

## LexisNexis House Style: Journals

### 1. Spelling

The spelling reference for all LexisNexis publications in Australia is the *Macquarie Dictionary*.

To access, go to [macquariedictionary.com.au](http://macquariedictionary.com.au)

Username: lexisnexis1

Password: library1

Do not use the *Oxford English Dictionary* – this is the standard for UK English, which is almost identical, but not completely identical, to Australian English.

*-ise /-ize*

The ‘s’ spelling rather than the ‘z’ spelling is the correct one for LexisNexis’ publications, except for official titles of institutions:

eg, authorise not authorize, analyse not analyze  
but World Health Organization

*-our /-or*

The ‘our’ spelling rather than the ‘or’ spelling is the correct one for LexisNexis’ publications:

eg, colour not color, harbour not harbor  
but the Australian Labor Party

*-dg- /-dge-*

Words such as judgment and lodgment are spelt without an ‘e’ between the ‘g’ and the ‘m’ in all cases.

*first / firstly*

Present this as the author has set it out in their article. Both are acceptable, so do not waste time changing as it does not impact on the article’s sense or readability.

*among / while*

Present this as the author has set it out in their article. Both are acceptable, so do not waste time changing as it does not impact on the article’s sense or readability.

## 2. Punctuation

Some authors are careless or unsure about correct punctuation rules. This can be so even where they are native English speakers and learned academics or practitioners.

It is the responsibility of editors to ensure that all manuscript is punctuated correctly.

### *Commas*

- Commas may be used to designate items in a list.
- The Oxford comma is not used as standard, however may be acceptable and useful in some instances.
- Commas may be used to separate parts of a long sentence.
- It is not correct to assume that you can place a comma wherever you would pause.
- It is not correct to assume that Microsoft Word will highlight misplaced commas – in fact it will rarely do so. Also, do not just ‘right click’ and accept where Word suggests comma use.
- If in doubt it is better to under-comma than over-comma.

### *Semi colons*

A semicolon demarcates items in a series, a string of citations, a string of references or items in a list.

### *Footnote signifiers*

All punctuation must appear before footnote signifiers in text:

eg, ‘the judge said the plaintiff’s evidence had not been truthful.<sup>1</sup> It is important to consider the difficulties for children giving evidence in court,<sup>2</sup> especially against people they know’.

Footnote signifiers are placed at the end of a block quote, not after the colon that introduces the block quote:

eg, This approach of examining the reality of the activities was also adopted by Perram J in relation to the Graph API:

The correct focus is not on each individual log in by a Facebook user. ... Over-focus on the digital events which constitute the commercial activity with Australian developers is apt to distract attention [from] the nature of the business activity.<sup>79</sup>

### *Em rules (dashes)*

Em rules are set with a space either side, and not hard up against text.

Em rules can also be used in pairs to mark off information or ideas that are not essential to an understanding of the rest of the sentence (like commas — in the following example one could easily use commas instead of em rules):

eg, Copyright on illustrations must always be sought — unless they are redrawn — and full credit given.

Alternately, em rules can be used to show other kinds of breaks in a sentence where a comma, semicolon, or colon would be traditionally used:

eg, One thing’s for sure — he doesn’t want to face the truth.

#### *En rules*

Use an en rule without spaces between linked numbers/spans and discrete items:

eg, 28–9, 230–1, 340–51, 17–19, 1984–85, [12]–[15] or Sydney–Brisbane flight

#### *Forward slashes*

Authors may sometimes use a forward slash (/) to signify two options or possibilities. Where appropriate, the word ‘or’ should be used instead:

eg, The client was warned that the verdict may be appealed/overtuned

should be corrected to:

The client was warned that the verdict may be appealed or overturned.

### 3. Quotations

#### *Quotation marks*

Quotation marks are used to denote direct speech or direct quotation from other texts.

Journals use single quote marks, with doubles inside the singles if required, eg:

‘a foundational objective of law in a modern democratic state is to serve, and protect, “the people” not just a few’.

#### *Block quotations*

Best practice is to be guided by the author. However, generally, quotations of a sentence or more in length should be set as a separate block of text starting on a new line, indented and introduced with a colon – quotation marks are omitted when quotations are indented, eg:

their Honours stated:

It is clear from the legislation that “home-based workers” are also entitled to workers’ compensation. However, it must be established that the injuries in question arose out of or in the course of employment.

### *Quotations – case extracts*

All case extracts should be checked against the original judgment — do not simply trust the case extract as provided by the author. For international cases we can assume the author has done their due diligence and there is no need to check against the original judgment, unless something looks odd then it should be queried.

Case extracts are reproduced verbatim and are not edited in any way other than to remove footnotes within the extract, or to insert ellipses or an invading comment, which should always be inserted within square brackets, eg:

As five judges of this Court said in *Johnson v Johnson*, while the fair-minded lay observer ‘is not to be assumed to have a detailed knowledge of the law ... the reasonableness of any suggested apprehension of bias is to be considered in the context of ordinary judicial practice’ [footnote omitted].

In some cases, authors retain the footnotes within the extract and include it as a source in the footnote. Do not delete/remove the footnotes within the extract unless author has explicitly noted that footnotes were omitted in their original manuscript.

### *Omissions*

Omissions in quoted material are indicated with three full stops (ellipses) with a space before and after. If a paragraph or more is omitted from a quotation, the ellipses can be placed on a line of their own. If these appear at the end of the sentence, a fourth is not added to indicate a full stop. There should still only be three.

eg, ‘The commissioner continued ... and finally decided that that the directors did have a case to answer ...’

If quoted material has its own footnotes, do not retain them (either the numeral signifier or the text of the footnote itself). At the end of the quotation, insert [footnote/s omitted]:

eg, The principle has received extensive examination in case law [footnote omitted].

### *Punctuation within quotations*

If punctuation is part of a quotation, it should be kept as part of the quotation and placed inside the closing quotation marks. If the punctuation relates to the sentence in which the quotation appears, ie, the quotation is only part of the sentence, it should be placed outside the quotation marks.

### *Editorial insertions*

Any editorial insertion, interpolation or paraphrasing (or sometimes corrections) in a quotation should be inserted in square brackets:

eg, the parties should undertake [further] discussions on the matter.

