

## Additional style guidelines for Law

### Capitalisation, italicisation and spelling

The word 'Act' should always be capitalised, even in non-specific references, to avoid ambiguity, but 'bill' can be lower case. Unless a specific court is referred to by name, 'court' is normally lower case; the same applies to 'judge' and other generic terms. Titles of statutes always have the first and chief words capitalised (e.g., 'the Representation of the People Act 1911').

The word 'article' may have either an upper case 'A' or a lower case 'a'. Whichever you decide to use, you should use it consistently.

Please keep italic to a sensible minimum. We prefer not to italicise the following words and phrases: *bona fide*, *caveat*, *de facto*, *de jure*, *dicta*, *dictum*, *gratis*, *habeas corpus*, *intra vires*, *mala fides*, *mandamus*, *prima facie* and *ultra vires*. For cross-references in the notes, we use 'above' and 'below' rather than 'supra' and 'infra'.

Court judgments and formal legal rulings should be spelt 'judgment', even if 'judgement' is used elsewhere (as is normal in British style).

### Tables of cases and tables of statutes

Most law books will include, at the front of the book, a table of cases, a table of statutes and possibly also a table of international conventions. For example, a book on the jurisprudence of the European Court of Human Rights would include a table of cases decided by that court and might also include a table of domestic cases dealing with the same subject matter. It would include a table of articles of the European Convention on Human Rights, a table of the Rules of procedure of the Court and possibly tables of domestic legislation dealing with the same subject matter.

As a general rule, tables are more important in a book aimed at the practitioner and/or student market than one intended for an academic readership. Please consult your Press editor if you would

like advice on what tables to include.

Tables are normally set out as follows:

- Where international treaties are included in the tables, it is usual to put them in chronological order.
- Where international cases are included in the tables, it is usual to subdivide the tables into the various courts or tribunals which heard the cases, and then within each subdivision to list the cases alphabetically.
- Where domestic legislation is included in the tables, it is usual to divide the table according to country, and then within each subdivision to list the legislation in either alphabetical order or chronological order.
- Cases should be cited in the form *Foss v. Harbottle*. Note that the use of italic and roman is the reverse of that used for cases in the text and notes.

ECJ and ECHR cases should be listed by both number and name.

In general, we prefer authors to prepare and submit all necessary tables with their final typescript. Authors who wish to prepare their tables as tagged Word files, so that typescript folio numbers can be converted to proof page numbers during the typesetting process, are encouraged to seek guidance from their editor or production contact at the earliest possible stage. Alternatively, tables of cases and statutes can be compiled while the book is being copy-edited, using the same procedure as for the index - see the AuthorNet guide *Indexing* for more details.

#### List of abbreviations

A list of abbreviations should, if required, be provided with the final typescript. It will usually appear as the final item in the preliminary pages, after the tables of statutes and cases. Please ensure that you have used each abbreviation consistently throughout the book. It is our house style to omit full points from abbreviations - e.g. AC, AJIL, All ER, Cr App R, Crim LR, ILR, Law Soc Gaz. Abbreviations will be set in roman; full titles of case reports and periodicals will be set in italic.

## Notes, reference systems and bibliography

For general information, please refer to Reference systems and notes in the Style guide. As a general rule the short-title system is more suitable for law books than the author-date system. If you are considering using the author-date system, please read the guidelines in Reference systems and notes in the Style guide.

### **The short-title system in the footnotes or endnotes**

A source should be given a full reference the first time it is cited in your notes. If your book has no bibliography, it is advisable to give the full reference at the first mention in each chapter. The full note reference should include the following information, in this order:

#### **Full references to books**

author's/editor's first name(s) or initials

author's surname

complete title (including subtitle, if any) in italic

editor, compiler or translator, if any

series title, if any

edition, if not the original

number of volumes, if applicable

place of publication

publisher's name

year of publication

volume number (preferably in roman numbers)

page number(s)

e.g. Jean-Marie Henckaerts and Louise Doswald-Beck (eds.), *Customary International Humanitarian Law*, 2 vols. (Cambridge: Cambridge University Press, 2004), vol. I, pp. 496-8

e.g. J. Gordley, 'Good faith in contract law', in R. Zimmermann and S. Whittaker (eds.), *Good Faith in European Contract Law* (Cambridge: Cambridge University Press, 2000), p. 93.

e.g. Alice Edwards, 'Age and gender dimensions in international refugee law', in Erika Feller, Volker Türk and Frances Nicholson (eds.), *Refugee Protection in International Law: UNHCR's Global Consultations on International Protection* (Cambridge: Cambridge University Press, 2003), p. 78

### **Full references to journal articles**

author's first name(s) or initials

author's surname

title of the article (in inverted commas)

date of volume

volume number (in arabic numbers)

title of the journal

page number(s), if available (without p. or pp.)

