

# ENGLISH LEGAL RESEARCH

## OVERVIEW

<b>An Introduction to Law.</b> 4th ed. Harris	Ref KD 661 H37 1993
<b>Walker &amp; Walker's English Legal System.</b> 9 <sup>th</sup> ed. Ward & Wragg	Ref KD 7100 W3 2005
<b>Introduction to English Law.</b> 12th ed. James	Ref KD 661 J34 1989
<b>English Legal Process.</b> 10 <sup>th</sup> ed. Ingman	Ref KD 7771 I53 2004
<b>An Introduction to English Legal History.</b> 4 <sup>th</sup> ed. Baker	KD 532 B34 2002

## GUIDES TO ENGLISH LEGAL RESEARCH

<b>Using a Law Library</b> 2 <sup>nd</sup> ed Clinch	Ref KD 392C55 2001
<b>Butterworths Legal Research Guide</b> 2 <sup>nd</sup> ed. Holborn	Ref KD 392 H65 2001
<b>Manual of law librarianship: The Use of and Organization of Legal Literature.</b> 2nd ed. edited by Moys. Ref Desk Z 675 L2 M27 1987	
"United Kingdom" in <b>Foreign law: Current Sources of Codes &amp; Legislation.</b> Reynolds & Flores, v. II-A Ref K 38 R49 1989 and Electronic	
"United Kingdom & Dependencies", Ch. 30 in <b>Information Sources in Law</b> , 2d ed. Ref Desk KJC 76 I54 1997	

## LEGISLATION

### CITATION FORMAT

until 1962, use regnal year and chapter number	example: 5 & 6 Eliz.2, c.3
after 1963, use calendar year and chapter number	example: 1975, c.77
short title and year:	example: Land Charges Act 1972

### ACTS (chronological)

<b>Statutes of the Realm</b> 1225-1713 12 v. (Record Commission) published 1810-22 - most authoritative - chronological arrangement - includes Private Acts before 1539 - alphabetical and chronological indexes of all Acts - subject index for each volume - contemporary and modern English with editorial notes - parallel translation of all early statutes not in English - index of complete set {Note: Acts of the Interregnum (1642-1660) period not included in this set}	OVERSIZED KD130 123
<b>Statutes at Large</b> 1225-approx. 1869 - various editions, each somewhat different	UK 002 G61

**Acts and Ordinances of the Interregnum** (H.M.S.O.) 1642-1660 UK 002 G59  
- includes Acts of Cromwell's Commonwealth  
- chronological  
- vol. 3 includes chronological list and subject index

**Law Reports: Statutes** (Incorporated Council of Law Reporting) 1865+ UK 002 G63  
UB Law Library Holdings: 1866-1964  
- part of Law Reports series  
- reprint of the Public General Acts and Measures with same tables and indexes  
- still published but no longer received by UB Law Library

Some of the "*Law Reports: Statutes*" volumes are missing and are replaced with:

**Public General Acts and Measures** (H.M.S.O.) 1831+ UK 002 G63  
UB Law Library Holdings: 1832, 1847-8, 1966-1971  
- annual cumulation of slip laws  
- Church Assembly Measures  
- Local and Personal Acts since 1962  
- alphabetical and chronological lists in each volume  
- tables showing effect of the year's legislation and, since 1967, derivations of Consolidation Acts for the year  
- index

**The Statutes: Second Rev. ed.** (H.M.S.O. published 1888-1929) 1235-1920 UK 002 G6 1888  
- all statutes in force through 1920  
- chronological order  
- includes a volume of Church Assembly Measures

**Current Law Statutes Annotated** 1948+ Not owned by UB Law Library  
- includes Public General Acts & Church Assembly Measures by chapter number in chronological order  
- more important acts are annotated  
- annotations contain detailed account of the background to the Act, a summary of the contents and definitions and explanations of individual sections of the Act  
- current year's Acts issued in looseleaf format to be filed in service file  
- cumulative citator and subject index

**Butterworth's Annotated Legislation Service** 1939+ Not owned by UB Law Library  
- extensive commentaries on selected acts  
- practitioner oriented  
- cumulative index published every two years

## **STATUTES (subject arrangement)**

**Statutes in Force: Official Revised Edition** (H.M.S.O.) 1972-1981 Not owned by UB Law Library  
- unannotated  
- looseleaf format - 84 binders with 131 titles  
- all Public General Acts currently in force with SOME notes  
- arranged by subject, each with its own index  
- alphabetical and chronological lists of Acts and Measures and subject headings published annually  
- annual Cumulative Supplement  
- general index expected with completion  
- list of repealed sections with authority for repeal given after text of Act concerned  
- not kept up-to-date properly and lacks a proper index

