrases ‘(as he then was)’ and ‘(as she then was)’ are discouraged.

Example: *John v Comr of Taxation* (1989) 63 ALJR 166 (HCA) 179 (Brennan J).

4 Judges Writing Curially and Extra-Curially

Rules: Judges writing curially should be referred to by their surname with the conventional abbreviation identifying their judicial office. Honorifics such as ‘The Honourable’ are not included.

Examples: Citing a judge writing curially in the text:

In Esso Australia Resources Ltd v Gas and Fuel Corporation of Victoria,⁵⁴ Gobbo J stated that ...

Mason CJ held that ...
Mummery LJ held that ...

Citing a judge writing curially in a footnote:

²³ *Commonwealth v SCI Operations Pty Ltd* (1998) 152 ALR 624 (HCA) 644 (McHugh and Gummow JJ).

Rules: When judges write extra-curially, they should be named as they are named in the publication in question. It is not necessary to notice later honours and promotions.

Examples: ¹³ Lord Goff and G Jones *The Law of Restitution* (Sweet & Maxwell London 1998)

C FOOTNOTES

1 General Format of Footnotes

Rules: Footnotes, not endnotes, are to be used.

The purpose of footnotes is to provide authority for a proposition or argument, and, in moderation, to identify supplementary sources for the reader. Additional text and quotations are strongly discouraged and must be avoided unless really necessary. Footnotes must not become the vehicle for the conduct of interesting counter-arguments.

Footnotes begin with a capital letter, except when the first word is a conventionally lower case abbreviation. Some word-processing programmes will not tolerate a sentence which begins in lower case. If yours is prone to override your wishes, it is prudent to avoid the problem, as by using 'Compare' for 'cf'.

Footnotes end with a full stop or question mark or, very rarely, an exclamation mark. Otherwise OSCOLA citations use no punctuation at all, except inverted commas round the titles of journals, and commas where it is imperative to separate items which would otherwise run together. The precise format of citations of cases, legislation, books and journals is given below. It may be helpful to see at once some examples of punctuation-free citations, which would of course end with full stops if they were the last item in a note.

Examples:

JH Baker *An Introduction to English Legal History* (4th edn Butterworths London 2002) 419–421

A Burrows and E McKendrick *Cases and Materials on the Law of Restitution* (OUP Oxford 1997) 110–111

Riddick v Thames Board Mills Ltd [1977] 1 QB 881 (CA) 883;
Harman v Secretary of State for the Home Department [1983] 1 AC 280 (HL) 290

Compare Copyright, Designs & Patents Act 1988 s 4

2 The Position of Footnote Markers

Rules: The footnote marker should appear after the relevant punctuation in the text (if any).

A quotation need not be footnoted separately from the case or text from which it is derived if the two appear in the same sentence. Otherwise, separate notes should be used.

Examples: There is merit in that view, notwithstanding that it is contrary to an opinion expressed by Lee J in *Griffiths v Commonwealth Bank of Australia*,³⁷ which concerned a deposit made in similar circumstances to those posited.

AND For example, in *Parton v ANZ Banking Group Ltd*, where no duty of care was found, Giles J noted that ‘the last thing [Mr Parton] was told was to go to his local manager’.⁶⁶

AND ... for example, in *Parton v ANZ Banking Group Ltd*.⁶⁵ There, in finding no duty of care, Giles J noted that ‘the last thing [Mr Parton] was told was to go to his local manager.’⁶⁶

AND The laws of Quebec,³ Ontario⁴ and British Columbia⁵ ...

3 Abbreviations within Footnotes

Rules: In footnotes, the following words and phrases should be abbreviated:

appendix	app
article/articles (of a Constitution or treaty)	art/arts
chapter/chapters	ch/chs
chapter/chapters (of statutes)	c/cc
clause/clauses	cl/cls
compiler/compilers	comp/comps
edition/editions	edn/edns
editor/editors	ed/eds
<i>et cetera</i>	etc
following	ff
footnote/footnotes (internal to the work)	n/nn
footnote /footnotes (external to the work)	fn/fns
for example	eg
that is	ie
manuscript/manuscripts	MS/MSS
number	no
number (of an Act)	No
page/pages	p/pp
paragraph/paragraphs	para/paras or [22] [22]–[32]

part	pt
regulation/regulations	reg/regs
Rex/Regina	R
rule/rules	r/rr
schedule	sch
section/sections	s/ss
sub-section/sub-sections	sub-s/sub-ss
supplement/supplements	supp/supps
translated, translation, translator	trans
volume/volumes	vol/vols

4 Introductory Signals for Footnotes

Rules: The object of a footnote is to draw the attention of the reader to the matter mentioned. A signal ‘see’ with or without an adverb, as ‘see especially’, is usually superfluous and should be avoided unless genuinely necessary. The following may be used where appropriate:

Compare	The authority cited provides a useful contrast to illustrate the proposition in the text. ‘cf’ is also acceptable, despite the general elimination of Latin tags.
Contrast	The authority cited directly contradicts the proposition in the text. Here the Latin ‘contra’ is not used.

Signals are **not** italicized, not even if they have a Latin root (as with cf).

5 Cross-Reference and Cross-Citation

Rules: Cross-references refer the reader to material elsewhere in the work. A cross-citation is a species of cross-reference which abbreviates a citation by incorporating information given elsewhere, usually earlier. Both should be used with moderation.

The form for cross-citation is ‘Jones (n 10) 23’. This indicates that the reader is to consult page 23 of the work of Jones which is fully cited in note 10 of the current chapter or article. If in note 10 two works of Jones are cited, the ambiguity can be resolved by adding a date or distinctive word, as ‘Jones 1999 (n 10) 23’. If in note 10 two authors both of the same name are cited, the ambiguity can be avoided by the addition of an initial, as ‘A Jones (n 10) 23’.

The form for cross-references is similar. To refer the reader to text, the following may be used: ‘Text to n 10’ or ‘Text after n 10’ or ‘Text

between n 10 and n 12'. To refer the reader to a footnote it may be necessary to put in a signal, as 'Compare n 10'.

Notice the omission of 'above' and 'below' (eg 'n 10 above') which are superfluous and must not be included.

Cross-citation outside the unit (article or chapter) is not allowed. The citation must be rewritten in full. Even within the unit, if it is very long, the convenience of the reader may dictate that the citation be repeated in full.

Cross-reference within the work but outside the chapter is allowed. A cross-reference in the form 'Ch 4, text to n 5' is not permissible unless a running header takes the reader easily to chapter 4, for without the runner the reader will have to turn to the contents page to find where chapter 4 begins. In the absence of runners the cross-reference must be made to a numbered page or numbered paragraph. The same applies in an article to a cross-reference which sends the reader to 'Compare A (1) (b) (ii)'. Such cross-references, if used for the author's own convenience, should be converted to page or paragraph numbers once these are known.

Latin gadgets such as *supra*, *infra*, *ante*, *post*, *id*, *op cit* and *loc cit* are not to be used. There are two exceptions to this ban on Latin codes, namely 'ibid' and 'cf'.

The word 'ibid', which is derived from '*ibidem*' meaning 'in the same place', is used with the meaning 'immediately previous citation'. 'ibid' is not italicized. It never takes a capital. Standing alone it repeats the immediately preceding citation. Only in that case does it take a full stop. With the addition of a number it repeats the previous citation with a variation of the page or paragraph.

'cf' means 'compare'. It is never italicized and never takes either a capital or a full stop.

Examples:

[initial citation]

¹⁶ J McGhee (ed) *Snell's Equity* (30th edn Sweet & Maxwell London 2000).

[cross-citation within the unit and not at an inconvenient distance]

¹⁹ *Snell's Equity* (n 16) 42–45.

[subsequent citation outside the unit or at an inconvenient distance within it]

³³ J McGhee (ed) *Snell's Equity* (30th edn Sweet & Maxwell London 2000) 33–34.

AND

[initial citation]

⁶⁰ P Craig 'The Common Law, Reasons and Administrative Justice'
[1994] Cambridge Law Journal 282.

[immediately following footnotes]

⁶¹ *ibid.*

⁶² *ibid* 284.

[subsequent cross-citation as above]

⁷¹ Craig (n 60) 285–86.

AND ²³ *Riddick v Thames Board Mills Ltd* [1977] 1 QB 881 (CA) 896.

²⁴ *Riddick* (n 23) 901.

D QUOTATIONS

1 Long and Short Quotations

Rules: Quotations of three lines or less are incorporated into the text and are enclosed by single quotation marks.

Longer quotations are indented from both the left and right and are single-spaced without quotation marks.

The font is the same size as in the text, not smaller.

Quotations within short quotations take double quotation marks.

Quotations within long quotations take single quotation marks.

Full stops and other concluding marks of punctuation at the end of quotations should be placed outside the inverted commas unless they are part of the quotation.

2 Punctuation Introducing Quotations

Rules: Typically, a colon is the appropriate punctuation to introduce a long quotation. However, it is acceptable to use no punctuation, or a comma, when the lead-in moves seamlessly into the quoted material.

3 Capitalization at the Start of a Long Quote

Rules: Where a colon or full stop precedes a long quotation, the first letter of the quotation should be capitalized.

Where a comma or no punctuation precedes the quotation, the first letter of the quotation should not be capitalized.

Where compliance with these rules requires that the first letter of the quotation to be altered, it should be placed into square brackets.

Example: Lord Radcliffe stated the position as follows:

[T]here is no precise formula that will determine the extent of detail called for when a director declares his interest or the nature of his interest. ... His declaration must make his colleagues ‘fully informed of the real state of things’ ... If it is material to their judgment that they should know not merely that he has an interest, but what it is and how far it goes, then he must see to it that they are informed.¹⁶

4 Fidelity to the Original Quotation

Rules: A quotation must not be varied in any degree without notice given. The only exception is in the use of single and double quotation marks, where the rule is that quotations within quotations take single or double quotations depending on whether the quotation itself is placed within quotation marks. If it is, they will be single, so that quotes within will take double. If it is not, the quote within will take single.

Significant mistakes in the original quotation—that is, where the meaning of the text is affected—should **not** be identified by the Latin ‘*sic*’ but should be made the subject of a comment in a footnote. Insignificant mistakes, where the sense of the text is not compromised—for example, unusual spelling or punctuation, minor spelling mistakes or incorrect verb conjugations—should be left as they appear in the original, without comment. The reader will attribute the oddity, whatever it may be, to the original author.

Example: ‘The plaintiff¹² raised three defences to the claim against her ...’

¹² It is evident ‘plaintiff’ should read ‘defendant’.

Lord Radcliffe stated the position as follows:

[T]here is no precise formula that will determine the extent of detail called for when a director declares his interest or the nature of his interest. ... His declaration must make his colleagues ‘fully informed of the real state of things’ ... If it is material to their judgment that they should know not merely that he has an interest, but what it is and how far it goes, then he must see to it that they are informed.¹⁶

5 Ellipses

Rules: Omissions from a quotation must be indicated by an ellipsis (three dots).

An omission which follows a sentence is indicated by four dots. The first, placed immediately after the last word, is the full stop. A double space then follows before the other three.

It is not necessary to include a full stop after the ellipsis to indicate that the ellipsis omits words ending a sentence.

Four dots (full stop and three dots) are also used to indicate the omission of each of the following: the last part of one sentence and the first part of the next sentence; a whole sentence; and a whole paragraph.

No ellipsis points should be used at the beginning of a quotation. If the quotation requires the first letter to change its case, the square brackets indicate that prior words have been omitted.

Examples: ‘If the period had been a day or a week, it might have been suggested that the practical and substantial effect of the section was to take away causes of action. ... I think it impossible to maintain that the period of one year is otherwise than reasonable’.¹⁰⁷

‘[T]heir function would seem to be no more than ... to provide a more explicit basis for explaining, appraising and developing particular doctrines of common law. ... Much more important ... is the impact they should have as constitutional principles on the structuring and practice of government ...’.¹⁷²

6 Change in Emphasis

Rules: Any change of emphasis should be indicated in a parenthetical clause after the citation by use of ‘(emphasis added)’.

The indication of the change of emphasis occurs immediately following the quotation, and not at the end of the footnote which references that quotation.

If the original quotation contains emphasis, the words ‘author’s emphasis’ should not be added.

Example: ‘It is no justification ... for securing forbidden results *that lawful means are employed*’ (emphasis added).¹⁶⁸

7 Omission of Citations

Rules: Any omission of citations or footnotes which were contained in the quotation should be indicated by a parenthetical clause where the source of the quotation is given, after the source. The following are acceptable: '(citation(s) omitted)', '(footnote(s) omitted)'.

Whenever possible, a quotation within a quotation should be attributed to its original source.

Where the quotation includes a footnote which the author wishes to reproduce rather than omit, the footnote text appears at the end of the quote, in smaller font than the quote itself.

Example: In the text:

As Stevens J observed in his concurring opinion in *Washington v Glucksberg*,¹⁶ the Supreme Court has considered these issues many times, in cases the names of which are by now very familiar:

The morality, legality, and practicality of capital punishment have been the subject of debate for many years. In 1976, this Court upheld the constitutionality of the practice in cases coming to us from Georgia,¹ Florida², and Texas.³

n1 *Gregg v. Georgia*, 428 U.S. 153 (1976).

n2 *Proffitt v. Florida*, 428 U.S. 242 (1976).

n3 *Jurek v. Texas* 428 U.S. 262 (1976).

Consistently, the Supreme Court has concluded in cases such as these that it is not unconstitutional for States to place lesser value on some lives than on others.¹⁷

And in the footnotes:

¹⁶ 521 US 702; 117 S Ct 2258 (1997).

¹⁷ *Washington v Glucksberg* (n 16) 756; 2312.

E REFERRING TO NUMBERS

1 When to Use Figures and When to Use Words

Rules: Numbers under 10 should be written in words.

Figures should be used:

for numbers over nine, including centuries (eg ‘20th century’);
 when the material contains a sequence of stated quantities, numbers, ages, etc (eg children in the 7–12 age group);
 for numbers of sections, clauses, paragraphs, etc;
 and wherever words would appear clumsy.

A sentence should never begin with a numeral (even if it is a date). In such a case the number must be spelled.

Number sequences show the first number in full, an en-dash, and then the last number expressed in accordance with the rules governing reference to sequential page numbers.

2 Designation of Thousands

Rule: Commas are to be used to designate thousands from the number 10,000 upwards.

Examples: 5000 12,345 56,789 654,321

3 Reference to Sequential Page Numbers

Rule: Whenever the range between two numbers delineating a sequence of pages (or paragraphs) crosses the boundary between two or more units of 100, both numbers should be cited in full.

Examples: 96–117; 195–305; 401–500; 1206–1310; 2100–3100; 13,729–13,803

Rule: Subject to the abovementioned rule, whenever the penultimate digit of both numbers delineating a sequence is zero, only the final digit (that in the right-most column) of the second number should be cited.

Examples: 1–9; 1002–6, but note 602–805; 1304–1407

Rule: On all other occasions, the final two digits of the second number should be cited.

Examples: 12–15; 113–16; 460–61; 400–99; 721–25; 342–50; 1536–42; 14,325–28

F REFERRING TO DATES

1 Full Dates

Rules: The correct format is as follows: 16 November 2000.

2 Decades

Rules: Do not put an apostrophe between the year and the 's'.

The reference to the decade should be expressed in full. Abbreviations such as 'the nineties' or 'the '90s' should not be used.

