

**Adapted from OSCOLA(4th edn, Hart 2012)**

**OSCOLA <<http://www2.le.ac.uk/library/help/referencing/oscola/oscola#articles>>  
accessed 31 July 2017**

## **OSCOLA Referencing Guide**

The Oxford University Standard for the Citation of Legal Authorities (OSCOLA) is the referencing style used by the Leicester Law School, and by many law schools and legal publishers in the UK. OSCOLA is a guide to legal citation, not a style guide. For advice on punctuation, grammar and writing style, use the most recent editions of Fowler's Modern English Usage, The Oxford English Dictionary, and Hart's Rules. Hart's Rules is particularly useful for information about typographical conventions, but note that the legal citation section is not always consistent with OSCOLA.

OSCOLA is published and maintained by the University of Oxford, and is available to download for free from <https://www.law.ox.ac.uk/research-subject-groups/publications/oscola>. OSCOLA includes rules and examples for referencing all types of primary and secondary legal resources in the UK, Europe and Internationally. Please read this guide first. If you have any questions about OSCOLA referencing, please contact at Reference Section of EWU Library.

### When to cite:

Reference required	No reference required
Copy text from another source	Write about your own opinions on a topic
Discuss the ideas or research of another person in your own words	Present the results of your own experiment or survey
Include a table of data or a diagram from another source	Mention a fact which is commonly known
Paraphrase the ideas from two separate sources linking them together using your own words	
Write about something you know you've read about somewhere but you can't remember where	

### Principles for footnotes

- When citing any source, either directly (as a quotation) or indirectly (by paraphrasing or referring to ideas in a source), cite the reference in a footnote, in the style indicated in OSCOLA.
- Indicate footnotes with a superscript number which should appear after the relevant punctuation in the text (if any). Put the footnote marker at the end of a sentence, unless for the sake of clarity it is necessary to put it directly after the word or phrase to which it relates. If the word or phrase to which the footnote marker relates is in brackets, put the marker before the closing bracket.
- A quotation need not be footnoted separately from the name of the source from which it is derived if the two appear in the same sentence. Otherwise, separate notes should be used.

- Close footnotes with a full stop (or question or exclamation mark).Where more than one citation is given in a single footnote reference, separate them with semi-colons.
- When citing cases, give the name of the case, the neutral citation (if appropriate), and volume and first page of the relevant law report, and where necessary the court.
- If the name of the case is given in the text, it is not necessary to repeat it in the footnote.
- In the footnote at the bottom of the same page, insert the reference.In your footnote reference, refer to a specific page - or range of pages - if appropriate (this is known as 'pinpointing').

### Principles for Bibliography

At the end of your work (and before any appendices) include all your references in a full bibliography.

Your bibliography is a list of every source of information you have used in preparing your piece of work, including sources you have used for background reading but not necessarily quoted from or referred to directly in your work.In your bibliography reference the information source as a whole, not specific pages.Sources should be listed alphabetically by author's surname, or by title if no author is given.

Your bibliography should be laid out in three parts:

1. Table of cases
2. Table of legislation
3. Bibliography

Table of cases

- Cases should be listed alphabetically by case name (eg *Brown v Wilson*, then *Brown v Wright*, then *Browne v Wright*).

- Cases should be alphabetized by the significant name. So, for example, *In re the Estate of Farquar* or *Re Farquar's Estate* should be listed in the table of cases under *Farquar's Estate, Re*.
- Unless there are very few cases, you should divide the table of cases into separate sections for separate jurisdictions.
  - European cases should be distinguished between ECJ, CFI and Commission cases and should be arranged in chronological and numerical order by their assigned case number.
- Shipping and trade mark cases (which are often referred to simply by the name of the ship or trade mark) should be included as normal, but should also have an additional entry in the table included under the name of the ship or trade mark, with a cross-reference to the full name of the case.

#### Table of legislation

- Legislation should be listed alphabetically by title.
- Your table of legislation should be listed with similar divisions to your table of cases to identify legislation from different jurisdictions.
- You may want to distinguish between primary and secondary legislation (eg having a 'List of Statutes' and a 'List of Statutory Instruments').

<b>Short forms and ibids</b>
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#### Syntax:

The first time you reference a source, full details should be given in the footnote. For **subsequent citations**, a **short form** of the reference can be given, followed by a cross

reference (in brackets) to the fully referenced footnote. For cases the short form is normally the first party name, and for books and articles the author's surname. If you refer to the same work in the immediately following footnote, you can use **ibid** (an abbreviation of the Latin *ibidem*, meaning 'in the same place'), instead of the short form. Page numbers can also be used at the end of short forms and ibids.

