

Updates to OSCOLA 5th edition

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1.2 Subsequent citations and cross-references (page 6)

- Ibid should not be used anymore. Subsequent citations should now follow the same practice as cross-references: ‘In a subsequent citation of a source, briefly identify the source and provide a cross-citation in brackets to the footnote in which the full citation can be found’ (page 6)

¹ [2009] UKHL 5, [2009] AC 564.

² *Austin* (n 1) [34], [39], [43]–[47].

- Subsequent citations for legislation: can use a short form of the legislation in subsequent citations without a cross-citation to the full citation, and without the need to repeat the year

³² Social Action, Responsibility and Heroism Act 2015 (‘SARAH’) s 1.

...

⁴⁰ SARAH, s 2.

⁴¹ SARAH, s 3.

Bibliography

- Introduction of indexing for the Table of Cases and Table of Legislation.

1.6.2 Table of cases (page 11):

- ‘Cases should be listed in alphabetical order of first significant word in the name of the case. For instance, *Re Farquar’s Estate* should be tabled as ‘Farquar’s Estate, Re’. Cases identifying parties by initial only should be listed under the initial. For example, *Re F (mental patient: sterilisation)* becomes ‘F (mental patient: sterilisation), Re’. When listing cases with names such as *R v Smith* in works on criminal law, dispense with the ‘R’ and list the case as ‘Smith’, but if citing such cases in a work primarily concerned with another area of law, list them by their full names, under ‘R’, and also do this when citing judicial review cases in which the Crown is the first-named party’ (page 11).

- ‘Tables of cases must be indexed in order that the reader can locate the pages of the work where the cases are mentioned’ (page 12)

A v Bottrill [2002] UKPC 44, [2003] 1 AC 449	163
AB v South West Water Services Ltd [1993] 2 WLR 507 (CA).....	57, 301
Abacrombie & Co, Re [2008] EWHC 2520 (Ch).....	84
Abbar v Saudi Economic & Development Co (SEDCO) Real Estate Ltd [2013] EWHC 1414 (Ch).....	91
Addis v Gramophone Co Ltd [1909] AC 488 (HL).....	99

1.6.3 Tables of legislation and other tables (page 12):

- ‘A table of legislation should list every statute cited in the work, with the entry for each statute being sub-divided to show where which parts of the statute (sections, subsections and so on) are cited. Statutory instruments should be listed separately, at the end of the list of statutes’.

Carriage by Air Act 1961	93
s 1.....	93
sch 1B, art 29.....	93
Competition Act 1988.....	110
s 36.....	110
Consumer Protection Act 1987.....	24
Consumer Rights Act 2015.....	29
s 47C(1)	29

1.7. Bibliography (page 12):

- Bibliography does not need to be indexed, only the Table of Cases and Table of Legislation.

2.1.5 Courts (pages 19-20)

- Changes to short court abbreviations for cases prior to 2001. Use PC for Privy Council, KBD for King’s Bench Division, QBD for Queen’s Bench Division (previously these were KB and QB).

2.4.9 Assimilated European Union law (page 29)

- Citing EU laws that have become part of UK law following Brexit: ‘When citing direct EU legislation that has been assimilated into UK law pursuant to the European Union (Withdrawal) Act 2018 and the Retained EU Law (Revocation and Reform) Act 2023, differentiate the assimilated UK version by adding the word ‘Assimilated’ before the title of the legislation and replace the OJ reference with a reference to any amending UK statutory instruments. The title of the

assimilated UK version of EU legislation should be provided as it appears in the assimilated UK version.’ Example: Assimilated Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations, as amended by SI 2019/834, reg 10 (‘Rome I Regulation (Assimilated)’).

3 Secondary sources

- 3.1. General principles
 - 3.1.1 Authors’ names (page 33): ‘For website and social media content, the author’s name is their username’
 - 3.1.3 Pinpoints (page 33): ‘Pinpoints to electronic video or audio content, such as YouTube videos or podcasts, should include references to the timestamp of the relevant content where available (see sections 3.7.1–3.7.2). Separate minutes and seconds with a colon. When referring to a timespan, give a range (eg, 14:14–18:30).
 - Example (page 40): UK Supreme Court, ‘Lady Hale’s Valedictory Remarks – 18 December 2019’ (YouTube, 18 December 2019) 42:41–51:17 <<https://perma.cc/7YZV-Y43A>>.
- 3.2.2 Ebooks (page 35): ‘If the ebook provides the same page or paragraph numbers as in the printed publication, cite the ebook as if it was the printed book. If the ebook lacks a printed counterpart, follow the normal book citation form, and include the ebook type/edition before the publisher. If there are no page or paragraph numbers, pinpoint by providing the chapter or section number (or section name, if a number is not provided).’
 - Example: William Lucy, *Philosophy of Private Law* (Kindle edn, OUP 2007) ch 1, text to n 16.
- 3.3 Articles (page 38): journal articles published only electronically do not require <web address> and date accessed
- 3.5 Book reviews (page 38): ‘Book reviews should be cited as if they were journal articles save that the text ‘(book review)’ should be added at the end of the citation. Where the review itself has no title, use the name of the book, which should be placed within inverted commas and not italicised’.
 - Example: Donal Nolan, ‘Enterprise Liability and the Common Law’ (2012) 41 ILJ 370 (book review).