Examples: 1990s **not** 1990's **not** '90s

3 Periods of Dates

Rules: Spans of years show the first year in full, an en-dash, and then the last two numbers of the end year.

However, if the last year occurs in a different century from the first, the last year should be expressed in full.

Spans of dates should be separated by an en-dash.

Examples: 1997–98
1999–2001
3 May–30 October

4 Centuries

Rules: The number of the century should be written in words up to and including nine. From 10, figures are used. The ordinal 'th' is in superscript font:

Examples 20th century, 19th century, but fifth century

G CASES

1 Case Names

Rules: Case names should appear in italics, including the *v* which takes no full stop.

Where there are multiple parties, only the first claimant and first defendant are named. Where the parties are individuals, given names and initials are omitted. (However, where two cases involve different parties with the same given names, initials should be used to avoid confusion between them.) Where a party is a firm or corporation, its name is not to be abbreviated—except that any ‘and’ is replaced by an ampersand (&). See below for specific abbreviations.

‘*In re*’ and ‘In the matter of ‘ should be shortened to ‘*Re*’.

‘*Ex parte*’ should be abbreviated to ‘*Ex p*’. The letter *e* is capitalized where it appears at the beginning of a case name, but in lower case elsewhere. The *p* takes no full stop.

Certain words and phrases are to be abbreviated in case names:

Advocate General	Adv Gen
Attorney-General, or Attorney General	A-G, or AG, depending upon jurisdiction
anonymous	anon
British Broadcasting Corporation	BBC
Borough Council	BC
Brothers	Bros
County Council	CC
Company	Co
Commissioner	Comr
Corporation	Corp
Crown Prosecution Service	CPS
District Council	DC
deceased	dec’d
Department	Dept
Director of Public Prosecutions	DPP
European Communities	EC
Executor	Exor
Executrix	Exrx
Great Britain	GB
Gesellschaft mit beschränkter Haftung	GmbH
Her Majesty’s	HM
Incorporated	Inc
Inland Revenue Commission	IRC
liquidation	liq
Limited	Ltd

London Borough Council	LBC
Public limited company	plc
Proprietary	Pty
Rex (the King) and Regina (the Queen), except where the King or Queen is the respondent	R
Reports	Rep
Railway	Rly
Rural District Council	RDC
Société Anonyme	SA
trading as	t/as
Urban District Council	UDC
United Kingdom	UK
United States	US
Vice-Chancellor	V-C

Examples: *Re the Companies Act 1985*, **not** *In the matter of the Companies Act 1985*

Re Farquar's Estate, **not** *In re the Estate of Farquar*

R v Disciplinary Committee of the Jockey Club, ex p Aga Khan [1993] 1 WLR 909 (CA)

Home Office v Dorset Yacht Co Ltd [1970] AC 1004 (HL)

Barrett v Enfield LBC [1998] QB 3673 WLR 79 (CA)

Capital & Counties plc v Hampshire CC [1997] QB 1004 (CA)

Callaghan v The Queen (1952) 87 CLR 115 (HCA)

2 Abbreviating Case Names

Rules: If the name of the case as it appears in the law reports is very long and the case is referred to frequently, an abbreviated case name may be used in text and in footnotes after the initial citation in full.

Where necessary to avoid confusion (eg where an article refers to two cases with similar names, or to multiple judgments within a single set of proceedings), the abbreviated case name may be italicized and placed within single quotation marks enclosed in parenthesis after the initial citation of the case in the footnotes.

In the text, there is a distinction between civil and criminal cases. Following the initial citation in full, criminal cases may be referred to simply by the name of the defendant. Civil cases, if reduced to one name, should take the name or first part of the name of the claimant because difficulties can be encountered if the first word of the name of

a civil case disappears from sight. Care should be taken not to abbreviate in this way if the result is to produce uncertainty.

The abbreviation of the names of civil cases to a single name is permissive. It is perfectly acceptable to repeat the full name. Your practice should be consistent.

Examples: [First citation]
⁵⁵ *Woolwich Equitable Building Society v Comrs of Inland Revenue* [1993] AC 70 (HL).

[Subsequent footnote citation]
⁷⁹ *Woolwich* (n 55) 176.

Subsequent references in the text:

‘... as Lord Goff observed in *Woolwich* ...’

It is also acceptable to say ‘in the *Woolwich* case...’

AND In the text:

It is well represented in the case law, perhaps most notably in the expression of the no-conflict rule advocated by Lord Upjohn in *Phipps v Boardman*,³¹ and in the earlier Court of Appeal decision in *Boulting v Association of Cinematograph, Television and Allied Technicians*.³² In *Boulting* [or ‘in the *Boulting* case’], Upjohn LJ said that the rule ‘must be applied realistically to that state of affairs which discloses a real conflict of duty and interest and not some theoretical or rhetorical conflict’.³³ In *Phipps*, Lord Upjohn developed his view of the rule further by adding that there must be a ‘real and sensible possibility of conflict’.³⁴

And in the footnotes:

³¹ [1967] 2 AC 46 (HL).

³² [1963] 2 QB 606.

³³ *Boulting* (n 32) 637–38 [or] ³³ *ibid* 637–38.

³⁴ *Phipps* (n 31) 124.

3 Shipping Cases

Rules: When citing a shipping case, the name of the ship may be used instead of the full case name, but in such circumstances the full case name ought to be provided on the first occasion. The name of the ship is not to be preceded by ‘SS’ (steamship) or ‘MV’ (motor vessel).

Examples: The first citation reads: *New Zealand Shipping Co Ltd v Satterthwaite (AM) & Co Ltd (The Eurymedon)*; thereafter, *The Eurymedon*.

4 Undisclosed Party Names

Rules: If the parties' names are not disclosed, use the title provided in the report. Use initials if possible.

Example: *W v Essex CC* [1999] FCR 90.

5 Popular Case Names

Rules: Popular names for cases may be used. The popular name should be placed in parenthesis after the initial full citation. In subsequent citations, the popular case name may be used.

Examples: *Mirage Studios v Counter-feat Clothing Co Ltd* [1991] FSR 145 (*Ninja Turtles case*).

Department of Health and Community Services (NT) v JWB (1992) 175 CLR 218 (HCA) (*Marion's case*).

6 Citation of Cases

Rules: Where the footnote marker comes after the case name in the text, the case name is not repeated in the footnote citation.

Brackets surrounding the date of a report should be square or round according to the convention that where volumes are identified by reference to a year, square brackets are used; otherwise the brackets are round.

When citing two or more cases in one footnote, the default rule is that cases should be placed in ascending chronological order, most recent last. However, if a different ordering is desirable for some good and expressly or impliedly apparent reason, this order may be varied. The cases should be separated by semi-colons.

Punctuation in citations is eliminated, save to the extent it is absolutely necessary to intelligibility: [1993] AC 70 (HL) 173.

7 Neutral Citations

Rule: A ‘neutral citation’ means a citation designated by the court that contains no reference to any reporting series. It will typically contain the year, the code which indicates the court, and the index number.

Many jurisdictions have adopted the use of neutral case citations to facilitate references to unpublished cases retrieved electronically. Where a neutral citation exists, it is obligatory to place it first, before the best available law report. Examples are given below.

Concurrently many jurisdictions have introduced numbering of paragraphs within judgments. Where available, these are given instead of page numbers.

Every citation must reveal the court which decided the case cited. Where the citation is unequivocal as to the court, no further indication need be given. Neutral citations are unequivocal. It follows that it is only when no neutral citation is given that it is necessary to add the acronym which identifies the court.

Where the citation is not unequivocal as to court, the court should be identified in brackets.

Example *Gotha City v Sotheby’s* [1998] 1 WLR 114 (CA)

High Court decisions should be identified by division: (QB) (Ch) (F)

Specialized courts should be indicated similarly: (Com Ct) (T&CC)

Pinpoints come after the acronym:

Example *Gotha City v Sotheby’s* [1998] 1 WLR 114 (CA) 120

Where the citations are unequivocal no acronym is included, as with this neutral citation:

Example *On Demand v Michael Gerson* [2002] UKHL 13

Here is a neutral citation followed by the currently best available report. The citation as a whole being unequivocal, the acronym is still omitted:

Example *Costello v Chief Constable of Derbyshire Constabulary* [2001] EWCA Civ 381, [2001] WLR 1437

If the case has numbered paragraphs, the pinpoint must use the paragraph number in square brackets, not the page number:

Example: *Costello v Chief Constable of Derbyshire Constabulary* [2001] EWCA Civ 381, [2001] WLR 1437 [1]–[30]

8 Pinpoints

Rules: Specific page references should be preceded by a comma and a space, if not preceded by an attribution to a court.

However, where the attribution to a court appears in parenthesis, it is unnecessary to insert a comma before the first specific page reference.

Where the pinpoint reference is to the first page of the report, the page number should be repeated.

Citations should not normally include letters (A, B, etc) printed in the margin in some series of reports. Reference to the relevant page or paragraph is sufficient.

Where a judgment has numbered paragraphs, the pinpoint should always be to the paragraph.

Examples: *Beattie v E & F Beattie Ltd* [1938] Ch 708 (CA) 708.

Rees v Bank of New South Wales (1964) 111 CLR 210 (HCA) 218, 229–30.

R v Leeds County Court, ex p Morris [1990] 1 QB 523, 526–9.

R v Secretary of State for Transport, ex p Factortame Ltd [1990] 2 AC 85 (HL) 140 (Lord Bridge).

Dombo Beheer BV v Netherlands Series A No 274-A, (1994) 18 EHRR 213, [33].

Rule: Where multiple citations are required (eg Supreme Court of Canada decisions reported in SCR and DLR; English nominate reports and ER; neutral citations and official report series; Series A and EHRR) **and** the case is subsequently referred to in a proximate footnote with

pinpoints, semi-colons should separate the citations and pinpoints from each source.

Examples: ⁴⁴ *Baker v Canada (Minister of Citizenship & Immigration)* [1999] 2 SCR 817, 858; (1999) 174 DLR (4th) 193, 228.

⁴⁷ *Baker* (n 44) 848; 220.

AND ³¹ *Modbury Triangle Shopping Centre Pty Ltd v Anzil* [2000] HCA 61, [55]; (2000) 176 ALR 411, 423.

³² Compare *Modbury Triangle* (n 31) [90], [92]; 434, 435.

9 Official and Unofficial Report Series

Rules: Where a case appears in several series of reports, only the ‘official’ citation should be given. The best reference, or citation, will vary according to the jurisdiction, and this is dealt with separately under the various jurisdictions.

10 Unreported Decisions

Rules: Unreported decisions should be cited by their neutral citation if they have one, otherwise in the following format: *name of case* (court, date of judgment) transcript page or paragraph number.

Omit the word ‘unreported’ from the citation, unless its inclusion is necessary to avoid confusion.

Additionally, omit judges’ names from the citation, unless such reference is necessary for clarity, for example, where the author wishes to differentiate two judgments within the same proceeding.

Example: *Thannhauser v Westpac Banking Corporation* (Federal Court of Australia, 9 December 1991) [90].

11 Decisions Published in Electronic Form

Rules: Citations to decisions published in electronic form should only be given if the decision has not (yet) been published in print form **and** does not have a neutral citation.

Where a decision is available on an electronic database (such as Lexis-Nexis, Westlaw or Austlii), a citation may be made to that database. The following format should be used: name of case (Court, date) <Uniform Resource Locator> (date of access) pinpoint.

Angle brackets for the URL are used to denote that what is enclosed within the brackets is a continuous string of characters and that no additions or deletions should be made to the string.

Date of access is important since the internet possesses invisible revisability (ie, it is able to be changed at any time, with no record of the change). The date of access attempts to deal with the invisible revisability issue by informing the reader that, at the date listed, the reference was there, even if it is later modified or removed. Archival copies (if available) can then be searched for to locate the version as at the required date.

If the court uses a unique court identifier, then that should immediately follow the name of the case, as it is usually the easiest method of searching for a case from a citation.

Examples: *Cox v Robinson* [2000] QCA 454 (Supreme Court of Queensland Court of Appeal, 7 November 2000)
<<http://austlii.edu.au/au/cases/qld/QCA/2000/454.html>> (7 January 2000) [4].

State Rail Authority of NSW v Luckwell [2000] NSWCA 223 (New South Wales Court of Appeal, 18 August 2000)
<<http://www.law.gov.au/>> (7 January 2000).

12 Different Case Name

Rules: If a case appears under a different case name at any point in its history (that difference being more than a mere reversal in the names of the parties), the earlier and different name should be introduced by the phrase ‘*sub nom*’.

Example: *South Yorkshire Transport Ltd v Monopolies and Mergers Commission* [1993] 1 WLR 23 (HL) *sub nom R v Monopolies and Mergers*

Commission, ex p South Yorkshire Transport Ltd [1992] 1 WLR 291 (CA).

13 Case History

Rules: The subsequent history of a case can be indicated after the primary case by abbreviating ‘affirmed’ to ‘aff’d’ and ‘reversed’ to ‘rev’d’. These abbreviations refer to the primary decision.

Example: *Anthill Ranger & Co Pty Ltd v Comr for Motor Transport* (1955) 93 CLR 83 (HCA), aff’d (1956) 94 CLR 177 (PC).

14 Particular Rules: Australia

Rules: Official reports are those that claim to be the ‘authorized reports’ of the court in the opening pages of each volume of the report series. The Official Report series include: CLR, FCR and state reporting series, such as VR and NSWLR. Unofficial report series include: ALR, ALJR and FLR.

Citations should be made to the authorized report series when available.

When an authorized report series is unavailable, an unauthorized report series may be cited. It is only necessary to cite from one of the unauthorized report series.

Citations to general reports are to be preferred to citations to specific report series.

Examples: *Comr for Motor Transport v Anthill Ranger & Co Pty Ltd* (1956) 94 CLR 177 (PC) 180.

Lloyd v Citicorp Australia Ltd (1986) 11 NSWLR 286.

15 Particular Rules: Canada

Rules: For decisions of the Supreme Court of Canada, cite the Official Supreme Court Reports (SCR), but give the parallel citation to the Dominion Law Reports (DLR), or another report series if not reported

in the DLR. If it is not reported in the SCR, cite the DLR, or another report series if it is not reported in the DLR.

The Canadian convention of designating the series of the DLR and other series ought to be followed, namely, (2d), (3d), (4th), (5th).

For decisions of the Federal Court, cite either the Federal Court Reports (FCR) or the Exchequer Court Reports (Ex CR), otherwise cite the Dominion Law Reports (DLR).

For provincial cases, one citation suffices, and the DLR should be used wherever possible.

The name of the court should be included in parenthesis after the page number unless self-evident.

Example: *Elsom v Elsom* [1989] 1 SCR 1367, (1989) 59 DLR (4th) 591.

But note, where the case is subsequently referred to in a proximate footnote with pinpoints, a semi-colon should be used:

[initial reference]

⁴⁴ *Elsom v Elsom* [1989] 1 SCR 1367, 1374–75; (1989) 59 DLR (4th) 591, 597.

[proximate reference]

⁴⁸ *Elsom* (n 44 above) 1375; 597.

16 Particular Rules: New Zealand

Rules: Citation should be made to the New Zealand Law Reports (NZLR) where available, as the official report series.

Examples: *Auckland Area Health Board v A-G (Re L)* [1993] 1 NZLR 235 (NZ HC) 240.

17 Particular Rules: United Kingdom

(a) Citation of cases—Modern English Reports (1865–)

Rules: It is obligatory to indicate the court. In the case of the High Court this is done by indicating the Division: (QB) (Ch) (F). In the case of a

specialized court, the specialized name is indicated by similar acronym: (Com Ct) (T&CC).

