

# CAMBRIDGE LAW REVIEW

## STYLE GUIDE

LAST MODIFIED:  
VOLUME VIII, ACADEMIC YEAR 2022/23

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# 1. INTRODUCTION

The *Cambridge Law Review* strives to publish works which are not only of the highest substantive legal quality, but also of equal technical clarity.

It is recognised that writing style is inherently subjective. However, a reader is more likely to be persuaded by your arguments when they are not distracted by minor errors, omissions, or inconsistencies. To this end, this document aims to provide some style guidelines to ensure consistent and accurate uses of grammar, language, punctuation, and formatting, across all publications, but especially within a particular piece of work. It does not purport to be comprehensive, but will provide rules and examples for common issues which arise in academic writing. If this guide does not address a particular issue, we highly recommend making reference to the most recent edition of *Hart's Rules*.

Where technical and important lexical uncertainty arises, the *Cambridge Law Review* will rely on the definitions provided in the most recent editions of the *Merriam-Webster Collegiate Dictionary* or where appropriate, the *Merriam-Webster Dictionary of Law*.

It should be noted that this guide is not a guide to legal citation. On that front, the *Cambridge Law Review* abides by citation rules set out in the *Oxford University Standard for Citation of Legal Authorities* (OSCOLA), currently in its fourth edition.

## 2. **FORMATTING**

This section presents guidance on formatting issues which tend to arise during the editorial process. All submissions are expected to abide by these guidelines. The general rule will be stated at the beginning of each section with examples (if any) detailing the application of the rule coloured in blue.

### A. **FONT, FONT SIZE, AND SPACING**

All submissions should be typed in Times New Roman, size 12, 1.5 times spaced, and justified. There should be no additional spacing between each line; on Microsoft Word, this can be achieved by selected the “No Spacing” option under “Styles” on the “Home” tab.

#### Example:

Lord Toulson’s approach, premised on the view that the illegality defence is based on public policy concerns...

He seeks to address those public policy concerns by requiring the court to explicitly engage with those considerations in each case...

### B. **TITLES**

The first letter of each word in the title of the article should be capitalised, with the exception of prepositions and definite or indefinite articles.

However, the first letter of the first word in a title or the first word after a colon should always be capitalised.

#### Examples:

“Criminal Jurisdiction over the Internet: Jurisdictional Links in the Cyber Era”

“A Concept of Personal Autonomy Fit for Contract Law”

### C. **HEADINGS**

The number of levels of headings should not exceed four. Three levels has proven to be generally sufficient for most authors whose work has been published.

First level headings should be centred, numbered using capitalised Roman numerals, and fully capitalised. Except for prepositions, the font size of the first letter of each word should be 4 font sizes larger

(font size 16). The font size of the Roman numeral preceding the heading should be the same size as the first letter.

Second level headings should be justified, alphabetised (uppercase), of the same font size as your ordinary text (font size 12), and fully capitalised. The first letter of the heading should be 4 font sizes larger (font size 16).

Third level headings should be justified, italicised, numbered using lowercase Roman numerals in round brackets, of the same font size as your ordinary text (font size 12), and the starting letter for all words except prepositions should be capitalised.

Fourth level headings should be justified, alphabetised (lowercase) in round brackets, of the same font size as your ordinary text (font size 12), and in sentence case.

One line should be left before each heading.

Example:

I. *GAZPROM'S RELATIONSHIP WITH TANKERS*

Given the aforementioned history, *Gazprom* remains the Court's most recent exposition on AAEIs in the EU to date...

A. *RATIONALISING GAZPROM'S "CARVE-OUT"*

Our inquiry then becomes whether *Gazprom's* "carve-out"—consisting in its reasoning from the premise that arbitral acts are exempt to the conclusion that judicial acts enforcing arbitral acts are exempt—might be satisfactorily explained in analytical terms...

(i) *Explanation 1: Briggs' "Auxiliary Jurisdiction" Thesis*

Perhaps the most analytically sophisticated explanation tendered in *Gazprom's* wake, seeking to rationalise how award judgments acquire the "exceptionality"...

(a) "Mutual Trust" is unintelligible content-wise

The general principle of Mutual Trust has been regarded to be the “essential basis” of the Brussels Regulation. It is mentioned in the recitals of both Regulations...

#### **D. REFERRING TO SUBDIVISIONS USING HEADINGS**

Although the use of headings and sub-headings is entirely a personal preference, the *Cambridge Law Review* generally prefers that works are split into sections and subsections.

Use periods to separate sections and subsections in references to a previous or later part of your work. Always give the full description of the section whenever possible. “Section” should be capitalised.