### *Quoting from other texts*

Grammar, wording and punctuation must not be altered in quoted text – extracts should be reproduced verbatim. Case citations within case extracts should not be changed (ie, do not update case citations within extracts to reflect house style). Legislation must not be edited either, apart from basic formatting the usual amendments permissible to legislation.

### *Emphasis in quotations*

Sometimes authors like to emphasise certain words or phrases within quotes. When this is done, readers must be advised by inserting [emphasis added] so that they are aware that the emphasis is not part of the original quote. If a quote does contain emphasis already, it must be retained. There is no need to specify that a quote already contained the emphasis:

eg, It is clear from the legislation that “home-based workers” are also entitled to workers compensation for *any injuries arising out of or in the course of employment* [emphasis added].

## **4. Numbers and measurement**

Numbers can be expressed in figures or words. Words are used for numbers between one and nine. Those numbers above nine are always written in figures.

The exception to this rule is where a numeral begins or ends a sentence, then it should always be spelt out:

eg, Twelve directors attended the meeting when they were expecting twenty.

### *Commas*

Use a comma to separate the thousands in five (or more) digit numerals in running text. All numerals in tables should have commas to assist with alignment. Spaces are not used:

eg, 10,000 *but* 4000

### *Decimal points*

A decimal point is not used where the decimal is simply zeros:

eg, \$10 *not* \$10.00

### *Measurements*

Where a number is preceded or followed by a specific unit of measurement, figures should always be used, except of course where it begins or ends a sentence. There is a space between the number and the value except with certain symbols such as

percentages. Common measurements should be abbreviated but less familiar ones spelled out (or check the Macquarie Dictionary for abbreviations).

eg, 1 km, 3 g, 6 days, 4 years, 8%, 27°, 3 ml, 7 L, *but* two children, 3 metres

Note that units of time (days, months, years) are classified as a unit of measurement. Authors will often write 'two years' or 'six months', but to accord with LexisNexis house style these should be changed to '2 years' and '6 months' (unless they begin a sentence).

#### *Currency*

Money should always be represented in figures and without a decimal point unless cents are included. When expressing millions, a combination of figures and words can be used. The dollar and cent symbols are set closed up to the amount:

eg, \$2 not \$2.00 *but* \$42.95  
55c  
\$2.5 million  
AUD\$100  
£100 or 100 pounds

#### *Percentages*

Percentages should be expressed in figures with an unspaced per cent symbol (%) in all cases, except at the start of a sentence:

eg, The success rate for applicants was 5%.  
Five per cent of applicants were successful.  
Only 5% of applicants were successful.

#### *Fractions*

Fractions are spelled out with a hyphen:

eg, one-third, two and three-quarters

## 5. Date and time

Dates should always be expressed as day/month/year without punctuation:

eg, 3 April 2017 *not* the 3<sup>rd</sup> of April 2017 and *not* 3/4/17 *nor* 03.04.2017 *nor* 04.03.2017

#### *Financial years*

Use an oblique for financial years.

eg, 2016/17

### *Decades and centuries*

Decades are written without an apostrophe.

eg, 1970s *not* 1970's or 70s

Centuries are spelled out.

eg, seventeenth century *not* 17<sup>th</sup> century

### *Time*

Time is written using the 12 hour system, a full stop between the hour and minutes, and a space before the am/pm

eg, 5 pm, 3.30 am

## 6. Capitalisation

### *Capitalisation - general*

LexisNexis house style uses a minimum of capitalised words and generally only proper nouns and words beginning sentences are capitalised.

Names and titles of specific people or institutions are capitalised, but when referring to them generally all letters drop to lower case, thus it is Supreme Court but when referring to the court generally it is simply court – thus *the court held that*. Likewise, *the judge stated, the magistrate queried, the minister asked, the tribunal found*, etc.

Exceptions are some terms which need to be capitalised to distinguish them from their generic meanings:

- Act(s)
- the Bar
- Bill(s)
- Crown

The words 'state' and 'territory', when referring to the jurisdictions comprising the federation of Australia, should not be capitalised (except as a proper noun, eg, Northern Territory). However in this context, 'Commonwealth' should be capitalised.

Thus: 'The states and territories surrendered that power to the Commonwealth'.

'His / her / your Honour' is a title given to members of the judiciary when they are in court, and is used in place of pronouns, eg, 'her Honour said' *not* 'she said'. Only the word 'Honour' is capitalised:

eg, Although Parker J was sympathetic to the plaintiff, ultimately his Honour did not decide in her favour.

This would mean the following:

|                                 |                |
|---------------------------------|----------------|
| NSW Supreme Court               | the court      |
| Human Rights Commission         | the commission |
| Administrative Appeals Tribunal | the tribunal   |

### *Capitalisation – Particulars*

#### *Titles*

Use capitals for the names and titles of specific people, offices, institutions, etc, but not when referring to them generically:

|                   |                      |
|-------------------|----------------------|
| his or her Honour | Treasury             |
| Her Majesty       | the Attorney-General |

#### *Commonly used words in LexisNexis' journals*

|                  |                   |
|------------------|-------------------|
| the Act          | the Rule          |
| the Regulation   | the Bill          |
| Full Court       | territory/state   |
| the Commonwealth | the Crown         |
| the Constitution | the bench/the bar |

#### *Lists*

Lists are introduced with a colon. Lists can be set as either full sentences or not. With a list made up of full sentences each element begins in a capital letter and ends in a full stop. Lists with incomplete sentences begin with a lower case letter and end in a semi colon except for the last one, which ends in a full stop.

eg,

The judge held the following:

- (a) The plaintiff was guilty of driving through a stop sign.
- (b) The plaintiff did not look for other traffic.
- (c) The plaintiff failed to stop after he hit the bicycle.

The judge listed elements to be taken into account when sentencing the plaintiff:

- (a) age;
- (b) driving record; and
- (c) mental stability.

Never change how a list appears in legislation or in a quote even if it is inconsistent.



