LAW: PRIMARY SOURCES - CASES & LEGISLATION

Legal materials can be divided into two categories: primary and secondary. Primary sources are those which state the law - Statutes, Statutory Instruments and law reports. Secondary materials discuss and comment on the law and include textbooks, legal dictionaries, encyclopaedias and journal articles. There is a separate guide to secondary sources.

This guide describes some primary sources of UK legal information, either in printed form at the Ealing Site Library (Villiers House), and equivalent electronic information sources on the Internet.

PRINTED LAW REPORTS

A law report is a published account of a judgment(s) decided in the superior courts.

All law reports in the Library are shelved in the ‘Law Reports’ section on Floor 1. There are many different series of law reports:

**All England Law Reports (All E.R.)** is a commercially produced alternative to the ‘official’ reports comprising judgments from the Supreme Court, divisions of the Court of Appeal and all divisions of the High Court.

**The Law Reports (L.R.)** is the official series of law reports revised and approved by the judge involved in the case. There are four titles in this series of law reports. These are:
- Appeal Cases (A.C.);
- Chancery Division (Ch.);
- Queen’s Bench Division (Q.B.), formerly King’s Bench Division;
- Family Division (Fam.) (Probate Division until 1972).

**Weekly Law Reports (W.L.R.)** is useful for locating recent cases and cases of a minor nature which may or may not be included in the main series of Law Reports.

Some examples of specialised law reports held are:
- Criminal Appeal Reports (Cr.App.R.)
- Family Law Reports (F.L.R.)
- Industrial Relations Law Reports (I.R.L.R.)
- Lloyd's List Law Reports (Lloyd's Rep.)

[These and others are now available electronically.]

CASE LAW VIA THE INTERNET

All ER is also available electronically via the Internet from LexisLibrary (via Databases A-Z at: www.uwl.ac.uk/library). (Library e-Direct login required.)

The English Reports (E.R.) comprises reprints of many earlier series of reports from 1220 to 1865 produced by private reporters. These are available from LexisLibrary electronic database. (e-Direct login required.)

L.R. is also available electronically on LexisLibrary and Westlaw UK databases. (Library e-Direct login required.)
**HOW TO LOOK UP CASES IN THE LIBRARY**

*Example:* Smith v Jones [1983] 1 W.L.R. 397

In other words:

- **Year**.......................... [1983]
- **Volume no**.......................... 1
- **Abbreviation**.......................... W.L.R.
- **Page number**.......................... 397

Check what the abbreviation means. The abbreviation indicates which series of law reports the case has been reported in.

*The Index to Legal Citations and Abbreviations* by Donald RAISTRICK is shelved at QR 340.0148/RAI (Floor 1).

**DON’T GUESS!**


Finally, go to the ‘Law reports’ section on Floor 1 and find the appropriate year and volume number.

**HOW TO FIND A CASE WHEN YOU KNOW THE NAME AND YEAR**

In the Library, if the case is 1947-1998; 2002-04 you can check the *Current Law Case Citators*. These are shelved on Floor 1 at QR 340/CUR.

Another source is *The Law Reports Index* (Red and Pink Books) shelved at Floor 1, QR 340/LAW, which lists cases reported since 1951 in a number of law reports, including All ER, LR and WLR.

Cases, back to medieval times are indexed on *Casesearch*, an electronic source under the ‘Cases’ tab of *LexisLibrary* database. This offers digests (cases summaries) and whether a case has been judicially considered. (Library e-direct login required)

You can often also link to full text on WestLaw UK or LexisLibrary.

Expect a delay from the date of the decision to the date of publication in a law report. Even on *LexisLibrary* there can be a four-week delay until the official transcript appears. However, the judgment(s) of the case may appear on the Internet within days. The following sources may be worth checking:

- **British and Irish Legal Information Institute (BAILII)**
  - [http://www.bailii.org](http://www.bailii.org)
  - Free access to primary law materials.