**Halsbury's Statutes of England, 2nd** 1948-67 UK 002 G64 1948

**Halsbury's Statutes of England, 3rd** 1968-91 UK 002 G64 1968

- arranged by subject with notes inc.: history, definitions, cross-references, delegated legislation
- arrangement:
  - 2d: Main work is 26 v.; Cont. Vol. 28-47 1948-67
  - 3d: Main work is 39 v.; Cont. Vol. 40-61 1968-91
- includes all Public General laws, Church Assembly Measures, London Local acts
- European Community Law - v.42A of 3rd ed.
- Acts pertaining to Scotland only are not included

- Acts pertaining to Northern Ireland only are included

**Halsbury's Statutes of England and Wales**, 4th ed. (Butterworths) 1985+

UK 002 G64 1985

- fully comprehensive
- annotated including information about earlier legislation, definitions and cross references
- includes information about delegated legislation relating to the statutes
- arrangement:
  - Main work
  - Index - Alphabetical list of statutes
  - Annual cumulative supplement volume with the noter-up service
  - current statutes service with noter-up service

## LOCAL & PERSONAL ACTS

### Citation Form:

Local	1975, xxxv	By Year, Chapter # in Roman numerals
Personal	1976, 25	By Year, Chapter # in Italics
(NB:	Pre-1963 cited by regnal year)	

Local & Personal Acts are acts passed by Parliament whose application is limited to certain localities or individuals and which arises by petition from the promoters (local authorities, industry, etc.). Acts having local application but proposed by the government become Public General Acts.

Local & Private Acts are printed by the promoters and thus not widely available. There are various indexes including the list in the **Public General Acts and Measures** and **Chronological Table of the Statutes**.

## STATUTE CITATORS [or How do you update a statute??]

**Halsbury's Statutes of England & Wales 3rd and 4th**

UK 002 G64 1968

UK 002 G64 1985

- use latest cumulative supplement volume and Noter-up section in Current Statutes Service volume
- depending on the date of an amendment or repeal, find text of changes in either the cumulative supplement or the Current Statutes Service volume

**Index to the Statutes in Force** (H.M.S.O. annual) 1235+

UK 003.3 G7

UB Law Library holdings: 1235-1973

- lists all Public General Acts from 1235 section by section
- indicates which sections have been repealed and by what authority
- indicates which sections have been amended by subsequent legislation
- Acts totally or partially in force have their titles printed in heavy type
- Acts totally repealed have their titles printed in italic type
- From 1974, includes chronological table of Local and Personal Acts

**Is It In Force; a guide to the commencement of statutes passed since...** 1991+

UK 002 G642

- indicates the exact commencement dates of Public General Acts passed in the last twenty-five years
- includes information on repeals, amendments and substitutions

## INDEXES TO STATUTES

**Index to the Statutes in Force** (H.M.S.O.) 1235+

UK 003.3 G7

UB Law Library owns 1235-1973

- annual
- arranged by subject
- indexes the laws in force at the end of a given year

## LEXIS

- full text of statutes in force from 1267 - Based on *Halsbury's Statutes of England*
- most comprehensive and current collection of statutes in force
- does not include references to related provisions or annotations of judicial decisions
- Acts pertaining to Scotland only not included
- Also possible to do a combined search with Statutory Instrument.

## WESTLAW

- Law in Force, current and historic (also listed by subject, current & historic)
- Includes Acts of the Scottish Parliament
- United Kingdom Statutes, current and historic

# DELEGATED LEGISLATION: ADMINISTRATIVE LAW

## STATUTORY INSTRUMENTS

**Citation Form:** S.I. 1977/1426 By year and running number

### **Statutory Instruments (H.M.S.O.) Annual**

Not owned by UB Law Library

- each Statutory Instrument published individually and then cumulated into annual bound volume
- all general statutory instruments and some local ones
- includes Orders of Council, Royal Proclamations and Letters Patent (executive documents)
- numbered serially in given year
- pre-1962 published in subject order
- 1962+ published in chronological order with subject index
- tables: chronological list of Statutory Instruments
  - effect of new Statutory Instruments on Parliament Acts
  - effect of Acts on Statutory Instruments (Citorator)

### **Halsbury's Statutory Instruments (Butterworths) 24 v. 1951+**

UK 003 G71

- full text of selected Statutory Instruments, summaries of others
- arranged by subject with Index
- annotated
- Service Binder: includes updated chronological list of Statutory Instruments in force, new Statutory Instruments, annual Cumulative Supplement, Monthly Survey, summaries, key and index

