Case Law

Alison Skoyles
Information Skills Advisor
The aim of this session

To help you find case law for your assignments.

By the end of this session you will:

• be familiar with law reports
• be able to interpret legal abbreviations
• be able to use Westlaw and Lexis to find case law
• know where to find help and advice
What is a Law Report?

“A law report is a published report of a judgment, with additional features such as a headnote summarising the facts of the case and the judgment, catchwords used for indexing, and lists of cases considered”

Definition from Oxford Standard for the Citation of Legal Authorities (OSCOLA), 4th ed.
Law reports

Use Westlaw and LexisLibrary to find law reports

• by subject
• by party name
• by cases cited
• by cases citing
• that refer to a particular piece of legislation
• of cases that were heard in a particular court
Law Reference
4 East

- Law reference books
- Law encyclopedias
- Halsbury’s Laws
- Kemp and Kemp
- Law Report series’
What is the best law report?

“If a case is reported in the *Law Reports*, this report should generally be cited in preference to any other report. If a judgment is not reported in the *Law Reports*, cite the *Weekly Law Reports* or the *All England Law Reports*. Only if a judgment is not reported in one of these general series should you refer to a specialist series, such as the *Lloyd’s Law Reports* or the *Family Law Reports*.”

From Oxford Standard for the Citation of Legal Authorities (OSCOLA), 4th ed.
Hierarchy of Law Reports

- **The Law Report Series**
  - Eg. Appeal Cases (AC), Queen's Bench (QB), Family (Fam), Chancery (Ch)

- **Weekly Law Reports or All England Law Reports**

- **Specialist Series e.g.**
  - Lloyd's Law Reports, Family Law Reports

- **Level 1:** BEST
- **Level 2:** BETTER
- **Level 3:** GOOD
Finding a case from a citation

Deciphering Legal Abbreviations


Need to know what **UKSC** is an abbreviation of?  
− Use Cardiff Index for Legal Abbreviations

Cardiff Index will show
• what an abbreviation stands for
• which is the best abbreviation for a journal title or law report series
The neutral citation


A neutral citation

A judgment from any division of the High Court, independent of any printed series of law reports (from 2001 onwards)

UKSC – UK Supreme Court

53 - the case number (ie the 53rd judgement in this court in 2010)
The law report reference


When you use a neutral citation, you should follow it with a citation of the most authoritative (‘best’) law report

What does the 1 refer to?
• the volume number

What does AC stand for?
• Law Reports, Appeal Cases (The Law Report Series)

What does the 240 stand for?
• the first page of the report
Law Libguide

https://libguides.lsbu.ac.uk/law/home

Bookmark for quick access.

Includes links to:

- Library catalogues
- Legal Resources
- Academic Resources
- Training materials
- OSCOLA guidance
Finding Cases

Law: Legal Resources  https://libguides.lsbu.ac.uk/law/legalresources

- Use Westlaw and Lexis to find case reports
  - by subject
  - by party name
  - by cases cited
  - by cases citing
  - that refer to a particular piece of legislation
  - that were heard in a particular court
Westlaw

Cases
- Also has full text of the Law Reports
- Weekly Law Reports and 30 specialist titles
- Most comprehensive case-finding database for England & Wales
- Brief case histories also included

Legislation
- Legislation in force, including commencement and amendment information

Journals
- Legal Journals Index - shows content of almost all UK legal journals
- 80 full text journals
Lexis Library

**Cases**
- 40+ specialist law reports in full text
- All England Law Reports/ The Law Reports
- Unreported cases from mid-1980s onwards
- Only source for NI case law

**Legislation**
- England & Wales - Public & General Acts plus Statutory Instruments
- Full Scottish Parliament Acts and SIs

**Journals**
- Over 60 full text journals aimed at an academic audience
FOR EDUCATIONAL USE ONLY

Status: Positive or Neutral Judicial Treatment

Roberts v Gill & Co

Supreme Court

19 May 2010

Case Analysis

Where Reported

Case Digest

Subject: Civil procedure Other related subjects: Succession

Keywords: Addition of parties; Beneficiaries; Derivative claims; Limitation periods; Personal representatives

Summary: An application by the beneficiary of a will to amend proceedings brought by him in his personal capacity so as to permit...
Find this case


What is the neutral citation?

Joseph v Spiller [2010] UKSC 53

What could you use to find out what UKSC is an abbreviation of?
Cardiff Index to Legal Abbreviations

What does the 1 refer to?
The volume number
Citation for this case

[2010] UKSC 53 is the neutral citation

UKSC - abbreviation for United Kingdom Supreme Court
53 - case number (ie the 53rd case heard at UKSC in 2010)

(2011) 1 AC 852 is from a law report series
1 - the volume number
AC - abbreviation for Law Reports, Appeal Cases (law report series)
852 - first page of the report
Searching for cases

**Keywords** – can use non-legal terms or legal terms
Refine search by date/jurisdiction/area of law

In Westlaw:

**Subject** = main area of law
**Keyword** = topics covered by case
Focussing and broadening your search

Use **AND** to focus your search
eg principal **AND** agency
    not needed in Westlaw which puts ‘and’ between all words

Use **OR** to broaden your search
eg consent **OR** agreement **OR** assent

Use **NOT** to exclude a topic
eg contract **NOT** housing
Truncation and phrase searching

Use ! to find different possible endings to a word
E.g.: discriminat! would find discriminate, discriminated, discrimination, discriminating etc

Use “” [quotation marks] to search for a phrase
E.g.: “contract law” and “third party”
not needed in Lexis Library which treats everything as a phrase
Your turn!

Search for cases on human rights and refugees

OR

Search for cases on an area of your own choosing

Use BOTH Lexis and Westlaw
OSCOLA

Referencing resources on the Law Libguide

https://libguides.lsbu.ac.uk/law/oscola

– Official OSCOLA guidance, ‘Citing the Law’ online tutorial, LSBU Quick Guide to OSCOLA
1:1 support

Book a 1:1 with an Information Skills Librarian

[go.lsbu.ac.uk/askalibrarian](go.lsbu.ac.uk/askalibrarian)
• Database Searching e.g. Journal articles
• Referencing
• Using RefWorks

Email queries: [askalibrarian@lsbu.ac.uk](mailto:askalibrarian@lsbu.ac.uk)

Research Helpdesk
3 Bridge
Mon-Fri 12.00-4pm
Any questions?