

**LA TROBE LAW**



**Short Guide to**

**Citing the Law**

**2<sup>nd</sup> edition**

**La Trobe Law Short Guide No. 3**

## ***Contents***

- 1. Introduction**
- 2. What is Legal Citation?**
- 3. Why Cite?**
- 4. Why have a Standard Form of Legal Citation?**
- 5. The Australian Guide to Legal Citation**
- 6. When Should I Follow the AGLC?**
- 7. Summary of the AGLC**
  - A. Footnotes and Bibliographies**
  - B. Case Law**
  - C. Legislation**
  - D. Journal Articles**
  - E. Books**
  - F. Internet Materials**
  - G. Parliamentary Debates (Hansard)**
  - H. Newspaper Articles**
  - I. Looseleaf Services**
  - J. Conference Papers**
  - K. Treaties**
  - L. Citing Quoted Material**

## **1. Introduction**

This *Short Guide to Citing the Law* has been written for La Trobe University law students. It explains what legal citation is, why it is important, and how to do it. In pursuit of that last task, it provides a brief summary of the key parts of the *Australian Guide to Legal Citation* (2<sup>nd</sup> ed, 2002), which is the style guide preferred by the La Trobe University Law School.

This second edition of the *Short Guide to Citing the Law* expands the range of materials covered in the first edition.

Students may find it useful to read this Short Guide in conjunction with the La Trobe Law *Short Guide to Finding the Law*.

## **2. What is Legal Citation?**

Legal citation is the method lawyers use to refer to the various materials used in their writing. (Of course, legal citation is also used in lawyers' oral presentations, e.g. in presenting arguments in court, and much the same general principles apply there. But we shall here take written legal citation as our main subject matter.)

The kinds of materials that lawyers use range widely, but they can be grouped into two basic types: primary sources and secondary sources. *Primary sources* are those which constitute 'the law' — cases decided by the courts and legislation made by parliament. *Secondary sources* are all the other materials lawyers might use — ranging from books and journal articles to newspaper reports, parliamentary debates and government reports.

Good legal citation will identify for the reader just what material is being discussed or used by the writer. It is essential for lawyers and law students to do this properly. Fortunately, it is a simple and easy-to-learn skill.

## **3. Why Cite?**

There are two main reasons why legal citation is important.

### ***To make things easier to find***

First, it enables readers to find for themselves the legal materials used by the writer. In professional and academic writing this is not merely generosity to the reader. Rather, it is an essential part of the co-operative enterprise that is legal and academic work, in which it is to be expected that your readers (who may include judges, other professionals, or fellow researchers) will not just read your words and accept them but will themselves look up the materials you cite as part of their own pursuit of the subject matter. This is particularly so in relation to primary legal sources such as cases and legislation.

To give your reader inadequate citation that prevents them from retrieving the relevant information efficiently — or perhaps at all — is a basic professional and academic vice. If it happens in professional contexts such as submissions to a court or negotiations with other lawyers, you can expect the judges and your colleagues to judge your professionalism poorly.

So, though some of the citation rules that follow may seem a little fussy (for example, when round brackets or square brackets should be used), rest assured that they all have a role in making the task of finding the material simple and straightforward. You will quickly come to appreciate the importance of getting your square and round brackets right, once you've spent 20 minutes in a pointless search for a non-existent case because the reference given to you put the year in square and not round brackets.

### ***To avoid plagiarism***

The second main reason why legal citation is important is that proper citation protects the writer from charges of *plagiarism*. La Trobe University's *Policy on Academic Misconduct* defines plagiarism as 'the reproducing of someone else's words, ideas or findings and presenting them as one's own without proper acknowledgment'.<sup>1</sup> If you fail to adequately acknowledge your use of another's work, you run the risk of being accused of plagiarism. The consequences of plagiarism — in both academic and professional contexts — can be severe. Students should familiarise themselves with the La Trobe University policy on plagiarism, which can be found at [<https://www.latrobe.edu.au/policies/>](https://www.latrobe.edu.au/policies/).

The La Trobe Law *Short Guide to Avoiding Plagiarism and Inadequate Referencing* gives you more information and practical advice on avoiding plagiarism.

## **4. Why have a Standard Form of Legal Citation?**

For legal citation to convey information effectively, the method or style of citation must be readily understood by the reader. This means that legal citation must follow some recognised convention or system. Many professions and academic disciplines have developed such standard forms of citation. However, there is as yet no single, universal system of legal citation in Australia. There are several recognised conventions in use in the journals and law reports, though they all convey much the same information.

