AGLC4 Referencing
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Types of Referencing

There are many different types of referencing. Law has its own referencing style called Australian Guide to Legal Citation (4th ed) or AGLC4 for short. It consists of:

- Citations in the body of the page, using a superscript (raised) number
- A list of footnotes at the bottom of each page, for all citations on that page
- A bibliography which is required it should be provided at the end of the paper on a separate page. This should give details of each source mentioned in the text, as well as details of other sources consulted in preparing the paper, even if they have not been quoted.

There are many other types of referencing, for example APA is used by Sociology and Psychology and Chicago and MLA are also common. They all allow the reader to know certain things about the information such as the author, the type of document and importantly, the date it was written. Which referencing style you use depends on the discipline you are writing for, so this year learn AGLC4 (Law) and another style for your other subject.

Why do I need to reference?

Referencing or citing your sources is important as it lets you:

- acknowledge the ideas or words of others if you use them in your work
- demonstrate that you've read relevant literature (show off)
- provide authority for your arguments (real facts)
- provide information that enables the reader to find the sources that you used
- sometimes they can be used to provide other, extra information that is not appropriate to include in the text.
- avoid plagiarism which can be thought of as intellectual theft. Plagiarism can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement. It takes place outside academia, for example copyright breaches being brought in the music and clothing industry as well.
What do I reference?

- Direct quotation and paraphrasing from another source should always be acknowledged. If you quote exactly this has to be put in quotation marks, e.g. ‘To be, or not to be, that is the question’
- You should acknowledge your source when using someone else’s original idea, theory or opinion or their actual words.
- You do not need to acknowledge well-known facts. It is really hard to explain what is ‘well known’. One way of looking at this is if you had to look up the information to find it then you need to reference it. For example, I know who the current Prime Minister is, so I would not reference this. However, I do not know who the Prime Minister was in 1962 so I will have to look it up and then I would reference it.

Things to keep in mind

- All footnotes should end in a full stop. Footnote numbers should generally appear after the punctuation at the end of a sentence (usually a full stop or a comma.). However, footnote numbers may appear directly after the relevant text if this is necessary for the sake of clarity.
- Single quotation marks should be used to indicate short quotes. Quotes of more than three lines should be indented from the left margin without quotation marks. For further information, see AGLC4 rule 1.5 at p. 15.
- Footnotes should be consecutive (1, 2, 3, 4, 5, etc.).

Example of footnoting on bottom of page.

impact upon two features of democracy. First and foremost, the multi-government nature of a federal system fosters the exercise of voice, the expression of political views. Professor Geoffrey Walker takes a ‘more is better’ approach, suggesting that a federation is ‘inherently

1 Anna Townsend and Glenn Withers, Australia’s Federal Future (Report, April 2007) 2.
Subsequent referencing.

After citing a work in full the first time, you may use Ibid or n for subsequent references to the citation.

Ibid

This is short for the Latin word *ibidem*, which means 'in the same book, passage, etc.' and can be used when referring to the immediately preceding footnote to save you typing it all out again (or cutting and pasting it again). It is not necessary to repeat the pinpoint reference where it is on exactly the same page as before, however, if you were referring to a different page than you would need to include the pinpoint.

Example:

2. Ibid.
3. Ibid 133.

n [footnote number]

‘n’ refers the reader to a previous footnote where the citation can be found in full. It is used with a shortened citation (Author Surname or Short Title) but is not used to refer to immediately preceding footnotes (use Ibid for this). See pages 9-10 of *AGLC4* (PDF pages 34-35) for more information.

Example:


Here, the Fred Mason reference from footnote #1 is repeated.
Primary Sources

The two major sources of Australian law are cases (the decisions made by judges in the courts) and Legislation (the legal rules made by parliament and by those to whom parliament has delegated authority).

Cases

A legal case is a dispute between opposing parties resolved by a court or equivalent legal process. Typically, this results in a written judgment based on a judge’s interpretation of the applicable law. You can access and read these cases from many places (you will learn more about this later). One thing to note is that Plaintiff v Defendant - the ‘v’ is pronounced “and” in civil cases and “against” in criminal cases, it is never pronounced as “versus” in Australia.

Reported

A reported case is a judgment that is published in a law report series. You need to be able to find not only the journal but also the volume to read and the page number as well (you can access these online).

Example: Wright v Chocolate (2011) 28 CLR 68, 70.

