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Chapter 2

Type: matching question
Title: Chapter 02 - Question 01
01) Match the source label with its range.
Feedback: This question is designed to test your understanding of the different status of literary and primary sources. Literary sources are useful as background and explanation of the law, but it is primary sources that are evidence of what the law is. Good legal research should involve a range of sources, but literary sources alone are insufficient evidence of the law because they are not the law itself.
Reference: 2.3
a. Secondary sources. = Literary sources that explain others' opinions of what the law is and how well it operates. These include legal encyclopaedias, textbooks, journal articles, and academic and practitioner texts.
b. Primary sources. = Sources of law that should be a lawyer's primary reference point when researching what the law is. These include primary and secondary legislation and case law.

Type: multiple response question
Title: Chapter 02 - Question 02
02) Which of the following are useful published indexes to find UK journal articles that are relevant to law (select all that apply)?
a. *HeinOnline*.
Feedback: Incorrect. *Hein* is an extremely useful online database for finding full text articles, but it only indirectly performs an indexing function (by generating article lists in response to search terms); more critically, its coverage is geared more to US than UK material.
Reference: 2.3.2
b. *Halsbury's Laws*.
Feedback: Incorrect. This is a legal encyclopaedia that provides a summary of what the law is. It is a useful starting point when researching the law in an area with which you are unfamiliar, but will be of limited assistance for this kind of research.
Reference: 2.3.1
*__c.__ *The Legal Journals Index*.
Feedback: Correct. This database provides information on all legal journals published in the UK since 1986. This is the most comprehensive source of information on UK legal journal articles.
Reference: 2.3.2
*__d.__ *Index to Legal Periodicals* and *Index to Foreign Legal Periodicals*.
Feedback: Correct. These are both American publications, so need to be used with some caution. The *Index to Legal Periodicals* deals with American journal articles, but does also include some British, Irish and Commonwealth material. The *Index to Foreign Legal Periodicals* deals with articles on international and comparative law and some domestic law articles from other foreign jurisdictions.
Reference: 2.3.2
e. *JSTOR*.
Feedback: Incorrect. JSTOR is another US-based online database like *Hein*, and thus also tends to be rather more US-centric in its coverage (though its law coverage is also much smaller than *Hein*, as it also includes a large number of other disciplines) and is geared more to full text searching than specialist indexing.
Reference: 2.3.2

Type: multiple choice question
Title: Chapter 02 - Question 03
03) Which of the following citations most closely matches the appropriate form of citation (using OSCOLA or an equivalent system) for an article published in the *Modern Law Review*?
a. Author, *MLR* or *Modern Law Review,* (Year) Volume 'Title' Page reference for first page of article.
Feedback: Incorrect. The title and the journal name have been transposed.
Reference: 2.3.3
*__b.__ Author, 'Title', (Year) Volume *MLR* or *Modern Law Review* Page reference for first page of article.
Feedback: This is the correct citation. The title would normally be displayed in quotation or speech marks and the journal name would normally be in italics. Some citations may not include the year.
Reference: 2.3.3
c. Author, (Year) Volume *MLR* or *Modern Law Review* 'Title' Page reference for first page of article.

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Feedback: Incorrect. The title should appear after the author, but before the year. Year only appears after the author if you are constructing a bibliography using the Harvard or similar author-date system.
Reference: 2.3.3
d. Author, *Title*, (Year) Volume 'MLR' or 'Modern Law Review' Page reference for first page of article.
Feedback: Incorrect. The arrangement of the information is correct, but the title should appear in quotation or speech marks and the journal name in italics.
Reference: 2.3.3

Type: true-false
Title: Chapter 02 - Question 04
04) The 'Nominate Reports' are the reports of cases that have been nominated for reporting by the presiding senior judge in each court of record and are published by the Incorporated Council of Law Reporting (ICLR).
a. True.
Feedback: Incorrect. There are just enough little bits of factual information here to make it sound plausible, but we made it up. The Nominate Reports collectively describes those series of private law reports published before the creation of the ICLR.
Reference: 2.4.1
***b.** False.
Feedback: Correct. The Nominate Reports do indeed have nothing to do with the presiding judge. They were, in fact, published privately in the period before the creation of the ICLR.
Reference: 2.4.1

