

Education Drop-in Centre

Referencing Technique for Law Students (at the University of Glamorgan)

Why do you need to reference?

There are many reasons why you need to reference your work:

- Referencing will enable the reader to check your information and find out more about the subject, if they wish to.
- You also need to credit other authors, and acknowledge their contribution to your own work.
- If your work is being formally assessed then demonstrating that you have read widely around the issue will help to gain marks.
- And importantly, you must avoid plagiarism; that is passing off the work of someone else as your own. The penalties for plagiarism can be very serious and are clearly set out in the University handbook.

The information given below outlines law school referencing policy; You **MUST** follow these recommendations to avoid losing marks.

How to reference correctly

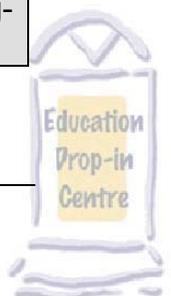
You might come across several referencing styles during your studies. However, you must use the numerical system for all assignments submitted to the law department.

Numerical Referencing

This system involves inserting numbers into the text that refer the reader to a numerical sequence of references contained in footnotes positioned either at the bottom of the page on which the text appears or at the end of the work/chapter. The advantage of this is that the flow of the text is maintained. The first reference to any work must always give the same full bibliographic details as given in a bibliography [see below]. After this certain abbreviations may be used. The way in which the reference appears in the footnotes is very similar to the method outlined in the section dealing with bibliographies [below] except that the author's initials always appear **before** the surname:

The dualist tradition of the UK, in terms of international law, has imposed a long-standing reluctance to incorporate the ECHR into our legislation¹.

¹ S. Nash., M. Furse, 1998. "Protecting Human Rights: The Incoming Tide". *Journal of Criminal Law* 62(2) p172



What should you reference?

Any work by other authors that you refer to in your own work must be referenced. This includes both the use of direct quotation (see below) and instances when you use the ideas of other authors, **even if you have changed the wording.**

You need to reference work taken from relevant textbooks, journal articles, newspapers, government publications, the Internet, and any other sources, including secondary sources [see below] that you use. The format for inserting references is indicated below and in the section on bibliographies.

Limiting footnotes

Very often when writing you will find that you refer to the same author and piece of work more than once. If this is the case then there are a number of abbreviations that can be used. The choice is yours but remember to be consistent, choose either *ibid./op. cit.* or *above/below*. Abbreviations are always in lower case followed by a full stop. Some of those most commonly used are listed here:

- ibid.* (short for *ibidem*, meaning 'in the same place') refers to the same source as the **immediately** preceding footnote.
- op.cit.* (short for *opere citato*, meaning 'in the work cited') refers to a source that has already been cited but **NOT** in the previous note
- above.* permits reference to an authority already cited without having to repeat the whole reference. You must give the number of the footnote in which the reference previously appeared e.g. see S. Nash, M. Furse n.1
- below.* this is similar to *above* but refers to an authority yet to be cited



Below is a footnoted extract from an essay:

ABCUL announced on 8 October 2001 that members of Camberwell credit Union were able to access their savings and services from Southwark Credit Union.⁸⁷ Shaun Spiers, the chief Executive Officer of ABCUL said:

*I am very pleased that this transfer has been completed, and delighted that ex-Camberwell members will again have full access to credit services...I am delighted that the movement has demonstrated solidarity and self-reliance*⁸⁸

The Rt. Hon. Harriet Harman M. P. took the view that if Camberwell Credit Union had gone under it would have been a devastating blow to policyholders and also to the local community. She added that it would have had a potentially disastrous impact upon the credit union movement in Great Britain and that *we faced the prospect of people up and down the country taking their money out.*⁸⁹ However this excellent new law designed to strengthen credit unions will bring their members under the same umbrella as banks, protecting savers from any future collapse, thus assisting the development of the credit union movement in Great Britain. Consultation paper 94 outlined the proposed arrangements regarding complaints made by members of a credit union and how they were to be treated. Under the proposals each credit union must have in place an efficient complaint handling system and where the complainant is not satisfied with the way in which the matter has been dealt, the credit union must refer the matter to the Ombudsman scheme.⁹⁰ it is submitted that membership of the Ombudsman scheme amounts to clear evidence of the FSA attempting to meet their statutory objectives under the Financial Services and Markets Act 2000.⁹¹

⁸⁷ABCUL Press Release, FSA/PN/059/2001, 'Compensation Scheme for Credit Union Members'

⁸⁸ibid.