<table>
<thead>
<tr>
<th>Citation Element</th>
<th>Description</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wright v Chocolate</td>
<td>Party names</td>
<td>Italicize party names</td>
</tr>
<tr>
<td>(2011)</td>
<td>Year</td>
<td>Place in round brackets</td>
</tr>
<tr>
<td>153</td>
<td>Volume number of law report</td>
<td></td>
</tr>
<tr>
<td>CLR</td>
<td>Law report abbreviation</td>
<td>I will explain this later.</td>
</tr>
<tr>
<td>68</td>
<td>Page case starts on in law report</td>
<td></td>
</tr>
<tr>
<td>, 70</td>
<td>Pinpoint</td>
<td>This is the specific page number in the judgment. Do not include a 'p.' for the page.</td>
</tr>
</tbody>
</table>
Unreported

An unreported case has not been published in a law report (because it never will be or it has not been published yet), it uses a medium neutral style and they are only available online.

Example: *Wright v Chocolate* [2011] HCA 8, [12].

<table>
<thead>
<tr>
<th>Citation Element</th>
<th>Description</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wright v Chocolate</td>
<td>Party names</td>
<td>Italicize party names</td>
</tr>
<tr>
<td>[2011]</td>
<td>Year</td>
<td>Place in square brackets</td>
</tr>
<tr>
<td>HCA</td>
<td>Abbreviation of the court hearing case</td>
<td>This one is High Court Australia.</td>
</tr>
<tr>
<td>8</td>
<td>Judgement number</td>
<td>8th judgement heard in 2011</td>
</tr>
<tr>
<td>. [12]</td>
<td>Pinpoint to a paragraph number</td>
<td>Place in square brackets.</td>
</tr>
</tbody>
</table>

The Crown

Note: In criminal cases *R* stands for Rex (King) or Regina (Queen) e.g. *R v Wright* [2007] NSWSCA 14, but is pronounced as *The Queen*, so when the above case is spoken it is “The Queen against Wright”, or just “Wright”.

Legislation

Example: *Crimes Act 1900 (NSW) s 18*

<table>
<thead>
<tr>
<th>Citation Element</th>
<th>Description</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crimes Act</td>
<td>Short title</td>
<td>Italicize the title</td>
</tr>
<tr>
<td>1900</td>
<td>Year the Act was passed</td>
<td>Also in italics</td>
</tr>
<tr>
<td>(NSW)</td>
<td>Jurisdiction</td>
<td>NSW (New South Wales)</td>
</tr>
<tr>
<td>s 18</td>
<td>Pinpoint</td>
<td></td>
</tr>
</tbody>
</table>
Australian Constitution

The Constitution of the Commonwealth of Australia may be cited as the *Australian Constitution*, the *Commonwealth Constitution*, or simply *The Constitution* if there is no ambiguity as to which constitution is being cited. Where necessary, the Australian Constitution may also be referred to within its enacting legislation as:

*Commonwealth of Australia Constitution Act 1900* (Imp) 63 & 64 Vict, c 12, s 9.

Secondary Sources

Journal Articles

A journal is a collection of articles (like a magazine) that is published regularly throughout the year. Journals present the most recent research, and journal articles are written by experts, for experts. They may be published in print or online formats, or both.


<table>
<thead>
<tr>
<th>Citation Element</th>
<th>Description</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erin Sharp,</td>
<td>Authors name</td>
<td>Names should appear as they do on the title page of the source.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If there are 2 or 3 authors all authors should be included with ‘and’ before last one. If there are more than 3 authors the name of the author appearing first should be included, followed by ‘et al’.</td>
</tr>
<tr>
<td>‘History of Chocolate’</td>
<td>Title of article</td>
<td>Put in single quotations. No italics here</td>
</tr>
<tr>
<td>(2012)</td>
<td>Publication year</td>
<td>Use brackets</td>
</tr>
<tr>
<td>12(1)</td>
<td></td>
<td>Volume number followed by (issue number in brackets). No space between volume and issue numbers</td>
</tr>
</tbody>
</table>
**Chocolate Journal** | Full title of the journal in italics, omitting The from the beginning |  
--- | --- |  
21 | Starting page of article in journal |  
, 30 | Pinpoint to pages |  

**Books**

Example:  *Brenda Tiernan, Chocolate (University of Newcastle Press, 2nd ed, 2011) 24.*

<table>
<thead>
<tr>
<th>Citation Element</th>
<th>Description</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brenda Tiernan,</td>
<td>Author</td>
<td>Write as this appears on the title page of the item. If there are 2 or 3 authors all authors should be included. If there are more than 3 authors the name of the author appearing first should be included, followed by ‘et al’. For books with an editor (and no author) the name of the editor should appear in the same manner as an author’s name. It should be followed by ‘(ed)’ for one editor or ‘(eds)’ for multiple editors</td>
</tr>
<tr>
<td>Chocolate</td>
<td>Title of Book</td>
<td>Italicise and capitalise title</td>
</tr>
<tr>
<td>(University of Newcastle Press, 2nd ed, 2011)</td>
<td>Name of who published the book</td>
<td>Start round brackets</td>
</tr>
<tr>
<td>Pinpoint</td>
<td>Pinpoint</td>
<td>Page information came from.</td>
</tr>
</tbody>
</table>