##### **Example:**

“As discussed above at Section IV.C.(i), there are numerous issues which...”

“... see Subsection C in Section II above...”

#### **E. MARGINS**

2.5 cm margins should be left on the top, bottom, left, and right. This corresponds to the “Normal” setting on Microsoft Word. If your document does not use this setting automatically, you may change it under the “Page Layout” tab.

#### **F. INDENTATION**

Instead of leaving lines between paragraphs, you should indicate the beginning of a new paragraph by starting on a new line, indenting the start of the paragraph by 1.0cm.

However, the first paragraph at the beginning of a section should not be indented. The first paragraph at the beginning of subsections should be indented as normal.

##### **Example:**

Lord Toulson’s approach, premised on the view that the illegality defence is based on public policy concerns...

He seeks to address those public policy concerns by requiring the court to explicitly engage with those considerations in each case. It is an approach that inherently requires balancing...

##### **Incorrect:**

The UNHCR takes its policies on refugee applicants' privacy and confidentiality seriously...

The UNHCR does not disclose refugee applicants' information, but depending on the context, there could in fact be...

## **G. ALIGNMENT OF HEADINGS WITH TEXT**

As can be seen from the example given above at Section 2.C above, there should be one space between the numbering or lettering of each heading and the corresponding text. The numbering or lettering of second, third, and fourth level headings should be indented by 1.0 cm and aligned with the indentation of the text.

## **H. SHORT QUOTATIONS**

Short quotations are those which do not exceed forty words. They should not be typed as a separate paragraph, and should appear within double quotation marks in the same paragraph.

Where words, phrases or sentences are omitted within a quotation, the omissions should be indicated by ellipses, i.e. "...". No indication of punctuation before or after the ellipse is necessary. There should be no spacing between an ellipsis and the words preceding it, but a single space between the ellipsis and the word which follows.

Where letters or words are replaced or inserted within a quotation, the replacement or inserted letters or words should be indicated in square brackets, i.e. "[ ]".

### **Example:**

Turning first to a summary of the central struts of argumentation, the applicable constitutional background proved the first hotbed of dissension. The majority outlined how "the Royal prerogative... [was] progressively reduced as Parliamentary democracy and the rule of law developed"...

Where the quotation itself contains a quotation, you are to use single quotation marks at the beginning and end of the quotation within your quotation to avoid confusion as to what you are quoting.

If you are using a quotation to continue a sentence, but the first word of the quotation is the first word of a sentence, the first letter should be in the lowercase and placed within square brackets, i.e. “[ ]”. Conversely, if you are using the quotation to begin a sentence, but the first word of the quotation is not the first word of a sentence, the first letter should be capitalised and placed within square brackets.

**Example:**

Barbados has amended their domestic legislation following their ratification of the American Convention on Human Rights. This occurrence is a counter-example to the argument the Permanent Representative of Singapore put forth in 2001 at the 57th session of the Commission on Human Rights that “[t]he death penalty is primarily, according to the Commission itself, ‘a criminal justice issue’, and therefore is a question for the sovereign jurisdiction of each country...”

**I. LONG QUOTATIONS**

Where the quotation exceeds forty words, it should be typed as a separate paragraph, and indented both on the left and right by 1.0cm. Although there is no need to place the long quotation within double quotation marks, the other rules applicable to short quotations detailed above apply equally to long quotations.

Take note that although no lines should be left between paragraphs as stated at Section 2.F above, a line should be left between the preceding paragraph and the long quote, between every paragraph within the long quote itself, and between the last line of the long quote and the next paragraph.

**Example:**

The 2011 Expert Meeting on Complementarities between International Refugee Law, International Criminal Law, and International Human Rights Law: Summary Conclusions, Arusha, Tanzania, states at paragraph 45 that,

In practical terms, the question of the relocation of acquitted persons who are unable to return to their country of origin due to threats of death, torture or other serious harm is a real one. The problem of such relocation of

persons is not easy to resolve and this problem is expected to persist beyond the existence of the ICTR and to arise in the future for other international criminal institutions and, in particular, the ICC...

It was agreed that durable solutions need to be found for those acquitted by an international criminal tribunal or court and who are unable to return to their country of origin. Indeed, this is a fundamental expression of the rule of law and essential feature of the international criminal justice system.

Those who are excluded from statutory or mandate refugee status by the UNHCR are technically not eligible to receive international protection. They would certainly not be eligible for resettlement to another country.

## **J. NUMBERS**

Numbers should be spelt out except in the following cases:

- Dates;
- Numbers above ten;
- Paragraph and pages numbers;
- Proper nouns (e.g. 2nd Session of the General Assembly);
- Statutes, legislative instruments, and their corresponding provisions;
- Case names;
- Any other citation (e.g. *Justinian's Institutes* 4.2.1); and
- Numbers used in a tabular format (see Section 2.R below on tables).

