AGLC4 Style Guide

This style guide is based on the Australian Guide to Legal Citation (4th edition, 2018)

Australian Guide to Legal Citation, 4th edition (AGLC4)

This is a short guide to the AGLC4. The full guide is available at https://law.unimelb.edu.au/mulr/aglc/about. The AGLC4 system of legal citation consists of in-text superscript numbers with corresponding footnotes at the bottom of the page. A bibliography is included at the end of the paper to provide a complete list of all sources cited.

Footnotes

- All sources must be acknowledged in footnotes
- Footnotes can include tangential or extraneous information that is not appropriate to include in the text
- A superscript number should be placed at the relevant text that refers to a footnote at the bottom of the page
- The first time a source is cited, the footnote should provide full bibliographic details. Footnotes for subsequent references to the same source do not repeat all the details but use a shortened form – see the section on repeat citations for further details.

The control order process undermines the fundamental principle that a person’s liberty should not be restricted unless there is a judicial finding of criminal guilt.1


Formatting footnotes

Cite authors as they appear in the source. Do not include full stops after initials.

- Where there are two or three authors, the names of all authors are included; the word ‘and’ separates the names of the last two authors
- Where there are more than three authors include the name of the first-listed author only, followed by ‘et al.’
- Write all titles in italics including books, journal titles, cases and legislation
- Enclose titles of chapters, articles, submissions or segments in single quotation marks
- Publishers are followed by a comma and the year, and are enclosed in brackets
- Pinpoint references immediately follow the citation of the source
- Footnotes end with a full stop. Bibliography entries do not have a full stop.

Pinpoint references

Rule 1.1.6 and rule 3.1.4

- Pinpoint references refer to a specific page, paragraph, footnote or other section of a source and are placed at the end of the footnote
- Pages appear as a single number or as a page range
- Paragraphs appear in square brackets
- If both a page and a paragraph are referred to, the pinpoint should appear with both and also with the paragraph in square brackets
- Sections are indicated by ‘s’ followed by a space and the section number
- Chapters are indicated by ‘ch’ followed by a space and the chapter number
- Multiple pinpoint references see Rule 3.1.5.

Repeat citations

Rule 1.4

- The first citation of a source should appear in full
- When a particular source is cited more than once in a paper, the terms ‘ibid’ and ‘n’ are used to refer to previous citations.

Ibid

Rule 1.4.3

- Ibid is used when you refer to a source in the immediately preceding footnote.

n

Rule 1.4.1

- Use ‘n’ to refer to a source that has been cited in a previous footnote other than the immediately preceding one
- For cases and legislation, a short title may be used followed by a cross-reference (n) in parentheses.

Paragraph [4]. Section s 10.

18 Ibid.
20 Ibid 174-175.
23 MacMillan, (n21) 41.
Quotations

Rule 1.5

Short quotations of three lines or less should be incorporated into the text using single quotation marks.

“Yet despite these substantial investments of time, the activities within virtual worlds are viewed by some as games and diversions, not worthy of serious attention.”


Long quotations of four lines or more should appear indented from the left margin, in a smaller size font, and without quotation marks.

Dan Hunter states that:

This model provides a more detailed picture of what is happening when lawyers construct analogies and of what judges are doing when they adopt a particular precedent. Students and lawyers can better critique cases, as well as individual analogies, if they understand that there are multiple levels at which an analogy can be constructed and analyzed.


Bibliographies

Rule 1.13

A bibliography must list all sources that were used, not only those referred to in the text and footnotes

Sources should be listed alphabetically under each heading

A. Articles/Books/Reports
B. Cases
C. Legislation
D. Treaties & International materials
E. Other (e.g. government documents, legal encyclopedias, internet materials).

Formatting of author’s names differs from footnotes.

- Order works alphabetically according to the family name of the first listed author
- For other authors the given name or initials appear first
- For works with two or three authors, separate the last two authors with ‘and’
- Do not use a full stop at the end of entries.

