

### At a glance:

Bond University Law School has set the ***Australian Guide to Legal Citation (AGLC)*** as the guide to cite references in assignments and research papers.

For more information see Melbourne University Law Review Association, *Australian Guide to Legal Citation* (3<sup>rd</sup> ed, 2010):

- [K114.K1 AUS 2010](#) (Law Library Reserve Collection)
- <http://www.law.unimelb.edu.au/files/dmfile/FinalOnlinePDF-2012Reprint.pdf> (Free download)

### Footnotes

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rules 1.1-1.3

- Citations to sources referred to or quoted in the text are provided in footnotes
- The first citation to a source should be given in full

### Case Law: Reported Decisions

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rules 2.1-2.6

- **Case Name** – cite only the first plaintiff and defendant, in italics
- **(Year)** in brackets\*
- **Volume**
- **Abbreviation for the report series**
- **Starting Page** – cite the number of the first page of the case report
- **Pinpoint** – a comma and a space should precede specific page references

#### \*Note

Round brackets ( ) are used when the volumes of a law report series are organised by volume number. Square brackets [ ] are used when the volumes are organised by year (i.e., where the report series does not have volume numbers, or where the volume numbering recommences at the start of each year).

#### Format for a reported case citation

**Case Name** ( **Year** ) **Volume** **Law Report Series** **Starting Page**, **Pinpoint**.

#### Examples:

*La Trobe University v Robinson and Pola* [1972] VR 883.

*R v Kenny* [1983] 2 VR 470.

*Trobridge v Hardy* (1955) 94 CLR 147, 148.

## Case Law: Unreported Decisions (medium neutral citation)

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rule 2.8.1

Some unreported decisions have a 'medium neutral' citation, meaning that there is no printed or published report.

Unreported decisions *with* a **medium neutral citation** are cited as follows:

- **Case name** in italics
- **[Year]** in square brackets
- **Unique court identifier** abbreviated
- **Judgment number**
- **(Full judgment date)** in round brackets
- **[Pinpoint]** – paragraph number in square brackets

### Format for a medium neutral case citation

**Case Name** [ **Year** ] **Court Identifier** **Judgment Number** ( **Full Date** ) [ **Pinpoint** ].

#### Example:

*R v Swaffield* [1998] HCA 1 (20 January 1998) [8]-[9].

## Case Law: Unreported Decisions (without medium neutral citation)

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rule 2.8.2

Unreported decisions *without* a medium neutral citation are cited as follows:

- **Case name** in italics
- (Unreported, **Court, Judge(s), full judgment date**) in round brackets
- **Pinpoint**. Paragraph number if available

### Format for a case without a medium neutral citation

**Case Name** ( Unreported, **Court, Judge(s)** ), **Full Judgment Date** ) **Pinpoint**.

#### Example:

*Smith v Jones* (Unreported, Supreme Court of Victoria, Nathan J, 18 March 1994) 56.

## Legislation: Acts

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rules 3.1-3.1.6

- **Short title** or long title if there is no short title; in italics
- **Year** in italics
- **(Jurisdiction)** abbreviated, in round brackets
- **Pinpoint** – if applicable; including an abbreviation and a number

### Format for citing an Act

*Title Year* ( *Jurisdiction Abbreviation* ) *Pinpoint*.

#### Example:

*Trustee Act 1928* (Vic) s 10.

## Journal Articles

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rules 4.1-4.9

- **Author** – include the full name of the author followed by a comma. List the full name of up to three (3) authors\*
- **Article Title** – place the full title in single quotation marks
- **Year** – in brackets\*\*
- **Volume and issue** – issue numbers should appear in parentheses after the volume .
- **Journal title** – use italics for the full name of the journal
- **Starting Page** – cite the number of the first page of the article
- **Pinpoint** – the pinpoint reference is preceded by a comma and space. When the pinpoint reference is in the first page of the article, the page number of the article should be repeated

#### \*Note

Where there are more than three authors, the name of the first author should be included, followed by 'et al'. In a bibliography, the surname of the first author appears first.

#### \*\*Note

If a volume number identifies the journal, place the year in ( ). If the journal is identified by year, place the year in [ ].