Other than the cases listed above, ensure that all numbers are spelt out no matter how long they are to ensure consistency.

### **Example:**

“The four judges all agreed that...” and “There were one-million and one reasons provided for his failure to abide by the rules...”

## **K. DATES**

Dates should be written in the form “day month year”.

**Example:**

31 July, 1984.

A month and year without the day needs no comma between the month and year.

**Example:**

November 1889.

Always place a comma after a date that includes the day and year.

**Example:**

“The 11 May, 1991, order was untimely.”

When referring to decades with Arabic numbers, never use an apostrophe to separate the affixed s from the numerals.

**Example:**

“1980s” is correct; “1980’s” is not.

For centuries, always spell out the number.

**Example:**

“In the twenty-first century...”

“BCE” and “CE” should be used in preference of “AD” and “BC”, and belong after the year.

**Example:**

“In 412 CE, Justinian...”

“200 BCE was a significant year for the...”

**L. SUPERSCRIPIT**

Only footnote numbers should appear in superscript. Ordinal numbers in citations should appear in ordinary type, even though Microsoft Word often automatically adds superscript formatting, you should press Ctrl+Z immediately after Word makes the change to reverse it. Alternatively, you can turn off auto-formatting by going to the “Tools” menu, then “AutoCorrect Options”, then “AutoFormat”.

**Example:**

“9th” is correct; “9<sup>th</sup>” is incorrect.

## **M. FOOTNOTES**

Footnotes should be in Times New Roman, font size 10, and justified.

Generally, footnote numbers should be placed at the end of the quotation or sentence, after the punctuation. When referring to one word, the footnote number should be placed directly after the word.

Exactly one space should exist between the footnote number and the beginning of the footnote text.

When citing a case, the case name should always be included in the footnote, even if it has been stated in the main text.

When citing an article, the first letter of each word in the title of the article should be capitalised, with the exception of prepositions and definite or indefinite articles. However, if the title of the article begins with a preposition, or definite or indefinite article, then the first letter of that first word should be capitalised.

### Example:

“Alison L Young, ‘In Defence of Due Deference’ (2009) 72 *Modern Law Review* 554.”

For more details about footnoting, please refer to OSCOLA.

## **N. HYPERLINKS**

Remove hyperlinks when citing any website.

## **O. SPACING BETWEEN WORDS AND PUNCTUATION**

Only one space should follow full stops, colons, and semicolons. While the use of two spaces after periods and colons may be common practice, it wreaks havoc with the galleying and justification process in production, and should be carefully avoided.

Put a space between a close parenthesis and an open parenthesis.

### Example:

“(5th Cir 1996) (striking down affirmative action)”

Do not place a space between multiple quotation marks.

### Example:

“The judge said, ‘I hold you in contempt.’”

## **P. AUTHOR’S CREDENTIALS**

The footnote indicating the author’s title, education, and other information should be denoted with an asterisk, not a number. The next footnote should be number one.

A brief comment acknowledging those who have helped the Author is acceptable but this should be succinct and not excessively colloquial.

### **Example:**

\*Lecturer in Law, University of Cambridge. BA (Cantab), BCL (Oxon), LLM (Harvard). I am grateful to the anonymous reviewers for their comments on earlier drafts. Any errors that remain are my own.

## **Q. LISTING**

If each item in the list is short, you may list them within the paragraph itself with each item in the list separated by a semicolon. For consistency, if you opt to use this type of listing, each item on the list should be alphabetised (lowercase) in round brackets. The word “and” should appear after the semicolon before the last item on the list.

### **Example:**

“Allan correctly criticised the debate on the constitutional foundations of judicial review, turning to the need for a more precise and functional definition of the fundamental, and oft for granted, concepts of ‘Parliamentary sovereignty’ and the ‘rule of law’. In response to his call for detail, we first need to consider: (a) the value of doctrinal certainty as guidance to the courts; (b) the frequent misalignment of doctrine and policy as Dworkin raises; and (c) the possibility of judicial acceptance of any proposed academic doctrinal guidance.”

Alternatively, if each item in your list is long (20 words or more), they should be typed as a separate paragraph. They should be numbered, and at the end of each item, there should be a semicolon, with the word “and” appearing after the semicolon on the second-last item on the list. The list should be indented by 1.0cm on the left, with the first word being spaced 1.0cm apart from its numbering.

