Written Assessment in the Law School

Legal Citation

A guide to Law School requirements for written assessment and legal citation.
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Part 1: Law School requirements for written assessment

Presentation and submission requirements may differ between units. Unless otherwise instructed (check the unit’s Blackboard site), the following requirements must be complied with:

Word limits

Written assessment must comply with the prescribed word limit. There is no 10% policy in the Law School and the word limits are imposed strictly.

If the word limit is exceeded, the examiner will not read beyond the word limit and anything beyond the word limit will not be taken into account for the grade.

Where there is a word limit and a page limit (e.g., 1000 words in 3 pages), both must be complied with. Anything beyond the word or page limit will not be taken into account for the grade.

Formatting

- Times New Roman or Arial font in 12 point
- note that Times New Roman is a more compact font if there is a page limit as well as a word limit
- 1.5 line spacing
- page margins at a minimum of 2.5 cm (left, right, top and bottom)

Other matters

- print on one side of the paper only (A4-size white) if handing in a hard copy
- number each page
- include name and/or student number on each page
- staple assignments in the top left corner

Mandatory Forms

- Law School Assignment Acknowledgment must be completed and attached to the front of the assignment (word count of assignment must be noted on this form)
- if applicable, the Group Acknowledgment Form must be completed and attached to the assignment
- a copy of the relevant CRA

Submission

The Law School requires that written assessment must be submitted in the following ways, unless otherwise instructed (refer to the unit’s Blackboard site):
**Internal students**

Hard copy submitted to Assignment Minder and the electronic version uploaded to the unit’s Blackboard site (‘Assessment’ page) by the due date. The electronic version must be in Word. See the submission procedures at the Assignment Minder website. Please note that summer semester units do not require submission of a hard copy through Assignment Minder. All students submit just an electronic version through the unit’s Blackboard site.

**External students**

Electronic copy uploaded to the unit’s Blackboard site (Assessment page) by the due date. The electronic version must be in Word.

**Academic writing**

For advice on the conventions of academic writing, refer to QUT cite|write, an introductory guide to citing, referencing and academic writing at QUT.
Part 2: Legal Citation

Why cite?

At QUT, high academic standards are expected to be maintained in all courses and units. See Manual of Policies and Procedures at C/5.3 Academic Integrity. This expectation is referred to in all unit outlines:

**Academic Honesty**

QUT is committed to maintaining high academic standards to protect the value of its qualifications. To assist you in assuring the academic integrity of your assessment you are encouraged to make use of the support materials and services available to help you consider and check your assessment items. Important information about the university’s approach to academic integrity of assessment is on your unit Blackboard site.

A breach of academic integrity is regarded as Student Misconduct and can lead to the imposition of penalties.

A failure to maintain academic integrity includes plagiarism. For law students, plagiarism (academic integrity) has very serious consequences as it may prevent admission as a legal practitioner. In *Re AJG* [2004] QCA 88 when considering a one off incident of plagiarism, the court stated: ‘Legal practitioners must exhibit a degree of integrity which engenders in the Court and in clients unquestioning confidence in the completely honest discharge of their professional commitments. Cheating ...must preclude our presently being satisfied of this applicant’s fitness.’

In some of the Australian jurisdictions the admitting authorities require the Law School to provide a certificate with a statement as to whether or not the university has a record of any failure to maintain academic integrity by the student seeking admission. This includes the student’s law studies or other study.

The following is extracted from cite|write:

When studying at university it is essential to acknowledge words or information you have ‘taken’ - or cited - from another source such as books, websites, newspapers, journals, DVDs, etc.

**Citation: acknowledging someone else’s work**

Citation or citing is when you use information or words written by someone else in your
work to support your argument or illustrate your point.

You need to cite when you:

- use a direct quote from someone else
- give a summary of someone else’s ideas
- paraphrase someone else’s ideas
- copy some information (such as a picture, a table or some statistics)¹.