### Heading levels

Consistency with the rest of the publication is paramount, but generally article headings and subheadings use a minimum of capitalised words and should be sentence case.

| Heading level                             | Attributes  |
|---|---|
| Heading level one (ie, the article title) | Sentence case. Centred, not bold. Font size larger.   |
| <i>Abstract</i>                           | Italicised, centred, not bold.<br>No 'Abstract' heading.  |
| <i>Author name</i>                        | Italicised, centred, not bold.  |
| <b>I Heading level two</b>                | Sentence case. Centred, bold.<br>Roman numeral.<br>Where an 'Introduction' heading is used, no numeral is to be included. |
| A Heading level three                     | Sentence case. Centred, not bold.<br>Upper-case letter.   |
| <i>(i) Heading level four</i>             | Sentence case. Left aligned, italicised, not bold.<br>Lower-case Roman numeral.   |
| <i>(a) Heading level five</i>             | Sentence case. Left aligned, italicised.<br>Lower-case letter.<br>Only to be used when absolutely necessary.              |

## 7. Italics

### Case names

All case names should be italicised. See further *Case Citations* below.

### Publication titles

The titles of books, plays, poems, newspapers and journals should be italicised:

eg, *Cases and Materials on Tort*  
*Australian Bar Review*

Articles and parts of a publication should be set in roman in quotation marks:

eg, 'Stay In Touch' in yesterday's *Sydney Morning Herald*  
'Breach of Contract' (2002) 25 *AJCL* 233  
'Review of Negligence Cases from 2016' (2016) 16(4) *HLB* 50

#### *Film, video, TV and radio programs*

Titles of films, videos, radio and TV programs should be italicised, but not titles of particular episodes, which appear in roman in quotation marks:

eg, 'The Heroin Wars' appeared on *Four Corners* recently

#### *Musical works, dramatic works and works of art* (mostly relevant to the *Media & Arts Law Review*)

The titles of opera and musical compositions, plays, paintings, sculptures, drawings and other works of art should be italicised. Song titles appear in roman in single quotation marks:

eg, Rhonda Birchmore sang 'Waterloo' in *Mamma Mia*  
Leonardo da Vinci's *Mona Lisa* was damaged

#### *The names of planes, trains, ships, etc*

The names of specific aircraft, ships and other vehicles are italicised but the names of the types of vehicles are not:

eg, The *Indian Pacific* was derailed this morning.  
A Boeing 737 was used to bring survivors home.  
The HMAS *Perth* was ready for departure.

#### *Scientific names*

The names animals and plants should be italicised:

eg, The *Angophora costata* is known as smooth-barked apple.

#### *Legislation*

Names of Acts, Rules and Regulations are set in roman.

eg, Crimes Act 1900 (NSW) not *Crimes Act 1900 (NSW)*

#### *Emphasis*

Where an author wishes to emphasise certain words or phrases, this should be done using italics. Do not underline or use bold. Limit the use of italics for emphasis:

eg, It is clear from the legislation that home-based workers are also entitled to workers compensation for *any injuries arising out of or in the course of employment*.

#### *Foreign words and unusual legal terms*

Use italics for foreign words not commonly used in English and legal terms if unusual. Do not italicise commonly used legal or foreign words:

eg, *contra proferentem*

but not, eg, *ibid*

## 8. Cases

### *Case names*

Case citations are references to the reports of legal cases. They tell a reader where a particular report has been published.

Consistency in citing case names is desirable.

The first party in a case name must be set out in full while the second party must be abbreviated in the event that there is an acronym:

eg, *Australian Competition and Consumer Commission v ASIC  
Director of Public Prosecutions (Cth) v DPP (Cth)*

That is:

*Spelled out party name v Acronym*

Abbreviations in case names should be used according to the Table of Abbreviations set out at the end of this style guide.

### *Full name and abbreviated case names*

A full case citation must always be included when first mentioned in text. If an abbreviated case name is used in a heading or in the abstract retain the abbreviated version.

The citation should not appear in text, but instead set out as a footnote.

The entire case name, including the “v” must be italicised and the citation should be in roman.

Subsequently the case citation may be shortened to one of the parties’ names only. The abbreviated case name follows on in parentheses immediately after the citation to ‘introduce’ the abbreviation. Once an abbreviation has been used, it can be used subsequently without needing to reproduce the full citation.

eg, *Markarian v R* (2005) 228 CLR 357; 215 ALR 213; [2005] HCA 25; BC200503148  
(*Markarian*) or (*Markarian’s case*).

After a full citation has been given, the case name with reference to the footnote can be used.

eg, *Markarian* (n 12).

'Above' should be used when referring to the footnote directly preceding instead of *ibid*.

Where a number of pages have gone by or if a new numbered paragraph begins and the case is referred to again, set out the whole citation again.

Generally, there is no need to abbreviate a case name if it is only mentioned a few times. In this instance it is fine to provide the full case name. Abbreviations are best used where a case is constantly referred to throughout an article.

#### *Initials, given names and company names*

Given names and initials of individuals should be omitted from a citation.

eg, *Filippou v R* **not** *Christopher Angelo Filippou v R*  
*R v Pham* (2015) 256 CLR 550; 325 ALR 400; [2015] HCA 39 **not** *R v Vu Lang Pham* (2015) 256 CLR 550; 325 ALR 400; [2015] HCA 39

However, if given names and initials form part of a company or business name, they are included in the citation. Company names must always be included in full and there are no spaces between any initials.

eg, *Graham v KD Morris & Sons Ltd*  
*AB Engineering Pty Ltd v Phillips*

#### *Multiple parties and cases heard together*

Where there are multiple parties on either side then only one name for each should be reproduced. However, if one party has 'trading as' as part of their name, 't/as' must be included. The words 'and anor', 'et al' or 'and ors' must not be included in case names.

eg, *Smith v Jones* **not** *Smith v Jones and Brown*  
*RELX (t/as LexisNexis) v Austin*  
*R v A2* (2019) 269 CLR 507; 373 ALR 214; [2019] HCA 35 **not** *R v A2; R v Magennis; R v Vaziri* (2019) 269 CLR 507; 373 ALR 214; [2019] HCA 35.

