

# Guide to Legal Citation

This guide adopts the style outlined in the *Canadian Guide to Uniform Legal Citation, 9th Edition, 2018* (also known as “The McGill Guide”). It can be found at the Research Help Desk at both the New Westminster and David Lam campus libraries.

## Legislation

Legislation is a law or set of laws introduced by a government and made official by a parliament.

### Provincial Legislation – The Statutes of British Columbia

Statutes are published annually at the end of each parliamentary session into annual volumes. Every so often all of the annual volumes are consolidated with all existing statutes into one complete set called the **Revised Statutes**.

The statutes of British Columbia were last revised in 1996. Any statute in effect at that time is cited to the **RSBC 1996**, for **Revised Statutes of British Columbia, 1996**.

**Example:**     *Treaty Commission Act*, RSBC 1996, c 461, s 5(1).

Treaty Commission Act, Revised Statutes of British Columbia 1996, chapter 461, section 5, subsection 1, cited to the official printed version.

If a British Columbia statute was passed **after 1996** and is in an **annual volume (also called sessional)**, it is cited as **SBC**, for **Statutes of British Columbia**.

**Example:**     *Apology Act*, SBC 2006, c 19.

Apology Act, Statutes of British Columbia 2006, chapter 19, cited to the official printed version.

British Columbia does not have an official online version of its statutes. An unofficial database is maintained at **www.bclaws.ca**. Whenever possible, cite to the official printed version.

Provincial statutes are available in electronic databases, such as **CanLII**, **QuickLaw** and **BC Laws** (only BC statutes). If citing to an electronic database such as these, put **CanLII**, **QL** or **BCLaws** in brackets at the end of the citation.

**Example:**     *Parental Responsibility Act*, SBC 2001, c 45, s 2(1), (BCLaws).

Parental Responsibility Act, Statutes of British Columbia 2001, chapter 45, section 2, subsection 1, found in BC Laws.

## Federal Legislation – The Statutes of Canada

The Statutes of Canada were last revised in 1985. Any statutes in effect at this time will be cited as the **RSC 1985**, for **Revised Statutes of Canada**. The chapter number includes the initial letter of the name of the act.

**Example:**       *Privacy Act*, RSC 1985, c P-21.

Privacy Act, Revised Statutes of Canada 1985, chapter P-21, cited to the official printed version.

If a federal statute was passed after 1985, it is cited as **SC** for **Statutes of Canada**. In this case, chapters are indicated by numbers only, with no initial letters. If citing a section of an act, add the section number at the end.

**Example:**       *Nunavut Act*, SC 1993, c 28, s 5(2).

Nunavut Act, Statutes of Canada 1993, chapter 28, section 5, subsection 2, cited to a sessional volume of the official printed version.

The Government of Canada's **Consolidated Statutes and Regulations** are available online at <http://laws.justice.gc.ca/eng/>. Statutes are generally updated weekly. As of June 1, 2009, all consolidated acts and regulations on the Justice Laws website are considered to be "official", meaning that they can be used for evidentiary purposes. When an **official version** of any legislation is in **electronic format**, the **regular format for citing legislation** is used. **You do not need to indicate the electronic source.**

**Example:**       *Criminal Code*, RSC 1985, c C-46, s 318(1)(a).

Criminal Code, Revised Statutes of Canada, 1985, chapter C-46, section 318, subsection 1(a).

The Statutes of Canada are also available online in the **CanLII** and **Quicklaw** databases. If citing to a database such as these, which are not an official version, put **CanLII** or **QL** in brackets at the end of the citation.

**Example:**       *Youth Criminal Justice Act*, SC 2002, c 1, s 38(2), (QL).

Since the **Charter of Rights** is not an independent enactment, it is cited as Part I of the **Constitution Act, 1982**. This citation is to the official printed version. A citation to the online version would require the same information included above for the Criminal Code.

Note the unusual placement of the Charter section number (section 15) in the following example:

*Canadian Charter of Rights and Freedoms*, s 15, Part I of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11.



## Federal and Provincial Legislation – Bills

Bills originating in the House of Commons are preceded by “C-“. Bills originating in the Senate are preceded by “S-“. When referring to provincial bills, include the jurisdiction.

**Example:** Bill C-27, *An Act to amend the Canadian Human Rights Act*, 2nd Sess, 39<sup>th</sup> Parl, 2007.

Bill S-3, *An Act to amend the Energy Efficiency Act*, 2<sup>nd</sup> Sess, 40<sup>th</sup> Parl, 2009, cl 5 (first reading 29 January 2009).

Bill 53, *Family Day Act*, 4<sup>th</sup> Sess, 39<sup>th</sup> Parl, British Columbia, 2012 (assented to 31 May 2012), SBC 2012, c 24.