BIBLIOGRAPHY

A. Articles/Books/Reports

B. Cases
Lane v Morrison (2009) 239 CLR 230
R v Reid [2007] 1 Qd R 64

C. Legislation
Access to Medicinal Cannabis Act 2016 (Vic)
Australian Constitution

D. Treaties
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment, opened for signature 10 December 1984, 1465 UNTS 85 (entered into force 26 June 1987)

E. Other
Australasian Legal Information Institute (Website), <http://www.austlii.org>
New South Wales, Parliamentary Debates, Legislative Assembly, 15 December 1909

‘Yet despite these substantial investments of time, the activities within virtual worlds are viewed by some as games and diversions, not worthy of serious attention’. 12


Dan Hunter states that:

This model provides a more detailed picture of what is happening when lawyers construct analogies and of what judges are doing when they adopt a particular precedent. Students and lawyers can better critique cases, as well as individual analogies, if they understand that there are multiple levels at which an analogy can be constructed and analyzed. 18

Legal abbreviations

Legal abbreviations provide a short-hand way to cite and identify legal publications and courts. For Abbreviations refer to

- Appendix A: Law Report Abbreviations
- Appendix B: Australian Medium Neutral Unique Court Identifiers
- Appendix C: Pinpoint Abbreviations
- Cardiff Index to Abbreviations. http://www.legalabbrevs.cardiff.ac.uk/

Primary sources

Cases

Cases

- Case law includes reported and unreported judgments
- Cite reported judgments in preference to unreported judgments
- A citation to an Australian case should generally include the parties’ names in italics
- Only the first plaintiff and first defendant should be cited
- When the parties are individuals, given names and initials are omitted and only the first named plaintiff or defendant is listed
- Parties’ names should be separated as they appear in the decision, which will generally mean they are separated by a ‘v’
- The Crown, Rex (the ‘King’) and Regina (the ‘Queen’) should be abbreviated to ‘R’ where the Crown is the first named party
- Where the Crown is the respondent ‘The King’ or ‘The Queen’ (as appropriate) should be written in full.

Square and round brackets

Square and round brackets

- Volumes of law reports are organised either by year or by volume number. Square brackets are used where law report series are organised by year.
- Where the volume of a law report series are organised by year, the year of the volume in which the case is reported should appear in square brackets
- If the law report series is organised by volume number, the year in which the decision was handed down or sometimes the year in which the case was reported is provided in round brackets.

Note that square brackets are also used for

- Additions and alterations
- Pinpoint references of paragraphs
- Distinguishing cases where there is more than one hearing of the same matter (Rule 2.1.13).

Cases – reported

Cases – reported

Selected legal decisions are published in law report series because they raise significant point of law or introduce a new principle.

- In each jurisdiction only one law report series is designated as authorised
- If available an authorised report should always be cited in preference to other report series
- See Rule 2.2.3 for abbreviations for authorised report series.

A reported judgment citation has the following elements

- Case name in italics
- Year in round brackets
- Volume number
- Abbreviated title of the report series. (The example in the box below is from volume 186 of the Commonwealth Law Reports.)
- First page of the case
- Pinpoint: if required can refer to the page or paragraph number
- Should end with a full stop.

<table>
<thead>
<tr>
<th>Case name</th>
<th>(Year)</th>
<th>Volume</th>
<th>Law report series</th>
<th>Starting page</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Breen v Williams</td>
<td>(1995)</td>
<td>186</td>
<td>CLR</td>
<td>71</td>
<td>113</td>
</tr>
</tbody>
</table>

Cases – unreported – medium neutral citation

Cases – unreported – medium neutral citation

Cite unreported cases only if no reported version is available

Unreported decisions have a medium neutral citation, i.e. it does not depend on the publisher or medium.