### **Index to Government Orders in Force (H.M.S.O.)**

Not owned by UB Law Library

- subject index gives Statutory Instruments and authorizing statute
- chronological table of statutes lists all orders issued and repealed under each statute (Citorator)
- biennial cumulation

### **Table of Government Orders (H.M.S.O.) 1671+ Annual**

UK 003 G72

- chronological and numerical lists of all general Statutory Rules and Orders and Statutory Instruments since 1671
- indicates whether or not in force and any amendments or repeals that have occurred since 1948
- if all or part of the instrument still in force, the title of instrument is in bold type
- if instrument totally revoked, the title of instrument is in italics

### **Statutory Rules and Orders and Statutory Instruments Revised (H.M.S.O.) 1948**

- all Statutory Instruments in force in 1948
- subject arrangement

Not owned by UB Law Library

## LEXIS

- all general Statutory Instruments currently in force, updated weekly
- Library: ENGEN File: SI (Also combined with Statutes in the STATIS file)

## WESTLAW

- Statutory Instruments, current and historic (also listed separately by subject, current and historic)

# CASE LAW

## LAW REPORTS (Early Reporters)

### **The Year Books** cases from 1272-1535

- very subjective, in Law French
- various editions:

Black letter editions pub. 16-17 C.

(UB Law Library owns edition published 1679-1680 in Rare Book Collection)

Rolls Series UK 006 G215 & UK 006 G243 pub. late 19 C.

Selden Society UK 006 G265 pub. 20th C.

Ames Foundation UK 006 G245 pub. 20th C.

- unbroken sequence of reports from Edward I (1272) to Richard III (1485) and intermittent reporting to 27 Henry VIII (1535)
- contemporary reports

**English Reports (E.R.)** 178 v. 1220-1865 (published:1900-1932)

UK 006 A1 G51 and HeinOnline

- reprint of early nominate reporters
- includes over 100,000 cases from 265 separate series of reports
- arranged by court
- table of cases in last two volumes - includes citations to original reporter and to location in English Reports
- spines indicate original reporters and citations
- includes notes to Mews' Digest of English Case Law
- editorial notes indicate those decisions affected by subsequent legislation

## LAW REPORTS (Current)

**Law Reports** (Incorporated Council of Law Reporting) 1865+

UK 006 G7

UB Law Library owns to 1974

- semi-official, most authoritative, established by the Bar
- reported decisions read by the judiciary prior to publication
- includes arguments of counsel
- several series and name changes corresponding with changes in court organization
- currently 4 series: Queen's (King's) Bench, Chancery Division, Family Division, and Appeal Cases (House of Lords)
- to cite:
  - 1865-1875: (1868) L.R. 3 Ex.D. 330 [Note () and L.R.]
  - 1875-1890: (1888) 2 App.Cas. 666 [Note () and NO L.R.]
  - 1891-date: [1892] 2 Q.B. 484 [Note [] and NO L.R.]

- subject index and tables of cases

Law Reports: Digest 1865-1949

Law Reports Consolidated Index 1951-60 and 1961-80

(UB Law Library owns 1961-74)

updated with monthly and annual cumulative indices

- citator: "Cases judicially construed" table at back of subject indexes

**Weekly Law Reports (W.L.R.)** 1953+ (UB Law Library owns 1953-1976)

UK 006 G8

- advance sheets to Law Reports which are later bound in 3 vol.
  - v. 1 - cases not included in Law Reports
  - v. 2 & 3 - cases included in Law Reports
- pre-1952, called Weekly Notes (W.N.)

**All England Law Reports** (Butterworths) 1936+

UK 006 G78

- reports of decisions are published within four weeks of judgment
- unofficial with weekly advance sheets
- arguments of counsel not included and judgments are not always quoted
- coverage:
  - House of Lords, Privy Council, Court of Appeal Civil and Criminal divisions, all divisions of the High Court fully covered
  - Court of Justice of the European Communities, the Employment Appeal Tribunal and the Consistory Courts opinions are selectively included
- digest of cases included in each volume
- since 1982, includes companion volume, All England Law Reports Annual Review which includes articles by academic lawyers evaluating decisions of the court
- references to Halsbury's Laws, Halsbury's Statutes, Halsbury's Statutory Instruments and The Digest
- Consolidated Tables and Index 1936-76