3.7. Other Secondary Sources

- 3.7.1 Websites (page 39): ‘To guard against the risk that a link to a website might cease to be available and/or the website’s content might change, **it is preferable to generate and cite a persistent link** using (for example) Perma.cc rather than the original website address, or a digital object identifier if available. **When citing a persistent link or digital object identifier, it is unnecessary to give the date**

of access, and the latter does not need to be enclosed within angled brackets. If a persistent link or digital object identifier is not available, cite the website page hosting the content and then provide the date of access. **Do not cite pdf files** or other downloaded content.’

- Example 1 for DOI: Maximilian Steinbeis, ‘A European Network of Constitutional Law Blogs’ (*VerfBlog*, 17 March 2015) DOI: 10.17176/20181005-145902-0.
- Example 2 for perma.cc: ‘Westminster Update: Economic Crime Bill, Minister Clarifies New Regulatory Objective’ (*The Law Society*, 4 July 2023) <<https://perma.cc/VXA9-WGB4>>.
- **3.7.1: Social media posts (pages 39-40):** ‘When citing a social media post, provide the time of the post where available and the time zone from which the post is accessed. The username should be cited as it appears on the social media platform. For X (previously known as Twitter) accounts, ‘@’ should be included in the username.’
 - Example 1 for X: @The Criminal Bar (Twitter, 26 June 2023, 9:13pm GMT+1) <<https://perma.cc/HD6K-3GZQ>>.
 - Example 2 for Instagram: aoc (Instagram, 30 June 2023, 1:03am, GMT+4) <https://www.instagram.com/p/CuH0aLrxOFX/?utm_source=ig_web_copy_link&igshid=MzRlODBiNWFlZA==> accessed 21 July 2023.
- **3.7.3 Lectures and speeches (page 40):** ‘When citing lectures and speeches, give the author’s name and the title of the lecture or speech in single inverted commas. The name of the lecture or speech, location and date should then be given in brackets.’
 - Example: Stavros Dimas, ‘Improving Environmental Quality Through Carbon Trading’(Speech at the Carbon Expo Conference, Cologne, 2 May 2007) <<http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/07/265>> accessed 16 July 2023.
- **3.7.6 Theses (page 41):** italicise theses titles (previously they were in inverted commas)
 - Example: Ambika Vadehra, *Exploitative Data Harvesting as an Article 102 TFEU Violation* (MPhil thesis, University of Oxford 2021).
- **3.7.7 Newspaper articles (page 41):** newspaper article citations no longer require the city of publication.
 - Example: Jane Croft, ‘Supreme Court Warns on Quality’ *Financial Times* (1 July 2010) 3.
- **3.7.9 Command papers (page 42):** new inclusion of CP abbreviation for command papers published in 2019-onwards
 - Example: Department for Science, Innovation & Technology, *A Pro-innovation Approach to AI Regulation* (CP 815, 2023) paras 23–25.

- **3.7.13 Generative artificial intelligence (page 44):** ‘When citing generative artificial intelligence outputs, cite the artificial intelligence (eg, ChatGPT) as the author. If you have provided instructions to generate the material, specify those instructions in inverted commas. Give the name of the organisation that developed the artificial intelligence followed by the date on which the material was generated in brackets.’
 - Example: ChatGPT, response to ‘Explain SOAS policy on AI use’, OpenAI (13 April 2026).