It is not necessary to cite to more than one series of reports. After the neutral citation, if the case has one, priority is given to the official law reports. The appropriate abbreviations of the official reports are as follows:

Queen's and King's Bench	1952– 1901–1951 1891–1900 1875–1890 1865–1875	QB KB QB QBD LR QB
Common Pleas	1875–1880 1865–1875	CPD LR CP
Exchequer	1875–1880 1865–1875	Ex D LR Ex
Chancery	1891– 1875–1890	Ch Ch D
Equity	1865–1875	LR Eq
Family	1972–	Fam
Appeal Cases	1875–	AC
Privy Council	1865–1875	LR PC
Probate	1891–1971 1875–1890	P PD
Admiralty and Ecclesiastical Cases	1865–1875	LR P&D LR Adm & Eccl

If the case is not reported in the official law reports, the second preference is the Weekly Law Reports (WLR).

If the case is not reported in either of these sources, the third preference is the All England Law Reports (All ER).

References should be made to one of these series, if possible, and strictly in accordance with the above mentioned order of preference. Multiple references should not be given.

If the case is not reported in any of the above mentioned series of reports, a citation may be made to any other series of reports.

When referring to a House of Lords case reported, the designation 'Sc' ought to be used to denote a Scottish case (HL Sc).

Examples: *Derbyshire County Council v Times Newspapers Ltd* [1992] QB 770 (CA) 771.

Associated Newspapers Ltd v Wilson [1995] 2 AC 454 (HL) 479 (Lord Browne-Wilkinson).

R v Leeds County Court, ex p Morris [1990] 1 QB 523, 526–9.

Badische v Soda-Fabrics (1897) 14 RPC 919 (HL).

Donoghue v Stevenson [1932] AC 562 (HL Sc).

Smith v Jones [2001] EWCA Civ 10, [2001] QB 124.

(b) Citation of cases—Nominate Reports (1537–1865)

Note: Nominate reports are those private reports which were published commercially under the names of their various law reporters. Nearly all of the nominate reports have been collected together and reprinted. The first reprint series was published as the Revised Reports (RR). The other reprinted series is the English Reports: Full Reprint (ER).

Rules: Nominate reports must be accompanied by a parallel citation to the ER. The nominate citation comes first.

Examples: *Bentley v Craven* (1853) 18 Beav 75, 52 ER 29.

Wilde v Gibson (1848) 1 HL Cas 605, 9 ER 897.

(c) Other reports

Rules: A report in The Times newspaper should only be cited if there is no other published report. The name of the newspaper is not italicized.

Example: *Kent v Griffiths* The Times 10 February 2000.

Rules: Cases from the Scottish Series of Session Cases from 1907 onwards are cited as, for example, *Hughes v Stewart* 1907 C 791. Justiciary Cases from 1917 onwards are cited, for example, as *Corcoran v HM Advocate* 1932 JC 42. It is usual, after the first citation, to refer to Justiciary Cases simply by the name of the panel (or accused), thus, *Corcoran*. No brackets are used around the date in the citation of the official Scots reports. Also, there is an absence of punctuation.

18 Particular Rules: United States

Rules: American cases are cited according to the examples below.

The name of the case should not be followed by a comma.

The name of the report series is abbreviated.

For federal courts: a citation of a decision of the Supreme Court of the United States does not require the name of the court. Both the US and S Ct reports should be cited. The Court of Appeals should be referred to by the numbered circuit (1st, 2nd, etc). The United States Court of Appeals for the District of Columbia Circuit should be cited as 'DC Cir'. The United States Court of Appeals for the Federal Circuit should be cited as 'Fed Cir'. For district court cases, only give the abbreviated name of the district.

For state courts: indicate the state and court of decision. However, do not include the name of the court if it is the highest court in the state. Do not include the state if it is obvious from the report series.

Give the year of the decision in parenthesis after the name of the court.

Examples: *Federal Open Market Committee v Merrill* 443 US 340, 99 S Ct 2800 (1979).

Glenmede Trust Co v Thompson 56 F 3d 476 (3rd Cir 1995).

H L Hayden Co v Siemens Medical Systems, Inc 106 FRD 551 (SDNY 1985), aff'd 797 f 2d 85 (2nd Cir 1986).

Re 'Agent Orange' Product Liability Litigation (MDL No 381) 104 FRD 559 (EDNY 1985), aff'd 821 F 2d 139 (2nd Cir 1987), cert denied 484 US 522 (1987).

Note that where pinpoints are given in a subsequent footnote, a semi-colon should be used to separate the report series cited.

Merrill (n 2) 341; 2801.

19 Particular Rules: European Cases

See 'Regional Cases and Decisions' in the 'International Materials' section below.

H LEGISLATION

1 Pinpoint References in Statutes

Rules: Abbreviations are only to be used in footnotes. They adopt the following format:

section	s
sections	ss
sub-section	sub-s
sub-sections	sub-ss
paragraph	para
schedule	sch
part	pt
article	art
articles	arts

There are no full stops after abbreviations.

If several consecutive sections are referred to, the first and last of these sections should be cited, separated by an en-dash. If the sections are not consecutive, separate the section numbers with a comma.

Where a sub-section is referred to with its section, it is cited as a section.

Numbered or lettered sub-sections are placed in parenthesis immediately after the section number.

An unnumbered or unlettered sub-section is labelled 'paragraph', which is abbreviated in footnotes to 'para'.

Where a reference to a section is the first word in a footnote, no abbreviation is used.

Note that in the examples listed, abbreviations only apply to footnotes.

(For more information on abbreviations, see 'Abbreviations within Footnotes'.)

Examples:

In footnotes:

s 5(2), **not** sub-s 5(2)

ss 5(2), (3)(a), **not** sub-ss 5(2), (3)(a)

Franchise Fees Windfall Tax (Imposition) Act 1997 (Cth) ss 7–8

In the text:

The application of section 47 of the Trade Practices Act 1974 (Cth), in particular sub-section (7)(a), has shown that ...

Section 8(1) of the Commerce Act 1986 (NZ), by which the Commerce Commission is established, ...

2 Pinpoint References in Delegated Legislation

Rules: Abbreviations are only to be used in footnotes. They adopt the following format:

rule	r
sub-rule	sub-r
sub-rules	sub-rr
regulation	reg
sub-regulation	sub-reg
sub-regulations	sub-regs

If several consecutive rules or regulations are being referred to, give the first and last of these separated by an en-dash. If the rules or regulations are not consecutive, separate the numbers with commas.

Where a sub-rule is referred to with its rule, it is cited as a rule. Where a sub-regulation is referred to with its regulation, it is cited as a regulation.

Numbered or lettered sub-rules or sub-regulations are placed in parenthesis immediately after the rule or regulation number.

Where a reference to a rule or regulation is the first word in a footnote, no abbreviation is used.

Examples:

In footnotes:

r 59(1), **not** sub-r 59(1)

regs 5(2), (3)(a), **not** sub-regs 5(2), (3)(a)

In the text:

The application of rule 61, in particular sub-rules (3) and (4), has demonstrated ...

3 Particular Rules: Australia

(a) Statutes

Rules: The Act should be referred to by its short title.

The title of the Act is not italicized.

Capitalize the letter of the first word of the title and the first letter of all other words except prepositions (of, by, with), articles (the, a, an) and conjunctions (and, or).

If the title of the statute is provided in the text, omit the title from the footnote citation.

The year of the Act should immediately follow the Act name. The year is not italicized.

The abbreviation of the particular Australian jurisdiction, or if federal legislation the abbreviation 'Cth', should be placed in brackets immediately after the year.

Citations are presumed to refer to the statute as amended. Therefore, the principal Act should be cited, not the amending Act.

Examples: Industrial Relations Act 1988 (Cth) s 170ND(1)

Gas Pipelines Access (Queensland) Act 1998 (Qld) s 33(1)

(b) Delegated legislation

Rules: Delegated legislation should be referred to by its title.

The title of the delegated legislation is not italicized.

Capitalize the letter of the first word of the title and the first letter of all other words except prepositions (of, by, with), articles (the, a, an) and conjunctions (and, or).

If the title of the delegated legislation is provided in the text, omit the title from the footnote citation.

The year of the delegated legislation (if a year is designated) should immediately follow the title. The year is not italicized.

The abbreviation for the Australian jurisdiction should be placed in brackets immediately after the year.

Examples:

Insurance Acquisitions and Takeovers (Notices) Regulations (Cth) reg 3

Stamps Regulations 1992 (Vic) reg 38

VHF High Band Frequency Band Plan (148 to 174 MHz) 1991 (Cth)

(c) Bills

Rule: Bills before Parliament are not italicized.

Example: Trade Practices Amendment (Fair Trading) Bill 1997

(d) Constitution

Rule: The Australian Constitution should be cited as: Australian Constitution 1901. Sections are to be referred to as follows: Australian Constitution 1901 s 71. Note the general OSCOLA rule that, subject to the requirement of consistency, the full or abbreviated form, 's' or 'section', may be used in the text.

References to placitum (singular) and placita (plural) to denote subsections of the Constitution are not to be used.

Examples: The Commonwealth points to section 51(xiii) as containing a power wide enough to authorize section 48, the power to make laws with respect to banking.

'Sub-section (xx) states ...' **not** 'Placitum (xx) states ...'

4 Particular Rules: New Zealand

Rules: The rules for citation of New Zealand legislation follow those for the Australian jurisdiction, except that the relevant abbreviation for the jurisdiction is '(NZ)'.

Example: Companies Act 1993 (NZ).

5 Particular Rules: United Kingdom

(a) Primary legislation

Rules: The Act should be referred to by its short title.

The title of the Act is not italicized.

Capitalize the letter of the first word of the title and the first letter of all other words except prepositions (of, by, with), articles (the, a, an) and conjunctions (and, or).

If the title of the statute is provided in the text, omit the title from the footnote citation.

The year of the Act should immediately follow the Act name. The year is not italicized.

The chapter number appears after the numeric identification of the monarch (if the legislation was enacted before 1 January 1963), or otherwise appears after the jurisdiction of the statute.

Citations are presumed to refer to the statute as amended. Therefore, the principal Act should be cited, not the amending Act.

The jurisdiction of the statute should be indicated after the year. United Kingdom should be abbreviated to '(UK)' and England to '(Eng)'.

The abbreviation to be used in footnotes for the chapter number of an Act is 'c'.

Examples:*In footnotes:*

Social Security Contributions and Benefits Act 1992 (UK) c 4.

In the text:

Arms Control and Disarmament (Privileges and Immunities) Act 1988 (UK) chapter 2.

(b) Legislation enacted prior to 1963

Rules: For all legislation enacted prior to 1 January 1963, the regnal year must be cited. Indicate regnal years by year(s) of reign, abbreviated name of the monarch, and numeric identification of the monarch. The chapter number appears after the numeric indication of the monarch.

Examples: Crown Debts Act 1801 (UK) 14 Geo 3 c 90 (this means that the Act was passed in 1801, being the fourteenth year of the reign of George III, chapter 90.)

Bankers' Books Evidence Act 1897 (UK) 42 and 43 Vict c 11.

Water Resources Act 1963 (UK) c 38 (it is not necessary to cite the regnal year for legislation enacted after 1 January 1963.)

(c) Secondary legislation

Rules: Statutory instruments should be referred to by their name, date and serial number.

No reference should be made to any subsidiary numbering system in the case of instruments of a Scots or local nature, or those making commencement provisions.

Examples: Local Authority Precepts Order 1897 SR & O 1897/208

Community Charge Support Grant (Abolition) Order 1987 SI 1987/466

(d) Rules of Court

Rule: The Civil Procedure Rules 1998 can be cited without reference to their statutory instrument serial number.

Examples: CPR 7
CPR 5.2(1)(b)

Rule: Historic versions of the rules, including all provisions no longer in force, can be cited similarly, but with the relevant year added.

Examples:

In footnotes:

RSC 1965 Ord 24 r 14A
CCR 1981 Ord 17 r 11

In the text:

RSC 1883 Order 7 rule 5

Rule: All other court rules must be cited in full as statutory instruments.

(e) Practice Directions

Rules: Where only one practice direction has been issued in respect of a part or a specific rule, it can be referred to simply by number, according to the part or rule which it supplements.

Where more than one practice direction supplements a given part or rule, an indication of the content of the relevant practice direction should be provided in brackets after the number.

Examples: CPR PD 6
CPR PD 7.10, 3.1
CPR PD 7.9 (claims for the recovery of taxes)
CPR PD 7.9 (Consumer Credit Act claims), 1.1

6 Particular Rules: Canada

(a) Statutes

Rules: The Act should be referred to by its short title.

The title of the Act is not italicized.

Capitalize the letter of the first word of the title and the first letter of all other words except prepositions (of, by, with), articles (the, a, an) and conjunctions (and, or).

If the title of the statute is provided in the text, omit the title from the footnote citation.

The title of the Act should not be followed by a comma.

Cite either the Revised Statutes (RS) or the Re-enacted Statutes (RS) in preference to the sessional or annual volumes (S).

The jurisdiction immediately follows the statute volume and is not preceded by a space or comma. The following abbreviations are used for Canadian jurisdictions:

Canada	C
Lower Canada	LC
Upper Canada	UC
Alberta	A
British Columbia	BC
Manitoba	M
New Brunswick	NB
Newfoundland	N
Northwest Territories	NWT
Nova Scotia	NS
Ontario	O
Prince Edward Island	PEI
Quebec	Q
Saskatchewan	S
Yukon Territory	Y

The year appears after the citation and is followed by a comma.

The abbreviation to be used in footnotes for the chapter number of an Act is 'c'. Include any chapter specification shown in the volume of the statute.

Examples:

In footnotes:

Innkeepers Act RSPEI 1988 c I-2 s 6(1).

Religious Freedom Act RSO 1980 c 447 s 1.

In the text:

Tuberculosis Institution Act RSBC 1979 chapter 416 section 4.

Condominium Property Act SS 1993 chapter C-26.1 section 14(3).

7 Particular Rules: European Legislation

See relevant sections in 'International Materials'.

I JOURNAL ARTICLES AND PERIODICALS

1 Authors

- Rules: The initials of the author/s are to be used instead of full first names.
- The initials (if more than one) are not divided by a space, and no full stops are used. A space separates the initials and the surname.
- In the case of joint authors, list the names of up to three authors. Use 'and' to separate the names of the last two authors.
- Where there are more than three authors, cite the first author and use 'and others' to indicate the others.
- A comma does not follow the surname of the last author or 'and others'.
- If the author of a work cannot be identified, denote that fact by use of a straight line (two adjoining em-dashes).

- Examples: P Bachrach and MS Baratz ...
- W Finnie N Walker and CMG Himsworth ...
- A Campbell and others ...

2 Title

- Rules: The title of the article is placed in single quotation marks.
- Capitalize the letter of the first word of the title and the first letter of all other words except prepositions (of, by, with), articles (the, a, an) and conjunctions (and, or).

3 Year

- Rules: If the journal/periodical is identified by a volume number, place the year in parenthesis.

If the journal/periodical is identified by year, place the year in square brackets.

Examples: R West 'Submission, Choice and Ethics: A Rejoinder to Judge Posner' (1986) 99 Harvard L Rev 1440, 1442.

J Francis 'Duty of Care in Contract and Tort' [1992] New Zealand LJ 263, 264.