⁸⁹*The Guardian*, 'Donations Save Credit Union', 24 August 2001.

⁹⁰ibid.

⁹¹op. cit., note 81



Book references/bibliographies

At the end of your work you should give references to **all sources** used in your research. Do not see this as an opportunity to demonstrate that you have read vast quantities of material - **be honest and keep it relevant to the work produced**. You should order your reference by Author, Date, Title, Edition, Place and Publisher. This information should be taken from the title page and NOT from the book cover. Your list should be alphabetical by author surname (the surname should appear before the initials) and should be subdivided into separate lists for book references, journal articles, electronic sources etc. Your references should always appear in the format given below:

Single author:

Freeman, M.D.A., 2001. *Lloyds Introduction to Jurisprudence*. 7th ed. London: Sweet & Maxwell

Multiple authors - 3 or fewer:

Maguire, M., Morgan, R., and Reiner, R., 1997. *The Oxford Handbook of Criminology*. Oxford: Clarendon Press

Multiple authors - 4 or more:

Here you should use the name of the first author only. The others are signified by the phrase *et al.*:

Wilson, W.A., *et al* 1995. *Gloag and Henderson: The Law of Scotland*. Edinburgh: W Green

Editors

Sometimes a book will have an editor rather than a single author:

Foster, N.G., ed., 2001. *Blackstone's EC Legislation* 12th ed. London: Blackstone Press Ltd.

References to material taken from edited works

You may need to refer to material taken from an edited work:

Pollak, O., 1950. 'The Criminality of Women'. In Doherty, M., ed., 1998, *Criminology*. London: Old Bailey Press.



Journal Articles

This is similar to the referencing of books. It should be sequenced as follows: Author, date, "article title", *journal title*, volume and (part), page(s):

McKeever, G., 1999. "Fighting Fraud: An evaluation of the government's social security fraud strategy". *Journal of Social Welfare and Family Law* 21(4) pp357-371

Problem areas

There are several areas that commonly confuse students. Some of these are dealt with below:

Sources without authors and/or full publication details

Sometimes a source that you use will have no identifiable author. This is likely to be the case when referring to government publications for example. In this instance you should refer to the organisation responsible for producing the information. For example:

Secretary of State for the Home Department. 1997. *Rights Brought Home: The Human Rights Bill*. Cm. 3782. The Stationery Office

If there is no identifiable organisation then you should use the abbreviation Anon. (anonymous). All references to work that has no identifiable author should be grouped together at the start of your bibliography. Sometimes no date of publication will be given. If this is the case then use the abbreviation n.d. (no date) in brackets at the point where the date would normally appear.

Referencing newspapers

Where the article has a title and an author the reference will appear as follows:

Toynbee, P. 2003. 'Sexual Dealing'. *The Guardian*. 9th May. P23

Where there is no author or title given the reference will look like this:

Anon. 2003. *The Guardian*. 9th May. P3



Referencing television programmes, films and videos

To reference a film or a video you should detail the title, date, place of production, production company, format and running time:

Into the Arms of Strangers: Stories of Kindertransport. 2001. Los Angeles. Warner Bros. VHS. 90 minutes.

A television programme will be referenced as below:

Rough Justice: If the Cap Fits. 2002. London. BBC. 6th January.

Referencing an Internet source

This is a relatively new source of information and as such standards of referencing are still evolving. Use your common sense and bear in mind that you need to give enough information to enable the reader to check your source. Simply to refer, for instance, to 'Google' or 'Yahoo!' will not be adequate.

As general guide you should list, where possible, the following: author, date document created, publication title, web address and the date on which the site was visited.

Bradney, A., 2002. Accountability, the Law School and the Death of Socrates. *Web Journal of Current Legal Issues*. <http://webjcli.ncl.ac.uk/2002/issue1/bradney1.html> (visited 09.03.02)

Referencing cases and statutes

When referencing and quoting from cases and statutes you should always refer to the primary source. Do not be tempted to include a version contained within a textbook or journal article.