### **Example:**

A second and less analytically ambitious explanation might be put forth as being more accurately descriptive of *Gazprom's* reasoning. This thesis, advocated by Professor Hartley, holds that:

1. The principle of Mutual Trust simpliciter now constitutes the underlying basis for the prohibition in *West Tankers*;
2. Judicial acts enforcing arbitral awards just are not contrary to the general principle of Mutual Trust; and
3. Conversely, other judicial acts like the issuing of anti-suit injunctions, while themselves falling within the 'arbitration exception' in article 1(2)(d), are still prohibited for being contrary to Mutual Trust.

## **R. TABLES**

Tables are best used for information that is too complex to be presented clearly in a list or in running text, and particularly for information intended for comparison, either within a single table or between similar tables. They should not be used unless necessary.

### **Numbering**

Tables should be numbered by chapter or section in the order in which each is mentioned (for example, Table II.3). This allows for easy reference to them in the main body of text.

This numbering should appear above the table, fully capitalised, with the first letter 4 font sizes larger, and centred.

### **Sizing, Widowed or Orphaned Tables**

Tables should not be broken across pages unless their size makes a break unavoidable.

### **Formatting**

Omit vertical lines in tables. Horizontal lines should be kept to a minimum, although head and tail lines are included in most cases.

In the table body remove unnecessary spaces and tabs, and avoid adding a new line with a hard return. Introduce an extra row instead.

Table headers should be italicised. Other text or data points should not be italicised.

### **Headings**

Each table must have a heading or title, which should be placed in the first consisting of the table number and a title that describes what the table contains. Except for prepositions, the first letter of each word in the heading should be capitalised.

The length of column and row headings should be reduced to a minimum if necessary. Capitalise the first letter of each word in the row and column headings, except for prepositions and definite or indefinite articles. The heading should be italicised. Do not include end punctuation. Follow the alignment of data shown in the example below.

### **Example:**

TABLE II.3

<i>Top Ten UNHCR Offices with New Refugee Claims</i>			
<i>Country</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
<i>Turkey</i>	26,500	44,800	87,800
<i>Jordan</i>	25,000	6,700	29,100
<i>Malaysia</i>	19,400	53,600	25,700
<i>Lebanon</i>	1,800	2,800	14,500
<i>Kenya</i>	20,000	19,200	12,100
<i>Egypt</i>	6,700	10,800	10,000

### 3. GRAMMAR

This section presents guidance on some grammatical issues which have arisen in the past during the editorial process. Although writing styles may vary, grammar is largely universal. The following rules are of the kind with which authors should generally abide. The general rule will be stated at the beginning of each section with examples (if any) detailing the application of the rule coloured in blue.

#### A. PARALLELISM

Words, phrases, or clauses in a series should be of the same construction. Use the same construction on both sides of the conjunctions “and,” “but,” and “or.” A complete sentence should result when each word, phrase, or clause is read alone with the introductory words.

Example:

“[Cantabridgians enjoy drinking, debating, and ridiculing their enemies.](#)”

Incorrect:

“[Oxonians enjoy drinking, to dress well, and praising the Queen.](#)”

#### B. DANGLING PREPOSITIONS

Do not end a sentence or phrase with a preposition.

Example:

“[The treaty to which the nation was a signatory party.](#)”

Incorrect:

“[The treaty that the nation was a signatory party to.](#)”

#### C. SPLIT INFINITIVES

Unless substantial awkwardness would result, avoid splitting infinitives. An infinitive is the word “to” with a verb. A split infinitive separates the word “to” and the verb with another word (often an adverb). There are no strict rules that prohibit split infinitives, but many experts disapprove of them. If the sentence sounds awkward by correcting the split, our rule of thumb is to go with what makes the most sense in the context of your writing and for the ease of reading.

Example:

“[To understand better](#)”

**Incorrect:**

“To better understand”

**D. CONTRACTIONS**

Do not use contractions, except in quoted material.

**E. COMPOUND VERBS**

When practical, keep compound verbs together. A compound verb or complex predicate is a multi-word compound that functions as a single verb. Examples of compound verbs include “believe in”, “ask for”, “rely on”, “was looking”, and “had been saying”.

**Example:**

“Litigants often **have found** Judge Pryor’s opinions well-reasoned.”

**Incorrect:**

“Litigants **have often found** Judge Barkett’s opinions baffling.”

**F. “ONLY”**

Pay careful attention to the placement of “only.” It belongs immediately before the word it modifies.

**Examples:**

“The Fourteenth Amendment constrains **only** the States.”

“The Fifth Amendment prohibits a taking **only** if the government does not provide just compensation.”

**Incorrect:**

“**Only** the Fourteenth Amendment constrains the States.” (The States have other constraints placed on them)

“The Fifth Amendment **only** prohibits a taking if the government does not provide just compensation.”