#### *Commonwealth or state parties*

When the Commonwealth or a state is a party to a case, the following format applies. Do not abbreviate either the Commonwealth or a state when it is a party to a case:

*Commonwealth v Jones* **not** *The Commonwealth of Australia v Jones*  
*Kalbasi v Western Australia* (2018) 264 CLR 62; 352 ALR 1; [2018] HCA 7 **not**  
*Kalbasi v State of Western Australia* (2018) 264 CLR 62; 352 ALR 1; [2018] HCA 7.

Where the state is not a party but denotes the jurisdiction then it is abbreviated:

eg, *Commissioner of Railways (NSW) v Workcover Authority (Qld)*  
*Attorney-General (NSW) v FCT*  
*Morser v DPP (NSW) / Director of Public Prosecutions (NSW) v Morser*

#### *Other abbreviations*

With cases called 'In re' or 'In the matter of', the preferred citation is 'Re':

eg, *Re Smith*.

With any ex parte case the 'e' is capitalised but the 'p' is not:

eg, *Ex parte Smith*

With relator action (*ex relatione*) cases, the citation is 'Ex rel':

eg, *Attorney-General (Ex rel Kerr) v T*

When citing family court cases, use 'In Re' as the abbreviation for 'In the Marriage of':

eg, *In Re Smith*.

'R' should always be used rather than 'the Queen', 'the King', 'Rex' or 'Regina' for either party.

eg, *R v Pagura*

Words such as 'Pty', 'Ltd', 'Inc' and 't/as' are always abbreviated regardless of which party they appear in.

eg, *David Jones Pty Ltd v Versace Inc*

Similarly, words describing a corporation in various states of insolvency or administration are also abbreviated, in lower case.

eg, *Re Rural and Veterinary Requisites Pty Ltd (in liq)*  
*Re Daniel Efrat Consulting Services Pty Ltd (rec apptd) (in liq)*  
*Cooper Chopsonion Pty Ltd (recs and mgrs apptd) v Chopsonion Pty Ltd (recs and mgrs apptd)*

#### *Administrative law cases*

Decisions of the Administrative Appeals Tribunal (AAT) begin with 'Re' and use the word 'and' instead of 'v'.

eg, *Re Liu and Comcare not Re Liu v Comcare nor Liu v Comcare*

#### *State Administrative Tribunal decisions*

Decisions of the State Administrative Tribunal (SAT) in Western Australia use the word 'and' instead of 'v':

eg, *Cartner and Craig [2020] WASAT 101*

## 9. Case citations

The citation is the information following a case name, which indicates where that case can be found.

### *Reported decisions*

Citations can be references to the reports of law cases, containing various elements to enable a person to find a case. Some of the elements they contain are:

- a year reference
- a volume number
- an abbreviation for the reports series
- the page number at which the report starts
- an 'at' reference to a particular paragraph or page.

Law reports series can be authorised or unauthorised. When a reports series is authorised, it means that the headnote has been checked and approved by a council of law reporting or the relevant judge or member. The authorisation process means that the relevant authority has approved of the headnote and it must be cited in preference to all other reported versions of that case. An unauthorised reports series does not have to undergo this extra authorisation process.

The Australian National University has published a helpful list of the authorised reports series for each Australian court, and the publisher of each:

[https://libguides.anu.edu.au/ld.php?content\\_id=29807428](https://libguides.anu.edu.au/ld.php?content_id=29807428)

Square bracket citations indicate that the year is the identifying factor of the volume of reports and may or may not necessarily be the year of the judgment:

eg, [2017] VR 123

Round bracket citations indicate that the volume number is the identifying factor and the year relates to the year of the decision only:

eg, (2014) 100 ALR 1

However, a small number of reports (mainly CCH publications) do use year-date parentheses in a similar way to square brackets. Note the absence of a volume number after the year-date:

eg, (1999) Aust Torts Reports ¶181–091

### *Media neutral citations*

All cases from most courts from 1999 onwards (and from 1998 on in the High Court) have a media neutral citation, eg, [1999] FCA 277.

This is a number allocated by the court and is unique to that case. This number appears underneath the date and place of judgment.

### *Unreported decisions*

Cases that have not yet been, or may never be, selected for inclusion in a reports series are often also referred to by authors. As most courts now assign a media neutral citation when a case is handed down, citations for such cases need include only the media neutral citation.

eg, *Smith v Jones* [2017] NSWSC 619

Unreported judgments that pre-date the allocation of media neutral citations should include the following in round brackets and are divided by commas ([court abbreviation], [judge], [matter or judgment number], [date], unreported):

eg, (NSWSC, Young J, CA/123/98, 1 March 1998, unreported)

## **10.Parallel citations**

In order to help readers find a case, several citations are provided. These are called parallel citations.

Where cases are reported in more than one reports series, the authorised series citation must always precede the unauthorised series citation, as the authorised version of the law report must be cited in preference to all others. The protocol is as follows:

1. authorised reports series
2. LexisNexis reports series (if the authorised reports series is a LexisNexis series then no second LexisNexis report series need be included)
3. media neutral citation

If there are two unauthorised reports series but one is a competitor and the other is a LexisNexis series, then the LexisNexis one appears first.

A generalist reports series citation precedes a specialist reports series citation, unless it is better for customers to have that specialist report ie, it links to a related LN product.

Media neutral citations will generally have been assigned for all new decisions coming from the courts, so usually at least these two citations will be available and should always be included.

Regardless of which citations are used, the number of parallel citations should not exceed three: the authorised and another reported series plus the media neutral citation.

When deciding on extra citations it is always useful to remember what related products we have. Subscribers will appreciate having citations for a series that is easy for them to access by a link.

Where a string of citations appears, a semicolon will separate them. Where the square-bracketed year is identical, it must be repeated for each citation:

eg, [2016] 2 Ch 33; [2016] 4 All ER 147

Where one is round-bracketed and the other is square, both must be included:

eg, (1928) 27 CLR 62; [1928] VR 16

Where all cases are round-bracketed, the year need not be repeated:

eg, (2017) 189 CLR 16; 148 ALR 68

*EXCEPT* where one of the citations is of a CCH report where parentheses have been used as square bracketed ones:

eg, (2009) 189 CLR 16; 148 ALR 68; (2009) Aust Torts Report ¶181–661

Media neutral citations should always be included where available, and follow any reports series citations:

eg, *Smith v Jones* (2017) 185 CLR 224; 76 ALR 123; [2017] HCA 335.