4 Volume

Rules: A single space should precede and follow the volume number of the journal/periodical.

Where issues within a volume of a journal/periodical are not consecutively paginated, the issue number should be included in brackets after the volume number. Otherwise, the issue number should not be included.

Example: B Sangha and B Moles 'Can Contract Law Protect Individual Rights and Preferences?' (1998) 10 Bond L Rev 39, **not** (1998) 10(1) Bond L Rev 39.

5 Journals/Periodicals

Rules: The name of the journal/periodical must be given in roman, not italic.

Example: C Phuong 'Improving the United Nations Response to Crises of Internal Displacement' (2001) 13 Intl J Refugee L 491, 500.

6 Abbreviations

Rule 1: If a journal/periodical title appears in the OSCOLA list of abbreviations (Appendix B), then the abbreviated version may be used.

Example 1: P Ferguson 'Constructive Trusts—A Note of Caution' (1993) 109 LQR 114, 115.

Rule 2: The second rule is that journal/periodical titles may be abbreviated in accordance with the abstract principles of abbreviation. These abbreviations are contained in Appendix C2.

Example 2: C Phuong 'Improving the United Nations Response to Crises of Internal Displacement' (2001) 13 Intl J Refugee L 491, 500.

Rule 3: Finally, a table of abbreviations may be used at the beginning of a thesis/book. In an article, if an unusual abbreviation is necessary, the full title should be given on the first occasion, followed by the chosen abbreviation in parenthesis. The abbreviated version may then be used throughout the article.

Example 3: S Castles 'Multicultural Citizenship: A Response to the Dilemma of Globalisation and National Identity?' (1997) 18 Journal of Intercultural Studies 5 (J Intercult St).

7 Page Reference

Rules: Where a pinpoint is required, the first page of the journal/periodical article is followed by a comma, then a space, and then the pinpoint.

Where the pinpoint reference is to the first page of the journal/periodical article, the page number should be repeated.

Examples: R West 'Submission, Choice and Ethics: A Rejoinder to Judge Posner' (1986) 99 Harvard L Rev 1440, 1442.

N Crago 'Principles of Disclaimer of Gifts' (1999) 28 U Western Australia L Rev 65, 69.

D Chalmers and R Schwartz '*Rogers v Whitaker* and Informed Consent in Australia: A Fair Dinkum Duty of Disclosure' (1993) 1 Medical L Rev 142, 142.

M Trebilcock D Dewees and D Duff 'The Medical Malpractice Explosion: An Empirical Assessment of Trends, Determinants and Impacts' (1990) 17 Melbourne UL Rev 539, 540.

8 Articles Published in Parts

Rules: When an article is published in parts, give a full citation for each article, and use '(Pt 2)' as a signal.

Example: R Magnusson 'A Decade of HIV Testing in Australia' (Pt 1) (1995) 18 U New South Wales LJ 341.

9 Articles Published on the Internet or in Electronic Databases

Rules: Journal/periodical articles that are only available on the internet should be cited as shown below.

The last date the website was accessed is given in parenthesis after the web address.

Note that <http://> should always be included in the web address.

Examples: A Jones 'Owning Diana: From People's Princess to Private Property' (1998) 5 Web J Current Legal Issues <<http://webjcli.ncl.ac.uk/1998/issue5/story5.html>> (10 June 2000).

P Rozenberg 'Developing a Standard for Legal Citation of Electronic Information' (1997) 4(4) Elaw <<http://www.murdoch.edu.au/elaw/issues/v4n4/rozenb44.html>> (2 May 2002).

'Government Offer to Kosovar Refugees' PM (Australian Broadcasting Corporation) <<http://www.abc.net.au/pm/s118654.htm>> (21 July 2002).

10 Forthcoming Works

Rule: Journal/periodical articles which have been accepted for publication, but are yet to be published, are to be described as shown in the following example.

Example: J Lowry and R Edmunds 'Promoting Impartiality and Candour in the Ratification Process: Transatlantic Reflections on the Role of the Disinterested Director' [1999] Intl and Comparative Corporate LJ (forthcoming, copy with author).

J BOOKS

1 Authors

- Rules:** The initials of the author/s are to be used instead of full first names.
- The initials (if more than one) are not divided by a space, and no full stops are used. A space separates the initials and the surname.
- In the case of joint authors, list the names of up to three authors. Use ‘and’ to separate the names of the last two authors.
- Where there are more than three authors, cite the first author and use ‘and others’ to indicate the others.
- A comma does not follow the surname of the last author, or ‘and others’.
- If the author of a work cannot be identified, denote that fact by use of a straight line (two adjoining em-dashes).

- Examples:** P Bachrach and MS Baratz ...
- W Finnie N Walker and CMG Himsworth ...
- A Campbell and others ...

2 Editors of a Collection

- Rules:** Where there is one editor, include ‘(ed)’ after his or her name. Where there is more than one editor, include ‘(eds)’ after the final name.
- List the full names of up to three editors. Use ‘and’ to separate the names of the last two editors. If there are more than three editors, cite the first editor and use ‘and others’ to indicate the others.
- Example:** S Rokkan and D Urwin (eds) *The Politics of Territorial Identity: Studies in European Regionalism* (Sage London 1982).

3 Translated Books

Rules: Where there is one translator, include '(tr)' after his or her name. Where there is more than one translator, there is no equivalent to '(eds)', so the singular is to be used.

List the full names of up to three translators. Use 'and' to separate the names of the last two translators. If there are more than three translators, cite the first translator and use 'and others' to indicate the others.

Example: P Birks and G McLeod (tr) *The Institutes of Justinian ...*

4 Title

Rules: The main title should be italicized and included in full.

Capitalize the letter of the first word of the title and the first letter of all other words except prepositions (of, by, with), articles (the, a, an) and conjunctions (and, or).

5 Edition Number

Rules: Where there is more than one edition of the book in circulation, the edition number should be included. The letters in the edition number are in superscript.

The abbreviation 'edn' should be used in place of 'edition'.

6 Publication Details

Rules: The details of publication are in the following format, in parenthesis: edition number as discussed above, followed by publisher, followed by the place of publication. The year of publication follows immediately without the insertion of a prior comma, and the parenthesis is then closed.

For place of publication, where publishers list many places from which they operate, only the first place is given.

The publication year should refer to the year of the edition being cited.

Examples: DJ Harris M O'Boyle and C Warbrick *Law of the European Convention on Human Rights* (Butterworths London 1995).

C Fried *Contract as Promise: A Theory of Contractual Obligation* (Harvard University Press Cambridge Mass 1981).

JH Baker *An Introduction to English Legal History* (3rd edn Butterworths London 1990).

7 Volume Number

Rules: If the book or work being cited contains more than one volume, the volume being referred to should be indicated following the year.

Example: WB Williston and RJ Rolls *The Law of Civil Procedure* (Butterworths Toronto 1970) vol 1, 185.

8 Pinpoint References

Rules: The pinpoint reference is preceded by a space, not by 'at'.

Where the book has numbered paragraphs, the pinpoint reference may be to a paragraph. Paragraph pinpoints are referred to by enclosure within square brackets.

Example: RP Meagher and WMC Gummow *Jacobs' Law of Trusts in Australia* (6th edn Butterworths Sydney 1997) [602]–[615].

9 Chapters in Edited Books

Rules: Edited collections follow a variation on the standard book format, as shown in the example below.

Example: S Fredman 'Equality Issues' in B Markesinis (ed) *The Impact of the Human Rights Bill on English Law* (Clarendon Press Oxford 1998).

S Rokkan and D Urwin 'Introduction: Centres and Peripheries in Western Europe' in S Rokkan and D Urwin (eds) *The Politics of Territorial Identity: Studies in European Regionalism* (Sage London 1982).

K OTHER SOURCES

1 Law Reform Commission Reports

Examples: Law Commission of England and Wales *Family Law: The Ground of Divorce* (Law Com No 192, 1990) para 7.41.

Australian Law Reform Commission *Open Government: A Review of the Freedom of Information Act 1982* (Report No 77, 1995).

Note that the commas are inserted to prevent two numbers from running together.

2 Theses

Example: M Kiely *The Question of Bail and Remand* (MSW thesis La Trobe University 1999) 65–67.

3 Interviews

Rule 1: For interviews conducted by the author, interviews should be cited in the following manner: Interview with name of interviewee, title of interviewee institution (location full date).

Example 1: Interview with Abe Bee, Editor *The Journal* (Fictional Town 20 December 1999).

Rule 2: Where the author has not personally conducted the interview, the interview should be cited in the following format: Interviewer Interview with name of interviewee, title of interviewee institution (location full date).

For the sake of clarity, it is usual to insert the full first name of the interviewee rather than a mere initial.

Example 2: J Brown Interview with Joe Bloggs, Chief Executive Officer Hansel & Gretel Pty Ltd (Fictional City 12 June 1999).

4 E-Mails

Rules: Electronic mail should be cited in the following manner: author <author's email address> email (full date of message).

For the sake of clarity, it is usual to insert the full first name of the author rather than a mere initial.

Example: Mary Jane <mjane@mail.com.au> email (13 January 1998).

5 Websites

Rules: Information derived from an internet source, which is not covered elsewhere in these style guidelines, should be cited in the following manner: author 'title' <URL> (last date of access).

For the sake of clarity, it is usual to insert the full first name of the author rather than a mere initial. Where there is no identifiable author, two joined em-dashes are used.

Example: — 'Call from UN in Kosovo No Concern for Ruddock' ABC News <http://www.abc.net.au/news/2000/04/item20000413184112_1.htm> (12 April 2001).

6 Newsgroups and Bulletin Boards

Rules: Newsgroup and bulletin board postings should be cited in the following manner: author <author's email address> 'Subject of posting' Newsgroup <name of newsgroup> (full date of message).

For the sake of clarity, it is usual to insert the full first name of the author rather than a mere initial.

Example: Mary Jane <mjane@mail.com.au> 'Citation Issues' Newsgroup <misc.legal.moderated> (2 January 1998).

7 Unpublished Papers Presented at Conferences

Example: R Irvine ‘The Codification of Patient Rights and Responsibilities: Tonic or Toxin’ (paper presented at the Bioethics Association Conference April 1997) 2.

8 Working Papers

Example: Victorian Law Reform Commissioner ‘Murder: Mental Element and Punishment’ (Working Paper No 8 Victorian Law Reform Commission May 1984).

9 Looseleaf Services

Rules: Looseleaf services should be cited as follows: author *title* (edition publisher place of publication) vol 12 (at most recent service number for the pinpoint) pinpoint to paragraph or page number. The second of the sequential numbers should be noted in full.

Examples: ——— *Australian Torts Reporter* (CCH Sydney) vol 1 (at 132-10-97) 13,181–13,192.

JCM MacDonald and LK Ferrier *Canadian Divorce Law and Practice* (2nd edn Carswell Thomson Professional Publishing Scarborough Ontario) vol 1 (at 1996–Rel 4) paras 8–13.

10 Press Releases

Example: Trade and Industry Secretary *Micra Announcement is Great News for Sunderland–Byers* Press Release P/2001/43 (25 January 2001) 1.

11 Newspaper Articles

Rules: For all newspaper articles, capitalize the letter of the first word of the title and the first letter of all other words except prepositions (of, by, with), articles (the, a, an) and conjunctions (and, or).

Signed newspaper articles should be cited in the following manner: author/s 'title' *newspaper* (city of publication country of publication full date) pinpoint.

If the reference is to an editorial, the author is cited as 'Editorial'.
If the newspaper article is not signed, the format is precisely as with the signed article, except that the author is not named.

If the newspaper article does not have a title, the format is precisely as with the signed article, except that the piece is briefly described in place of the title.

Examples: T Giles 'Crowded Cells on Razors Edge' *Herald Sun* (Melbourne Australia 13 August 1999) 26.

L GOVERNMENT PUBLICATIONS

1 Australia

(a) Parliamentary debates

Rules: Parliamentary debates should be cited in the following form:
Jurisdiction *Title* House Full Date of Debate, Page (full name of the speaker, the position of the speaker in the government or opposition ministry where applicable).

Example: Commonwealth of Australia *Parliamentary Debates Second Reading Speech* House of Representatives 28 August 1997, 7255 (Mr Miles).

Commonwealth of Australia *Parliamentary Debates* Senate 4 September 1997, 6413 (Senator Sherry).

(b) Parliamentary papers

Rules: Parliamentary papers should be cited in the following form:
Jurisdiction *Title* Parl Paper No 1 (Year) page.

Example: Commonwealth of Australia *Taxes* Parl Paper No 10 (1992) 7.

(c) Ministerial and policy documents

Rules: Where a ministerial or a policy document has a particular author, details of that author should be included as shown in the following example.

Example: National Health and Medical Research Council *General Guidelines for Medical Practitioners for Providing Information to Patients* (Australian Government Publishing Service Canberra 1993).

(d) Government and Committee reports

Rules: The Committee or the governmental body is to be shown as author where appropriate, the name of the Committee (named after the Chair)

should be mentioned if known, the title of the report is italicized, and the details of publication (publisher place and date of publication) are shown in parenthesis, as shown in the following example.

Examples: Committee to Review the Role and Functioning of Institutional Ethics Committees (Chalmers Committee) *Report [to the Minister for Health and Family Services] of the Review of the Role and Functioning of Institutional Ethics Committees* (Australian Government Publishing Service Canberra 1996).

Commonwealth Department of Human Services and Health, Review of Professional Indemnity Arrangements for Health Care Professionals (Tito Committee) *Compensation and Professional Indemnity in Health Care*, Interim Report (Australian Government Publishing Service Canberra 1994).

House of Representatives Standing Committee on Legal and Constitutional Affairs *In Confidence: A Report of the Inquiry into the Protection of Confidential Personal and Commercial Information held by the Commonwealth* (Australian Government Publishing Service Canberra 1995).

2 United Kingdom

(a) House Papers

Rules: House Papers—those ordered to be printed by either the House of Lords or the House of Commons—are as shown below.

Example: *HL Report of the Select Committee on Medical Ethics* (HL Paper (1994) No 21) 2.

(b) Command Papers

Rules: Citation of command papers should include the command paper number, prefaced by the particular abbreviation corresponding to its time. The abbreviations follow the following format:

1833–69	C (1 st series)
1870–99	C (2 nd series)
1900–18	Cd
1919–56	Cmd

1957–86	Cmnd
1986–	Cm

Example: United Kingdom *The Attack on Inflation: The Second Year* (Cmnd 6507, 1976) 4.

(c) Parliamentary debates

Rules: Since 1909, the two Houses have had separate series of volumes, designated by HC for the Commons, and HL for the Lords. Reports of parliamentary debates should be referred to as shown below.

Examples: *Hansard* HL Deb vol 583 col 835 (24 November 1997).

Hansard HC Deb vol 314 cols 1083–1086 (24 June 1998).

For pre-1909 citations, the following format should be used.

Parl Debs (series 4) vol 24 col 234 (24 March 1895).

M COMPARATIVE MATERIAL

Rules: Primary sources (legislation—statutes and statutory instruments—and cases) are to be cited as in their home jurisdiction. In the case of France, Germany, and Italy the presumption is that these are correctly cited in:

- for France, *Recueil Dalloz*;
- for Germany, *Neue Juristische Wochenschrift*;
- for Italy, *Rivista di Diritto Civile*

Any departure from these, or choice of other leading journal in a different area of the law (ie public as opposed to private law), or choice of a leading journal for a different jurisdiction, must be announced by the author at the beginning of the thesis/article.