## 4. WORD CHOICE

Word choice is an entirely personal, stylistic choice. However, some words either undermine the clarity of your writing, or are of no value. We provide comments on some poor word choices. The general rule will be stated at the beginning of each section with examples (if any) detailing the application of the rule coloured in blue.

### A. “AMONG” AND “BETWEEN”

Use “between” to express a relation of a thing to many surrounding things individually or reciprocally. Always use “between” when expressing a relationship between two things.

#### Examples:

“A treaty between three nations”

“A choice between A and B”

Use “among” to express a relation to them collectively and vaguely.

#### Example:

“The group has done humanitarian work among the four tribes.”

### B. “AND/OR”

“And/or” should not be used (except as part of a quotation) because it may have as many as three meanings. “X and/or Y” can mean “X and Y”, “X or Y”, or “X or Y, or both”. Be precise in your writing and determine which of these three possible permutations best suits what you are trying to convey.

### C. “AS LONG AS” AND “SO LONG AS”

Use “as long as” to denote spatial or temporal lengths.

#### Examples:

“He stayed at the hostel as long as she did.”

“That board is not as long as this other board.”

“So long as” is the proper phrase to denote a condition.

#### Example:

“Many judges have lifetime terms: they may serve so long as they are fit.”

**D. “AS SUCH”**

“As such” is not a substitute for “therefore” or “accordingly”. It must have an identifiable antecedent. As a rule of thumb, “as such” should only be used where the word “such” can be substituted for an antecedent to which it refers.

**Example:**

“The *Cambridge Law Review* is a student-run journal. As such, it is run by students.”

**Incorrect:**

“Bike theft is prevalent in Cambridge. As such, students are advised not to leave bikes unlocked.”

**E. “CLAIM”**

In legal writing, “claim” is not a synonym for “argue”, “assert”, “contend”, “insist”, “maintain”, “avow”, “allege”, “say”, or “state”.

**Example:**

“The author alleges that substantive due process is ‘hoey’” is correct;  
“The author claims that substantive due process is ‘hoey’” is not.

“Claim” can be used properly only in asserting ownership or possession over some *res* or right.

**Examples:**

“He claimed his lost watch.”  
“She filed an insurance claim.”  
“Her lawsuit contained several claims.”

**F. “COMPARE”**

To “compare X to Y” is to point out resemblances between objects of a different order.

**Example:**

“Men have been compared to mice.”

To “compare X with Y” is to point out differences and similarities between objects of the same order.

**Example:**

“We have compared decisions of the United States Supreme Court with those of the European Court of Human Rights, and found both to be heavily driven by ideological allegiances.”

## **G. “DUE TO”**

“Due to” means that something is owed to someone else.

### **Examples:**

“The latest loan payment was due to the creditor immediately.”

“The judgment debt of £90,510 was due to the claimant.”

Do not use “due to” to mean “because of” or to express a causal relation.

### **Example:**

“He was late because of the massive traffic jam.”

### **Incorrect:**

“He was late due to the massive traffic jam.”

## **H. “E.G.”, “I.E.”, AND “ETC.”**

In the main body of text, try not to use “e.g.”, “i.e.”, or “etc.” unless they appear in quoted material. Instead, use “for example” to replace “e.g.”, “that is” to replace “i.e.”, and “and so on” to replace “etc.” Commas always follow “for example” and “that is”.

If used, “e.g.”, “i.e.”, or “etc.” should not be italicised; nor should “e.g.” or “i.e.” be followed by commas.

Do not use “etc.” to end a list beginning with “e.g.”, “for example”, or other terms that indicate that the list is incomplete.

## **I. “THE FACT THAT”**

“The fact that” is largely a redundant phrase. In most cases, “that” will suffice. If you find yourself using this phrase excessively, you should consider revising the sentence entirely.

### **Examples:**

“The defendant’s silence weighed heavily on Judge Smith’s decision to find him guilty.”

### **Incorrect:**

“The fact that the defendant had remained silent weighed heavily on Judge Smith’s decision to find him guilty.”

**J. “IN ORDER TO”**

“In order to” is synonymous with “to”; “in order” is entirely redundant.

**Example:**

“To determine the correctness of this argument, we need to examine the individual cases in detail.”

**Incorrect:**

“In order to determine the correctness of this argument, we need to examine the individual cases in detail.”

**K. “IMPLY” AND “INFER”**

These words are not interchangeable. Something “implied” is something suggested or indicated, though not expressed directly. Something “inferred” is something deduced from evidence at hand.

**Example:**

“His occupation being farming implies that he is an early riser.”

“Since he is a farmer, we inferred that he was an early riser.”