Examples of case citations on Lexis Advance converted into house style:

eg, *Dinsdale v R* (2000) 202 CLR 321; (2000) 175 ALR 315; (2000) 74 ALJR 1538; (2000) 115 A Crim R 558; [2000] HCA 54; BC200006053.

becomes:

*Dinsdale v R* (2000) 202 CLR 321; 175 ALR 315; [2000] HCA 54.

eg, *Bell Group NV (in Liq) v Western Australia; WA Glendinning & Associates Pty Ltd v Same; Maranoa Transport Pty Ltd (in liq) v Same* (2016) 260 CLR 500; (2016) 331 ALR 408; (2016) 90 ALJR 655; (2016) 113 ACSR 1; (2016) 103 ATR 178; [2016] HCA 21; BC201603554

becomes:

*Bell Group NV (in liq) v Western Australia* (2016) 260 CLR 500; 331 ALR 408; [2016] HCA 21.

eg, *Strickland v Commonwealth Director of Public Prosecutions* (2018) 266 CLR 325; (2018) 361 ALR 23; (2018) 272 A Crim R 69; [2018] HCA 53; BC201810430

becomes:

*Strickland v DPP (Cth)* (2018) 266 CLR 325; 361 ALR 23; [2018] HCA 53.

## 11. Pinpoint citations

Where a specific pinpoint reference to a report is being made, it should be signified by using 'at'.



All cases with media neutral citations have paragraph numbers set in square brackets. Paragraph references are more specific than page references and should be used in preference to page references where possible. This means that, if you have a paragraph reference, parallel 'at' page references are not necessary:

eg, (2015) 200 ALR 123 at [12].

However, for cases without media neutral citations, page numbers should be used:

eg, (2013) 100 ALR 123 at 125.

Where there are parallel citations, the position of the 'at' reference depends on what it refers to.

If the reference is to a para number, it will appear at the end of the string of citations, as it will be the same for every version of that case.

But if it refers to a particular law report then it must follow that citation:

eg, (1989) 123 CLR 456 at 459; 67 ALR 888 at 889.  
(2014) 123 CLR 456; 67 ALR 888; [1999] HCA 123 at [12].

Where there is an 'at' reference to an abbreviated case name, a paragraph reference should also be used. Where this is not possible then the report should be included:

eg, *Bishop's case* (n 5) at [12].  
*Bishop's case* (n 5) at CLR 459.

## 12. Citing individual judges

Judges of the state/territory Supreme Courts, the Federal Court and the High Court are given the title 'Justice'. Where a specific justice in a report is being referred to, they should be signified by using 'per [Surname] J':

eg, (2017) 100 ALR 123 at [12] per Mason J.

Where there is more than one justice being referred to, they are referred to in a similar manner:

eg, (2017) 100 ALR 123 at [12] per Mason and Carter JJ.

Judges of the state District Courts are given the title 'Judge'. Where a specific judge in a report is being referred to, they should be signified by using 'per [Surname] DCJ':

Judges of the County Court in Victoria are also given the title 'Judge'. When a specific County Court Judge in a report is being referred to, he or she should be signified by using 'per Judge [Surname]':

Judges of the Federal Circuit and Family Court are also given the title 'Judge'. When a specific Federal Circuit Court and Family Court Judge in a report is being referred to, he or she should be signified by using 'per Judge [Surname]':

The High Court, Federal Court, and Supreme Courts all have a Chief Justice. When the Chief Justice in a report is being specifically referred to, they should be signified by using 'per [Surname] CJ'.

The rules above should also be followed when referring to a judge in ordinary text (as well as a citation). However, as with other abbreviations, abbreviations of judicial titles should not be used to begin a sentence.

eg, The principle is expressed in the opinions of Mason and Carter JJ.  
but: Justices Mason and Carter express this principle in their opinions.

### **13. UK decisions and international law**

Australia's common law system means that UK decisions contribute to the large body of case law that may have the force of precedent in Australian judicial reasoning. As a result, it is not uncommon for authors to refer to UK cases in their writing about Australian law. Citations of UK cases should be verified via a search on Lexis Advance, but no parallel citations need to be added.

References to the case law or legislation of other countries may also arise as points of comparison, influence or general interest. You are not expected to learn the case or legislation citation rules for international law and can retain the citation as provided by the author without verifying or adding further citation details.

If the citation provided appears obviously incomplete or incorrect, you can ask the author for further citation details.

### **14. Legislation**

#### *Citation of legislation*

There are many references to legislation throughout an article. In its first appearance, its full name and year must always be included. If abbreviated legislation is used in a heading retain the abbreviated version.

All legislation references are set in roman and never in italics.

If an abbreviated form is being used, it must first be included after the full citation.

eg, The Workplace Relations Act 2014 (Cth) (WR Act).

As with abbreviations of case names, where a number of pages have gone by or if a new numbered paragraph begins and the legislation is referred to again, set out the whole citation again.

#### *Elements within legislation*

When referring to elements of legislation within text, abbreviations should be used unless at the beginning of a sentence.

Abbreviations should be consistent with the *Table of Abbreviations* at the end of this style guide.

eg, Part 7 Division 2 section 3 subsection (1) paragraph (a) should be cited as:

Pt 7 Div 2 s 3(1)(a)

Section 180 of the Corporations Act 2001 (Cth) works in conjunction with s 13(4)

When citing multiple sections:

eg, ss 109 and 111 *but* s 109 or s 111

Note though that the plural is not used with multiple subsections:

eg, s 109(1) and (2)

## 15. Other referencing

### *Book*

A reference to a book should include:

Author(s) name (first initial and surname only);  
title (italicised);  
edition;  
publisher;  
date of publication;  
chapter/page reference (page references include 'p' for page).

There should be a full stop at the end of each footnote.

eg, H Ford and R Austin, *Ford's Principles of Corporations Law* (6th ed, Butterworths, 1992) p 461.