## **5. The Australian Guide to Legal Citation**

One citation style that has become widely used in Australia — especially in academic legal writing — is the *Australian Guide to Legal Citation* (2<sup>nd</sup> ed, 2002) ('AGLC'). This guide originated as the style guide for the *Melbourne University Law Review*, and has now been adopted by over 20 legal journals in Australia. It has also been endorsed by C. Cook et al., *Laying Down the Law* (6<sup>th</sup> ed, 2005), which is the text

---

<sup>1</sup> La Trobe University, *Academic Misconduct Policy*, 2, La Trobe University [<https://www.latrobe.edu.au/policies/>](https://www.latrobe.edu.au/policies/) at 23 February 2007.

used in La Trobe Law's first year unit Legal Institutions and Methods and in many law schools across Australia. The AGLC has the best claim to being the most commonly used legal citation style in the country.

The La Trobe University Law School has adopted the AGLC as the preferred guide to legal citation for its students.

The AGLC is available from the *Melbourne University Law Review* website in PDF format. It can be downloaded for viewing but cannot be printed. Print copies are available for purchase (currently \$11 a copy) from the Melbourne University Law Review Association. For either format go to <http://mulr.law.unimelb.edu.au/aglc.asp>.

## **6. When Should I Follow the AGLC?**

Law students should follow the AGLC in their essays, assignments, honours theses, and similar work, i.e. work that is written in the students' own time and not in a traditional sit-down examination.

Please note, however, that unit co-ordinators in Law School may well vary the citation requirements for their particular units or for specific pieces of assessment within a unit. For example, an abbreviated form of reference may be permitted for a unit's main textbook. Unless you are told otherwise, though, you should treat the AGLC as the 'default' legal citation guide.

In examinations, the citation requirements are usually relaxed because of the other constraints students are writing under. For example, in many examinations abbreviated citation of cases and legislation and other materials may be permitted. Again, consult the relevant unit co-ordinator as to the requirements for particular units.

## **7. Summary of the AGLC**

Students should access and consult the AGLC for themselves, either in print or online. At over 150 pages, the AGLC is not a short document. However, its essentials are fairly easy to grasp. (Indeed, much of its length is due to the clear format and useful examples.) The very last two pages of the AGLC also provides a handy 'Quick Reference', which gives examples of the main kinds of legal citation.

Below, we present a summary of the AGLC on the main aspects of legal citation, covering how to cite:

- case law;
- legislation;
- journal articles;
- books;
- Internet materials;
- parliamentary debates (Hansard);
- newspaper articles;

- looseleaf services;
- conference papers;
- treaties; and
- quoted material.

There is, of course, a wide range of other types of material that you may cite in your work. You will need to refer to the AGLC for guidance on how to cite other materials.

We stress that this summary is not meant to be a substitute for students consulting the AGLC. It simply supplements it by giving a brief overview of its main features. You should consult the original and become familiar with it. Where appropriate, the summary below refers to the relevant AGLC rule (e.g. 'AGLC rule 2.1') to assist you.

### ***Further references***

You may also like to consult the La Trobe online summary of the AGLC, available via the La Trobe University Library's Subject Resources page for Law, at <http://www.lib.latrobe.edu.au/help/subject-res/law/aglc/index.html>.

Also, *Laying Down the Law* (6<sup>th</sup> ed, 2005), ch 17, presents advice on citation that is broadly consistent with the AGLC, so La Trobe University law students may also find that source helpful.

## **A. Footnotes and Bibliographies**

### **Footnotes**

- See AGLC rules 1.1 and 1.2.
- Use footnotes for citations.
- Do not use endnotes, or insert citation details in the text in parentheses.
- Within the footnotes, use 'Ibid' (meaning 'the same') if the source and pinpoint reference in the immediately preceding footnote is the same source and pinpoint being cited in the current footnote. (The 'pinpoint' is the particular page, paragraph, chapter, etc that you refer to.) If the source is the same but the pinpoint reference differs, put 'Ibid' and then the relevant new pinpoint reference.
- Do not use 'id', 'op cit', etc.
- If the source being cited has been previously cited, but not in the immediately preceding footnote, use the author's surname and 'above' to refer to that previous citation, e.g. 'Smith, above n 6'.
- When referring to a subsequent passage or footnote, use 'below'.
- Do not use 'supra' and 'infra'.
- Put a full stop at the end of each footnote.