- Tables and Index 1976+ annual
- Advance sheets to the Tables and Index
- tables include: Tables of Cases, and Cases judicially considered, statutes judicially considered, subject index, practice directions and notes, Words & Phrases Judicially Considered (Citor)

**The Times** [London]

- newspaper
- cases listed under "Law Reports"

Lockwood Library Newspaper Area  
and Capen Multimedia Center MicFilm AP4 T44

**OTHER OLDER REPORTS**

**All England Law Reports Reprint** (Butterworths) 36 v. 1558-1935 (published 1957-1968)

UK 006 G778

- selected cases chosen for their present day value to the legal profession
- primarily cases referred to twice or more in All England Law Reports and Halsbury's Laws of England
- also includes cases reprinted from the Law Times Reports
- includes approximately 6,000 cases
- index and table of cases
- up-to-date head-notes and annotations included

**Law Journal Reports** 1823-1949

UK 006 G54

- Old series 1822-1831
- New series 1832-1949
- incorporated with The All England Law Reports in 1949

**Law Times Reports** (L.T.) 1859-1947

UK 006 G62

- incorporated with The All England Law Reports in 1947

**Law Times, Old Series** (L.T.O.S.) 1843-1860

UB Law Library does not own

- old series of the Law Times Reports
- journal format

**Times Law Reports** 1885-1953

UK 006 G72

- digests available
- superseded by Weekly Law Reports

**LEXIS**

- Reported Decisions from the Law Reports, from 1865
- All England Law Reports Reprint cases from 1558 and over two dozen specialized reporters
- Unreported decisions since 1980
- Scottish cases since 1893
- European Communities decisions since 1954

**WESTLAW**

- Law Reports from 1865
- Lloyds Law Reports from 1919
- Scots law Times from 1893
- Other specialized reporter with varying dates
- European Reports from 1919 - includes European Union cases

**ENCYCLOPEDIAS AND FINDING AIDS**

**DIGEST**

**The Digest:** formerly **English and Empire Digest** 2rd Reissue (Green band) 1992+

UK 006.15 E6

- digest of every reported case from early times to present
- primarily English cases but includes some from Scotland, Ireland, Canada, Australia

- and other Commonwealth countries, and European Union
- subjects arranged alphabetically
- cases numbered serially under each topic
- references to Halsbury's Statutes and Halsbury's Laws
- arrangement: 51 main volumes, Cumulative Supplement (annual), Consolidated Table of Cases, Index

## ENCYCLOPEDIAS

- Halsbury's Laws of England**, 4th ed. (Butterworths) 1973+ 56v.+ UK 003.3 L3 1973
- Encyclopedia of English law
  - Arranged by subject with references to statutes, statutory instruments and cases
  - Annual Cumulative Supplement is arranged by subject and paragraph number and contains tables of statutes and cases
  - Current Service - looseleaf contains Monthly Review, Noter-Up and key from 3rd and 4th editions to Current Service information
  - includes European Communities law
  - each volume has tables of cases and statutes and subject index
  - Consolidated Table of Cases, Consolidated Index
  - Consolidated Tables of Statutes, statutory instruments, European communities
  - N. Ireland and Scotland included
  - Annual Abridgement - survey of the year's case and statutory law, references to law journal articles

- Encyclopedia of European Community Law** 1973+ (Sweet & Maxwell) INT 91.3 E63  
UB Law Library owns volumes AI and AII
- looseleaf, 3 vol.
  - legislative sources of European Community law
  - Volumes AI and AII include all United Kingdom legislation and Rules and Orders affected by and/or implementing Community legislation
  - Volume B covers the basic Community treaties
  - Volume C includes Regulations, Decisions and Directives issued by the Council and Commission of the European Communities

- Words and Phrases Legally Defined** 3rd ed. 1988 4 v. Ref KD 313 W67 1988
- in cases, statutes and textbooks, primarily Halsbury's Laws of England
  - alphabetical arrangement of words and subjects
  - includes definitions from other Commonwealth countries and the United States