**L. “SINCE” AND “WHILE”**

“Since” should be used to point to a period of time. If the sentence has no temporal element, replace “since” with “because” or “given that”, or any other phrase which indicates some type of correlation.

**Examples:**

“He has been living in London since 1997.”

“We have known about it since June.”

“The court decided, given that the defendant had recently lost his job, the amount he should pay his wife in maintenance ought to be reduced.”

**Incorrect:**

“The court decided, since the defendant had recently lost his job, the amount he should pay his wife in maintenance ought to be reduced.”

“While” should be used to refer to certain actions or activities. If there is no such activity, “while” should be replaced with “although” or “despite”.

**Examples:**

“Jason always whistled while he was at work.”

“The defendant alleged that the victim was raped while he was at work.”

“Although Desmond was exhausted, he continued to edit the submissions.”

**Incorrect:**

“While Desmond was exhausted, he continued to edit the submissions.”

**M. “THAT” AND “WHICH”**

“That” and “which” are not interchangeable. Knowing when to use “that” as opposed “which” is an art, not a science. As a rule of thumb, if the sentence does not need the clause that the word in question is connecting, use “which”. If it does, use “that”.

**Examples:**

“Our college, which has two fields, is located in Cambridgeshire.”

“Our college that has two fields is located in Cambridgeshire.”

These sentences are not the same. The first sentence tells us that you have just one college, and it’s located in Cambridgeshire. The clause which states that this college has two fields merely gives us additional information, but it does not change the meaning of the sentence. If you were to remove the clause concerning the fields, the location of the college would still be clear—it is located in Cambridgeshire

The second sentence, however, suggests that there are multiple colleges, and that the college with two fields is located in Cambridgeshire. The clause stating that this college has two fields is known as a restrictive clause because another part of the sentence (the location of the college) depends on it.

**N. “THIS”, “THAT”, “THESE”, AND “THOSE”**

Do not use “this”, “that”, “these”, or “those” to refer to something previously discussed unless referring to something specific. You should be able to refer back to a specific (and obvious) antecedent.

**O. AUTHOR’S EXPRESSIONS OF OPINION**

Remove such lead-ins as “I believe” or “It seems to me.” The author would not have written it if he did not believe it. These phrases are particularly prevalent in Symposium and Convention articles.

An obvious exception is when the author expresses an inherently personal belief.

**P. “WOULD” AND “WILL”**

The words “would” and “will” are not interchangeable. “Would” may be used to refer to the past or to speak of hypotheses; “will” may be used to express beliefs or promises in relation to the present or future.

**Incorrect:**

“As AI develops, hackers would definitely capitalise on...”

## 5. PUNCTUATION

Punctuation rules may be bent to fit the author's style of writing. Here, we list some common punctuation issues which have surfaced in the past. The general rule will be stated at the beginning of each section with examples (if any) detailing the application of the rule coloured in blue.

### A. COMMAS

Commas may serve emphatic or grammatical purposes. Emphatic commas are a matter of taste and style. Grammatical commas are used to separate particular clauses and phrases. They should be on both sides of a phrase or clause, or should not be used at all.

**Example:**

“Professor Feldman, who served as Legal Advisor to the Parliamentary Joint Select Committee on Human Rights, is now a professor at Harvard.”

**Incorrect:**

“The Edmund Burke Society, unlike the Federalist Society generally does not admit libertarians.” (a comma should be added after the second “Society”)

An Oxford comma should follow the penultimate item in a list.

**Example:**

“The Vice Dean, the Registrar, and the Dean of Students.”

### B. SLASHES (/)

The slash should only be used to denote fractions or in web addresses. A misused slash should be substituted with either a hyphen (-) or the word “or”, as appropriate.

**Example:**

“The public-private distinction”

**Incorrect**

“The public/private distinction”

## C. PUNCTUATION AND QUOTATION MARKS

The *Cambridge Law Review* prefers that all punctuation marks be placed outside of quotation marks when they are not part of the quotation.

### Examples:

The judge asked, “Are you serious?”

The majority outlined how “the Royal prerogative... [was] progressively reduced as Parliamentary democracy and the rule of law developed”, making reference to seminal cases such as *The Case of Proclamations*...

## D. QUOTATION MARKS

Double quotation marks should be used as the default, with single quotation marks only used when including a quotation within a quotation or in citations.

Quotation marks must be directed “smart quotes” (that is, pointing towards the quote, not perfectly vertical as in some fonts), and all quotation marks must point in the correct direction. Set Microsoft Word to use smart quotes automatically by going to the “Tools” menu, then “AutoCorrect Options”, then “AutoFormat”.