Note also:

- (1) the title of the journal, if given in full, should be italicised;
- (2) where the title of the journal is abbreviated, the abbreviation should be roman (i.e. not italics), and the abbreviation should be included in the list of abbreviations;
- (3) please use standard abbreviations and ensure that you have used them consistently.

e.g. J. Weiler, 'The Genscher-Colombo Draft European Act: the politics of indecision' (1983) 6 *Journal of European Integration*, 3, 129.

e.g. Antonio Cassese, 'L'immunité de juridiction civile des organisations internationales dans la jurisprudence italienne' (1984) 30 *Annuaire français de droit international* 556-66 at 566.

e.g. Sir Hersch Lauterpacht, 'Decisions and municipal courts as a source of international law' (1929) 10 *British Yearbook of International Law* 65-95 at 67.

e.g. D. Kinley, 'Direct effects of directives: stuck on vertical hold' (1995) 3 *European Public Law* 79.

Newspapers, bulletins, newsletters etc.

Articles from newspapers, bulletins, newsletters etc. should be in the form:

J. Smith, 'WTO appoint new director-general', *Financial Times*, 21 December 1998, p. 5.

### **Full references to unpublished material (including unpublished theses or dissertations)**

author's first name(s) or initials

author's surname

title of document (in inverted commas)

volume or batch number, where applicable

name of collection, if known

folio number, or call number, if known

depository and where located (or academic institution with date for PhD theses and dissertations)

e.g. H. R. Southall, 'Regional unemployment patterns in Britain, 1851 to 1914', PhD thesis, University of Cambridge (1984), p. 72.

### **Short titles**

Subsequent citations in the notes to a source already given in full should take a shortened form. A shortened reference includes only the last name of the author and the short title of the book (containing the key word or words from the main title, so as to make the reference easily recognisable and not to be confused with any other work), followed by the page number of the reference. In general, titles of only two or three words should not be shortened. Do not use *op. cit.* or *loc. cit.* in place of a short title.

### **Shortened references to books**

author's surname (no first name unless there is more than one author with the surname)

short title of the book

volume number, if applicable

page number(s)

e.g. Henckaerts and Doswald-Beck, *Customary International Humanitarian Law*, p. 98

e.g. Gordley, 'Good faith in contract law', p. 93

e.g. Edwards, 'Age and gender dimensions', p. 78

### **Shortened references to journal articles**

author's surname (no first name unless there is more than one author with the surname)

short title of the article (in inverted commas)

page number(s) (without p. or pp.)

e.g. Weiler, 'Genscher-Colombo draft', 129.

### **Bibliography**

Your typescript should include a bibliography if you have used the short-title system or a list of references if you have used the author-date system. A bibliography should generally contain the principal sources cited in the text and notes and any other important titles that you think should be included. It should aim to provide a useful and concise reference guide to works relevant to the subject of your book. It may be set out as a single alphabetical list or may be subdivided into primary and secondary material. A list of references should contain all works cited in the text and notes and no others. It should be presented as a single alphabetical list.

The form for entries in the bibliography is similar to that for the full note references in the short-title system (see above), except that the authors' surnames should appear before their first names or initials. A note usually cites the specific page number of the source, while the bibliography conventionally offers the page span of the entire article in a journal or chapter in an edited book.

e.g. Henckaerts, Jean-Marie and Doswald-Beck, Louise (eds.), *Customary International Humanitarian Law*, 2 vols. (Cambridge: Cambridge University Press, 2004)

e.g. Gordley, J. 'Good faith in contract law', in R. Zimmerman and S. Whittaker (eds.), *Good Faith in European Contract Law* (Cambridge: Cambridge University Press, 2000), pp. 80 - 95

### **Citation of legislative material**

#### (a) Generally

Authors wishing to use UK legislative material within their book should consult the following website for guidance regarding permissions: [http://www.hms0.gov.uk/legislation/about\\_legislation.htm](http://www.hms0.gov.uk/legislation/about_legislation.htm)

Where sections/articles of legislation are divided into numbered paragraphs, we prefer to cite these as, e.g.

section 19(3)

article IV(6)

Rather than as

section 19, para. 3

article IV, para. 6

#### (b) References to statutes

Statutes should be cited in the form 'Finance Act 1963', without a comma between the word 'Act' and the year, and with the title in roman (not in italics). The word 'of' should not appear before the date ('of 1963') except for US statutes. Statutes are subdivided into sections, subsections, paragraphs and subparagraphs. The following abbreviations may be used when referring to statutory material:

	<b>Singular</b>	<b>Plural</b>
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article	art.	arts.
Article	Art.	Arts.
clause	cl.	cll.
Order	Ord.	Ords.
paragraph	para.	paras.
rule	r.	rr.
section	s.	ss.
subsection	subs.	subss.