<b>Examples</b>	<p><sup>3</sup> P S Atiyah, <i>The Damages Lottery</i> (1997) 27.</p> <p><sup>4</sup> Ibid.</p> <p><sup>5</sup> Ibid 188–9.</p> <p><sup>6</sup> Ronald Dworkin, <i>Law's Empire</i> (1986) ch 6.</p> <p><sup>7</sup> Atiyah, above n 3, 15.</p> <p><sup>8</sup> See section IV below.</p> <p><sup>9</sup> For subsequent cases on this issue, see below n 20.</p>
-----------------	---

## **Bibliographies**

- See AGLC rule 1.15.
- A bibliography appears at the end of a piece of written work and lists all the material used or relied upon in producing that work, whether cited in the footnotes or not. Note that a shorter form of bibliography lists only the materials actually cited in the footnotes. This short form of bibliography is sometimes called a 'list of references'.
- If a bibliography is used, group items in alphabetical order, under the following headings (where applicable):
  1. Articles / Books / Reports
  2. Case Law
  3. Legislation
  4. Treaties
  5. Other Sources
- Consult with the relevant unit co-ordinator as to whether a bibliography is required for particular pieces of assessment in a unit. Honours theses require a bibliography. If in doubt, err on the side of including a bibliography.
- For articles and books, include the information that is included in footnotes (see below), except that (i) the author's surname should appear first, followed by a comma and then the author's first name or initial, and (ii) pinpoint references should not appear.

<b>Examples</b>	<p>Atiyah, P S, <i>The Damages Lottery</i> (1997).</p> <p>Dworkin, Ronald, <i>Law's Empire</i> (1986).</p>
-----------------	--

## B. Case Law

### Reported Cases

- See AGLC rule 2.
- The details which must be included are:
  - *Case name* — Cite only the first plaintiff and defendant. Use italics for the names of the parties.
  - *Year* — If the year is not an essential part of the citation of the relevant law report (i.e. the reports are organised by volume number), put the year the case was decided in parentheses ( ). If the volumes of the law report are organised by year, put the relevant year in square brackets [ ]. Note that some reports have changed from one system to the other. For example, for volumes of the Victorian Reports prior to the year 2000, put the year in square brackets; from 2000 onwards use round brackets.
  - *Volume number* — As noted, many reports are organised by volume number. However, even where a law report series is organised by year, some years may have two or more volumes per year. For example, [1996] 2 VR is the second volume of the Victorian Reports for the year 1996.
  - *Report series* — Use the abbreviation for name of the report series, not the full title.
  - *Page* — Put the page at which the case report begins.
  - *Pinpoint* — Use this when you are referring to a specific page of the reported decision. If identifying the particular judge being cited, put their name in round brackets after the pinpoint.

<b>Examples</b>	<i>R v Faithfull</i> (2004) 142 A Crim R 554, 558. <i>Cream Holdings Ltd v Banerjee</i> [2005] 1 AC 253, 255. <i>La Trobe University v Robinson and Pola</i> [1972] VR 883. <i>R v Taudevin</i> [1996] 2 VR 402, 405 (Callaway JA). <i>R v Portelli</i> (2004) 10 VR 259, 268.
-----------------	--

### Unreported Cases

- See AGLC rule 2.10
- Always check (using CaseBase or FirstPoint) to see if the case has been reported. If a reported version is available, use the reported version in preference to the unreported decision. If it is reported in an authorised series,

use the authorised reports (for example: Commonwealth Law Reports, Federal Court Reports, Victorian Reports).

***Medium neutral citation***

- If the decision is not reported, use the medium neutral citation, if it is available. Medium neutral citations were introduced by the courts in the 1990's so that any judgment could be referred to, using a uniform style, no matter what medium it appears in. Most earlier cases do not have medium neutral citations. An exception is the High Court of Australia — all of its reported decisions going back to 1903 have now been given medium neutral citations.
- If the unreported decision was found on an electronic database, do not cite the database. (The same unreported decisions can often be found on different databases, e.g., on AustLII, LexisNexis and Westlaw.) The medium neutral citation is sufficient.
- The details which must be included are:
  - *Case name* — Put in italics.
  - *Year* — Put in square brackets.
  - *Unique court identifier* — Use 'VSC' for decisions from the Victorian Supreme Court, 'VSCA' for decisions from the Victorian Supreme Court, Court of Appeal, 'HCA' for the High Court of Australia, etc. (the judgment itself should identify the relevant unique court identifier).
  - *Judgment number* — This will be the judgment number allocated by the court for the relevant year. (In the example below, the judgment is the Victorian Supreme Court's 193<sup>rd</sup> judgment for the year 2005.)
  - *The word 'Unreported', the name(s) of the judge(s), and the judgment date* — Put all of these in the one set of parentheses (round brackets).
  - *Pinpoint* — Refer to the paragraph number of the judgment, not the page number. Use square brackets.