An unreported judgment citation with a medium neutral citation has the following elements

- Case name in italics
- Year in square brackets
- Unique Court Identifier, for example HCA for the High Court of Australia
- Judgment number. In the example below, the case is the High Court’s 26th judgment for the year 2002
- Pinpoint. In the example below the citation refers to paragraphs 54 to 55.
Delegated legislation  

- Delegated legislation (e.g. Regulations, rules and orders) should be cited in the same manner as primary legislation.

39Heritage Regulation 2006 (ACT) reg 5(1).

Secondary sources

Journal articles  

- If an article is available in both print and online formats, cite the print version.
- If citing the online version, the date of retrieval is not required.

Journal articles should be cited as follows:

- Author (as the name appears)
- Title of the article enclosed in single quotation marks
- Year enclosed in round brackets
- Volume and issue number. The issue number is also in brackets
- Journal title in italics
- First page of the article
- Pinpoint.


Books  

- The authors names are listed first and they should appear exactly as they do on the book itself
- Initials are not spaced and there are no full stops after initials
- The first two authors are listed with a comma between them, while the second and third authors are separated by an ‘and’.
- When the book has four or more authors, only list the first author in the citation, followed by ‘et al.’
- The title of the book appears in italics after the author(s)
- Capitalise the first letter of each word in titles except (a, an, the), conjunctions (and) and prepositions (by, for, with).
- The publisher, the edition if it is not the first, and the publication year are all enclosed in brackets with commas between them.
- Pinpoint references are usually to pages, chapters or paragraphs.

Books should be cited as follows

<table>
<thead>
<tr>
<th>Author(s), Title</th>
<th>(Publisher, Edition, Year)</th>
<th>Pinpoint</th>
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</thead>
</table>

Other sources

Reports and similar documents

Reports should be cited as follows

<table>
<thead>
<tr>
<th>Author, Title</th>
<th>(Document type/Series No Document Number, Full Date)</th>
<th>Pinpoint</th>
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</thead>
</table>

Parliamentary papers and committee reports

Where the author is a committee of a parliament, the author should be cited as follows: Committee, Legislature.

<table>
<thead>
<tr>
<th>Committee, Title</th>
<th>(Paper/report details, Date)</th>
<th>Pinpoint</th>
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</thead>
</table>

Australian Bureau of Statistics materials (ABS)

An ABS source should be cited by reference to its catalogue number. The document type should therefore be 'Catalogue'.

<table>
<thead>
<tr>
<th>Author, Title</th>
<th>(Catalogue no., Date).</th>
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</table>

Internet sources

An internet source should only be cited if it does not exist in print form. A webpage citation has the following elements:

- Author’s name, if indicated on the web page or document
- Where the author and web page are the same, omit the author
- Document title, in single quotation marks
- Title of the web page in italics
- Document type and full date. (in round brackets)
- Date the page was last updated, if available; if not use the creation date
- The URL enclosed in ‘angle brackets’
- Where the full URL is very long, and the document can be easily located, the URL of the home page may be used. (Rule 4.4)
- Web pages do not usually include pinpoints.

<table>
<thead>
<tr>
<th>Author, 'Document Title', Web Page Title</th>
<th>(Document Type, Full Date)</th>
<th>Pinpoint</th>
<th>&lt;URL&gt;</th>
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</thead>
</table>
Legal encyclopedias

Hard copies of legal encyclopedias should be cited as follows

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

Example:


Online legal encyclopedias should be cited as follows

Publisher, *Title of Encyclopedia* (online at Date of Retrieval) Title Number Title Name, ‘Chapter Number Chapter Title’ [Paragraph].

Example:

| 65Westlaw AU, *The Laws of Australia* (online at 15 February 2018) 2 Administrative Law, 2.3 Access to Information’ [2.3.10]. |

Part IV International materials

Rules 8-14 of the AGLC4 cover international materials including treaties, United Nations materials and international court documents and decisions.

Treaties

*Treaty Title*, Parties’ names, Date signed or opened for signature, Treaty series Date of entry into force Pinpoint.