The § symbol (plural §§) may be used if that is the common style of citation in a particular country, but should be used consistently.

The above abbreviations should normally be used in references to specific subdivisions of legislation, except at the beginning of a sentence where the reference is nonspecific. Thus:

'According to s. 63 ...'

but:

'Section 63 states ...'

'According to this section ...'



(c) References to statutory instruments

The titles of statutory instruments (delegated legislation such as Orders and Regulations) may be followed by the year and number in parentheses or they may be referred to by year and number alone. Thus:

'According to the Town and Country Planning General Development Order 1988 (SI 1988 No. 1813) ...'

or simply:

'According to SI 1988 No. 1813 ...'

(d) References to Command Papers

Abbreviations for the different series are as follows:

1-4222	1833-69
C 1-9550	1870-99
Cd 1-9239	1900-1918
Cmd 1-9889	1919-56
Cmnd 1-9927	1956-86
Cm 1-	1986 onwards

e.g. Milk Marketing Board, Report on the Dairy Industry, Cmnd 542 (1958)

(e) References to parliamentary papers and debates

Parliamentary papers should be cited in roman type followed, in brackets, by year, House concerned and serial number, e.g.

Reports from the Select Committee on Agriculture (1995 HC 223)

References to *Hansard* should be cited thus:

*Hansard*, HC, vol. 123, col. 456, 31 December 1987

Please use HC and HL for House of Commons and House of Lords. Pre-1909 references (before the two Houses had separate volumes) should be cited as follows:

Parl. Deb., vol. 16, ser. 3, col. 123, 31 January 1901

(f) EC legislation

OJ references should be to the English-language version of the OJ and should always be given whenever EC material (Directives, Regulations, Commission Decisions and Commission Notices) is first referred to (subsequent references *within the same chapter* to the same material need not be referenced again).

OJ references can be in the form of either:

OJ 1985 No. L372, 31 December 1985, p. 5

or:

OJ 1985 No. L372/5

Whichever style is used, it should be used consistently.

Examples

Article 8(2) of the Merger Control Regulation, Council Regulation 4064/89, OJ 1989 No. L395, p. 21

Council Directive 85/577/EEC of 20 December 1985 on consumer protection in the case of contracts negotiated off business premises, OJ 1985 No. L372, 31 December 1985

Council Directive 87/102/EEC of 22 December 1986 on consumer credit, OJ 1987 No. L42, 12 February 1987

Note that in the second example the substantive description of the Directive, i.e. 'on consumer protection in the case of contracts negotiated off business premises', is all lower case; the titles are

often so long that using upper case looks too cumbersome on the printed page.

#### (g) US statutes

A USC citation should be given for all references to federal US statutes. A reference to a statute of a state of the USA should always give a citation to that state's legislative code.

#### Examples

Trade Agreements Act of 1979, § 3(a) and (f), 19 USC § 2119(a) and (f) (1988)

Trade Act of 1974, Pub. L. No. 93-618, 88 Stat. 1978 (1975), codified at 19 USC §§ 2111-2487 (1976)

11 USC §§ 101 et seq. (1993)

#### (h) International treaties

Whenever a treaty is referred to, the first citation within each chapter ought to give (as a footnote) its full title, its place of signature, its date of signature, and a citation for where the material can be consulted (e.g., ILM, UNTS, UKTS, TIAS, etc). It may be helpful to consult ILR Tables of Treaties 1-125 (Cambridge University Press, 2004, ISBN 0521 80779 4) for sources of treaties. UN documents (including documents of all the UN subsidiary bodies) should be given their full UN Doc. (or equivalent) reference number on first citation within each chapter.

#### Example

Vienna Convention on the Law of Treaties, Vienna, 23 May 1969, in force 27 January 1980, 1155 UNTS 331; (1969) 8 ILM 679; UKTS (1980) 58

Subsequently, in the same chapter, this can be referred to simply as:

Article 2 of the Vienna Convention

Use the full word 'Article' in the text, but you can (but do not have to) abbreviate it to 'Art.' (plural

'Arts.')

An 'Article' of an international treaty has traditionally had a capital 'A', but lower case is now acceptable.

Where Articles are divided into *numbered* paragraphs, we prefer to cite these as, e.g.:

Article 19(3), Article IV(6)

rather than as:

Article 19, para. 3 or Article IV, para. 6

Where Articles are divided into *unnumbered* paragraphs, these will need to be cited as, e.g.:

Article 19, second paragraph

Note that it is 'second paragraph' rather than 'paragraph 2'.