**Example:**

*(Where footnote 3 refers to footnote 2; and footnote 4 refers to footnote 1)*

<sup>1</sup> Richard Pears and Graham Shields, *Cite them right: the essential referencing guide* (9th edn, Palgrave Macmillan 2013).

<sup>2</sup> Lisa Webley, *Legal Writing* (3rd edn, Routledge 2013).

<sup>3</sup> *ibid.*

<sup>4</sup> Pears and Shields (n 1).

<b>Quotations</b>
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**Syntax:**

**Short quotations** (up to three lines of text), should be incorporated into the text, within 'single quotation marks'; **longer quotations** (over three lines of text), should be presented in an indented paragraph, without quotation marks. All quotations should be referenced by a footnote, and the page number of the quotation should be indicated at the end of the footnote. Quotations from other works must be faithful to the original, except where it is necessary to change quotation marks from single to double, or vice versa. If some words are missing from the quotation, or if it ends mid-sentence in the original text, use an ellipsis (...) to indicate that some of the quotation is missing.

### Page numbers

#### Syntax:

If you directly quote or paraphrase a source, you should include the page or paragraph number at the the end the footnote (although not in the bibliography). OSCOLA uses minimal punctuation, and page numbers are given simply as a number e.g. 5 or range of numbers e.g. 5-6 at the end of the footnote, without any 'p' or 'pp' or 'page' prefix; paragraph numbers are normally given in square brackets e.g. [5] or [5-7] at the end of the footnote, without any 'para' prefix.

#### Example:

Book: - Lisa Webley, *Legal Writing* (3rd edn, Routledge 2013) 5

Journal: - Graham Virgo, 'Why Study Law: the Relevance of Legal Information' (2011) 11 LIM 221, 223-224

### Authors

#### Syntax:

Give authors' names as they appear in the publication, but omit postnominals such as QC. In **footnotes**, give the author's first name or initial(s) followed by their surname; in the bibliography, give the author's surname first, followed by their initial(s)

#### Example:

Footnote: - Lisa Webley, *Legal Writing* (3rd edn, Routledge 2013).

Bibliography: -Webley L, *Legal Writing* (3rd edn, Routledge 2013)

If there are between 1 and 3 authors, give all the authors' names in the reference; if there are **4 or more authors**, give the first author's name, followed by the words 'and others'. If the author is not known, begin the citation with the title (do not use anon).

**Example:**

Footnote: - Scott Slorach and others, *Legal Systems and Skills* (3rd edn, OUP 2017).

Bibliography: -Slorach S and others, *Legal Systems and Skills* (3rd edn, OUP 2017)

**Books**

**Syntax:**

Author, | *Title of the Book* | (Edition, | Publisher | Year)

**Example:**

Footnote:- Lisa Webley, *Legal Writing* (3rd edn, Routledge 2013).

If pinpointing:- Lisa Webley, *Legal Writing* (3rd edn, Routledge 2013) 5.

Short form:- Webley (n #).

Short form if pinpointing:- Webley (n #) 5.

Bibliography:- Webley L, *Legal Writing* (3rd edn, Routledge 2013)

**Book chapters**

**Syntax:**

Author, | 'Title of Chapter', | in | Editor (ed), | *Title of the Book* | (Edition, | Publisher | Year)

**Example:**

Footnote:- Philip Handler, 'Legal History' in Dawn Watkins and Mandy Burton (eds), *Research Methods in Law* (Routledge 2013).

Short form:- Handler (n #).

Bibliography:- Handler P, 'Legal History' in Dawn Watkins and Mandy Burton (eds), *Research Methods in Law* (Routledge 2013)

### Journal articles

#### Syntax:

Author, | 'Title of Article' | [(Year)] | Volume | Abbreviation | First Page

#### Example:

Footnote: - Graham Virgo, 'Why Study Law: the Relevance of Legal Information' (2011) 11 LIM 221.

If pinpointing:- Graham Virgo, 'Why Study Law: the Relevance of Legal Information' (2011) 11 LIM 221, 223. **[NB: A pinpoint is a reference to a particular paragraph of a judgment or page of a report.]**

Short form:- Virgo (n #).

Short form if pinpointing:- Virgo (n #) 223.