Type: multiple choice question
Title: Chapter 02 - Question 05
05) The 'Law Reports' comprise:
***a.** Queen's Bench Reports; Chancery Reports; Family Reports; Industrial Cases Reports; and Appeal Cases.
Feedback: Correct. This is the full list of reports that fall under the heading 'Law Reports'.
Reference: 2.4.1
b. the All England Law Reports.
Feedback: Incorrect. These are published by Butterworths rather than by the Incorporated Council of Law Reporting. These are still considered to be authoritative reports and are widely used by practitioners and academics.
Reference: 2.4.1
c. the Weekly Law Reports (Daily) and the Times Law Reports.
Feedback: Incorrect. These both provide short reports or summaries of cases; the 'Law Reports' are preferred if available and will be considered the more authoritative source.
Reference: 2.4.1

Type: fill-in-blank
Title: Chapter 02 - Question 06
06) In English law, cases are identified by the names of the parties and the location in which they are published in a series of law reports. This form of reference is called the _____ of the case.
Feedback: The case reference is properly called its citation, so, when we talk about citing cases, it means not just quoting from the case or giving its name, but also giving the hearer or reader all the information necessary to find it for themselves.
Reference: 2.4.2
a. citation

Type: multiple choice question
Title: Chapter 02 - Question 07
07) Conventionally, how do we cite statutes?
a. By reference to the title only, e.g. Criminal Justice Act.
Feedback: Incorrect. This doesn't give you enough information as there can be many Acts on the statute book with the same name. In fact, with this particular example, there are several Criminal Justice Acts currently in force – the citation needs the year to distinguish it from those others.
Reference: 2.5.1
b. By reference to the year it was passed and the chapter number only, e.g. 1988, c.33

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Feedback: Incorrect. Certainly you might find the name of the Act and its location from this information, but we don't cite Acts in this form because it's too difficult to remember; we use the short title and the year as the conventional identifier.
Reference: 2.5.1
***c.** By reference to the title and year, eg Criminal Justice Act 1988.
Feedback: Correct. This gives you enough information to identify the Act accurately and find its location in the statute book.
Reference: 2.5.1
d. By reference to the title, year and chapter number, eg Criminal Justice Act 1988, c.33.
Feedback: Incorrect. Technically, there is nothing wrong with this, but it is more information than you generally need, so, conventionally, we don't do it.
Reference: 2.5.1

Type: multiple choice question
Title: Chapter 02 - Question 08
08) Which of the following citations most closely matches the common citation for a case published in the law reports?
a. *Case Name* [Year] Page reference for start of case Report name or abbreviation.
Feedback: Incorrect. There may be a volume number to be included after the year. The page reference would normally follow the report name or abbreviation.
Reference: 2.4.2
b. *Case Name* Report name or abbreviation [Year] Volume Page reference for start of case.
Feedback: Incorrect. The report name or abbreviation would normally come after the year and volume information.
Reference: 2.4.2
***c.** *Case Name* [Year] Volume Report name or abbreviation Page reference for start of case.
Feedback: Correct. This is the standard mode of citation for the majority of modern law reports, though some specialist and archaic series of reports do differ. Remember that accuracy of citation matters because it ensures that you and others can easily find the case referred to.
Reference: 2.4.2
d. *Case Name* Report name or abbreviation [Year] Volume Page reference for start of case.
Feedback: Incorrect. The report name or abbreviation should be inserted after the volume and before the page reference.
Reference: 2.4.2

Type: multiple choice question
Title: Chapter 02 - Question 09
09) Which of the following abbreviations constitutes the correct form of a 'medium neutral' (usually just referred to as 'neutral') citation (select all that apply)?
a. AC.
Feedback: Incorrect. This refers to the Appeal Cases series of reports; it is not a neutral citation.
Reference: 2.4.2
b. Admin.
Feedback: Incorrect. 'Admin' is used as part of a neutral citation in the form EWHC Admin, ie it describes cases heard in Administrative Court of the High Court, but it is not the whole citation and should not be used in isolation.
Reference: 2.4.2
***c.** UKPC.
Feedback: Correct. This is the neutral citation for cases reported from Privy Council appeals.
Reference: 2.4.2
d. EWCA.
Feedback: Incorrect. This is not quite accurate enough. The neutral citation EWCA **must** be followed by the abbreviation Civ[il] or Crim[inal], thereby distinguishing the two divisions of the Court of Appeal.
Reference: 2.4.2

Type: essay/short answer question
Title: Chapter 02 - Question 10
10) Summarise your understanding of how you would make use of *Current Law* to update yourself on the law in a particular area.