“ ” — these are smart quotes

" " — these are not smart quotes

## E. HYPHENATED WORDS

Compound phrases used as adjectives usually are hyphenated. A very general rule of thumb is to hyphenate compound phrases used as a whole as an adjective.

### Examples:

“Nineteenth-century statesmen”

“Half-baked policies”

“Long-term plans”

“Government-produced litigation”

Hyphenate fractions and numbers.

### Examples:

“three-fourths”

“twenty-two”.

The word “e-mail” is always hyphenated.

## F. POSSESSIVES

Form the possessive of a singular noun by adding “’s” regardless of the final letter of the noun. There are a few exceptions to this, such as possessives of ancient proper nouns ending in “es” and definite pronominal possessives. However, they rarely ever appear.

### Examples:

“Parliament’s bill”

“Burns’s poems”

“The Thomases’ home” (this is correct because Thomases is a plural noun)

### Incorrect:

“Parliaments’ bill”

“Burns’ poems”

“The Thomases’s home”

Form the possessive case of multiple nouns or names by adding an apostrophe and “s” to the last element if the nouns or names refer to the same object.

### Examples:

“Baroness Hale’s and Lord Mance’s concurring opinions”

“Justices Ginsburg and Kagan’s shared philosophy”

## G. PLURALS

Form the plurals of letters and words used for purposes other than their meaning by italicising the letter or word and adding a roman “s”.

### Example:

“The author used four *thats* in quick succession.”

Form the plurals of numbers and acronyms by adding “s”.

### Example:

“He received four CODs.”

Form the plural of an abbreviation of a title ending in a period by adding an s inside the period unless it would be awkward or confusing to do so; then use “’s” to avoid awkwardness or confusion.

**Examples:**

“Drs Smith and Jones will assist in the operation”

“The firm’s letterhead lists two Alan Johnson, Esq’s”

Use a roman “s” and no apostrophe when making italicised words plural.

**Example:**

“The *Daily Telegraphs* were on the desk.”

**H. CONSECUTIVE ADJECTIVES PRECEDING A NOUN**

Use commas to separate consecutive adjectives preceding the noun they modify when they are coordinate in meaning—that is, when each adjective directly modifies the noun.

**Example:**

“It was a cold, dark night.”

If the noun is a compound noun, no comma is needed.

**Example:**

“He made a weak constitutional argument.” (“Weak” modifies “constitutional” argument as a unit.)

**I. DISTINGUISHING HYPHENS, EN DASHES, AND EM DASHES**

There are three types of horizontal punctuation that can appear between various words: the hyphen (-), the en dash (–), and the em dash (—).

The hyphen is used to make compound words (like “advanced-level maths”) and to separate non-consecutive numbers (like phone numbers or Social Security numbers). Do not use it anywhere else.

The en dash is so named because it is the length of a printer’s “N” character. The en dash has one purpose: it replaces the word “through”. Thus, the en dash is used for inclusive dates and numbers, such as a pinpoint citation to pages 379–80.

Authors often use hyphens in footnotes when they should use en dashes. Be careful, as the two look similar to the untrained eye.

The em dash is so named because it is the length of a printer's "M" character. The em dash is used to indicate a strong break in the structure of a sentence. For example, the em dash—that is, the dash that is longer than the other two dashes—is the only one that is used appropriately in this context.

There should never be a space between the words or numbers on either side of a hyphen, en dash, or em dash.

If you do not know how to produce the various dashes: The hyphen is simply the little key between the 0 and the = key. Unfortunately, Microsoft Word will AutoCorrect a textual hyphen to an en dash where an em dash is required. Do not rely on AutoCorrect to govern dashes.

The en and em dashes can be created by going to the "Insert" menu and selecting "Symbol." Be sure that the font selected is "(normal text)" and then scroll down about two-thirds of the way through the symbols. If you click on the appropriate symbols, they will be labelled "em dash" and "en dash." From the character menu, editors can also assign Shortcut Keys to the dashes. Alt+N and Alt+M are convenient options. Alternatively, Windows computers with number pads should already have Alt+0150 for en dashes and Alt+0151 for em dashes programmed in.

## **J. PLACEMENT AND ITALICISATION OF FULL STOPS AND COMMAS**

It is important to make sure that full stops and commas are always properly placed, and italicised, if appropriate. It is possible to tell the difference between an italicised comma ( , ) or period ( . ) and a regular one. Increase the zoom in Microsoft Word if you are unsure about whether a punctuation mark is italicised. You can also highlight the punctuation mark only and check whether italics is selected.

## 6. MISCELLANEOUS

These are a collection of miscellaneous rules by which authors are expected to abide. The general rule will be stated at the beginning of each section with examples (if any) detailing the application of the rule coloured in blue.