Bibliography:- Virgo G, 'Why Study Law: the Relevance of Legal Information' (2011) 11 LIM 221

### Websites

#### Syntax:

Author, | *Title of Website* | (Date) | < URL > | accessed Date



### Example

Footnote: - Equality and Human Rights Commission, *Being Disabled in Britain: A Journey Less Equal* (3 April 2017) <[www.equalityhumanrights.com](http://www.equalityhumanrights.com)> accessed 8 May 2017.

Short form:- Equality and Human Rights Commission (n #).

Bibliography:- Equality and Human Rights Commission, *Being Disabled in Britain: A Journey Less Equal* (3 April 2017) <[www.equalityhumanrights.com](http://www.equalityhumanrights.com)> accessed 8 May 2017

### Blogs

#### Syntax:

Author, | 'Title of Post' | (*Title of Blog*, | Date of Post) | < URL > | accessed | Date

#### Example

Footnote:- Brian Meli, 'May the 4th Be With Your Brand: A Legal Guide to Making Star Wars Tributes' (*LegalMatter*, 27 April 2015) < [www.legalmatterblog.com](http://www.legalmatterblog.com) > accessed 28 May 2017.

Short form: - Meli (n #).

Bibliography:- Meli B, 'May the 4th Be With Your Brand: A Legal Guide to Making Star Wars Tributes' (*LegalMatter*, 27 April 2015) < [www.legalmatterblog.com](http://www.legalmatterblog.com) > accessed 28 May 2017

**eBooks and eJournals**

**Syntax:**

If you read books and journals online, as eBook and eJournals, you should normally reference them as if you were reading the print resource. There is no need to acknowledge the electronic format, database supplier, or web address (URL) and digital object identifier (DOI). If resources are published online only, with no print equivalent, then you should follow guidance for referencing websites, as far as possible.

**UK legislation**

**Syntax:**

If you give a full legislation reference (title, year and section) in the main text of your essay, then you do not need to repeat the information in the footnote. The reference can be omitted from the footnote, but it should be included in the bibliography.

**Act / Statute**

**Syntax:**

Short Title | Year

**Example**

Footnote: - Human Rights Act 1998.

If pinpointing: - Human Rights Act 1998, s 12.

If shortening: - Human Rights Act 1998, s 12 (HRA 1998).

Short form: HRA 1998, s 12.

Bibliography: Human Rights Act 1998

<b>Statutory Instrument</b>
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**Syntax:**

Title | Year, | SI Year/Number

**Example**

Footnote: - Copyright (Industrial Designs) Rules 1949, SI 1949/2367.

If pinpointing: - Copyright (Industrial Designs) Rules 1949, SI 1949/2367, reg 4.

If shortening: - Copyright (Industrial Designs) Rules 1949, SI 1949/2367, reg 4 (CIDR 1949).

Short form: - CIDR 1949, reg 4

Bibliography: - Copyright (Industrial Designs) Rules 1949, SI 1949/2367

**EU legislation**

**Syntax:**

Title | [Year] | OJ Citation

**Example**

Footnote: - Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time [2003] OJ L299/9.

If pinpointing:- Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time [2003] OJ L299/9, art 7.

If shortening:- Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organization of working time [2003] OJ L299/9 (Working Time Directive 2003).

Short form: - Working Time Directive 2003.

Bibliography: - Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organization of working time [2003] OJ L299/9

## Treaties

### Syntax:

Title | (adopted Date, | entered into force Date) | Citation

Citation = Volume | Abbreviation for Series | Page number

Citations should be from the UNTS (United Nations Treaty Series), or another National Treaty series.

### Example

Footnote: - WIPO Copyright Treaty (adopted 20 December 1996, entered into force 6 March 2002) 2186 UNTS 121.

If pinpointing: - WIPO Copyright Treaty (adopted 20 December 1996, entered into force 6 March 2002) 2186 UNTS 121 (WCT), art 10.

If shortening: - WIPO Copyright Treaty (adopted 20 December 1996, entered into force 6 March 2002) 2186 UNTS 121 (WCT).

Short form: - WCT.

Bibliography: - WIPO Copyright Treaty (adopted 20 December 1996, entered into force 6 March 2002) 2186 UNTS 121

## UK cases

If you give the full case name in the main text of your essay, then you only need to give the case citations in the footnote (the case name can be omitted from the footnote).

### Cases with a neutral citation (published after 2001)

#### Syntax:

*Case Name* | Neutral Citation, | Report Citation

Neutral Citation = [Year] | Abbreviation for Court | Case number

Report Citation = [(Year)] | Volume | Abbreviation for Law Report | Page number

Where possible cite cases from The Law Reports first, then Weekly Law Reports and All England Law Reports.