<b>Example</b>	<i>R v Karageorges</i> [2005] VSC 193 (Unreported, Kaye J, 14 June 2005) [22].
----------------	--

***Without medium neutral citation***

- Most unreported cases from before the mid-1990's do not have a medium neutral citation. In that case, you must provide the following details:
  - *Case name* — Put in italics.
  - *The word 'Unreported', the name of the court, the name(s) of the judge(s), and the judgment date* — Use parentheses (round brackets).

- *Pinpoint* — Refer to the page number of the judgment, not the paragraph number.

<b>Example</b>	<i>R v Tompkins</i> (Unreported, Supreme Court of Victoria, Court of Criminal Appeal, Young CJ, Lush and Brooking JJ, 15 August 1978) 23.
----------------	---

## C. Legislation

### Primary legislation

- See AGLC rule 3.1
- For Acts, the details which must be included are
  - *Title of the Act* — Put in italics.
  - *Year* — Put in italics.
  - *Jurisdiction* — Use abbreviation and round brackets.
  - *Pinpoint* — Identify the particular section, paragraph, part, schedule, etc. (See AGLC rule 3.1.4 for the appropriate abbreviations for pinpoint references to primary legislation.)

<b>Examples</b>	<i>Crimes Act 1958</i> (Vic) s 464. <i>Workplace Relations Act 1996</i> (Cth) sch 1A.
-----------------	--

### Delegated legislation

- See AGLC rule 3.2
- Citation of delegated legislation should follow the same style as for primary legislation. (See AGLC rule 3.2.4 for the pinpoint reference abbreviations for delegated legislation.)

<b>Example</b>	<i>Magistrates' Court Civil Procedure Rules 1999</i> (Vic) r 503.
----------------	---

## D. Journal Articles

- See AGLC rule 4.
- The details which must be included in the footnote are:
  - *Author(s)* — Give the first name(s) and family name(s) if known, then comma. If first name(s) not known, use initials.
  - *Title of the article* — Put in single quotation marks.
  - *Year* — Put in round brackets.
  - *Volume of journal* — Most journal are organised by volume number. Where this is not the case and the journal is organised by year, leave out the volume number and put the year in square brackets.
  - *Title of the journal* — Put in italics, in full (in contrast to the use of abbreviated title for law reports, above).
  - *First page of article*
  - *Pinpoint* — Cite the particular page referred to.

<b>Examples</b>	Peter Underwood, 'Is Ms Donoghue's Snail in Mortal Peril?' (2004) 12 <i>Torts Law Journal</i> 39, 41. W Kamba, 'Legal Theory and Hohfeld's Analysis of a Legal Right' [1974] <i>Juridical Review</i> 249.
-----------------	--

- Where a journal restarts the page numbering at page 1 with each issue, it is necessary to include the issue number as well as the volume number, in round brackets immediately after the volume number.

<b>Example</b>	Michaela Ryan, 'According to Merit? : Lives that Should Never Have Been?' (2002) 76(7) <i>Law Institute Journal</i> 44.
----------------	---

- Many journals now appear in print and online versions. If the article is obtained from an online journal or an online source such as LexisNexis AU or Lexis.com, do not give the web address in the citation. Simply cite the journal using the above conventions.

