OSCOLA REFERENCING

Introduction to OSCOLA

OSCOLA is a referencing style published by the The Oxford Standard for Citation of Legal Authorities.

OSCOLA is a numerical footnoted referencing style. It uses footnotes for citations in the body of writing which are identified by a superscript number, usually at the end of a sentence after the full stop.

Example:
Cowan contends that there has been an erosion of human rights.¹

The numbers in the text correspond with the footnotes. The full reference is written in the footnote at the bottom of the page and the footnote is always closed with a full-stop.

Example:

OSCOLA was developed as a broad set of conventions rather than a definitive style guide. As a result, authors can differ in their use of it. Therefore, students should remember to be consistent with their use of initials or full names, punctuation, and capitalization. OSCOLA uses limited punctuation. A central aim of OSCOLA is clarity for the reader.

Subsequently, no specific guidelines exist for compiling a bibliography. However, to achieve greater clarity is can be useful to present the materials in three distinct sections: a table of cases; a table of legislation and a list of secondary sources.

Pinpointing

Pinpointing is when you wish to cite a specific page within a source. You include this page number at the end of the reference.

Pinpoints must be provided for any direct quotations. It is also good practice to use them when citing long documents to provide clarity for the reader.

Example:
To pinpoint page 46 of a case report that runs from pages 25-57:

Further references to the same source

The first time you cite a source, full details should be given. Subsequent references to the same source can then be abbreviated by briefly identifying the source and providing a cross-reference in brackets to the footnote that contains the full citation.

The Latin term ibid means “in the same place”. If two or more consecutive references are
from the same source, then they are cited using ibid.

Example:
1 Robert Stevens, Torts and Rights (OUP, Oxford 2007).

... 
6 Stevens, Torts... (n 1) 110.
7 ibid 271-78.

Author names
In footnotes the author name(s) should be in the format FORENAME/INITIAL then SURNAME.

Example:
Tim Crawford, Citing Academic Sources (Hart, London 2016).

Or

T Crawford, Citing Academic Sources (Hart, London 2016).
In the **bibliography** this is reversed to: SURNAME then INITIAL(S).

*Example:*
Crawford T, *Citing Academic Sources* (Hart, London 2016)

**More than 3 authors**

For sources with multiple authors. In footnotes write the first author’s name followed by “and others”.

*Example:*

In the bibliography list all of the authors.


**Including quotations**

**Short quotations**

Up to three lines:

- Include as part of the main text
- Use single quotation marks

*Example:*
Charles Rennie Mackintosh is one of the most influential Scottish architects. Mackintosh’s Glasgow School of Art ‘heralded the birth of a new style in 20th century European Architecture’.  

**Long quotations**

**Greater than 3 lines:**

- Start on separate line
- Indent
- No quotation marks

If you refer to a quotation within a quotation then use double quotation marks use [...] to signify omission of words from the quotation

*Example:*
Charles Dickens’ novel Bleak House opens with the following description to set the scene for his story:

London [...] Implacable November weather. As much mud in the streets as if the water had but newly retired from the face of the earth, and it would not be
wonderful to meet a Megalosaurus, forty feet long or so, waddling like an elephantine lizard up Holborn Hill.²

How to reference a...

Case

Cases are made up for 3 main parts: the parties, the neutral citation and the law report.

The neutral citation system began in 2001 to digitize case records. All cases since 2001 should have a neutral citation. Cases from before 2001 will only display the law report and put the initials of the court the case was heard in in round brackets.

Order
- Party names (in *italics*)
- Neutral citation:
  - [Year] in square brackets
  - Court were the case was heard
  - Division of the court
  - Unique serial number
- Law report:
  - [Year] in square brackets
  - Volume number
  - Report series
  - First page number of the report
  - (if pre-2001) the initials of the Court the case was heard in in round brackets

Example:
*R (Haw) v Secretary of State for the Home Department* [2006] EWCA Civ 532, [2006] QB 780
*R v Human Fertilisation and Embryology Authority, ex p Blood* [1997] 2 All ER 687 (CA)

Legislation

Order
- Short Title of Act
- Year
- Section
- (Subsection) in round brackets
- (Paragraph) in round brackets

Example:
Human Rights Act 1998 s 15(1)(b)