## DICTIONARIES

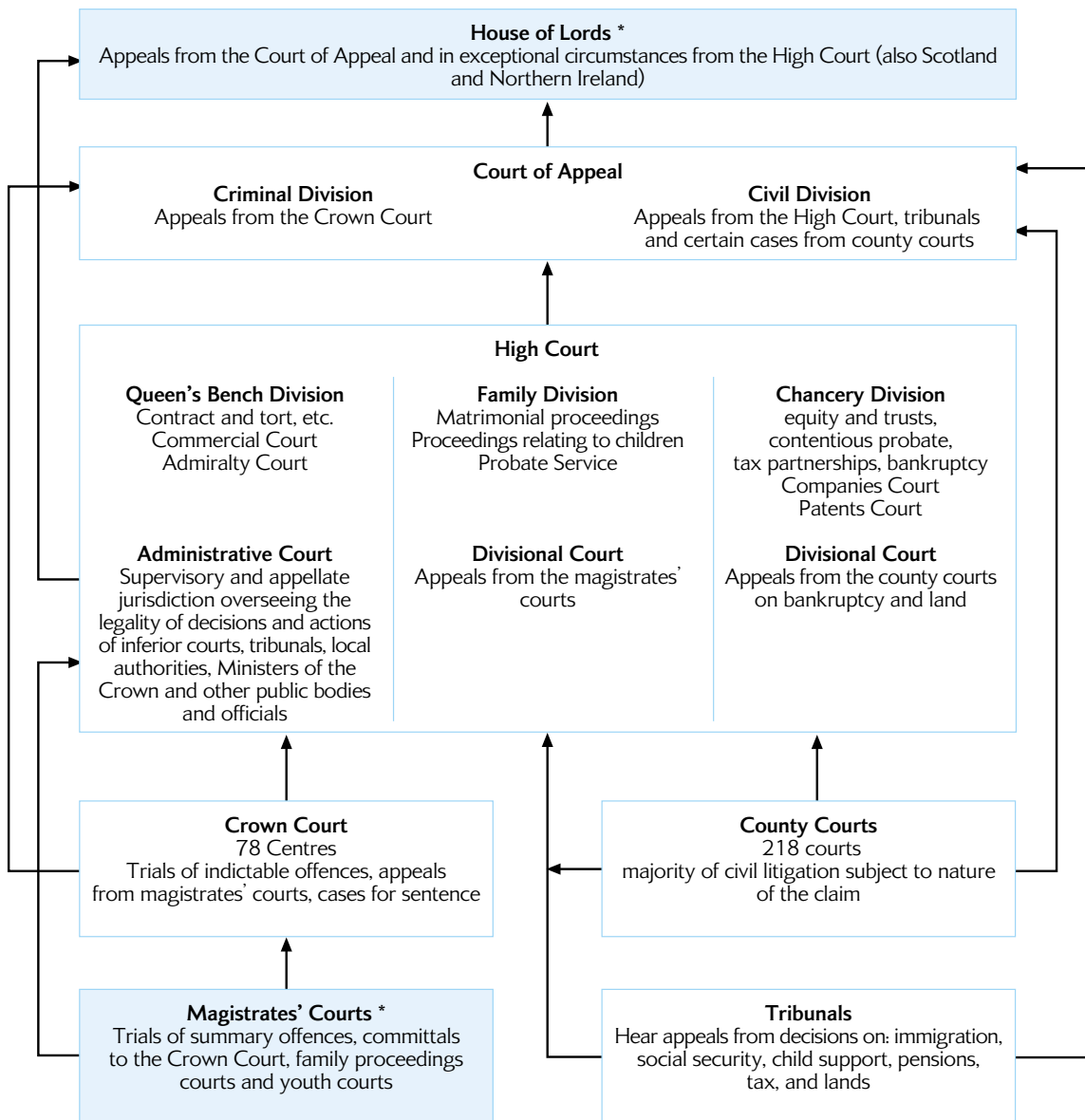
- Dictionary of Law**, L. B. Curzon 3rd ed. 1988 Ref KD 313 C87 1988
- Jowitt's Dictionary of English Law**, John Burke 2nd ed. 4v. & 1985 supp. Ref KD 313 J68 1977
- Manual of Law French**, J. H. Baker 2nd ed. Ref KD 313 B34 1990
- Stroud's Judicial Dictionary of Words and Phrases**, Greenberg 6th ed. 3 v. Ref 313 S77 2006

Note: Check standard dictionaries for variations in English and American spelling of words. **The Random House Dictionary of the English Language 2nd ed. Rev. Unabridged** ( Dictionary Stands PE 1625 R3 2005) is a good one to use.

04/2007

# The Court Structure in England and Wales

The Court Service carries out the administrative and support tasks for: the Court of Appeal; the High Court; the Crown Court; the county courts; the Probate Service; and certain tribunals. The structure of the courts in England and Wales is set out below.



\* Although the House of Lords and the magistrates' courts form part of the structure within England and Wales, the Court Service does not administer them. This diagram is, of necessity, much simplified and should not be taken as a comprehensive statement on the jurisdiction of any specific court.