However, the general principle of the absence of punctuation except for the final full stop which ends the footnote is superimposed on the foreign style.

Secondary sources (books, articles) are to follow OSCOLA, because (a) their citation can easily be made compliant and (b) following the foreign model in this case would lead to intolerable inconsistencies (eg German authors in German journals often appear without initials; the citation of articles often omits the title of the same).

Editions of books should conform to the normal OSCOLA standard. Places of publications should be given in the original language.

Example: R Sacco and R Caterina *Il possesso* (2nd edn Giuffrè Milano 2000)
not: (2a ed Giuffrè Milan 2000)

Rule: Although the rule is that foreign words are italicised, there are two exceptions.

First exception: in the citation of foreign materials the rules described immediately above take over. So, in relation to primary comparative sources it follows from the respect for the original citation that the italicization of foreign words is not superimposed, and in the citation of secondary sources the ordinary OSCOLA rules apply, the rule requiring italics for foreign sources being once again suspended.

Second exception: quotations in a foreign language should appear in Roman, not italic, font.

Examples: ‘Nel diritto italiano, il controllo di costituzionalità è sottratto al giudice ordinario’.
‘Qui facit per alios facit per se’.

N INTERNATIONAL MATERIALS

1 Treaties

(a) United Nations Treaty Series

Rules: Cite the title of the treaty, which indicates the type of agreement (eg Convention, Treaty, Understanding) and the subject-matter description. The first reference to a particular treaty in a chapter or article should include both the formal and informal names of the treaty. These names should not be italicized.

If parties can accede to the treaty, eg most multilateral treaties, cite the full date upon which the treaty was opened for signature. Otherwise, cite the date that it was signed. It is not necessary to list the parties to a multilateral treaty.

Where applicable, cite the treaty series in the following order: primary international treaty series (eg UNTS or LNTS), official treaty series of one of the States parties (eg UKTS, ATS), and other international treaty series (eg British and Foreign State Papers). For post-1960 treaties not yet printed in UNTS, the most usual source is ILM.

If appropriate, a shortened title may be given in parenthesis after the pinpoint reference. This title may subsequently be referred to instead of the long title. The abbreviated titles given in the examples below are intended as a guide only. Authors may choose to create their own abbreviated titles for treaties. Provided you include them in your own list of abbreviations, you may wish to follow the guidance of Appendix D.

Reference to articles of the treaty should be made without reference to the titles, chapters or sections thereof. In the text, reference is to 'article', but is abbreviated to 'art' in footnote references.

Treaties should be cited from the Final Act (if that appears before the text of the treaty itself). An example of this is the Convention relating to the Status of Refugees: the Final Act appears at 189 UNTS 137, while the text of the treaty itself begins at 189 UNTS 150. The correct citation for the treaty is 189 UNTS 137.

Examples: International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR).

International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3 (ICESCR).

Convention on the Prevention and Punishment of the Crime of Genocide (opened for signature 9 December 1948, entered into force 12 January 1951) 78 UNTS 277 (Genocide Convention) art 1.

Convention Relating to the Status of Refugees (adopted 28 July 1951, entered into force 22 April 1954) 189 UNTS 137 (Refugee Convention) art 33.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85 (CAT) art 3.

Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (CRC) art 2.

Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217 A(III) (UDHR).

Protocol Relating to the Status of Refugees (adopted 31 January 1967, entered into force 4 October 1967) 606 UNTS 267 (Protocol).

(b) League of Nations Treaty Series

Rules: Follow the same pattern as for United Nations treaties. Sometimes the date the treaty entered into force will not be available, so just show the date the treaty was signed or adopted.

Examples: Slavery Convention (adopted 25 September 1926, entered into force 9 March 1927) 60 LNTS 253.

Provisional Arrangement Concerning the Status of Refugees Coming from Germany (signed 4 July 1936) 3952 LNTS 77.

(c) Bilateral treaties

Rules: If the states parties to a bilateral treaty are not given in the title, they are listed immediately after the title, separated by an en-dash.

Examples: Agreement Concerning the Sojourn of Refugees within the Meaning of the Convention Relating to the Status of Refugees (Geneva Convention of 28 July 1951 and Protocol Relating to the Status of Refugees of 31 January 1967) (France–Austria) (adopted 21 October 1974, entered into force 24 July 1975) 985 UNTS 303.

(d) Consolidated Treaty Series

Rules: This series covers pre-LNTS treaties. Cite the treaty title as it appears in the CTS, with OSCOLA punctuation.

Examples: Convention between Great Britain, Japan, Russia and the United States Requesting Measures for the Preservation and Protection of Fur Seals in the North Pacific Ocean (signed 7 December 1911) (1911) 214 CTS 80.

(e) International legal materials

Rules: This is a useful source for treaties post-1960 which have not yet been printed in UNTS.

Prior to January 2000, the ILM volumes were given in roman numerals. However, the ILM itself uses arabic numerals in its own citations of ILM volumes; therefore, always cite in arabic numerals. Cite from the start of the text, not from any introductory commentary or note.

Examples: UNGA: International Convention for the Suppression of the Financing of Terrorism (adopted 9 December 1999, opened for signature 10 January 2000) (2000) 39 ILM 270.

(f) Regional treaties

Rule: Try to follow the same pattern as for United Nations treaties, as far as possible. If cited in the UNTS, LNTS or ILM, then use that source.

Examples: African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force 21 October 1986) (1982) 21 ILM 58 (Banjul Charter).

American Declaration of the Rights and Duties of Man, OAS Res XXX adopted by the Ninth International Conference of American States (1948) reprinted in Basic Documents Pertaining to Human Rights in the Inter-American System OEA/Ser L V/II.82 Doc 6 Rev 1 at 17 (1992).

Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador) (entered into force 16 November 1999) OAS Treaty Series No 69 (1988) reprinted in Basic Documents Pertaining to Human Rights in the Inter-American System OEA/Ser L V/II.82 Doc 6 Rev 1 at 67 (1992).

(g) European treaties

Rules: The first reference to a particular treaty in a chapter or article should include both the formal and informal names of the treaty. These names should not be italicized. Where the informal name is to be used as the abbreviated title, it is to be contained in single inverted commas (see Maastricht Treaty below). Where the informal name is not to be used as the abbreviated title, no inverted commas appear (see EC Treaty below). Where an informal name is given but another name is to be used as the abbreviated title, it is the abbreviated title that will appear in single inverted commas (see ECHR below). The abbreviated titles given in the examples below are intended as a guide only. Authors may choose to create their own abbreviated titles for European treaties.

References to protocols to the treaties should be by their names, preceded by the names of the treaties to which they are appended. It is common for no year to be included when citing European treaties. This is due to the fact that there may have been a number of amendments to the original treaty. A year may be included if it appears in the standard title of the treaty or if the author wishes to include it for reasons of clarity.

Examples: EC Treaty (Treaty of Rome, as amended) art 3b.
 Treaty on European Union (Maastricht Treaty) art G5.
 Act of Accession 1985 (Spain and Portugal) Protocol 34.
 EC Treaty Protocol on the Statute of the Court of Justice.
 Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended) (ECHR) art 3.

(h) GATT/WTO agreements

Rules: The GATT/WTO treaties are called ‘agreements’, and these have been negotiated and adopted in sessions called ‘rounds’. The decision-making bodies of the WTO also adopt related official documents, such as interpretive notes, decisions, declarations, understandings and amendments. The agreements and related official documents are often referred to collectively as the ‘legal instruments’ or ‘legal texts’.

Only documents relating to the period from 1 January 1995 onwards are WTO documents. Documents relating to the period before this date are GATT documents. Although a number of GATT documents are available on the WTO Online Database, the preferred source for these documents is the BISD

(Basic Instruments and Selected Documents). You may find the BISD citation in Lexis-Nexis and Westlaw.

The source of official documents since 1995 is the WTO Online Database, found at <<http://docsonline.wto.org>>. For post-1995 documents, the WTO Online Database citation may be given. It may also be used where it is difficult to obtain the hard-copy citation of the document.

Examples: Declaration on Trade Measures Taken for Balance-of-Payments Purposes (28 November 1979) BISD 26S/205, 208.

[This is a GATT declaration. The date given is the date of adoption. In this example, 26S means 26th Supplement, and 205 is the page reference.]

Agreement on Agriculture (15 April 1994) LT/UR/A-1A/2 art 2.

[This is a citation based on the WTO Online Database. The date given is the date of signing, and the agreements signed at this time came into force on 1 January 1995.]

2 Legislation and Other Instruments

Rules: References to EC legislation (regulations, directives and decisions) and to other instruments (recommendations, opinions, etc) should be to the texts in the Official Journal of the European Committee, abbreviated to OJ. Capitalization in the title should follow the original in the OJ title.

The capital letter directly preceding the page reference refers to the series of the OJ. L is for EU legislation (including regulations, directives, decisions, recommendations and opinions). C contains EU information and notices. S is the supplement to the OJ containing invitations to tender.

The OJ should be cited as follows, depending on the year of publication:

- **post-1972** [1980] OJ L12/1
- **1952-72** [1970] OJ Spec Ed 3
- **1968-72** [1969] OJ 1
- **1952-67** [1954] JO 9

Wherever possible, references relating to the years 1952-72 (when there was no English edition of the Journal Officiel) should be to the

Special Edition of the Official Journal (produced after the United Kingdom joined the European Communities).

(a) Abbreviations

Rule 1: EC directives, regulations and notices are always given their full name on first occurrence, but it is permissible thereafter to abbreviate the long official title, provided that its meaning is clear. The rule is that if the number of the regulation, etc is to be used as the abbreviated form, then there is no need to indicate this in parenthesis after the long title. However, if an abbreviated form of the title of the regulation, etc is to be used, then this must be indicated in single quotation marks within parenthesis after the citation but before the pinpoint reference.

Examples: Council Regulation (EEC) 1017/68 Applying Rules of Competition to Transport [1968] OJ Spec Ed 302 art 3. [full version]

then:

Council Regulation 1017/68 art 3. [abbreviated version]

OR

Council Regulation (EEC) 1017/68 Applying Rules of Competition to Transport [1968] OJ Spec Ed 302 (Transport Regulation) art 3.

then:

Transport Regulation art 3.

(b) Pinpoint references

Rule: The pinpoint reference comes at the end of the citation, just after any abbreviated title contained in single quotations marks in parenthesis.

Examples: Council Regulation (EEC) 1017/68 Applying Rules of Competition to Transport [1968] OJ Spec Ed 302 (Transport Regulation) art 3.

Commission Proposal for a Council Directive on Minimum Standards for the Qualification and Status of Third Country Nationals and Stateless Persons as Refugees or as Persons who Otherwise Need International Protection COM(2001)510 final (12 September 2001) (Proposal) 10.

(c) Amendments

Rule: Where there has been a later amendment to a document, this is indicated as shown below.

Example: Commission Notice on Agreements of Minor Importance which Do Not Fall under Article 85(1) of the Treaty Establishing the EEC [1986] OJ C231/2, as amended [1994] OJ C368/20.

3 European Documents

Follow the pattern given in the first two examples regarding pinpoint citations when there is an abbreviated title and when there is none.

(a) Council Directives

Examples: Council Directive 2001/55/EC of 20 July 2001 on Minimum Standards for Giving Temporary Protection in the Event of a Mass Influx of Displaced Persons and on Measures Promoting a Balance of Efforts between Member States in Receiving such Persons and Bearing the Consequences thereof [2001] OJ L212/12, 14. [where no abbreviated title]

Council Directive 2001/55/EC of 20 July 2001 on Minimum Standards for Giving Temporary Protection in the Event of a Mass Influx of Displaced Persons and on Measures Promoting a Balance of Efforts between Member States in Receiving such Persons and Bearing the Consequences thereof [2001] OJ L212/12 (Temporary Protection Directive) 14. [where there is an abbreviated title]

(b) Regulations

Example: Council Regulation (EC) 1263/99 of 21 June 1999 on the Financial Instrument for Fisheries Guidance [1999] OJ L161/54, 56. [where no abbreviated title]

Council Regulation (EC) 1263/99 of 21 June 1999 on the Financial Instrument for Fisheries Guidance [1999] OJ L161/54 (Fisheries Regulation) 56. [where there is an abbreviated title]

(c) Proposals

Example: Commission Proposal for a Council Directive on Minimum Standards for the Qualification and Status of Third Country Nationals and Stateless Persons as Refugees or as Persons who Otherwise Need

International Protection COM(2001)510 final (12 September 2001)
(Proposal) 10.

(d) Decisions

Example: Commission Decision 2000/87/EC of 21 December 1999 Laying Down Special Conditions Governing Imports of Fishery Products Originating in Lithuania [2000] OJ L26/42 (Fishery Decision) 43.

(e) Recommendations

Example: Council Recommendation 2001/64/EC of 19 January 2001 on the Implementation of Member States' Employment Policies [2001] OJ L22/27, 28.

(f) Resolutions and Declarations

Example: Resolution of the European Parliament Containing the Observations which Form an Integral Part of the Decision Concerning the Discharge in Respect of the Implementation of the Budget of the European Coal and Steel Community (ECSC) for the 1999 Financial Year [2001] OJ L160/44, 45.

(g) Common Positions

Example: Council Common Position 2001/357/CFSP of 7 May 2001 Concerning Restrictive Measures against Liberia [2001] OJ L126/1.

(h) Questions of members of the European Parliament

Example: Written Question E-3388/01 by Erik Meyer (GUE/NGL) to the Commission 'Construction of the Dutch A73 Motorway through Nature Conservation Areas in the Long Narrow Strip of Land between the River Maas and the German Border' [2002] OJ C93E/221.

4 International Cases and Decisions

(a) International Court of Justice (ICJ)—General

[The following information is taken from the United Nations Documentation Research Guide: <<http://www.un.org/Depts/dhl/resguide/specil.htm>>.]

The decisions and opinions of the Permanent Court of International Justice and the International Court of Justice are published in the official reports of each court.

ICJ decisions are issued in the series *Reports of Judgments, Advisory Opinions and Orders*. ICJ decisions first appear as separate documents and are later published in annual compilations.

Case documentation, including documents instituting proceedings, written pleadings, oral arguments, correspondence and other relevant documents, are published after the court has given its final decision in the series *Pleadings, Oral Arguments, Documents* (in the language of submission—English or French).

The annual reports of the ICJ to the General Assembly are issued as supplement number 4 to the Official Records of the General Assembly. A complete listing of these is in the UN-I-QUE database (<<http://lib-unique.un.org/lib/unique.nsf>>).

New York press releases are issued under the series symbol ICJ/# (available from the UN News Centre at <<http://www.un.org/News/>>). Press releases issued from The Hague are numbered Communiqués (<<http://www.icj-cij.org/icjwww/iwhats.htm>>).

Case law of the ICJ for 1948 to 1996 is summarized in condensed form in the *Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice: 1948-1991* (Document symbol: ST/LEG/SER.F/1) and 1992–1996 (Document symbol: ST/LEG/SER.F/1/Add.1).

The *Bibliography of the International Court of Justice*, published annually, lists all works and documents relating to the court which have come to the attention of the Registry during a given year. The Bibliography formed part of the Yearbook up to the 1963–64 edition and appears now as a separate publication. A complete listing of the Bibliographies can be found in the UN-I-QUE database.

Online research about the work of the ICJ is available at UNBISnet (<<http://unbisnet.un.org>>).