## E. Books

- See AGLC rule 5.
- The details which must be included in the footnote are:
  - *Author(s)* — Give the first name(s) and family name(s) if known. If first name(s) not known, use initials. If there are more than three authors, identify only the first one and then put ‘et al’ (meaning ‘and others’). If it is an edited book, put ‘ed’ or ‘eds’ in round brackets after the names.
  - *Title* — Put in italics. Capitalise all words in the title except articles (‘the’, ‘a’, ‘an’), conjunctions (e.g. ‘and’, ‘but’, etc.) and prepositions (e.g. ‘on’, ‘with’, etc.).
  - *Edition number*— Only if it is not the first edition. Put inside round brackets with year of publication.
  - *Year of publication* — Put round brackets. Do not include the publisher or place of publication.
  - *Pinpoint* — Put particular page or paragraph [in square brackets] or chapter (abbreviated as ‘ch’) as appropriate

<b>Examples</b>	<p><b>Single author:</b></p> <p style="padding-left: 40px;">Christine Gray, <i>International Law and the Use of Force</i> (2000) 21.</p> <p><b>Two authors:</b></p> <p style="padding-left: 40px;">R A Hughes and G W G Leane, <i>Australian Legal Institutions: Principles, Structure and Organisation</i> (1996) ch 9.</p> <p><b>More than three authors:</b></p> <p style="padding-left: 40px;">Catriona Cook et al, <i>Laying Down the Law</i> (6<sup>th</sup> ed, 2005) 292.</p> <p><b>Later edition:</b></p> <p style="padding-left: 40px;">Christine Gray, <i>International Law and the Use of Force</i> (2<sup>nd</sup> ed, 2004).</p> <p><b>Edited book:</b></p> <p style="padding-left: 40px;">Wilfrid Prest and Sharyn Roach Anleu (eds), <i>Litigation: Past and Present</i> (2004).</p>
-----------------	--

- For chapters in an edited book, give the author and title of the chapter (in single quotation marks) as well as the information for the book. (See AGLC rule 5.5.)

<b>Example</b>	T Wright and A Melville, 'Hey but Who's Counting: The Metrics and Politics of Trends in Civil Litigation' in Wilfrid Prest and Sharyn Roach Anleu (eds), <i>Litigation: Past and Present</i> (2004).
----------------	--

## F. Internet Materials

- See AGLC rule 6.14.
- If you have obtained material from the Internet and it is not published in print elsewhere, then it is necessary to cite it in a way that enables to reader to access the material in the same way you did.
- You should cite:
  - *Author* — Same as for articles and books, in section D and E above.
  - *Document title* — Put in italics.
  - *Year* — Provide the year the document was created, if identifiable.
  - *Pinpoint reference* — If you are able to give a pinpoint reference, do so. If the material accessed is a PDF document or similar (and so is a distinct document with its own pages), provide the relevant page number. If the material is simply a webpage in HTML format or similar and has distinct paragraph or section numbers, then use square brackets [ ] to identify the relevant paragraph or section.
  - *Website name* — Provide the name of the website or of the organisation whose website the document appears on.
  - *Uniform resource locator* — Place the URL in pointy brackets < >. You may also like to make the URL a hyperlink in your document
  - *Date of retrieval*— Provide the date you accessed the document.

<b>Examples</b>	<p>Free Speech Victoria, <i>Democracy and Free Speech</i>, Free Speech Victoria &lt;<a href="http://www.fsvonline.org/">http://www.fsvonline.org/</a>&gt; at 23 February 2007</p> <p>Anthony Gifford, <i>The Legal Basis of the Claim for Reparations</i> (1993) [5] Africa Reparations Movement &lt;<a href="http://www.arm.arc.co.uk/legalBasis.html">http://www.arm.arc.co.uk/legalBasis.html</a>&gt; at 18 January 2006.</p> <p>Judicial College of Victoria, <i>Victorian Sentencing Manual</i> (2005) [10.13.2] Judicial College of Victoria &lt;<a href="http://www.justice.vic.gov.au/emanuals/VSM/default.htm">http://www.justice.vic.gov.au/emanuals/VSM/default.htm</a>&gt; at 23 February 2007</p>
-----------------	--

	Victorian Bar, <i>Victorian Bar Legal Assistance Scheme: A Guide to the provision of Legal Assistance under the Scheme</i> , 4, Victorian Bar < <a href="http://www.vicbar.com.au/pdf/VBLAS-Guide.pdf">http://www.vicbar.com.au/pdf/VBLAS-Guide.pdf</a> > at 23 February 2007
--	--