#### Example

Footnote:- *Lucasfilm Ltd v Ainsworth* [2011] UKSC 39, [2012] 1 AC 208.

If pinpointing to page:- *Lucasfilm Ltd v Ainsworth* [2011] UKSC 39, [2012] 1 AC 208, 228

If pinpointing to a judge:- *Lucasfilm Ltd v Ainsworth* [2011] UKSC 39, [2012] 1 AC 208 [42]-[44] (Lord Walker SCJ).

If case name given in essay:- [2011] UKSC 39, [2012] 1 AC 208.

Short form:- *Lucasfilm* (n #).

Bibliography:- *Lucasfilm Ltd v Ainsworth* [2011] UKSC 39, [2012] 1 AC 208

### Cases without a neutral citation (published before 2001)

#### Syntax:

*Case Name* | Report Citation | (Court)

Report Citation = [(Year)] | Volume | Abbreviation for Law Report | Page number

Where possible cite cases from The Law Reports first, then Weekly Law Reports and All England Law Reports.

### Example

Footnote: - *Tyburn Productions Ltd v Conan Doyle* [1990] 3 WLR 167 (Ch).

If pinpointing to page:- *Tyburn Productions Ltd v Conan Doyle* [1990] 3 WLR 167 (Ch), 168.

If pinpointing to a judge:- *Tyburn Productions Ltd v Conan Doyle* [1990] 3 WLR 167 (Ch), 178-179 (Vinelott J).

If case name given in essay:- [1990] 3 WLR 167 (Ch).

Short form:- *Tyburn* (n #).

Bibliography:- *Tyburn Productions Ltd v Conan Doyle* [1990] 3 WLR 167 (Ch)

**ECJ cases**

### Syntax:

Case Number | *Case Name* | ECLI citation, | Report citation

ECLI citation = Region | Court | Year | Case number

ECR citation = [Year] | ECR | Volume- | Page number

CMLR citation = [Year] | Volume | CMLR | Page number

Where possible cite cases from the European Court Reports first, then Common Market Law Reports, or other major series.

If pinpointing to a paragraph number, use the prefix para instead of [brackets].

In the bibliography, reorder the citation by case name first, then case number and citation.

### Example

Footnote:- Case C-607/11 *ITV Broadcasting Ltd v TV Catchup Ltd* EU:C:2013:147, [2013] 3 CMLR 1.

If pinpointing: - Case C-607/11 *ITV Broadcasting Ltd v TV Catchup Ltd* EU:C: 2013:147, [2013] 3 CMLR 1, paras 30-36.

Case name given in essay:- Case C-607/11, EU:C:2013:147, [2013] 3 CMLR 1

Short form:- *ITV Broadcasting Ltd* (n #).

Bibliography: - *ITV Broadcasting Ltd v TV Catchup Ltd* (Case C-607/11) EU:C:2013:147, [2013] 3 CMLR 1

<b>Unreported ECJ cases</b>
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### Syntax:

Case Number | *Case Name* | OJ Citation

### Example

Footnote:- Case C-527/15 *Stichting Brein v Jack Frederik Wullems* [2017] OJ C195/02.



Case name given in essay:- Case C-527/15, [2017] OJ C195/02

Bibliography:-Stichting Brein v Jack Frederik Wullems (Case C-527/15) [2017] OJ C195/02

**ECtHR cases**

**Syntax:**

*Case Name* | Report Citation

ECHR citation = ECHR | Year | Volume | Page number

EHRR citation - (Year) | Volume | EHRR | Case number

Cite either from the *Reports of Judgments and Decisions* (ECHR) or the *European Human Rights Reports* (EHRR).

If pinpointing to a paragraph number, use the prefix para instead of [brackets].

**Example**

Footnote:- *Animal Defenders International v United Kingdom* (2013) 57 EHRR 21.

If pinpointing:- *Animal Defenders International v United Kingdom* (2013) 57 EHRR 21, para 124.

Case name given in essay:- (2013) 57 EHRR 21.

Short form:- *Animal Defenders International* (n # ).

Bibliography:- *Animal Defenders International v United Kingdom* (2013) 57 EHRR 21

**International cases**

**Syntax:**

*Case Name* | Citation

Where possible cite cases from the International Court of Justice Reports first, then the International Law Reports or other law report series.

**Example**

Footnote:- *Case Concerning the Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v Uganda)* [2005] ICJ Rep 168.

Case name given in essay:- [2005] ICJ Rep 168.

Short form:- *Congo v Uganda* (n #).

Bibliography:- *Case Concerning the Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v Uganda)* [2005] ICJ Rep 168