### A. ACRONYMS

Always introduce acronyms before they are used. Do not put periods between the letters. Do not place quotation marks around the acronym.

Example:

“The Food and Drug Administration (FDA) was established in 1931. The FDA licenses and controls the labelling of food and drugs.”

### B. SALUTATIONS AND TITLES

Mister should be abbreviated as “Mr”, Missus as “Mrs”, Miss as “Ms”, and Doctor as “Dr”.

Justice should be abbreviated as “J”, Lord Justice as “LJ”, Master of the Rolls as “MR”, Chief Justice as “CJ”, President as “P”, Deputy President as “DP”, Justice of the Supreme Court “JSC”, Chancellor as “C”, and Vice-Chancellor as “V-C”.

The plural forms of “J”, “LJ”, and “JSC” are “JJ”, “LJJ”, and “JJSC” respectively.

Take note that no periods are used in the abbreviations. “Mr Justice Sedley” is abbreviated as “Sedley J”, not “Sedley J.”

Abbreviations for titles in other jurisdictions should follow the same general style and rules.

### C. PREFIXES

Do not use a hyphen with the prefixes “anti”, “co”, “de”, “inter”, “intra”, “multi”, “non”, “para”, “pre”, “pro”, “re”, “semi”, “super”, or “un” unless the relevant word is capitalised or hyphenated.

Example:

“non-European”

Use a hyphen, however, if necessary to distinguish the word and its prefix from another word of the same spelling or if otherwise necessary for clarity.

**Examples:**

“re-creation” (creating again, not performing leisure activities)

“re-form” (forming a second time, not changing the form)

**D. UNFAMILIAR WORDS AND TERMS OF ART**

Quotation marks may be used for the initial introduction of an unfamiliar word or a term of art. Later uses of the word or term should not include quotation marks.

**Example:**

To overcome a procedural default, a habeas petitioner must show “actual innocence.” Actual innocence is very difficult bar for an imprisoned individual to overcome.

**E. FOREIGN WORDS**

Foreign words not currently absorbed into the English language should be italicised.

**Examples:**

“*cestui que trust*”

“*ius gentium*”

“*lex mercatoria*”

**F. CAPITALISATION**

**“Article”, “Section”, “Schedule”, “Paragraph” etc.**

“Article”, “section”, “schedule”, “paragraph”, and other similar words referring to parts of legislation and international instruments should not be capitalised.

**“Court”**

When reference is made to a specific, named court, the name of the court should be capitalised. “Court” should also be capitalised when used as shorthand for the name of the relevant court (for example, the Court of Justice of the European Union), but not otherwise.

**Examples:**

“The Supreme Court held that Parliament had been unlawfully prorogued.”

“The court held that Parliament had been unlawfully prorogued.”

“The Court of Appeal”

“The Fifth Circuit Court of Appeals remanded the case.”

### **“Government”**

“Government” can be used to refer specifically to the executive arm of a government; “government”, with a lowercase “g”, should be used when referring to all arms of government as a whole.

### **“Justices”**

“Justices” should be capitalised.

### **Example:**

“The Justices all agreed that...”

### **“Prime Minister” and other titles of offices**

Titles of offices should not be capitalised, except when referring to a specific individual or when referring to Justices of a particular court (on which see above).

### **Examples:**

“The last three prime ministers were educated at Oxford.”

“The Prime Minister greeted the Justices.”

### **“States”**

“States” should be capitalised when reference is made to the several states of a country as a whole, but not otherwise.

### **Examples:**

“Congress passed the amendment and sent it to the States for ratification.”

“Similar laws existed in three of the fifty states. The states were Montana, Nebraska, and Ohio.”

## **G. GENDER**

Gender-neutral pronouns—that is, “they” or “them”—should be used when referring to persons whose gender is unknown or hypothetical persons, unless the context otherwise demands.

In other circumstances, authors are encouraged, but not required, to use gender-neutral language. Care, however, should be taken in relation to legal terms of art.

Example:

“The man on the Clapham omnibus.”

## H. NAMES OF BOOKS AND JOURNALS

Names of books and journals should be italicised, both in the main text and in citations. In the main text, “the” may be added before the name of the book or journal as appropriate, but should not be capitalised or italicised.

Example:

“In his *Commentaries on the Laws of England*, Blackstone observes...”

“In a recent note published in the *Cambridge Law Journal*...”

In citations, full names of journals, although not strictly required by OSCOLA, should always be given and italicised.

Example:

“Alison L Young, ‘In Defence of Due Deference’ (2009) 72 *Modern Law Review* 554.”