- The first example above is a webpage with no specified individual author, so the name of the organisation whose website it is should be cited as the author. Also that webpage is without paragraphs or section numbers, and so a pinpoint reference other than the URL is not possible. The document itself is undated, so the date of your accessing it is even more important to include.
- The second example is an individually authored document that is online in HTML format, is divided into sections and has an identifiable year date. Therefore, it is possible to cite the individual author (Anthony Gifford), include the date (1993), and give a pinpoint reference to the relevant section (section 5).
- The third example above is an online publication with an institutional rather than individual author. It is divided into numbered sections, and so it is possible to give a pinpoint reference to the section you are citing (section 10.13.2).
- The fourth example above is a PDF document accessed via the URL, and so it is possible to give a pinpoint reference to the page of the PDF document being cited (page 4).
- Though many journals are now available online, if you download an electronic copy of the print version of a journal, you should simply cite the article as you would for the print copy (as described in section D above). You do not need to give the URL of the online version of the journal.
- Similarly, much of the case law and legislation you will use you will access via the Internet. Again, for these legal materials, use the citation style described in sections B and C above, even when you access the material via the Internet. For example, if you access the High Court case of *Lowndes v The Queen* via the online version of the CLR's (say, via FirstPoint), do not give the URL of that website, but just give the citation as in section B above: *Lowndes v The Queen* (1999) 195 CLR 665.
- ***Be warned about using material from the internet.*** A lot of it is unreliable or inappropriate for academic or professional purposes (particularly where it is not subject to an editorial or refereeing process of the kind most printed journals and books undergo). You need to take a critical approach to what you access, why you access it, and what sort of authority you are claiming for it.

## G. Parliamentary Debates (Hansard)

- Hansard is the name given to transcripts of parliamentary proceedings/debates.
- See AGLC rule 6.1.1. For other types of government documents, see rules 6.1.2 – 6.1.7.
- For Parliamentary debates, the details which must be included are:
  - *Jurisdiction* — Not abbreviated
  - *The words ‘Parliamentary Debates’* — Put in italics
  - *Chamber of the House*
    - For Victorian Parliament, either Legislative Council or Legislative Assembly
    - For Commonwealth Parliament, either House of Representatives or Senate
  - *Date* — Date of the passage cited
  - *Page Reference*
  - *Name and position of speaker* — Put in parentheses

<b>Examples</b>	Commonwealth, <i>Parliamentary Debates</i> , House of Representatives, 30 May 1991, 4499 (Robert Tickner, Minister for Aboriginal Affairs).  Victoria, <i>Parliamentary Debates</i> , Legislative Assembly, 1 June 2000, 2144 (John Thwaites, Minister for Health).
-----------------	---

## H. Newspaper Articles

- See AGLC rule 6.2
- The details which must be included in the footnote are:
  - *Author(s) of article*
  - *Title of article* — Use single quotation marks.
  - *Newspaper Title* — Put in italics; include the word ‘The’ in the title of the newspaper if the word ‘The’ appears in the masthead, e.g. ‘The Age’ and ‘Herald-Sun’.
  - *Place of publication* — Put in parentheses.
  - *Date*
  - *Pinpoint*

<b>Examples</b>	<p>Paul Anderson, 'Yours for the Asking: Fantasy Knives Bypass Deadly Weapons Controls', <i>Herald Sun</i> (Melbourne), 12 December 2005, 7.</p> <p>Farrah Tomazin and Jewel Topsfield, 'Doyle Wants Beggars off Streets in Time for Games', <i>The Age</i> (Melbourne), 17 February 2005, 3.</p>
-----------------	---

- If the newspaper article is obtained from an online source such as Factiva do not give the web address in the citation. Simply cite the newspaper article using the above conventions.

## I. Looseleaf Services

- See AGLC rule 6.6
- There are special issues to consider when citing looseleaf services. Because the content of loose-leaf services changes, it is necessary to record the currency of the service being consulted. If you are using the print version you can check on the currency of the paragraph as it is printed on the page. If you are using the online version, this information is not available, so use the date of access instead (see second example below).
- The details which must be included in the footnote are:
  - *Publisher*
  - *Title* — Put in italics
  - *Volume number*
  - *Date* — Give the most recent service number for paragraph, or if using the online version, give the date of access.
  - *Paragraph number* — To create the Paragraph (¶) symbol in Word, go to Insert, then Symbol.