(b) International Court of Justice decisions

Rules: It should be noted that case names are cited as they appear in the ICJ Reports. In some instances, the word ‘case’ will appear in the title; in other instances it will not.

Examples: *Corfu Channel Case (United Kingdom v Albania) (Merits)* [1949] ICJ Rep 4.

Certain Expenses of the United Nations (Advisory Opinion) [1962] ICJ Rep 151.

Fisheries Jurisdiction Case (United Kingdom v Iceland) (Jurisdiction) [1973] ICJ Rep 3.

Interhandel Case (Switzerland v United States of America) (Preliminary Objections) [1959] ICJ Rep 6.

(c) International Court of Justice pleadings

Example: *Aerial Incident of July 27 1955 Case (Israel v Bulgaria)* ICJ Pleadings 530.

(d) Permanent Court of International Justice

Examples: *Case Concerning the Factory at Chorzów (Germany v Poland) (Merits)* PCIJ Rep Series A No 17.

Case of the Free Zones of Upper Savoy and the District of Gex (Switzerland v France) PCIJ Rep Series A/B No 46.

(e) International Law Reports

ILR has been published annually since 1950 as a record of municipal judicial decisions on points of international law. From 1919 it was known as the Annual Digest of Public International Law Cases, and from 1933–34 as the Annual Digest and Reports of Public International Law Cases.

Examples: *Delimitation of the Continental Shelf (United Kingdom v France)* 54 ILR 6.

Rainbow Warrior (New Zealand v France) (Arbitration Tribunal) 82 ILR 499.

Texaco Overseas Petroleum Company and California Asiatic Oil Company v The Government of the Libyan Arab Republic 53 ILR 389.

Steiner and Gross v Polish State (1927–28) 4 Annual Digest Public Intl L 291.

5 Unofficial Records of International Decisions

There are a number of unofficial records of international decisions, including:

Hudson World Court Reports (1934–43) 4 vols.

E Hambro and AW Rovine *The Case Law of the International Court* (1952–74) 12 vols.

JHW Verzijl *The Jurisprudence of the World Court: Volume I* (1922–40) and *Volume II* (1947–65) (1966).

Whiteman Digest of International Law (1963–).

McNair International Law Opinions (1956) 3 vols.

American Society of International Law, International Legal Materials (1962–).

British Institute of International and Comparative Law, International and Comparative Law Quarterly (1952–).

C Parry (ed) *British International Law Cases* (1964–73) 9 vols.

C Parry and JA Hopkins (eds) *Commonwealth International Law Cases* (1974–95) 19 vols.

Examples: *Lawler Incident* (1860) 1 McNair International Law Opinions 78.

Breger's Case (1961) 8 Whiteman Digest of International Law 861

Romano-American Case (1925) 5 Hackworth Digest of International Law 840

Dolan (1955) 4 International and Comparative Law Quarterly 629

Legality of the Threat or Use of Nuclear Weapons (Advisory Opinion) (1996) 35 ILM 814.

(a) International Criminal Tribunal for the former Yugoslavia (ICTY)

Rule: The *Judicial Reports/Recueils judiciaires* of the ICTY comprise all public indictments, decisions and judgments issued in a given year (in English and French). So far only two volumes for 1994–95 have been published in this series. Until decisions for subsequent years are published, ICTY decisions should be cited in the following way: *Case name (Decision type)* ICTY-year#-case# (date). Alternatively, it is acceptable to cite from International Legal Materials or International Human Rights Reports. The ICTY also publishes monthly Judicial Supplements with summaries of significant decisions and judgments.

Examples: *Krstic Case (Judgment)* ICTY-98-33 (2 August 2001).

Tadic Case (Judgment) ICTY-94-1 (26 January 2000).

Prosecutor v Tadic (Jurisdiction) (1996) 35 ILM 35

Prosecutor v Tadic (Jurisdiction) (1996) 3 Intl Human Rights Rep 578.

(b) International Criminal Tribunal for Rwanda

Examples: *Prosecutor v Akayesu (Judgment)* ICTR-96-4-T, T Ch I (2 September 1998).

Prosecutor v Akayesu (Sentencing Judgment) ICTR-96-4-T (2 October 1998).

Prosecutor v Ruggiu (Judgment) ICTR-97-32-I (1 June 2000).

(c) International Criminal Court (ICC)

The ICC Statute entered into force on 1 July 2002 and there is not yet any case law or adopted method of citation. Preparatory Commission reports and proceedings have the document series symbol: PCNICC/-. A complete listing of the reports and proceedings can be found in the UN-I-QUE database. The full text of selected documents of the Commission may be accessed through its website. Press releases are issued under the series symbol L/-, available at the UN News Centre.

(d) Nuremberg Tribunal

Example: *Judgment of the Nuremberg International Military Tribunal 1946* (1947) 41 American J Intl L 172.

(e) International Tribunal for the Law of the Sea (ITLOS)

The Hamburg Tribunal's reports to the States Parties of the United Nations Convention on the Law of the Sea are available in the UN-I-QUE database. Information on ITLOS procedures and cases as well as documents and verbatim records have been posted on the website of the Division for Ocean Affairs and the Law of the Sea (<<http://www.itlos.org>>). New York press releases are issued under the series symbol SEA/- and can be retrieved through the search option at the UN News Centre. Press releases issued by the Tribunal directly are available on the website of the Division for Ocean Affairs and the Law of the Sea.

Examples: *The 'Grand Prince' Case (Belize v France) (Prompt Release) (Judgment)* ITLOS Case No 8 (20 April 2001).

The 'Grand Prince' Case (Belize v France) (Prompt Release) (Verbatim Record) ITLOS Case No 8 (5 April 2001) ITLOS/PV.01/1.

The 'Grand Prince' Case (Belize v France) (Prompt Release) (Order 2001/2 of 21 March 2001).

ITLOS Press Release, 'Application Filed on Behalf of Belize against France for Release of Arrested Fishing Vessel' (21 March 2001) ITLOS/Press 46.

(f) World Trade Organization (WTO) decisions

The dispute resolution machinery of the World Trade Organization includes panel reports, appellate body reports, arbitration reports on implementation, compliance panel reports, and arbitration panel reports on sanctions.

There are two ways of citing WTO decisions. The first is by reference to the WTO Online Database <<http://docsonline.wto.org>>. It is necessary to cite the WTO catalogue number and date of the decision, with pinpoint references to paragraphs. The website of the WTO Online Database should be cited in the first footnote reference to a database source in each article/chapter.

The second method of citation is to the Dispute Settlement Reports (abbreviated in footnotes to DSR), which the WTO publishes in conjunction with Cambridge University Press. The DSRs are printed versions of panel and appellate body reports. The DSRs may be cited instead of the online version, however delay in their publication means that most scholars will refer to the online documents instead. The DSRs are cited in the same manner as law reports. Here pinpoint references are to pages, although many readers without access to the DSRs may find an additional paragraph reference helpful.

Whichever citation method is adopted, the aim is for consistency throughout the book/article.

The preferred source for GATT decisions is the BISD (Basic Instruments and Selected Documents). You may find the BISD citation in Lexis-Nexis and Westlaw.

Examples: WTO *United States: Anti-Dumping and Countervailing Measures on Steel Plate from India—Report of the Panel (Pt 1)* (28 June 2002) WT/DS206/R [5].

WTO *India: Measures Affecting the Automotive Sector—Report of the Appellate Body* (19 March 2002) WT/DS146/AB/R and WT/DS175/AB/R [10]–[25].

WTO *Brazil: Export Financing Programme for Aircraft—Recourse to Arbitration by Brazil under Article 22.6 of the DSU and Article 4.11 of the SCM Agreement—Decision by the Arbitrators* (28 August 2000) WT/DS46/ARB.

United States—Anti-Dumping Duty on Dynamic Random Access Memory Semiconductors (DRAMs) of One Megabit or Above from Korea (WT/DS99) [1999] 2 DSR 519, 521.

Swedish Anti-Dumping Duties (1955) GATT BISD 3S/81, 82.

[In this example, 3S means 3rd Supplement, and 81 is the page reference.]

(g) International Labour Organization (ILO) recommendations

The ILO issues a variety of documents relating to international labour law, including recommendations, conference reports, governing body documents, reports and conclusions of the Committee on Freedom of Association, and comments by the Committee of Experts on the Application of Conventions and Recommendations, among others.

Examples: ILO Recommendation R020: Labour Inspection Recommendation (Recommendation Concerning the General Principles for the Organization of Systems of Inspection to Secure the Enforcement of the Laws and Regulations for the Protection of the Workers) (5th Conference Session Geneva 29 November 1923).

Canada (Case No 2145) (3 July 2001) Report of the Committee on Freedom of Association No 327 (Vol LXXXV 2002 Series B No 1).

International Labour Conference (88th Session) Resolution II: Resolution Concerning HIV/AIDS and the World of Work (Geneva 13 June 2000).

(h) United Nations Administrative Tribunal

The United Nations Administrative Tribunal decides applications alleging non-observance of contracts of employment of UN staff members or of their terms of appointment.

Its decision numbers do not coincide with its case numbers. Decisions are first issued as separate documents under the series symbol AT/DEC/- and later cumulated. A complete list of cumulations is in the UN-I-QUE database. The cumulations also include a subject index to the judgments during the period in question and give the composition of the Tribunal for the same timeframe.

More comprehensive subject access to the judgments, covering 1950 to 1988, is available through the Index of Decisions of International Administrative Tribunals (Washington DC World Bank 1991). Online research relating to the work of the Tribunal may be conducted in UNBISnet.

(i) United Nations Commission on International Trade Law (UNCITRAL)

The United Nations Commission on International Trade Law (<<http://www.uncitral.org/>>) promotes the progressive harmonization and unification of the law of international trade. The Commission meets in one annual session, convened alternately in New York and Vienna and reports to the General Assembly. Online research relating to the work of the Commission may be conducted in UNBISnet.

Working documents are issued under the series symbol A/CN.9/-. The full text of recent documents is available through the website of the Commission. Reports submitted by working groups constitute a major category of these documents. A complete listing of working group reports can be found in the UN-I-QUE database. Selected working documents are reprinted in the UNCITRAL Yearbook.

Summary records of meetings are issued under the series symbol A/CN.9/SR.[meeting number]. Selected meeting records of a given year are reprinted in the UNCITRAL Yearbook.

The annual reports of the Commission to the General Assembly are issued as supplement number 17 to the Official Records of the General Assembly. A complete listing of these reports can be found in the UN-I-QUE database. The annual report of a given year is reprinted in the UNCITRAL Yearbook. The full text of recent annual reports can be accessed through the Commission's homepage.

Press releases are issued under the series symbol L/- and can be retrieved through the search option at the UN News Centre.

The United Nations Commission on International Trade Law Yearbook reproduces the annual report of the Commission as well as actions and comments on it, studies and reports on major subjects, the full text of legal instruments and the records of selected meetings which took place in a given year. A complete listing of the Yearbooks can be found in the UN-I-QUE database.

UNCITRAL: The United Nations Commission on International Trade Law gives an overview of UNCITRAL's activities as at August 1985 and reproduces the full text of legal instruments drafted under its aegis up to that time. An updated list of these legal instruments (with links to the full text and status information) is available online.

A Bibliography of Recent Writings related to the Work of UNCITRAL, issued annually, forms part of the Yearbook and has additionally appeared as a separate document since 1986. A complete listing of these bibliographies can be found in the UN-I-QUE database. The full text of recent bibliographies has been posted on the Commission's homepage.

6 International Arbitrations

(a) Permanent Court of Arbitration

Rule: The main awards and adjudications of the PCA are published in Scott (ed) Hague Court Reports (1916) and (1932). Other awards are published in Moore History and Digest of the International Arbitrations to which the United States has been a party (1898) 6 vols. Each has its own method of citation set out below.

Examples: *North Atlantic Coast Fisheries Case (Great Britain v United States)* (1910) Scott Hague Court Rep 141.

Alabama Claims Arbitration (1872) 1 Moore International Arbitrations 495.

Other publications of arbitral decisions:

Moore International Adjudications Ancient and Modern (1929–36).

La Pradelle and Politis *Recueil des Arbitrages Internationaux* (2nd edn 1957) 3 vols.

AM Stuyt *Survey of International Arbitrations 1794–1989* (1990).

G Schwarzenberger *International Law as Applied by International Courts and Tribunals: Volume I General Principles* (3rd edn 1957), *Volume II Law of Armed Conflict* (1968), *Volume III International Constitutional Law* (1976) and *Volume IV International Judicial Law* (1986).

JHW Verzijl *International Law in Historical Perspective* (1968–78) 9 vols.

C Rousseau *Droit International Public* (1971–83) 5 vols.

(b) Iran–United States of America Claims Tribunal

Example: *Malek v Islamic Republic of Iran* 19 Iran–US CTR 48.

(c) UN Reports of International Arbitral Awards

Examples: *Island of Palmas Case (Netherlands v United States of America)* 2 Rep Intl Arbitral Awards 831.

Tinoco Arbitration (Great Britain v Costa Rica) (1923) 1 Rep Intl Arbitral Awards 369.

7 Regional Cases And Decisions

(a) Inter-American Court of Human Rights

Decisions of the court include merits judgments, reparations phase judgments, and interpretive judgments.

Examples: *El Amparo Case (Judgment)* Inter-American Court of Human Rights Series C No 19 (18 January 1995).

El Amparo Case (Reparations Judgment (Article 63(1) American Convention on Human Rights)) Inter-American Court of Human Rights Series C No 28 (14 September 1996).

Godínez Cruz Case (Compensatory Damages Judgment (Article 63(1) American Convention on Human Rights)) Inter-American Court of Human Rights Series C No 8 (21 July 1989).

Blake Case (Interpretation of Reparations Judgment (Article 67 American Convention on Human Rights)) Inter-American Court of Human Rights Series C No 57 (1 October 1999).

(b) European Court decisions

(i) *Official and unofficial reports*

Rules: A reference to the official reports of the EC, the European Court Reports (ECR), should always be cited where available.

If an ECR reference is not available, the second preferred citation is to the Common Market Law Reports (CMLR).

However, where the case is reported by the official Law Reports (UK), by the WLR, or by the All ER, then that report may be cited in preference to the CMLR.

If the case is not yet reported, it should be cited with a reference to the relevant notice in the Official Journal.

Other significant reporters are the Decisions and Reports of the European Commission on Human Rights (DR) and the opinions of the EC Conference on Yugoslavia Arbitration Commission.

(ii) *Method of citation*

Rules: The case number of European Court decisions should always be cited before the name of the case. A comma should not be inserted between the case number and the names of the parties.

Following the creation of the European Court of First Instance (CFI) in 1989, cases have been numbered and prefixed according to whether they are registered there or at the European Court of Justice (ECJ). Cases registered at the CFI are prefixed by a T- [T plus an en-dash], and cases registered at the ECJ are prefixed by C- [C plus an en-dash]. A 'C' should not be added to pre-1989 cases.

Similarly, the parts of the European Court Reports were divided so that C cases are reported in ECR I- and T cases are reported in ECR II-. The volume number unusually attaches to the page number, with another dash.

Where cases are cited from the ECR, an abbreviated reference to the court of decision at the end of the citation is superfluous; the case and page numbers clearly signpost the relevant court. However, when citing from another series of reports, the addition of 'ECJ' or 'CFI' at the end of the citation is appropriate.

Examples: Case T- 65/33 *Christy v Mulliner* [1994] ECR II-323.