- **House of Lords Judgments**
  - [http://www.publications.parliament.uk/pa/lqd/ldjudgmt.htm](http://www.publications.parliament.uk/pa/lqd/ldjudgmt.htm)

- **Judiciary**

For pre-1947 cases, also check *The Digest: Consolidated Table of Cases* shelved in the Quick Reference section on Floor 1 at QR 340/DIG.

(Note: not all cases are reported, and so a search on LexisLibrary or Westlaw UK maybe required.)

**HOW TO FIND A CASE WHEN YOU KNOW THE NAME BUT NOT THE DATE**

Search *Lexis* or *Westlaw*, entering details in ‘case name’ or ‘party name(s)’ box(es) as appropriate. Alternatively, check *The
Digest or The Law Reports Index (Red and Pink Books).
(Note: not all cases are reported.)

HOW TO IDENTIFY A CASE ON A PARTICULAR POINT OF LAW

(Library e-Direct login required.)

LPC students can check the appropriate section of the printed version of Halsbury’s shelved at LPC 340/HAL (in the LPC Room).

This is arranged in alphabetical order by subject. Look up the subject in the Consolidated Index. Find the volume, and page [or paragraph number] referred to in the index.

The volumes are supplemented by the Cumulative Supplement and Noter-up. To ensure you have the most current information, always check both of these.

In short:
1. Check the Index;
2. Look at the main volume;
3. Check the Cumulative Supplement;
4. Check the Noter-up.

Consult references given in secondary sources. Do a keyword search on other legal databases via the Internet; e.g. Westlaw UK.

STATUTE LAW

Statute law is the law enacted by Parliament.

The Library has three printed sets of Statutes, kept in the ‘Statutes’ section on Floor 1:

- **Current Law Statutes** are arranged in chronological order with annotations. There is no mechanism for updating the text.

- Halsbury’s Statutes of England and Wales, 4th ed. is arranged by subject and has annotations and cross-references.

- The Law Reports: Statutes are also arranged chronologically but have no annotations.

(Note: none of these sets are now kept up-to-date – recent changes will found on WestLaw UK.)

Un-amended legislation (as published) since 1988 is also available via the Internet at:
http://www.legislation.gov.uk/ukpga

STATUTORY INSTRUMENTS

Statutory Instruments, Government orders, and regulations are to be found in:

- Halsbury’s Statutory Instruments. These are arranged by subject. The full-text of every SI is not contained in this work but specific SIs can be obtained on request.

(Note: the copy on Floor 1 is no longer kept up-to-date. Recent changes will be found via the Internet on WestLaw UK.)

Statutory Instruments 1987- as published are also available via the Internet at:
http://www.legislation.gov.uk/uksi

HOW TO TRACE A SPECIFIC ACT

Halsbury’s Statutes includes any amendments which have taken place. It does not include Acts which are no longer in force.

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The alphabetical and chronological lists of Statutes in the Consolidated Index will refer you to the current volume (or Current Statutes Service binder as indicated by the letter (S)) and page number (or, if in square brackets, a paragraph no.) in Halsbury’s Statutes.

There are various means of tracing a piece of legislation. The Law Reports: Statutes is a chronological collection in which the Acts are arranged by year and then chapter number. Each annual volume has an alphabetical title index, which tells you the volume number and the chapter number of the Act. Current Law Statutes is arranged in the same way. Both these works contain the text of an Act as it was passed by Parliament. There is no facility for amendments to be taken into account.

Alternatively - and to include recent changes - browse alphabetical and chronological indexes on WestLaw UK or the UK Statute Law Database (SLD) at: http://www.legislation.gov.uk/

**HOW TO TRACE LEGISLATION ON A SPECIFIC SUBJECT**

Do a ‘Free Text’ search on WestLaw UK database (sources under ‘Legislation’)
(Library e-Direct login required.)

**ADDITIONAL INFORMATION**

If you would like any further help or information please contact your academic support librarian:

David Green: Law & Accounting & Business.
(Tel: 020 8231 2377;
e-mail: David.Green@uwl.ac.uk)