4 International sources

- **4.1 Treaties (page 45),** formula is provided: treaty title | (parties’ names, if bilateral or trilateral) | (date of adoption/ signature, date of entry into force) | treaty series identifying information.
 - **4.1.2 Treaty reservations and declarations (page 47):** ‘Cite a declaration or reservation available on the United Nations Treaty Collection (‘UNTC’) by stating the depository, treaty title, location of the information on the treaty page (for example, ‘Declarations and Reservations’) and the submitting State. Cite information contained in an endnote by pinpointing to ‘End Note [number]’
 - Example 1: UNTC Depository, Status of Treaties, ICCPR, Declarations and Reservations, Australia, End Note 14, <<https://perma.cc/UCZ2-7XX3>>.
 - Example 2: Council of Europe, ‘Reservations and Declarations for Treaty No 005 – Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No 005)’ <<https://perma.cc/8W47-G7Z2>>.
 - **4.3.1 International Court of Justice and Permanent Court of Justice (page 51):** updated template for international cases to include phase *and* type of decision, where possible: *case name* | (*parties’ names OR Advisory Opinion*) | (phase) | (type of decision) | [year] | report information | first page
 - Example: *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v UAE)* (Preliminary Objections) (Judgment) [2021] ICJ Rep 71.
 - **4.3.3 International Criminal Court and ad hoc criminal tribunals (page 53):** ICC was not previously included. ‘Cite decisions of the International Criminal Court (‘ICC’) or international(ised) criminal tribunals as follows: *case name* | (type of decision) | case/document number | (date). Case names should consist of the words ‘Prosecutor’ or ‘Co-Prosecutors’ and the defendant’s surname, separated by the abbreviation ‘v.’
 - Example: *Prosecutor v Bemba* (Decision on the Confirmation of Charges) ICC-01/05-01/08 (15 June 2009).
 - **4.3.5 International arbitral and other tribunal decisions (pages 54-55):** not previously included. ‘Cite an arbitral or other tribunal decision as follows: *case*

name | (*parties' names*) | (phase) | (type of decision or document) | tribunal or administering body | document identifying information | (date).'

- Example: *CMS Gas Transmission Company v Argentina Republic* (Merits) (Award) ICSID Case No ARB/01/8 (12 May 2005).
- How to cite a reported version of a decision in a publication such as Reports of International Arbitral Awards (RIAA): *case name* | (*parties' names*) | (phase) | (type of decision or document) | (year) | volume | report series | first page.
 - Example: *Alabama Claims of the United States of America against Great Britain* (Award) (1872) XXIX RIAA 125 ('*Alabama Claims Arbitration*').
- 4.4.1 European Union legislation (pages 56-57): templates:
 - EU treaties and protocols: legislation title | [year] | OJ series | issue/first page
 - Example: Consolidated Version of the Treaty on European Union [2020] OJ C202/1 ('Maastricht Treaty').
 - EU Regulations, Directives, Decisions, Recommendations and Opinions: legislation name, including type of legislation and number | title | [year] | OJ L issue/first page
 - Example: Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever [2002] OJ L192/27.
- 4.4.2 Court of Justice of the European Union and General Court decisions (page 58): case number | *case name* | European Case Law Identifier. The bracketed date has been replaced by the European Case Law Identifier (ECLI).
 - Example: Case C-403/03 *Schempp v Finanzamt* EU:C:2005:446 [19].
 - Further information: 'An ECLI, for decisions of EU courts, consists of the following elements: the code 'EU'; the abbreviation corresponding to the court which delivered the decision; the year of the decision; and the ordinal number of the decision. Note that an ECLI has been assigned to all decisions delivered by EU courts since 1954 and to the opinions of the Advocates General. All such material should now be cited using the appropriate ECLI. [...] In the ECLI provided in the exemplar *Schempp* citation given above, 'EU' indicates that it is a decision delivered by an EU court. (For decisions of national courts, the code corresponding to the relevant Member State should appear instead of 'EU'.) 'C' indicates that the decision was delivered by the CJEU. '2005' indicates that

the decision was delivered in 2005. '446' indicates that it is the 446th ECLI assigned in respect of the year in question.'

- 4.4.4 European Court of Human Rights (pages 59-60): *case name* | (phase) | (type of decision or document) | [chamber/ committee] | court | application number | (date)
 - Example: *Ukraine and the Netherlands v Russia* (Jurisdiction and Admissibility) (Decision) [GC] ECtHR App Nos 8019/16, 43800/14 and 28525/20 (25 January 2023) [826].
 - Advisory opinions: 'Cite Advisory Opinions as above but with any relevant identifying information, such as a request number, instead of the application number. If the words 'Advisory Opinion' already appear in the case name, do not include them again.'
 - Example: *Advisory Opinion Concerning the Recognition in Domestic Law of a Legal Parent-Child Relationship Between a Child Born Through a Gestational Surrogacy Arrangement Abroad and the Intended Mother* [GC] ECtHR Request No P16-2018-001 (10 April 2019) [25]-[34].
- 4.4.7 Other regional courts and tribunals (page 60): *case name* | (phase) | (type of decision or document) | court/tribunal | case/application number | (date).
 - Example: *Sangare v Mali* (Judgment) ACHPR App No 007/2019 (23 June 2022) [44].
- 4.4.8 Other materials of regional bodies (pages 60-61): author, | 'title', | document number or unique identifying information | (date).
 - Example: African Commission on Human and Peoples' Rights, 'Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa', Doc No DOC/OS(XXX)247 (2003).

Appendix

- Inclusion of 5.2.6 Abbreviations of international institutions and bodies (pages 70-71).