EU Legislation

The numbering of EU legislation changed on 1 January 2015. Using the new approach, EU legislation bears a unique, sequential number.
Before 1 January 2015
Order
• Type of legislation
• (EC) in round brackets
• Number and title
• [Year] in square brackets
• Details of publication

Example:

After 1 January 2015
Order
• Type of legislation
• (body) in round brackets
• Number YYYY/no and title
• [Year] in square brackets
• Details of publication

Example

EU Cases
OSCOLA has not yet be changed to include the European Case Law Identifier (ECLI). The advice given in the meantime to those who want to use the ECLI when citing cases from the CJEU is as follows:

Treat it like a neutral citation, adding it after the case name and before the report citation

Example:

For unreported cases, cite the ECLI instead of the OJ notice or the Court and date (as previous conventions).

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

Book
Order
• Author initial(s) or forename followed by surname
• Title in italics
• (Edition, Publisher, Place Year) in round brackets
• Page(s)

Example:

**Chapter in a book**

Order

• Author initial(s) or firstname followed by surname
• Title of chapter in single quotation marks
• In
• Editor(s) (eds)
• Book title in *italics*
• (Edition, Publisher, Place Year) in round brackets

Example:

**Ebooks**

If the ebook has the same page numbers as the printed book, cite the book as the printed version.

If the ebook has no page numbers, follow the normal book citation form, including the ebook type/addition before the publisher.

For pinpoints in an ebook with no page numbers, provide chapter of section number (or name if not numbered) and subsection or paragraph number if provided.

Example

W Lucy, *Philosophy of Private Law* (Kindle edn, OUP 2007) ch1, text above n 16.

**Journal article**

• Order
• Author initial(s) or firstname followed by surname
• Title of article in single quotation marks
• [Year] in square brackets
• Acronym for journal title
• First page
• Pinpointed page

Example:
Paul Craig, ‘Constitutional Foundations, the Rule of Law and Supremacy’ [2003] PL 92, 96

**Electronic journal article**

Order

• Author initial(s) or firstname followed by surname
• Title of article in single quotation marks
• [Year] in square brackets
• Volume number issue (series)
• Acronym for journal title
• <URL>
• Date accessed

Example:
Conference paper
Order
• Author initial(s) or firstname followed by surname
• Title of paper in single quotation marks
• (Conference Name, Place, Date) in round brackets
Example:

Newspaper article
Order
• Author initial(s) or firstname followed by surname
• Title of article in single quotation marks
• Title of newspaper in italics
• (Place, Date) in round brackets
• Page number
Example:
Simon Cunningham, ‘Custody Death Raises Questions’ The Irish News (Belfast, 15 June 2011) 18

Website
Order
• Author initial(s) or firstname followed by surname
• Title in single quotation marks
• Type of document and Year
• <URL>
• Date accessed
Example:

Other secondary sources (general principles to follow)
If a source has an ISBN, cite it like a book. If it does not have an ISBN, put the title in roman and within single quotation marks, as for journal articles.

Order
• Author
• ‘title’
• (additional information, Publisher
• Year)

Additional information includes a document description, date of adoption, and any
information that may help the reader locate the source.

Podcasts, YouTube, etc

Following the general principles for secondary sources (above), the following form is suggested for citing podcasts, YouTube videos and similar sources:

Order

- Author
- ‘Title’
- (publication date)
- <url>
- Accessed xx month yyyy

If no clear author, give the organization providing the source as the author.

Examples


To pinpoint the comments of a particular person, add that information before the url. Include the person’s position if relevant.

Example


A source cited in a secondary source

It is best to find the original source and cite it. If this is not possible, cite the source as cited in the secondary source then in brackets put ‘as cited in’ then cite the secondary source including the page number.

Example:

Bibliography

Format

- The bibliography may be divided into sections, for example legislation, cases, books, journal articles, websites etc.
- Each section should be arranged in alphabetical order by author’s surname.
• The surname comes first, followed by initial(s).
• No comma is required until after the final initial.
• Note that forenames are not used.
• If citing several works by the same author, cite in chronological order starting with the oldest.

For more information, please download the OSCOLA guide from
http://www.law.ox.ac.uk/published/OSCOLA_4th_edn.pdf