### Avoiding plagiarism

Plagiarism is when you do not give credit to the author/s for information used in your own work. This means not citing or referencing when:

- copying the work of another student
- directly copying or buying any part of another author’s work
- paraphrasing or summarising someone else’s ideas
- directly copying and pasting information from the Internet
- using the idea or thesis from someone else’s work
- using experimental results from someone else’s work².

Plagiarism is easy to avoid if you cite and reference correctly. However, plagiarism is a form of academic dishonesty, which incurs severe penalties at QUT.

Some students think citations only need to be included when they are directly quoting someone. This is not true. All material of an informative nature (i.e. information you used from your reading) should be acknowledged.

This means that any information (words, ideas, statistics, tables, data, pictures, photos, etc.) obtained from another author or source requires an in-text citation, whether it is used in a direct quotation or as a paraphrase.

### Legal citation styles

There is a variety of citation styles currently accepted in Australia. The Law School requires students to adopt the Australian Guide to Legal Citation (‘AGLC’).


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¹ Queensland University of Technology, Brisbane, 2012, 3.
² Ibid.
Law School citation requirements

Footnote style/format

The Law School requires that references and citations be included in footnotes (bottom of each page) which are numbered consecutively, not endnotes.

Footnote indicator numbers should be placed outside punctuation in the text:

- ‘Like this’.¹ Not ‘Like this’¹.
- After the full stop.¹ Not before the full stop like this¹.
- After the comma,¹ if applicable. Not before the comma¹, like this.

If more than one source is cited in the footnote, the sources are separated by a semicolon.

- Personal Injuries Proceeding Act 2002 (Qld); Civil Liability Act 2003 (Qld).

Use a full stop at the end of every footnote.

Content of footnotes

Footnotes provide authorities for arguments or statements of legal principles that are being relied upon in the text of the assignment. Therefore, footnotes must not contain any detailed argument or answer; this must be in the body of the text.

Do not cite a secondary source (eg a text) as authority when a primary source (eg a case) is available.

If citing a secondary source, ensure that it is a recognised and credible source (eg not sources such as law firm newsletters available on the Internet, Wikipedia or a tutorial guide). Study Guides, workbooks and taped lectures must not be cited as authorities for legal principles.

Repeating references

‘Ibid’ should be used to refer to the source cited in the footnote immediately preceding except if more than that source is cited in the previous footnote.

‘Above n’ should be used if the source has been cited in a previous footnote, other than the immediate preceding footnote, or in the immediate preceding footnote as one of multiple sources. ‘Above n’ cannot be used for legislation, treaties or cases.

The use of ‘supra’ (above), ‘op cit’ (in the work cited), ‘infra’ (below) or ‘loc cit’ (in the place cited) is not allowed for repeat references to sources appearing in previous footnotes.

Refer to the guide of the particular resource for further information on referring to repeated references.
Quotations

Quotes within the text of an assignment that are three lines or less may be incorporated into the text in single quotation marks. Quotes longer than three lines must be separated from the text (ie a new paragraph) indented from the left and be without quotation marks.

Examples

In *Smythe v Thomas*, Rein AJ held:

In circumstances where both the buyer and the seller agree to accept the terms and conditions of the eBay I see no difficulty in treating the parties as having accepted that the online auction will have features that are both similar and different to auctions conducted in other forums.¹

¹ [2007] NSWSC 844, [35].

It was held that in respect of vending machines, ‘the offer is made when the proprietor of the machine holds it out as being ready to receive money’.¹

¹ *Thornton v Shoe Lane Parking Ltd* [1971] 2 QB 163, 169.
Part 3: Bibliographies

Unless instructed otherwise, it is expected that written assessment includes a bibliography. A bibliography contains all sources consulted in the preparation of the assessment, not only the sources cited in the footnotes.

The bibliography is divided into parts with headings specifying the type of sources which are relevant for the assessment:

A  Articles/ Books/Reports
B  Cases
C  Legislation
D  Treaties
E  Other

If the assessment does not include some of the types of sources listed above, the headings are omitted.

Each part of the bibliography is listed alphabetically. No pinpoint references are included in the bibliography.

There is no full stop at the end of the reference in the bibliography.