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a. *Current Law* provides a brief description of the law under the relevant subject heading. It provides information on any legislation passed during the year and a means of updating statutes already passed. It will indicate any changes that have been passed for an Act of Parliament on a section-by-section basis. *Current Law* will not, however, provide you with enough detail of the substantive law to be your last port of call in researching particular Acts of Parliament. It is instead a useful way of keeping up to date with changes to the law.
Reference: 2.3.3

Type: multiple response question
Title: Chapter 02 - Question 11
11) Which of the following would assist you with finding EU legislation (select all that apply)?
***a.** *Halsbury's Laws*, European Community Volume.
Feedback: Correct. This is a volume of the series on English law, which has a volume summarising the main areas of EU legislation. The new Fifth edition is taking a more integrated approach, with EU law in each of the thematic volumes.
Reference: 2.5
***b.** *Halsbury's Statutes*, European Community Volume.
Feedback: Correct. Although this is a series on English statute law, it has a volume that sets out main EU legislative provisions.
Reference: 2.5
c. Hansard.
Feedback: Incorrect. The nearest equivalent of Hansard for the EU, the Official Journal, is the primary source of legal information within the Community; Hansard itself only provides information on the activities of the UK Parliament, so it will refer chiefly to the EU legislation (mostly Directives) that have been considered and implemented through the domestic system rather than a full explanation of the full range of EU legislation.
Reference: 2.5
d. The European Community Reporter.
Feedback: Incorrect. The Official Journal is the official record of legal instruments within the EU, rather than the European Community Reporter, which does not exist.
Reference: 2.5
***e.** *Encyclopaedia of European Community Law*.
Feedback: Correct. This has been published since 1973 in a 12 volume loose-leaf format and is more comprehensive than many other legal encyclopaedias on EC law.
Reference: 2.5

Type: essay/short answer question
Title: Chapter 02 - Question 12
12) What are the European Court Reports and how are they organised?
a. The European Court Reports are the official law reports published by the European Court of Justice (CJEU). They are available in all community languages. One part of the reports deals with Court of Justice decisions. The second part contains decisions of the General Court . They are an extremely useful source of information on how EC legislation is being interpreted by the courts.
Reference: 2.6

Type: essay/short answer question
Title: Chapter 02 - Question 13
13) Briefly describe the Common Market Law Reports.
a. The Common Market Law Reports are an unofficial series of law report that are published weekly and in English by the European Law Centre. They include judgments from the Court of Justice and the General Court as well as cases brought before national courts on matters of EU law. They are published more quickly after cases are heard than are official reports, but not all CJEU cases are reported. Consequently, they are not comprehensive, but they may contain cases that have not yet been reported in the European Court Reports. They are also a useful source of information on the way in which EU law is being interpreted before domestic courts.
Reference: 2.6

Type: multiple choice question
Title: Chapter 02 - Question 14
14) How do you cite in full, and correctly, the decisions of the Court of Justice of the European Union?

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a. Case number [Year] Report name or abbreviation Page reference.
Feedback: Incorrect. This would be correct if the case name was also cited after the case number.
Reference: 2.6
b. Case name [Year] Report name or abbreviation Page reference.
Feedback: Incorrect. This is too similar to the mode of citing cases heard in the courts of England and Wales. EC cases must also include the case number before the case name.
Reference: 2.6
***c.** Case number Case name [Year] Report name or abbreviation Page reference.
Feedback: Correct. Cases are cited with the case number first, then the case name and the citation of the report, including the year, the report name and the page reference for the first page of the case.
Reference: 2.6

Type: essay/short answer question
Title: Chapter 02 - Question 15
15) What is the Official Journal and how is it organised?
a. The Official Journal is the journal of the European Union. It is made up of the L series and the C series. The L series contains a record of the text of all community legislation. The C series provides information about draft legislation and a summary of decisions handed down by the Court of Justice, as well as cases listed before it. It is a comprehensive source of EU law and proposals for EU law. It is published almost daily.
Reference: 2.6

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