### **Citation of cases**

#### (a) UK case law

References to UK case law should cite the official law reports first if possible (e.g. [1993] 2 Ch 215; [1993] P 215; [1993] 2 AC 215; [1993] 2 QB 215). Then the WLR reference, then the All ER reference can be added. Specialist reports can be also be cited if the author thinks that a sufficient number of his readers will have access to those reports, or if the case is unreported elsewhere.

References to cases should be given in the form *Foss v. Harbottle*, the name of the plaintiff and defendant being italic, and the v. roman and followed by a full point. Where the plaintiff is the state, the abbreviation R (rather than Reg.) should be used for both Rex and Regina. The names of companies should be cited as 'Co. Ltd'. Ampersands may be used in the names of companies but should not be used to join the names of two parties: thus *Smith & Co. Ltd.* but *Smith and Jones v. Anderson*.

References to law reports are conventionally in the following formats:

[1986] AC 839 (where there is one volume per year and the year forms the number of the volume)

[1986] 2 All ER 613 (where there is more than one volume per year)

(1986) 279 EG 501 (where the volumes are numbered independently of the year: here, the date appears within parentheses rather than square brackets).

Note that there is no comma between the name of the report or periodical and the column/page number. References to specific pages within a report should be cited as e.g. *Brown v. Sparrow* [1982] 1 WLR 1269 at 1274-5

#### Examples

*Moorgate Mercantile Co. Ltd v. Twitchings* [1977] AC 890; [1976] 3 WLR 66; [1976] 2 All ER 641

*R v. Secretary of State for the Home Department ex parte Benwell* [1985] QB 554; [1984] 3 WLR 843; [1984] 3 All ER 854; [1984] ICR 723

*Trendtex Trading Corp. v. Central Bank of Nigeria* [1977] QB 529; [1977] 2 WLR 356; [1977] 1 All ER 881; [1977] 1 Lloyd's Rep 581

References to Scottish cases do not use parentheses where the year forms an integral part of the citation of the report. Cases reported in the Sessions Cases reports are styled as, for example, *Winston v. Patrick* 1980 SC 246; cases in the Justiciary Cases reports are styled as, for example, *Mackenzie v. HM Advocate* 1983 JC 13.

#### (b) EC case law

European Community cases are numbered as they are registered at one of the two Community courts - the European Court of Justice (ECJ) and the Court of First Instance (CFI, established in 1989). Since that date, ECJ cases are prefixed by 'C-' and CFI cases are prefixed by 'T-'. Before the establishment of the CFI, ECJ numbers had no prefix. ECJ and CFI cases should have both a *European Court Reports* (ECR) reference and a *Common Market Law Reports* (CMLR) reference, if CMLR has reported it. Cases may also have an All ER (EC) reference.

Since 1989, the volume number has been given in upper case roman before the page number, e.g. [1988] ECR II-1234. Volume I contains ECJ cases and volume II contains CFI cases. Where a particular year of the CMLR report is divided into more than one volume, the volume number is given as an arabic number before the 'CMLR', e.g. [1988] 2 CMLR 1234.

#### Examples

Case 148/78, *Pubblico Ministero v. Tullio Ratti* [1979] ECR 1629; [1980] 1 CMLR 96

Case 152/84, *Marshall v. Southampton and South-West Hampshire Area Health Authority* [1986] ECR 723; [1986] 1 CMLR 688

Case 66/80, *International Chemical Corp. SpA v. Amministrazione delle Finanze dello Stato* [1981] ECR 1191

Case C-159/90, *Society for the Protection of Unborn Children Ireland Ltd v. Stephen Grogan* [1991] ECR I-4685; [1991] 3 CMLR 849

Case T-194/94, *Carvel and Guardian Newspaper v. Council* [1995] ECR II-2765; [1995] 3 CMLR 359

#### (c) US case law

*Chevron USA Inc. v. Natural Resources Defense Council*, 467 US 837 (1984)

*NationsBank v. Variable Annuity Life Insurance Co.*, 513 US 251 (1995)

*Franklin Savings Association v. Office of Thrift Supervision*, 934 F 2d 1127 (10th Cir. 1991)

*Hindes v. FDIC*, 137 F 3d 148 (3rd Cir. 1998)

*Branch v. United States*, 69 F 3d 1571 (Fed. Cir. 1995), cert. denied 117 S. Ct 55 (1996)

*Lucas v. Federal Reserve Bank of Richmond*, 59 F 2d 617 at 621 (4th Cir. 1932)

*Huntington Towers Ltd v. Franklin National Bank*, 559 F 2d 863 (2nd Cir. 1977), cert. denied, 434 US 1012 (1978)

(d) Commonwealth countries

Many Commonwealth countries (e.g. Australia, New Zealand, Canada) cite cases in much the same way as in the UK, and so the comments on UK case law above will apply.

(e) Other countries

For other countries, use a style of citation of cases that is common in the particular country, and be consistent in using that style.