Case 19/84 *Pharmon BV v Hoechst AG* [1985] ECR 2281.

Case C-134/89 *EC Commission v Ireland* [1989] OJ L145/1.

Case C-34/89 *Smith v EC Commission* [1993] ECR I-454.

Case 151/73 *Ireland v Council* [1974] 1 CMLR 429.

EC Conference on Yugoslavia Arbitration Commission *Opinion No 1* (1991) 92 ILR 162.

(c) European Commission of Human Rights

Rules: Decisions and reports of the European Commission of Human Rights should cite the relevant application number, a reference to the Decisions and Reports of the Commission series, and—if available—a reference to the European Human Rights Reports.

Where appropriate, reference to earlier decisions of the Commission should be made to the *Yearbook of the European Convention on Human Rights*, in which the citations follow the following volume and year/s:

1	1956–57
2	1958–59
3	1960
4	1961
5	1962
6	1963
7	1964
8	1965, and so on

Examples: *Rothenturm Commune v Switzerland* (1988) 59 DR 251.

Morissens v Belgium (1988) 56 DR 127.

Austria v Italy (Pfunders Case) (App 788/60) (1961) 4 Yearbook 116 (EComHR).

(d) European Court of Human Rights

Rules: Decisions of the European Court of Human Rights should always cite the relevant reference in the official reports (Series A) and, if possible, also the European Human Rights Reports.

Example: *Young, James and Webster v UK* Series A No 44 (1982) 4 EHRR 38.

Osman v United Kingdom Series A 1998-VIII 3124 (2000) EHRR 245.

(i) *Pre-January 2001*

From January 2001, the European Human Rights Reports (a Sweet & Maxwell publication) changed its case numbering system. Up until that date, cases are cited according to the report's year, volume number and page on which they were published: eg *Mauer v Austria* (1997) 25 EHRR 91.

(ii) *First five cases of 2001*

The first five cases of 2001 were given a different citation: [2001] EHRR 1, indicating the first case published in 2001, then [2001] EHRR 2, indicating the second case published in 2001, etc. Note that the date is now enclosed in square brackets and the volume number omitted. The final number no longer refers to the page number of the EHRR, but instead refers to the number of the case published in that year (eg 1 is the first case of 2001, 2 is the second case of 2001).

(iii) *Cases published in EHRR since January 2001*

However, from the sixth case published in 2001, the following citation method is used: (2001) 31 EHRR 6. Note that the date has returned to parenthesis, the volume number is included, but the last number still refers to the number that case is published that year, eg the sixth. This is the way to cite all EHRR cases since the sixth case of 2001.

8 Citing Publications of Non-Governmental Organizations and Other International Organizations

International organizations are increasingly making their publications available on the web. While this is very convenient, it can also pose citation difficulties. For a start, any book or article produced by an international organization should follow the usual OSCOLA rules on books and articles. As a rule, documents which are clearly

available in hard copy (eg Annual Reports and other reports which are reproduced on the internet but also available for sale in book form) should be cited in hard copy format. Otherwise, a reference to the website and date of access is an acceptable citation. Where the document is given an identifying reference number by the organization, similar to the UN Doc system, the website reference may be omitted from the citation.

Eg Amnesty International *Cuba: The Situation of Human Rights in Cuba* (Report) (20 May 2002) AI-Index AMR 25/002/2002 .

However, sometimes it is not clear whether a document is a book-like document (eg an Annual Report) or an article-like document (eg a Factsheet). Sometimes the document 'type' can be discerned from where the document appears on a website: if the website distinguishes between 'policy statements' and 'publications', for example, then the former may be shorter, article-type documents, while the latter may often refer to book-like documents. It is a matter of viewing the document and determining its 'type'.

If a document has an ISBN number, then it will be cited like a book or Government and Committee Report. If it has an ISSN number, then it will be cited like an article.

To make this process less discretionary and thereby create greater consistency, the following rules are suggested.

- Annual reports are to be cited like Government and Committee Reports.

Eg Amnesty International *Annual Report 2001* (publisher place year).

- Other reports are to follow the same pattern as above, but add in brackets after the title the word 'Report'.

Eg Amnesty International *Cuba: The Situation of Human Rights in Cuba* (Report) (20 May 2002) AI-Index AMR 25/002/2002.

- Briefing papers, statements and factsheets are to follow the same pattern as articles.

Eg Amnesty International Australia 'Factsheet 04—Children in Immigration Detention in Australia'
<<http://www.amnesty.org.au/refugees/ref-fact04.html>> (25 June 2002).

- If the document is to be referred to elsewhere with an abbreviated name, place it in quotation marks in brackets at the end.

Eg European Council on Refugees and Exiles 'Summary of ECRE's Position on the Reduction or Withdrawal of Reception Conditions for Asylum Seekers, with Reference to the Proposal for a

Council Directive Laying Down Minimum Standards on the Reception of Applicants for Asylum in Member States' (February 2002) <<http://www.ecre.org/statements/sanctions.shtml>> (25 June 2002) (Summary).

9 United Nations Documents

Rule: The major bodies of the United Nations are assigned unique document reference numbers which identify both the body from which the document issues and the nature of the document:

UN Security Council

Resolution	S/RES/#
Presidential Statement	S/PRST/YEAR/#
Verbatim Records	S/PV/#
Press Release	Press Release SC/#

UN General Assembly

Resolution	A/RES/[Session #]/[Resolution #]
Documents	A/[Session #]/[Document No]

UN Sixth (Legal) Committee

International Law Commission (Working Documents)	A/C.6/[Session #]/[Document No] A/CN.4/#
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UN Commission on Human Rights

Resolution	E/CN.4/[YEAR]/[Document No]
Sub-Commissions	E/CN.4/RES/[YEAR]/[Resolution No]

Rule: When citing UN documents, it is common to abbreviate 'United Nations' to 'UN'; 'UN Security Council' to 'UNSC'; 'UN General Assembly' to 'UNGA'; and 'Resolution' to 'Res'. However, the full names of lesser known, or more specialized, organs or bodies of the United Nations should be cited, rather than their abbreviations. It is not necessary to cite the title of a resolution, unless it is particularly useful to do so.

Rule: Traditionally the UN official records are cited when referring to UN documents: Security Council Official Records (UNSCOR) and General Assembly Official Records (GAOR). However, it has become both acceptable and more usual to cite UN document numbers without referring to the Official Records.

Examples: UNGA Res 2621 (1970) GAOR 25th Session Supp 16, 10.

UNSC Res 770 (1992) SCOR Resolutions and Decisions 24.

UNSC Res 1373 (28 September 2001) UN Doc S/RES/1373.

10 Understanding UN Document Numbers

[From: Stanford University Libraries & Academic Information Resources:
<<http://www-sul.stanford.edu/depts/jonsson/int/un.html>>.]

Symbols of United Nations documents are made up of four primary elements:

1. Element denoting the *body or organ* that issued the document.
2. Element denoting the *organizational session or year* during which the document was issued.
3. Element denoting the *nature* of the document.
4. Element denoting the *unique number* of the document.

(a) Organizational element

Leading series elements of the five principal United Nations organs are:

A/-	General Assembly
E/-	Economic and Social Council
S/-	Security Council
T/-	Trusteeship Council
ST/-	Secretariat

Special series symbols have been established for a number of other United Nations bodies:

ACC/-	Administrative Committee on Coordination
AT/-	United Nations Administrative Tribunal
CAT/-	Committee against Torture
CCPR/-	Human Rights Committee
CD/-	Conference on Disarmament
CEDAW/-	Committee on the Elimination of All Forms of Discrimination against Women
CERD/-	Committee on the Elimination of Racial Discrimination
CRC/-	Committee on the Rights of the Child
DC/-	Disarmament Commission
DP/-	United Nations Development Programme
HS/-	United Nations Centre for Human Settlements (HABITAT)
TD/-	United Nations Conference on Trade and Development
UNEP/-	United Nations Environment Programme

Subsidiary organs of these main bodies are frequently denoted by a standard sub-element:

-/AC. .../-	Ad hoc committee
-/C. .../-	Standing, permanent, main sessional committee
-/CN. .../-	Commission
-/Conf. .../-	Conference
-/GC/-	Governing Council
-/PC/-	Preparatory Committee
-/SC. .../-	Subcommittee
-/Sub. .../-	Subcommission
-/WG. .../-	Working group
-/WP. .../-	Working party

(b) Sessional element

United Nations documents generally include an element that identifies during which particular organizational meeting the document was distributed. For example:

E/1993/100—Issued during the 1993 session of the Economic and Social Council

A/C.2/48/SR.5—Issued during the 48th session of the General Assembly's second standing committee.

T/1990/2—Issued during the 1990 session of the Trusteeship Council

(c) Document type

The nature of the document is indicated by several standard abbreviations within the symbol.

-/Add. ...	Addendum
-/Corr. ...	Corrigendum
-/CRP. ...	Conference room papers
-/DEC/-	Mimeograph texts of adopted decisions
-/INF/-	Information series
-/L. ...	Limited distribution document
-/MIN. ...	Minutes
-/NGO/-	Documents containing communications from non-governmental organizations
-/PET/-	Petitions
-/PV. ...	Verbatim records of meetings (proces-verbaux)
-/R. ...	Restricted distribution document
-/RES/-	Mimeograph texts of adopted resolutions
-/Rev. ...	Revision
-/RT/-	Records of testimony

-/SR. ... Summary records of meetings
 -/WP. ... Working papers

Unique ID: The last element of a UN symbol number is generally a unique number that identifies the particular document. For example:

A/50/485
 E/CN.4/Sub.2/SR.5
 S/1995/RES/25

(d) *Italicization of titles*

A UN document should only have its title italicized where it has also been published as a book, in which case the UN Doc number is not necessary.

The full title should be cited on the first occasion.

(e) UN Security Council

Examples:

Resolutions

UNSC Res 1373 (28 September 2001) UN Doc S/RES/1373.

Presidential Statements

UNSC Presidential Statement 38 (2000) UN Doc S/PRST/2000/38.

Verbatim Records

UNSC Verbatim Record (28 September 2001) UN Doc S/PV/4385.

Press Releases

UNSC ‘Security Council, Briefed by Chairman of Counter-Terrorism Committee, Stresses Need for All States to Report on Anti-Terrorism Efforts’ (15 April 2002) Press Release SC/7361.

(f) UN General Assembly

Examples:

Resolutions

UNGA Res 3314 (XXIX) (14 December 1974).

UNGA Res 51/210 (17 December 1996) UN Doc A/RES/51/210.

Declarations

Declaration on the Granting of Independence to Colonial Countries and Peoples UNGA Res 1514 (XV) (14 Dec 1960) (adopted by 89 votes to none; 9 abstentions).

Reports

UNGA 'Report of the Special Committee on Principles of International Law Concerning Friendly Relations and Cooperation Among States' UN GAOR 25th Session Supp No 18 UN Doc A/8018 (1970).

UNGA 'Report of the Ad Hoc Committee Established by UNGA Res 51/210' (17 December 1996) 6th Session (2002) UN Doc Supp No 37 (A/57/37).

Rules of Procedure

UNGA Rules of Procedure of the General Assembly Rule 98 UN Doc A/520/Rev 15 (1984).

(g) UN Sixth Committee

The Sixth Committee, one of the six Main Committees of the General Assembly, is allocated all items on the Assembly's agenda which deal with legal issues. The actions of the Assembly based on the recommendations of the Sixth Committee, as well as the complete documentation relating to them, can be traced through the Index to Proceedings of the General Assembly, published on a sessional basis. Online research relating to the Sixth Committee may also be conducted in UNBISnet.

Working documents are now issued under the series symbol A/C.6/[session]/-. Summary records of meetings are now issued under the series symbol A/C.6/[session]/SR.[meeting number].

Speeches made before the Sixth Committee are indexed on a sessional basis in the Index to Proceedings of the General Assembly and can be researched by subject, speaker and country/organization. Sixth Committee speech citations may also be retrieved through the Index to Speeches of the UNBISnet database.

The Sixth Committee submits a separate report to the plenary on every agenda item allocated to it. These reports synthesize the Committee's consideration of the items and transmit the final version of draft resolutions/decisions recommended to the plenary for adoption. Since these reports become working documents for the plenary, the Sixth Committee prefix (A/C.6/-) is not used for their document symbols. They are instead submitted directly under the basic symbol of the plenary (A/Session#/Document#).

Since General Assembly resolutions and decisions often are not printed until weeks after their adoption, the final draft as contained in the Committee report (sometimes orally amended immediately prior to adoption) remains for a long time the only source for the text of the resolution/decision. A complete listing of Sixth Committee reports for the last two sessions (54th/55th) can be found in the UN-I-QUE database.

Information relating to the work of the Sixth Committee (52nd session onwards) is also made available by the Codification Division of the Office of Legal Affairs. Press releases are issued under the series symbol GA/L/- and can be retrieved through the search option at the UN News Centre.

Examples: UNGA Sixth Committee (56th Session) ‘Report of the Working Group on Measures to Eliminate International Terrorism’ (29 October 2001) UN Doc A/C.6/56/L.9.

UNGA ‘Report of the Sixth Committee 55/614’ (2000) UN Doc A/55/614.

(h) International Law Commission

The International Law Commission (<<http://www.un.org/law/ilc/index.htm>>) promotes the progressive development of international law and its codification. The Commission meets in one annual session in Geneva and reports to the General Assembly. Online research relating to the work of the Commission may be conducted in UNBISnet.

Working documents are issued under the series symbol A/CN.4/-. The full text of recent documents is available through the website of the Commission. Reports submitted by special rapporteurs constitute a major category of working documents. A complete listing of these reports can be found in the UN-I-QUE database. The special rapporteurs’ reports for a given year are reprinted in the ILC Yearbook.

Summary records of meetings are issued under the series symbol A/CN.4/SR.[meeting number]. The meeting records of a given year are reprinted in the ILC Yearbook.

The annual reports of the Commission to the General Assembly are issued as supplement number 10 to the Official Records of the General Assembly. A complete listing of these reports can be found in the UN-I-QUE database. The annual report of a given year is reprinted in the ILC Yearbook (see below). The full text of recent annual reports can be accessed through the Commission’s homepage.

Press releases are issued under the series symbol L/- and can be retrieved through the search option at the UN News Centre.

The Yearbook of the International Law Commission reproduces, in volume I, records of meetings which took place in a given year; volume II contains the texts of major reports produced during the year (including the annual report to the General Assembly).

The Work of the International Law Commission (5th edn) gives an overview of the ILC’s activities and reproduces the full text of legal instruments drafted under its aegis (<<http://www.un.org/law/ilc/convents.htm>>).

The Analytical Guide to the Work of the International Law Commission, 1949–97 (Document symbol: ST/LEG/GUIDE/1) describes the work of the ILC on legal issues falling within its mandate with references to the source materials (<<http://www.un.org/law/ilc/guide/guide.htm>>).

Examples: International Law Commission ‘Report of the International Law Commission on the Work of its 42nd Session’ (1 May–20 July 1990) UN Doc A/45/10.

(i) UN Secretary-General

Rule: Documents of the Secretary-General are usually cited by reference to the UN body or organ to which the Secretary-General's documents are addressed.

Examples: UNGA 'Report of the Secretary-General 65/190' (2001) UN Doc A/56/190.

Report of the Secretary-General 'Rape and Abuse of Women in the Territory of the Former Yugoslavia' (1994) UN Doc E/CN.4/1994/5.