### Format for citing a journal article

*Author*, *Article title* ( *Year* ) *Volume* *Journal Title* *Starting Page*, *Pinpoint*.

#### Example:

Sir Anthony Mason, 'A Bill of Rights for Australia?' (1989) 5(2) *Australian Bar Review* 79, 81.

## Books

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rules 5.1-5.6

- **Author** – include the full name (first name first and surname second) followed by a comma. List the full names of up to three (3) authors or editors
- **Title** – main title should be in italics and written in full
- **Publication Details** – includes publisher, edition, year of publication, in parentheses
- **Pinpoint** – the reference is preceded by a space

### \*Note

Where there are more than three authors, the name of the first author should be included, followed by 'et al'. In a bibliography, the surname of the first author appears first.

### Format for a citing a book

[Author], [Title], ([Publication details] ) [Pinpoint].

#### Example:

Malcolm N Shaw, *International Law* (Cambridge University Press, 6<sup>th</sup> ed, 2008) 578.

## Internet Materials

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rule 6.15

- **Author** if apparent from the website
- **Document Title** in italics
- **Full Date** of the last update where available. If not the full date of page creation. If neither date is available, the date should be omitted
- **Website Name** if available. Where the authors name and website title are identical, the website name should be omitted
- **URL** should be included with in angle brackets <>.

### Format for citing internet materials

[Author], [Document Title] ([Full Date] ) [Website Name] < [URL] >.

#### Examples:

John Corcaran, Timor, *Tampa and Technology* (2001) Law Institute of Victoria  
<<http://www.liv.asn.au/news/president/20011129.html>>.

Oxfam International, *Flooding in the Philippines Highlights Urgency of Climate Leadership* (28 September 2009) <<http://www.oxfam.org/en/pressroom/pressreleases>>.

## Legal Encyclopedias Online

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rule 6.3

- **Publisher**
- **Title of Encyclopedia** in italics
- **Volume number** preceded by the abbreviation 'vol'
- **Full Date** of the last update if provided; otherwise the date of retrieval should be included
- **Title Number**
- **Name of Title**
- **Chapter Number**
- **Name of Chapter**
- **Paragraph.**

### Format for citing legal encyclopedias

Publisher, *Title of Encyclopedia*, vol Volume number ( at Full Date ) Title Number Name of Title, Chapter Number Name of Chapter [ Paragraph ].

#### Example:

LexisNexis, *Halsbury's Laws of Australia*, vol 15 (at 25 May 2009) 235 Insurance, '2 General Principles' [235-270].

## Subsequent References

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rules 1.1-1.4

The terms 'ibid' and 'above n' are used to refer to sources previously cited.

'**Ibid**' should be used when a references to the same source are appear in consecutive footnotes. It refers the reader back the footnote immediately preceding.

Where the second footnote refers to a different pinpoint reference in the same source, then 'ibid' should be followed by the new page or paragraph number.

'**Above n**' should be used when two footnotes which refer to the same source are separated by one or more footnotes which refer to other sources.

'Above n' cannot be used for cases, legislation, treaties, UN, GATT, WTO and EU documents and in some other instances.

#### Examples:

- <sup>3</sup> Eric Barendt, *Freedom of Speech* (Oxford University Press, 2<sup>nd</sup> ed, 2005) 163.
- <sup>4</sup> Ibid.
- <sup>5</sup> Ibid 174-5.
- <sup>6</sup> *Defamation Act 2005* (Vic) s 37.
- <sup>7</sup> Ibid s 38.
- <sup>8</sup> Barendt, above n 3, 69.

## Bibliography

*Australian Guide to Legal Citation* 3<sup>rd</sup> ed – rule 1.16

- A bibliography may be added at the end of the assignment or paper when required.
- It should list all sources relied upon (not only those referred to in the text and footnotes).
- In the bibliography a personal author is listed surname first (for works with more than one author, **only the first author's name and surname should be inverted**).
- Pinpoint references are not to be included in bibliographies.
- The bibliography may be divided into sections, e.g.:

*A Articles/Books/Reports*

*B Cases*

*C Legislation*

*D Treaties*

*E Other*