Cases

When citing a case the full citation should be given and the case either underlined or italicised: e.g. R v Jackson [1999] 1 All ER 572. This citation tells the reader the name of the case and its year. Where [] brackets are used this indicates that the case was *reported* in this year; where () brackets are used this indicates that the case was *heard* in this year. The reference then directs us to the volume (1), the relevant law report (All England Law Reports) and the page number. You may wish to include only



the name of the case in your text, in which case the remainder of the information can be footnoted. If quoting from the judgement the name of the judge should be given first and should be followed by the page number and paragraph at which it appears. Again this may be footnoted e.g:

'But the verdict of the second jury does not become unsafe because it was unfair for

Statutes

When you initially refer to a statute you should give the full title e.g. House of Lords Act 1999 (HLA) Subsequent references to the Act can be abbreviated as long as you have indicated this in brackets on the first occasion. You will very often need to refer to specific sections of an Act. This can be done in one of several ways: s2House of Lords Act. Alternatively you can name the act and refer to the section in footnotes: e.g:

House of Lords Act².

Sections of an Act are frequently divided into subsections. If you are referring to a subsection this is added in brackets after the main section e.g. s2(2)House of Lords Act 1999.

Using quotes

Using direct quotation can be a very effective way of illustrating a particular point that you wish to make. You should however avoid falling into the trap of turning your work into a chain of quotes. It is impossible for the reader to assess whether you have understood what you have read unless you use your own words. As a general guide quotes should not make up more than 10% of your work.

Whenever you use the exact words of an author you should use quotation marks to indicate this. Generally speaking you should use single quotation marks, although if you are using a quote within a quote this should be distinguished by the use of double marks.

If your quotation is short, three lines or less, then it should be encompassed within the body of your text. Long quotations of more than three lines should be set apart from the main text, indented, single line spaced and perhaps italicised. If you italicise your text it is not necessary to use quotation marks:

¹ Rose, L.J. R v Jackson [1999] 1 All ER 572 at 574d

² s2



no one would dispute that people ought not to go hungry, cold, homeless, or sick ...[but] it is not always their government's fault, nor is their government always in a position to do anything about it. Many countries are still just desperately poor: in natural resources, human skills, available capital, and the organising and managerial capacities that would be needed to put these things usefully together, even if they were all there¹.

Sometimes you may wish to shorten a direct quote that you are using, to save space or maybe to omit some irrelevant information. You can do this, by inserting ... as shown above.

Secondary referencing

In some cases you may wish to quote a piece of work that has been referred to in something you have read. This is called secondary referencing, as you have not read the original piece of work. You are relying on the author whose work you have read to give a fair reflection of the contents of the original work. Wherever possible it is important to read the original work but this may prove difficult in some instances.

Nevertheless, if you still have to refer to it, your text must make it clear that you have not read the original but are referring to it from a secondary source, e.g:

Thus, large numbers of suspects are released from detention with no further action being

In your footnotes, and in the list of references at the end of your work you should only include the reference where you read about the original work. You cannot include details about the original study as you have not read it.

¹ P. Sieghart., 1985. *The Lawful Rights of Mankind: An introduction to the international code of human rights*. Oxford. Oxford University Press. P118

² M. McConville, A. Sanders & R. Leng. 1991. *The Case for the Prosecution*. London Routledge. Cited in A. Sanders & R. Young. 2000. *Criminal Justice*. London Butterworths p326.



Bibliography

Bradney et al. 2000. *How to Study Law*. 4th Ed. London. Sweet and Maxwell

Costigan, R., Power, H. 1996. *Legal Writing: Coursework*. Universities of Swansea and Glamorgan

Fisher, D., Hanstock, T. 1998. *Citing References*. Nottingham. Nottingham Trent University

Germov, J. 2000. *Get Great Marks for your Essays*. 2nd Ed. London. Allen & Unwin.

Ryder, N. 2002. 'The Financial Services Authority and Credit Unions: The Final Piece of the Jigsaw?' *Nott. L. J.* 11 (2) p.p. 28-29

Electronic sources

Anon. 1996. Vancouver Referencing.

<http://lisweb.curtin.edu.au/guides/handouts/vancouver.html> (visited 05.03.02)

Anon. 2001. *Stylus: A guide to the writing and presentation of undergraduate legal essays in the law school*.

<http://www.law.strath.ac.uk/resource/Stylus%20Editsept2001D.pdf> (visited 05.01.02)

Anon. 2001 *Harvard System*

http://www.bournemouth.ac.uk/using_the_library/html/harvard_system.html

(visited on 05.09.01)