(j) UN Commission on Human Rights

Examples: UN Commission on Human Rights Res 37 (2001) UN Doc E/CN.4/RES/2001/37.

UN Commission on Human Rights Fourth Special Session 23–24 September 1999 'Report of the UN High Commissioner for Human Rights on the Human Rights Situation in East Timor' (17 September 1999) UN Doc E/CN.4/S-4/CRP.

UN Commission on Human Rights 'Report of the Working Group on Arbitrary Detention' (21 January 1992) UN Doc E/CN.4/1992/20.

(k) UN Special Rapporteurs or Representatives

Examples: UN Commission on Human Rights (Sub-Commission) 'Report by Special Rapporteur Kallopi K Koufa 2001/31' (2001) UN Doc E/CN.4/Sub.2/2001/31.

UN Commission on Human Rights 'Compilation and Analysis of Legal Norms, Report of the Representative of the Secretary-General on Internally Displaced Persons' (5 Dec 1995) UN Doc E/CN.4/1996/52/Add.2.

UN Commission on Human Rights 'Report of the Special Rapporteur on Torture' (1986) UN Doc E/CN.4/1986/15.

(l) UN Human Rights Treaty Bodies

Examples: UN Human Rights Committee 'General Comment 18' in 'Note by the Secretariat, Compilation of General Comments and General Recommendations adopted by Human Rights Treaty Bodies' (1994) UN Doc HRI/GEN/1/Rev.1.

UN Human Rights Committee 'Comment on Egypt's Second Periodic Report on Implementation of the ICCPR' (9 December 1993) UN Doc CCPR/C/79/Add.23.

UN Committee for the Elimination of All Forms of Discrimination against Women, 'General Recommendation No 19' in 'Note by the Secretariat, Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies' (29 July 1994) UN Doc HRI/GEN/1/Rev.1.

Barbato v Uruguay (1982) 2 Selected Decisions of the Human Rights Committee 112.

(m) United Nations High Commissioner for Refugees (UNHCR)

Examples: UNHCR EXCOM Conclusion No 64 (XLI) 'Refugee Women and International Protection' (1990).

UNHCR 'Report of the 45th Session of the Executive Committee of the High Commissioner's Programme (Geneva 3–7 October 1994)' (11 October 1994) UN Doc A/AC.96/839.

UNHCR 'Guidelines on the Protection of Refugee Women' (Geneva 1991).

UNHCR 'UNHCR's Operational Experience with Internally Displaced Persons' (Division of International Protection Geneva 1994).

(n) Diplomatic Conferences

Examples: 'Report of the Preparatory Committee on the Establishment of an International Criminal Court' UN Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court (Rome 15 June–17 July 1998) (14 April 1998) UN Doc A/CONF.183/2/Add.1.

'Final Act of the UN Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court' (17 July 1998) UN Doc A/CONF.183/10.

(o) United Nations Year Book (UNYB)

Examples: UNGA 'Questions Relating to International Terrorism' (1972) UNYB 649.

UNGA 'Report of the Ad Hoc Committee' (1979) UNYB 1146.

(p) League of Nations Official Journal (LNOJ)

Example: *Aaland Islands Case* (1920) League of Nations Official Journal Spec Supp 3, 3.

(q) Other UN agencies

Examples: World Food Programme 'Report to the Economic and Social Council' (23 September 1996) WFP/EB.3/96/3.

UN Development Programme (Emergency Response Division) 'Building Bridges between Relief and Development' (1996).

Executive Board of the UN Development Programme and the UN Population Fund 'Report of the Administrator' (15 March 1996) DP/1996/18/Add.2.

UNICEF 'Children in Situations of Armed Conflict' (10 March 1986) E/ICEF/1986/CRP.2.

UNICEF 'Emergency Operations' (1 December 1995) E/ICEF/1996/7.

World Health Organization (Resolution of the Executive Board) 'Emergency and Humanitarian Action' (27 January 1995) EB95.R17.

World Health Organization (Executive Board) 'Health and Medical Services in Times of Armed Conflict, Report by the Director-General' (7 November 1994) EB95/24.

ECOSOC 'Enlargement of the Commission on Human Rights and the Further Promotion of Human Rights and Fundamental Freedoms' Res 1990/48 (25 May 1990).

11 Regional Bodies' Documents

Examples: Organization for African Unity (Council of Ministers) 'Proposals for an OAU Mechanism for Conflict Prevention and Resolution, Report of Secretary-General' (OAU Addis Ababa 1992) CM/1710 (L. VI).

Organization for African Unity Commission of Twenty 'Report on the Situation of Refugees, Returnees and Displaced Persons in Africa to the Council of Ministers 61st Ordinary Session' (Addis Ababa 23–27 January 1995).

Commission on Security and Cooperation in Europe (CSCE) 'The OSCE in Post-Dayton Bosnia' (17 January 1994) 17 CSCE Digest 2.

Commonwealth of Independent States 'Report of the Conference' (4 July 1996) CISCONF/1996/6.

Organization of American States 'Legal Situation of Refugees, Returnees and Displaced Persons in the American Hemisphere' General Assembly Res AG/Res 1214 (XXIII-O/93) (Washington DC 11 June 1993).

12 International Yearbooks

Rules: These are to be cited in the same way as journals/periodicals. Some Yearbooks (eg British and Canadian) use roman numerals for volume numbers. In these cases, use the roman numerals.

All documents in the European Yearbook are printed in English and French. Cite the language which you have used as shown below.

Examples: R Jennings 'The Role of the International Court of Justice' (1997) 68 British Year Book of International Law 10.

O Kimminich 'The Conventions for the Prevention of Double Citizenship and their Meaning for Germany and Europe in an Era of Migration' (1995) 38 German Yearbook of International Law 224.

LC Green 'Canada's Role in the Development of the Law of Armed Conflict' (1980) XVIII Canadian Yearbook of International Law 91.

'The Council of Europe (C of E) in 1999: Its Main Work' (1999) XLVII European Yearbook C of E 1.

'Le Conseil de L'Europe: Principales activités pour l'année 1999' (1999) XLVII Annuaire Européen (C de E) 1.

13 Collected Courses of The Hague Academy of International Law

Rule: The Collected Courses of the Hague Academy of International Law are to be cited in French. The full title of Recueil des Cours de l'Académie de Droit International is to be cited on the first occasion, but may be abbreviated to Recueil des Cours in subsequent references in the same chapter or article.

Note that the year of the Recueil des Cours volume is not necessarily the same as the publication year. Cite the volume year. Up until 1995, volumes (tomes) were divided into parts, signified by roman numerals. Omit the roman numeral part in all citations, and cite the year and volume instead. The final reference is the page number where the article starts.

Examples: E McWhinney 'Judicial Settlement of Disputes: Jurisdiction and Justiciability' (1990) 221 Recueil des Cours de l'Académie de Droit International 9.

[subsequent references in the same chapter or article: Recueil des Cours]

14 International Law Association

Rules: Cite in a similar manner to an edited book. Note that the place and year of the conference appear in parenthesis after the title.

Examples: Committee on International Commercial Arbitration 'Interim Report on Public Policy as a Bar to Enforcement of International Arbitral Awards' in International Law Association *Report of the Sixty-Ninth Conference (London 2000)* (International Law Association London 2000) 340 (Interim Report) 345.

Cultural Heritage Law Committee 'Heritage Law Creation—First Report' in International Law Association *Report of the Sixty-Seventh Conference (Helsinki 1996)* (International Law Association London 1996) 15, 31.

15 International Law Digests

Rules: Digests edited by Whiteman and Hackman are to be given that author's name in the title. The main topic area is indicated in single quotation marks, followed by the year (if given) or volume number. The § indicates the section referred to, while a pinpoint reference refers to a page number.

Since 1981, the Digest of US Practice in International Law has become a Cumulative Digest of US Practice in International Law. Roman numeral volume numbers must therefore be inserted immediately after the year.

Examples: 'Aviation' 9 Whiteman Digest of International Law §4, 323.

'Subjects of International Law' (1979) Digest of US Practice in International Law §2, 110.

'Peaceful Settlement of Disputes' (1981–88) III Cumulative Digest of US Practice in International Law §2, 3190.

16 International Journals and Periodicals

See 'Journal Articles and Periodicals'.

APPENDIX A: ABBREVIATIONS FOR SERIES OF LAW REPORTS

<i>Reports</i>	<i>preferred abbreviation</i>
Official Law Reports	AC, QB, Ch, Fam, P
Weekly Law Reports	WLR
European Court Reports	ECR
All England Law Reports	All ER All ER Com
British Company Law Cases	BCC
Common Market Law Reports	CMLR
Criminal Appeal Reports	Cr App R
Criminal Appeal Reports (Sentencing)	Cr App R(S)
Criminal Law Review	Crim LR
Estates Gazette	EG
Family Law Reports	FLR
Financial Times Law Reports	FTLR
Fleet Street Reports	FSR
Industrial Case Reports	ICR
Industrial Relations Law Rev	IRLR
Journal of Planning Law	JPL
Justice of the Peace Reports	JP
Law Society Gazette	LS Gaz
Lloyd's Law Reports	Lloyd's Rep Lloyd's Rep Bank
Lloyd's Maritime & Commercial Law Quarterly	LMCLQ
Local Government Reports	LGR
Official Journal of the EC	OJ
Property and Compensation Reports	P & CR
Reports of Patent Cases	RPC
Road Traffic Reports	RTR
Scots Law Times	SLT
Session Cases	SC
Simon's Tax Cases	STC
Tax Cases	TC
The Independent	The Independent
The Times	The Times

Subject to Appendix B and C2, if the series in question is not included in the above list, the name of the series should be spelt out in full (in roman type, not italics) in a citation. However, when a particular specialist series is cited regularly throughout a book, it can be abbreviated and the abbreviation included in the list of abbreviations of the book or thesis.

APPENDIX B: ABBREVIATIONS OF NAMES OF PERIODICALS

<i>Journal</i>	<i>preferred abbreviation</i>
American Journal of Comparative Law	AJCL
American Journal of International Law	AJIL
British Tax Review	BTR
Common Market Law Review	CML Rev
Current Law	CL
Cambridge Law Journal	CLJ
Current Legal Problems	CLP
Criminal Law Review	Crim LR
EC Bulletin	EC Bull
European Competition Law Review	ECLR
Estates Gazette	EG
European Intellectual Property Review	EIPR
European Industrial Relations Review	EIRR
European Law Review	ELR
Industrial Law Journal	ILJ
International and Comparative Law Quarterly	ICLQ
Journal of Business Law	JBL
Journal of Planning and Environmental Law	JPEL
Lloyd's Maritime & Commercial Law Quarterly	LMCLQ
Law Quarterly Review	LQR
Legal Studies	LS
Law Society Gazette	LS Gaz
Modern Law Review	MLR
New Law Journal	NLJ
Official Journal of the EC	OJ
Oxford Journal of Legal Studies	OJLS
Public Law	PL
Solicitors' Journal	SJ

**APPENDIX C: WORDS AND PHRASES THAT CAN BE ABBREVIATED WITHIN THE
NAMES OF CASES, REPORTS, AND JOURNALS NOT LISTED ABOVE**

1 Abbreviations within Case Names

There follows a list of words and phrases which might usefully be abbreviated in case names and citations. Other abbreviations should generally be avoided so as to minimize ambiguity.

AG	Advocate General
A-G	Attorney-General
Anon	Anonymous
BBC	British Broadcasting Corporation
BC	Borough Council
Bros	Brothers
CC	County Council
Co	company
Comr	Commissioner
Co-op	Co-operative
Corp	Corporation
CPS	Crown Prosecution Service
DC	District Council
decd	deceased
Dept	Department
DPP	Director of Public Prosecutions
EC	European Communities
Exor	Executor
Exrx	Executrix
GB	Great Britain
HM	Her Majesty's
Inc	Incorporated
IRC	Inland Revenue Commissioners
liq	liquidation
Ltd	Limited
ors	others
Plc	public limited company
Pty	Proprietary
R	The Queen (or King)
Rep	Reports
Rly	Railway
RDC	Rural District Council
UDC	Urban District Council
UK	United Kingdom
US	United States
USA	United States of America
V-C	Vice-Chancellor

2 Abbreviations within the Names of Series of Law Reports and Journals

Where a Law Report or Journal is not included in the lists at Appendix A and B, the full name of the relevant Report or Journal should be given (in roman type, not italic), but the following abbreviations are permitted within such names:

Crim	Criminal
Eur	European
Intl	International
J	Journal
L	Law
Q	Quarterly
Rep	Report(s)
Rev	Review
U	University
Ybk	Yearbook

APPENDIX D: ABBREVIATIONS OF INTERNATIONAL INSTRUMENTS

The purpose of this appendix is to give guidance. If you use these abbreviations in a thesis or book you must include them in your list of abbreviations. In an article they should appear in parenthesis after the first full citation.

1 Refugee Instruments

(a) Universal instruments

Convention relating to the Status of Refugees of 28 July 1951	CSR51
Protocol relating to the Status of Refugees of 31 January 1967	CSRP67
Agreement relating to Refugee Seamen of 23 November 1957	ARS57
Protocol to the Agreement relating to Refugee Seamen of 12 June 1973	ARSP73
Convention relating to the Status of Stateless Persons of 28 September 1954	CSSP54
Convention on the Reduction of Statelessness of 30 August 1961	CRS61
United Nations Declaration on Territorial Asylum of 14 December 1967	UNDTA67

(b) Regional instruments

OAU Convention governing the Specific Aspects of Refugee Problems in Africa of 10 September 1969	OAUR69
Cartagena Declaration on Refugees of 22 November 1984	CRD84

2 Human Rights Instruments

(a) Universal instruments

Universal Declaration of Human Rights of 10 December 1948	UDHR48
International Covenant on Civil and Political Rights of 16 December 1966 and Protocols thereto	ICCPR66
International Covenant on Economic, Social and Cultural Rights of 16 December 1966	ICESCR66
Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948	PPCG48
International Convention on the Elimination of all Forms of Racial Discrimination of 21 December 1965	CERD65
International Convention on the Suppression and Punishment of the Crime of Apartheid of 30 November 1973	SPCA73
Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984	CAT84
Convention on the Political Rights of Women of 31 March 1953	PRW53
Convention on the Elimination of all Forms of Discrimination against Women of 18 December 1979	CEDW79
Convention on the Rights of the Child of 20 November 1989	CRC89

(b) Regional instruments

European Convention for the Protection of
Human Rights and Fundamental Freedoms
of 4 November 1950 and Protocols thereto

ECHR50

American Convention on Human Rights of
22 November 1969 and Protocol thereto

ACHR69

African Charter on Human and Peoples'
Rights of 27 June 1981

ACHRP81

BIBLIOGRAPHY

The following style guidelines and manuscripts provided assistance and ideas:

— *Australian Guide to Legal Citation* (Melbourne University Law Review Association Inc Parkville 1998).

— *University of Chicago Manual of Legal Citation* (Lawyers Cooperative Publishing Rochester 1989).

C Fong *Australian Legal Citation: A Guide* (Prospect Publishing St Leonards NSW 1998).

RW Burchfield (ed) *The New Fowler's Modern English Usage* (3rd edn rev Oxford University Press Oxford 1998).

D French *How to Cite Legal Authorities* (Blackstone London 1995).

Harvard Law Review Association *The Bluebook: A Uniform System of Citation* (16th edn HLRA Cambridge 1996).

McGill Law Review *Canadian Guide to Uniform Legal Citation* (4th edn Carswell Thomson Publishing Montreal 1998).

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