### *Chapter/article within a book*

A reference to a chapter or article within a book should include:

Author(s) name (first initial and surname only);  
title of chapter or article (in single quotation marks);  
title of book (italicised);  
name of editor(s);  
edition;  
publisher;  
place of publication;  
date of publication;

page reference (page references include 'p' for page).

eg, H Dunn, 'The Greying of Australia: Consequences of Intervening in Reproduction' in *Trends in Biomedical Regulation*, H Caton (Ed), 2nd ed, Butterworths, Sydney, 1990, pp 173–90.

#### *Article within a journal*

A reference to an article within a journal should include:

Author(s) name (first initial and surname);  
title of article (in single quotation marks);  
year published (in brackets);  
volume number;  
title of journal (full title);  
page reference (specific references do not include 'p' for page but the page number alone).

eg, R Clarke and G McGrath, 'Newspaper Reports of Bank Robberies and the Copycat Phenomenon' (1992) 25 *Australian and New Zealand Journal of Criminology* 83.

Note if you are unsure about how to cite a journal check with the journal itself. If some authors provide an abbreviated name, ask them to spell out the full title. Do not guess the title.

#### *Looseleaf publications*

A reference to a looseleaf publication should be as follows with specific references to paragraphs and never to pages:

Author (initial and surname);  
title (italicised);  
publisher;  
place of publication;  
date of publication;  
the word 'looseleaf';  
paragraph reference (in square brackets).

eg, N Williams, *Civil Procedure Victoria*, Butterworths, Sydney, 1991, looseleaf, at [7011].

If the looseleaf publication has been accessed online, then 'looseleaf' is replaced with an online date of retrieval:

eg, R N Howie and P A Johnson, *Criminal Practice and Procedure NSW*, LexisNexis, Sydney (online at 30 June 2020) at 'Proceedings before Magistrates', [1-025].

#### *Citing Internet material*

When providing a URL in a citation, the URL should be as specific as possible to the actual material being cited without becoming inappropriate for the length or formatting of a footnote.

If a direct link to the specific source being cited fits conveniently into a footnote, the full URL should be retained:

eg, Health Services Commissioner, Royal Melbourne Hospital Inquiry Report, August 2002  
<[www.health.vic.gov.au/hsc/downloads/rmh\\_report0802.pdf](http://www.health.vic.gov.au/hsc/downloads/rmh_report0802.pdf)>  
(accessed 23 August 2022).

If retaining the full URL would result in an excessively long footnote, then the URL should be as specific as possible, eg the URL should be that of the contents page from which the specific source can be accessed:

eg, Health Services Commissioner, Royal Melbourne Hospital Inquiry Report, August 2002  
<<http://www.health.vic.gov.au/hsc/resources/annualrep.htm>>  
(accessed 17 May 2011).

If the source being cited from a website is not a publication with a readily available title, author, etc, the URL can simply be preceded by 'available at':

eg, LexisNexis Rule of Law Impact (webpage) <[www.lexisnexis.com/en-us/rule-of-law/measuring-the-rule-of-law.page](http://www.lexisnexis.com/en-us/rule-of-law/measuring-the-rule-of-law.page)> (accessed 14 October 2016).

The type of internet source (blog post, report, forum post, social media post etc) should be specified in brackets after the title.

#### *Halsbury, Hansards, Gazettes*

References to Halsbury, Hansards and Gazettes should be as follows:

LexisNexis, *Halsbury's Laws of Australia*, Vol no, title no and title name, 'name of chapter', [para no] (at service no) for hard copy citation.

LexisNexis, *Halsbury's Laws of Australia*, Vol no (at date of retrieval), title no and title name, 'name of chapter', [para no] for online citation.

Cth Hansard, House of Representatives (or Senate), 28 May 2015, p 6.

Cth Gaz G46 of 25 June 2015, p 42.

NSW Gaz 59 of 25 June 2015, p 42.

#### *International conventions and protocols*

References to international conventions, protocols and treaties should be as follows:

Antarctic Treaty, Protocol on Environmental Protection 1991.  
Geneva Convention for the Amelioration of the Condition of the Wounded,  
Sick and Shipwrecked Members of Armed Forces at Sea 1949.

Convention for the Prevention of Marine Pollution by Dumping from Ships and  
Aircraft, Oslo, 1972, UNTS vol 932 (1974) pp 3–19.

#### *Media releases*

Titles of media releases should be treated similarly to article titles, with roman type, quotation marks and minimal capitalisation:

eg, Department of Environment and Conservation (NSW) 'A chance to draft the zoning plans for Batemans Marine Park' (Media Release, 8 March 2006).

#### *Newspapers*

eg, K Deam, 'Prescribing a privacy cure', *The Australian*, 1 May 2001, p 53.

If a newspaper article is sourced online formatting should be as follows:

eg, A Sundby, 'Missing Titanic sub has less than 40 hours of breathable air left as U.S. Coast Guard search continues', *CBS News* (online, 20 June 2023) <<https://www.cbsnews.com/news/titanic-submarine-missing-us-coast-guard-watch-live-stream-today-2023-06-20/>> (accessed 22 June 2023).

#### *Reports and discussion papers*

eg, Law Reform Commission (NSW), *Evidence Report No 38* (1987) 54 para 144.

#### *Other sources*

Please refer to the *Oxford Standard for Citation of Legal Authorities* at [law.ox.ac.uk/oscola](http://law.ox.ac.uk/oscola).

## **16.Subsequent references**

Subsequent footnote references may be shortened to:

Author's surname only;  
'above n';  
the first footnote reference;  
the page reference (of where the original reference first appears in the article).

eg, Dunn (n 26) p 181.  
Clarke and McGrath (n 9) 87.  
Williams (n 3) [7013]

Do not use the word 'ibid' to refer to a preceding footnote. It is LexisNexis style to minimise the use of Latin words. Instead, use 'above':

eg, Above, at n 12.  
*not*  
Ibid, at n 12.

## 17. Using plain English, gender neutral pronouns, and respectful and inclusive language

LexisNexis advocates plain English writing, however, it is important not to be overzealous. For example, many Latin terms are in fact plain English for Australian lawyers, and it is important that we do not waste time hunting for so called 'archaic English', especially where their use is widespread (for example, *whilst* is a perfectly good English word, changing it to *while* is simply a waste of time).