Example:

| Agreement regarding the Transfer of the Administration of Justice in the Territories of Northern Slesvig, Denmark-Germany, opened for signature 1 July 1968, 729 UNTS 161 (entered into force 5 March 1970) art 3. |

Part V Foreign domestic sources

Rules 15-25

<table>
<thead>
<tr>
<th>Country</th>
<th>Rule</th>
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<tbody>
<tr>
<td>Canada</td>
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<td>China</td>
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<td>France</td>
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<td>Germany</td>
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<td>Hong Kong</td>
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<td>Malaysia</td>
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<td>South Africa</td>
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<td>United Kingdom</td>
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<tr>
<td>United States of America</td>
<td>25</td>
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<tr>
<td>Other Foreign Domestic Materials</td>
<td>26</td>
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<tr>
<td>Information Source</td>
<td>Footnote citation</td>
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<tr>
<td>Case – unreported - without a medium neutral citation</td>
<td>Rule 2.3</td>
</tr>
<tr>
<td>Administrative Decision</td>
<td>Rule 2.6</td>
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<tr>
<td>Transcript of Proceedings</td>
<td>Rule 2.7</td>
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<tr>
<td>High Court Transcript (From July 2003)</td>
<td>Rule 2.7.2</td>
</tr>
<tr>
<td>Bill</td>
<td>Rule 3.2</td>
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<tr>
<td>Delegated Legislation</td>
<td>Rule 3.4</td>
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<tr>
<td>Australian Constitutions</td>
<td>Rule 3.6</td>
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<tr>
<td></td>
<td>Rule 3.6 provides examples of citations for all Australian states</td>
</tr>
<tr>
<td><strong>Explanatory memoranda</strong></td>
<td>Rule 3.7</td>
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<tr>
<td>Explanatory Memorandum” should be replaced with ‘Explanatory Statement’ or ‘Explanatory Note(s) where appropriate.</td>
<td>Explanatory Memorandum, Charter of Human Rights and Responsibilities Bill 2006 (Vic).</td>
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<td>Explanatory Notes, Adoption Bill 2009 (Qld) 5-6,29.</td>
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<tr>
<th><strong>Gazette</strong></th>
<th>Rule 3.9.1</th>
<th><strong>Court Practice Directions and Practice Notes</strong></th>
<th>Rule 3.9.4</th>
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<tr>
<th><strong>Journal article</strong></th>
<th>Rule 5</th>
<th><strong>Journal article - two authors</strong></th>
<th>Rule 5 &amp; Rule 4.1.2</th>
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<tbody>
<tr>
<td>Type of Source</td>
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<td>Citation Example</td>
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<td>Book - four authors or more</td>
<td>Rule 6 &amp; 4.1</td>
<td>Patrick Thomas George et al., <em>Social media and the Law</em> (LexisNexis Butterworths,2010).</td>
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<td>George, Patrick Thomas et al., <em>Social media and the Law</em>, (LexisNexis Butterworths,2010)</td>
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<td>Bennett, Belinda (ed), <em>Globalization and Health</em> (Springer, 2008)</td>
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<td>Macquarie Dictionary (online at 20 February 20180 ‘punctilious’.</td>
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<td>Dictionary (online)</td>
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| International Criminal Tribunals and Courts | Rule 10 | **Statute of the Permanent Court of International Justice** art 22.  
International Court of Justice, **Rules of Court** (adopted 14 April 1978) pt 1. | **Statute of the Permanent Court of International Justice** art 22  
International Court of Justice, **Rules of Court** (adopted 14 April 1978) pt 1 |
| International Arbitral and Tribunal Decisions | Rule 11 | Includes State-State and Individual–State decisions. | |
| International Criminal Tribunals and Courts | Rule 12 | Includes constitutive documents of international criminal tribunals and courts. | |
| Supranational Materials | Rule 14 | Includes constitutive documents and European materials. | |