**Chapter in edited book**

### Internet materials

| Post', etc. If type is unclear use 'Web Page'. |
| --- | --- | --- |
| 3 March 2012) | Full date of last update. | If you cannot find the date update of web page or when it was created you can then leave this out. End round brackets |
| [23] | Pinpoint | Web pages not usually have these, leave out if not there |
| <http://www.chocolate_reviews/ten_best_of_chocolatedefault.htm> | URL | Enclosed by pointy brackets. Note: if the full URL is too long it is acceptable to direct readers to the general URL of the website. |

**Newspapers**

Rule: Author, ‘Title’, *Newspaper* (Place of publication, Full Date) Pinpoint.

If you accessed a newspaper article online, then:

Rule: Author, ‘Title’, *Newspaper* (online, full dated) pinpoint, <URL>


**Referencing other things?**

Probably best to send Susie an email and ask. Or, you can access the [online copy of AGLC4](#) is which is freely available in PDF format from Melbourne University.
Bibliography

In this course, you will usually have to include a Bibliography in your assignments. A Bibliography is a listing of all the materials that have been consulted while writing an assessment. Most of your other courses will require you to include a list of References, which is different. A Reference list only includes sources that have been actually referenced within your assessment. A bibliography includes not only all the sources you have cited in your assignment (as footnotes), but also all the sources you have consulted and relied upon whilst researching your assignment. So think of it as a diary of what you have read. This lets the reader know the extent of your reading and research. List all sources that were used in completing your assignment essay into sub headings:

A Articles/Books/Reports (This includes journal articles)
B Cases
C Legislation
D Treaties (Not likely to use in this course!)
E Other (Internet references go here).

If you do not have a section, then just consecutively letter the sections that you have, this can be seen in the example below that does not have Treaties. So Other becomes D not E.

Cite as set out in the AGLC4 rules, with the following differences:

- Author’s name is listed alphabetically by the first author’s surname, this is different to footnotes. The first author is inverted (surname, first name), the other authors are left the same as in the footnotes.
- Where the author is an institution, the first word of the name of the institution is used for alphabetisation (excluding ‘The’).
- No pinpoint references.
- No full stops after citations.
BIBLIOGRAPHY

A Articles/Books/Reports


Groves, Mathew, 'Empathy, Experience and the Rule Against Bias in Criminal Trials' (2012) 36(2) Criminal Law Journal 84


B Cases

Lane v Morrison (2009) 239 CLR 230

R v Tang (2008) 237 CLR 1

C Legislation

Access to Medicinal Cannabis Act 2016 (Vic)

Australian Constitution

D Other


Illustrated Guide on how to reference

Imagine I am reading a book and I see a definition of the word ‘tort’ that I want to use in my assessment.

If I want to include this information exactly, then I need to let the reader know these are not my words by putting the whole quote in single quotation marks as shown below. In this case, as the quote already includes single quotation marks around two words ('tort' and 'wrong'), they get changed to double quotation marks (making them “tort” and “wrong”).

One type of civil law is torts. The ‘word “tort” comes from the French for “wrong”’.

I now must let the reader know where the information comes from, so I need to reference it by inserting a footnote. Position your cursor at the end of the text where you need the reference, directly after the punctuation such as a comma or full stop (A). Then go to References on the toolbar (B), and click on Insert Footnote (C). See the picture below.
If it is the first footnote then a ‘1’ will appear next to the text:

One type of civil law is torts. The ‘word “tort” comes from the French for “wrong”’.¹

A new footnote with the same number will appear at the bottom of the page, as shown below. Consecutive numbers will automatically appear for all the rest of the references (2, 3, 4, etc.).

I type the reference after the number at the bottom of the page (as shown below), following the AGLC4 rules for the type of information source. Here I am using a book:


I repeat the process to create the next footnote. The footnote numbering will go up consecutively, 1 then 2, and so on, at the bottom of the page.

I then need to include this information in my Bibliography. Items in Bibliography need to be in alphabetical order. To do this, I change the order of the first author’s name, putting the surname at the front (I only do this for the first author and do not change the other author names, as shown below). I do not need to include pinpoints or full-stops at the end of the references.

**BIBLIOGRAPHY**

**A Articles/Books/Reports**