If a word or term provided by an author is in the *Macquarie Dictionary* you should not change it unless it has derogatory connotations (eg, sodomite, spinster, half-caste, Oriental, Caucasoid, Negroid, etc) or the sentence sounds comically Shakespearean.

A sensible approach to plain English advocates the following:

- dividing information into manageable and related pieces (ie, short paragraphs);
- progressing concepts in a logical and easy to follow manner;
- where possible, including an overview to give context;
- ensuring content is written for both the beginner and the expert;
- informative and relevant headings;
- short and to the point sentences.

Note that offensive language in legal content is only rarely encountered. Offensive language in quoted material should never be altered.

If you are ever unsure about the use of a potentially offensive word or phrase, or come across language that is likely to lead to a customer complaint, please query it.

### *Gender neutral pronouns*

Avoid using masculine pronouns (he/him/his) in generic statements that encompass both genders (eg, 'a tenant is entitled to quiet enjoyment of his premises'). This may often be achieved by rewording the sentence to leave out the pronoun altogether (eg, 'a tenant is entitled to quiet enjoyment of the premises').

Alternatively, it is permissible to use plural pronouns (they/their) as though they were singular as a way of keeping language gender-neutral (eg, 'a tenant is entitled to quiet enjoyment of their premises').

Do not edit text to include both masculine and feminine pronouns (eg, 'a tenant is entitled to quiet enjoyment of his or her premises').

Ensure that when you make any edits to pronouns or to plain English, the context of what you are changing is clearly understood, or that you do not change the meaning or sense of what an author has written. There may be some articles where use of a particular pronoun is done for a reason, eg, as part of an author's research they may clearly specify that they are referring to 'X' as 'he' and 'Z' as 'she'. As with everything, always err on the side of caution and either retain what an author has written or query.

#### *Referring to Aboriginal and Torres Strait Islander peoples*

A common issue specific to Australian English relates to the appropriate and respectful way to refer to Australia's First Peoples.

Using 'Aboriginal and Torres Strait Islander' is often best practice when referring to Aboriginal and Torres Strait Islander people generally.

Using 'First Peoples' and 'First Nations' is also generally acceptable. They should always be pluralised.

'Aboriginals' or 'Aborigines' are generally considered to be outdated terms and are no longer considered acceptable.

The following is a helpful resource: [www.narragunnawali.org.au/about/terminology-guide](http://www.narragunnawali.org.au/about/terminology-guide).

#### *Referring to mental or physical disabilities*

When referring to mental or physical disabilities, please refer to: [www.acedisability.org.au/information-for-providers/language-disability.php](http://www.acedisability.org.au/information-for-providers/language-disability.php).

## **18. Abbreviations**

Abbreviations generally should not be used to begin a sentence.

Many of the abbreviations listed in the table below have a specific context in which they may be used appropriately (see Comment column).

Full stops are not used in abbreviations.

Where the abbreviation is an acronym that is pronounced as a word, there is no need to use the 'the':

eg, a member of ASIC



The choice of an indefinite article ('a' or 'an') before an abbreviation is based on sound, not spelling:

eg, an NRMA member *or* a UAW meeting *or* an SBS program

### Table of Abbreviations

| Full word   | Abbreviation            | Comment                                   |
|---|-------------------------|---|
| <b>A</b>  |                         |   |
| Acting Chief Justice                                    | ACJ                     | following a name                          |
| Acting Judge/Acting Judges<br>(administrator appointed) | AJ/AJJ<br>(admin apptd) | following a name                          |
| Alternative Dispute Resolution                          | ADR                     |   |
| amended   | am                      | in historical notes only                  |
| annexure  | annex                   | when followed by a number or figure       |
| Appeal Judge/Appeal Judges                              | JA/JJA                  | following a name                          |
| Article/Articles  | Art/Arts                | when followed by a number eg, in a treaty |
| Associate Justice                                       | AsJ                     | following a name                          |
| Attorney-General (jurisdiction follows)                 | A-G (NSW)               | in 2nd party in cases                     |
| Australian Broadcasting Authority                       | ABA                     |   |
| Australian Capital Territory                            | ACT                     | in full when a party in a case            |
| Australian Competition and Consumer Commission          | ACCC                    | in 2nd party in cases                     |
| Australian Securities and Investments Commission        | ASIC                    | in 2nd party in cases                     |
| Australian Stock Exchange                               | ASX                     |   |
| <b>B</b>  |                         |   |
| Brothers  | Bros                    | in 2nd party in cases                     |
| <b>C</b>  |                         |   |
| Chancery Court or Division                              | Ch                      |   |
| chapter/chapters  | ch/chs                  | when followed by a number or figure       |

|  |   |  |
|--|---|--|
| Chapter/Chapters                                       | Ch/Chs  | When followed by a number in legislation |
| Chief Justice  | CJ  | following a name                         |
| clause/clauses   | cl/cll  | when followed by a number or figure      |
| Commission   | Comm  | in 2nd party in cases                    |
| Commissioner   | Cmr   | in 2nd party in cases                    |
| Commonwealth   | Cth   | only when referring to a jurisdiction    |
| Company/Companies                                      | Co/Cos  | in cases                                 |
| compare  | cf  |  |
| Co-operative/Co-operatives                             | Co-op/Co-ops  | in 2nd party in cases                    |
| Corporation/Corporations                               | Corp/Corps  | in 2nd party in cases                    |
| County Council   | CC  | in 2nd party in cases                    |
| Court of Appeal (with jurisdiction)                    | NSWCA<br>VSCA<br>QCA<br>WASCA<br>SACA<br>TASCA<br>NTCA<br>ACTCA | in unreported citations                  |
| Court of Criminal Appeal (with jurisdiction)           | NSWCCA  | in unreported citations                  |
| <b>D</b>   |   |  |
| definition   | def   | in historical notes only                 |
| Department/Departments                                 | Dept/Depts  | in 2nd party in cases                    |
| Deputy Commissioner of Taxation                        | DCT   | in 2nd party in cases                    |
| District Court (with jurisdiction)                     | NSWDC   |  |
| Director of Public Prosecutions (jurisdiction follows) | DPP (NSW)   | in 2nd party in cases                    |
| Division/Divisions                                     | Div/Divs  | when followed by a number or figure      |