<b>Examples</b>	<p>CCH, <i>Australian and New Zealand Equal Opportunity Law and Practice</i>, vol 1 (at 11-5-00) ¶58-370.</p> <p>CCH, <i>Australian and New Zealand Equal Opportunity Law and Practice</i>, vol 1 (at 1 August 2003) ¶72 273–459.</p>
-----------------	---

## J. Conference Papers

- See AGLC rule 6.9
- The details which must be included in the footnote are:
  - *Author(s)* — Give the first name(s) and family name(s) if known, then comma. If first name(s) not known, use initials.
  - *Title of the paper* — Put in single quotation marks.
  - *Paper presented at [name of conference], [location of conference], [full date]* — Put in parentheses
  - *Pinpoint*
  - *Web address* — if the paper is available online.

<b>Examples</b>	<p>Anil Hargovan, ‘Should Directors Owe an Independent Duty to Consider the Interests of Creditors?’ (Paper presented at the 11th Annual Corporate Law Teachers’ Association Conference, Victoria University, Melbourne, 13 February 2001).</p> <p>Helen Watchirs, ‘The ACT Human Rights Act 2004: A New Scrutiny Challenge’ (Paper presented at the Ninth Australasian and Pacific Conference on Delegated Legislation and Sixth Australasian and Pacific Conference on the Scrutiny of Bills, Canberra, 2 March 2005) 4 &lt;<a href="http://www.parliament.act.gov.au/conferences/scrutiny/watchirs.pdf">http://www.parliament.act.gov.au/conferences/scrutiny/watchirs.pdf</a>&gt;.</p>
-----------------	--

## K. Treaties

- See AGLC rule 7.1
- The details which must be included in the footnote are:
  - *Treaty name* — Put in italics.
  - ‘*opened for signature*’ and date.
  - *Treaty series citation* — for example, United Nations Treaty Series abbreviated to UNTS
  - *Pinpoint*
  - ‘*entered into force*’ and date.

<b>Examples</b>	<p><i>International Covenant on Economic, Social and Cultural Rights</i>, opened for signature 16 December 1966, 999 UNTS 3, art 11 (entered into force 3 January 1976)</p>
-----------------	---

	<p><i>Convention on the Rights of the Child</i>, opened for signature 20 November 1989, 1577 UNTS 3, art 31 (entered into force 2 September 1990).</p>
--	--

## L. Citing Quoted Material

- It is sometimes the case that the material you want to cite is itself quoted in the book or article that you actually have in front of you. For example, you may be reading Smith and see that she quotes a passage from Palam, and it is the quote from Palam that you want to cite in your own work.
- In such cases, you should normally try to get hold of the original text (here Palam) so that you will be able to cite it directly. However, sometimes it is not reasonably feasible to locate the original text, and so you will need to make do with the original text as it has been quoted in the secondary text (here Smith).
- Where this is the case, you should give as full a reference (following AGLC style) to the original text as you can glean from the secondary text, then use the words ‘as cited in’, and then give the normal reference to the secondary text.
- Providing this information allows your reader to know what the original text is that you are citing and to try to obtain it themselves, rather than rely on your second-hand quotation. It is not desirable simply to say ‘Palam, as cited in Smith’ and give proper details of Smith but no further information about Palam.
- You can use ‘ibid’ in the usual way to refer back to previously cited material from which the currently cited material was taken.

<b>Examples</b>	<p><sup>2</sup> Paul Johnson, ‘Was the Palace to Blame?’, <i>New Statesman</i> (London, United Kingdom) 24 January 1964, 113–114, as cited in Jeremy Waldron, <i>The Law</i> (1990) 58.</p> <p><sup>3</sup> Bridget McAsey, ‘A Critical Evaluation of the Koori Court Division of the Victorian Magistrates’ Court’ (2005) 10 <i>Deakin Law Review</i> 654, 663.</p> <p><sup>4</sup> <i>Operating Manual for the Koori Court</i>, as cited in <i>ibid</i> 670.</p>
-----------------	--

- Note that this situation is not expressly covered by a rule in the AGLC. However, the style recommended here is in fact found in examples from the *Melbourne University Law Review*.

*La Trobe Law Short Guide to Citing the Law*

Disclaimer: While the information in this booklet is as accurate as we could make it at the time of production (February 2007), users should confirm its accuracy for themselves, and should not rely on it as their sole source of information and advice.

This second edition of the *Short Guide to Citing the Law* was written by Mr Dennis Warren and Dr Steven Tudor. The first edition (2006) was written by Mr Dennis Warren and Dr Steven Tudor, with assistance from other staff members of La Trobe University's School of Law, including Mr Jeffrey Barnes and Dr Savitri Taylor.

© 2007 School of Law, La Trobe University.