## Case Law

Case law is law established by judicial decision in cases.

### Traditional form of legal citation

When citing to a printed law reporter, the traditional form of legal citation requires these elements:

- case name (also known as the style of cause) in *italics*
- v to separate names (indicates language of case is English) in *italics*
- year of decision in round brackets followed by a comma  
[or a comma, then the year of publication in square brackets if the year is needed to identify the book]
- volume number
- standard abbreviation of printed reporter title (i.e. DLR for Dominion Law Reports)
- series number in round brackets, if included
- page
- court abbreviation in round brackets, only if not included in the reporter name

**Example:** *R v Latimer* (1995), 126 DLR (4<sup>th</sup>) 203 (Sask CA).

***R v Latimer*** is the case name, **1995** is the year of decision, volume **126** clearly identifies the exact volume so the year does not need to be in square brackets, **DLR** for Dominion Law Reports, **4<sup>th</sup> series**, case beginning on page **203**, as heard by the **Saskatchewan Court of Appeal** which is abbreviated Sask CA.

The **SCR (Supreme Court of Canada Reports)** uses square brackets. Put the comma before the date of the volume. Do not put the (SCC) court abbreviation at the end of the citation, as the name of the court has been included in the reporter name.

**Example:**        *R v Chaisson*, [2006] 1 SCR 415.

*R v Chaisson* is the case name, [2006] is the year of publication and needs to be in **square brackets** because volume 1 does not uniquely identify the book, **SCR** for Supreme Court Reports, the case beginning on page 415.

## Neutral Citation

A **neutral citation** permits identification of a case independent of a printed reporter. Courts assign the neutral citation when they render a decision. The date of implementation for the neutral citation standard varies for British Columbia courts. In January 1999, the Court of Appeal was the first court in BC to implement the neutral citation standard for judgments in electronic form. The ***Canadian Guide to Uniform Legal Citation, 9th Edition, 2018*** (also known as “The McGill Guide”) lists the implementation date for each court in Appendix B-3.

Neutral citation is simplified and includes only these elements:

- **case name** (also known as style of cause) in *italics* followed by a comma,
- **v** to separate names (indicates language of case is English) in *italics*
- **year** or date of decision without any brackets
- **court identifier** abbreviated without periods
- **case number** - decision or docket number(s)

The court assigns the neutral citation when the decision is rendered, so a very recent case will have *only* a neutral citation until it is included in a printed reporter. If only the neutral citation is available, it may be used alone:

**Neutral citation example:**        *Rutledge v Jimmie*, 2014 BCSC 41.

In this **British Columbia Supreme Court** case, **Rutledge v Jimmie** is the case name, **2014** is the year of decision, **BCSC** is the court identifier, and **41** is the case number.

A neutral citation should always be followed by a citation to a printed reporter, whenever one is available. This is called a parallel citation.

**Parallel citation example:**        *R v Latimer*, 2001 SCC 1, [2001] 1 SCR 3.

This latest appeal of the *Latimer* case has a parallel neutral citation. The printed reporter citation follows the neutral citation. **Note that the comma in the citation to the printed reporter comes directly after the neutral citation, and not after the year of the reporter.**

When citing an electronic version of a decision, such as through **Quicklaw** or another database, it is necessary to include the name of the database or online source. See Appendix E in the McGill Guide for a list of electronic database abbreviations.

## Quick Citation Reference Sheet

### Statutes

*Criminal Code*, RSC 1985, c C-46.

Name of Act = Criminal Code

Jurisdiction = RSC (Revised Statutes of Canada)

Year = in this case, the year of the revision, 1985.

Chapter # = the chapter in the Revised Statutes of Canada, 1985, printed version.

*Criminal Code*, RSC 1985, c C-46, (QL).

Where located, if not an official version = Quicklaw

*Parental Responsibility Act*, SBC 2001, c 45.

Name of Act = Parental Responsibility Act

Jurisdiction = (Sessional) Statutes of B.C.

Year = in this case, the year of the sessional volume.

Chapter # = the chapter in the sessional volume for 2001.

*Parental Responsibility Act*, SBC 2001, c 45, (BCLaws).

Where located, if not an official version = BC Laws

### Case Law

*R v Simmons* (1984), 7 DLR (4th) 719 (Ont CA).

Name of case (style of cause) = R v Simmons

Year of decision = 1984 (**Note that the comma follows the year of the decision.**)

Volume # = Volume 7 (of the 4<sup>th</sup> series of the Dominion Law Reports)

Abbreviated title of the reporting service = DLR (Dominion Law Reports)

Page # = 719

Court abbreviation = (Ont CA)

*R v Coulson*, 2003 BCSC 144.

Year of publication of decision = 2003

Court identifier = BCSC (British Columbia Supreme Court)

Case number = 144