|   |               |                                     |
|---|---------------|-------------------------------------|
| <b>E</b>  |               |                                     |
| edition   | ed            |                                     |
| editor/editors  | Ed/Eds        |                                     |
| Equity Court or Division  | Eq            |                                     |
| European Union  | EU            |                                     |
| Ex parte  | Ex p          |                                     |
| Example/Examples  | eg/egs        | when followed by a number or figure |
| <b>F</b>  |               |                                     |
| Federal Circuit Court of Australia  | FCCA          | in unreported citations             |
| Family Court of Australia/Court of Appeal                                   | FamC/FamCA    | in unreported citations             |
| Federal Commissioner of Taxation  | FCT           | in 2nd party in cases               |
| Federal Court of Australia/Court of Appeal                                  | FCA/FCAFC     | in unreported citations             |
| Federal Magistrates Court   | FMCA          | in unreported citations             |
| Federal Magistrates Court (Family)  | FMCAfam       | in unreported citations             |
| (and) following   | ff            |                                     |
| for example, for instance   | eg,           |                                     |
| footnote/footnotes  | fn/fnn        | when followed by a number or figure |
| <b>G</b>  |               |                                     |
| Gazette   | Gaz           | when followed by a number or figure |
| Goods and Services Tax  | GST           |                                     |
| Government  | Govt          |                                     |
| Gram (note that in the Macq Dict the abbreviation for gram is not gm but g) | g             | when following a number             |
| <b>H</b>  |               |                                     |
| High Court of Australia   | HCA           | in unreported citations             |
| <b>I</b>  |               |                                     |
| Imperial  | Imp           |                                     |
| in liquidation  | (in liq)      | in case citations                   |
| in provisional liquidation  | (in prov liq) | in case citations                   |
| in voluntary liquidation  | (in vol liq)  | in case citations                   |

|   |        |   |
|---|--------|---|
| Incorporated  | Inc    | in case citations   |
| inserted  | insrt  | historical notes only                                       |
| <b>J</b>  |        |   |
| Justice/Justices  | J/JJ   | following a name  |
| Judge (if District Court Judge)<br>Note: If a Judge of the Federal Circuit and Family Court/Victorian County Court, use 'Judge [Name] and not [Name] J' | DCJ    | following a name  |
| Judicial Registrar  | JR     | following a name  |
| <b>K</b>  |        |   |
| kilogram  | kg     | when following a number                                     |
| kilometre   | km     | when following a number                                     |
| King's Bench Court or Division  | KB     |   |
| <b>L</b>  |        |   |
| Limited   | Ltd    |   |
| litre   | L      | when following a number                                     |
| Local Court(with jurisdiction)  | NSWLC  | in unreported citations                                     |
| Lord Justice/Lord Justices  | LJ/LJJ | following a name  |
| <b>M</b>  |        |   |
| metre   | m      | when following a number                                     |
| <b>N</b>  |        |   |
| New South Wales   | NSW    | in full when a party in a case                              |
| New Zealand   | NZ     | in full when a party in a case                              |
| Northern Territory  | NT     | in full when a party in a case                              |
| note/notes  | n/nn   | when followed by a number or figure                         |
| Note well/please note   | NB     | when used at the beginning of a sentence to mark importance |

|                                  |            |  |
|----------------------------------|------------|--|
| Number/Numbers                   | No/Nos     | when followed by a number or figure  |
| <b>O</b>                         |            |  |
| operational                      | opn        | historical notes only  |
| Order/Orders                     | O/Os       | when followed by a number or figure  |
| <b>P</b>                         |            |  |
| page/pages                       | p/pp       | when followed by a number or figure  |
| paragraph/paragraphs             | para/paras | when followed by a number or figure but not when followed by a square-bracketed number |
| Part/Parts                       | Pt/Pts     | when followed by a number or figure  |
| President                        | P          | Following a name   |
| Proprietary                      | Pty        |  |
| <b>Q</b>                         |            |  |
| Queens's Bench Court or Division | QB         |  |
| Queensland                       | Qld        | in full when a party in a case   |
| <b>R</b>                         |            |  |
| renumbered                       | renum      | only in historical notes   |
| registered                       | reg'd      | in 2nd party in cases  |
| regulation/regulations           | reg/regs   | when followed by a number or figure  |
| repealed                         | rep        | only in historical notes   |
| Rex, Regina, The King, The Queen | R          |  |
| rule/rules                       | r/rr       | when followed by a number or figure  |
| <b>S</b>                         |            |  |
| Schedule/Schedules               | Sch/Schs   | when followed by a number or figure  |

|                                   |   |                                     |
|-----------------------------------|---|-------------------------------------|
| section/sections                  | s/ss  | when followed by a number or figure |
| South Australia                   | SA  | in full when a party in a case      |
| subclause/subclauses              | subcl/subcll  | when followed by a number or figure |
| Subdivision/Subdivisions          | Subdiv/Subdivs  | when followed by a number or figure |
| subparagraph/subparagraphs        | subpara/subpar<br>as  | when followed by a number or figure |
| subregulation/subregulations      | subreg/subregs  | when followed by a number or figure |
| subsection/subsections            | subs/subss  | when followed by a number or figure |
| substituted                       | subst   | only in historical notes            |
| Supreme Court (with jurisdiction) | NSWSC<br>QSC<br>VSC<br>WASC<br>SASC<br>TASCA<br>NTCA<br>ACTCA |                                     |
| <b>T</b>                          |   |                                     |
| Tasmania                          | Tas   | in full when a party in a case      |
| that is                           | ie,   |                                     |
| trading as                        | t/as  |                                     |
| <b>U</b>                          |   |                                     |
| United Kingdom                    | UK  | in full when a party in a case      |
| <b>V</b>                          |   |                                     |
| Victoria                          | Vic   | in full when a party in a case      |
| volume/volumes                    | vol/vols  | when followed by a number or figure |
| <b>W</b>                          |   |                                     |
| Western Australia                 | WA  | in full when a party in a case      |

Written for Australian Journals by Catherine Zemann (2023); substantially revised and updated an original by Ingrid Pagura (2013).

NB this style guide does not apply to the *Journal of Equity*, the *Journal of Contract Law* nor the *Australian Journal of Labour Law*.