English Legal Research

I. Introduction

This research guide serves as an introduction to English legal research. The focus is on the countries of England and Wales. Scotland and Northern Ireland, which along with England and Wales form the United Kingdom, will be considered if they are included in the English resources. Scotland and Northern Ireland have separate court systems. Scotland, Northern Ireland and Wales have in recent years developed their own legislatures which enact laws in limited areas. Resources that cover the United Kingdom as a whole will be included if they are useful in English legal research.

The United Kingdom is a member of the European Union and Union law is applicable throughout. For information on European Union legal research, see the McGeorge Law Library research guide entitled European Union Research Guide.

II. Secondary Sources

Secondary sources – research guides, journal articles, treatises, dictionaries and encyclopedias – provide an introduction to and general background information about a topic. If you are conducting research in an unfamiliar area of law, it is a good practice to begin your research with secondary sources.

A. Research Guides

A legal research guide provides an overview of a subject. It offers guidance on the research process and may include information about a country’s legal and political system as well as references to primary and secondary legal sources.

1. Print Sources

*Effective Legal Research.* Philip A. Thomas & John Knowles.
Location: Stack-1 KD392 .T56 2006

*Guide to Law Reports and Statutes.*
This guide contains information on the publication of statutes and cases in the UK. It includes a discussion of forms of legislation, citation methods, a table of regnal years and chronological and alphabetical lists of law reports.
Location: Ref KD51 .S94 1962

Location: Stack-1 KD392 .C546 2010

2. Online Sources

This list of online research guides is selective. Additional research guides about England or the United Kingdom can be found by searching the Internet for “research guide” and “England” or “United Kingdom.”

*English Law.* Duke University School of Law. The focus of this guide is modern law in England and Wales. Website: [http://www.law.duke.edu/lib/researchguides/english.html](http://www.law.duke.edu/lib/researchguides/english.html)

*English Legal History.* Duke University School of Law. This guide focuses on researching English law dating back to the thirteenth century. Website: [http://www.law.duke.edu/lib/researchguides/englishlegal.html](http://www.law.duke.edu/lib/researchguides/englishlegal.html)

*Foreign Law Guide: Current Sources of Codes and Basic Legislation in Jurisdictions of the World.* Thomas H. Reynolds & Arturo A. Flores. This publication lists the major sources of law and secondary materials in the United Kingdom. Location: Access through the library catalog or database page


*Legal History: Common Law Tradition.* Bodleian Libraries of the University of Oxford. Website: [http://libguides.bodleian.ox.ac.uk/content.php?pid=134705&sid=1154776](http://libguides.bodleian.ox.ac.uk/content.php?pid=134705&sid=1154776)


*United Kingdom Law.* Bodleian Libraries of the University of Oxford. Website: [http://libguides.bodleian.ox.ac.uk/law-uklaw](http://libguides.bodleian.ox.ac.uk/law-uklaw)

B. Legal Texts

The titles listed here are selective. Additional titles can be found through the library’s online catalog, GoCat.¹ A keyword search is generally the most effective initial search, unless you have a specific title, author or subject heading.

The following suggestions will assist you in conducting a keyword search. Search for a topic and a geographical designation. England, Wales, Scotland, Northern Ireland and Great Britain, but not the United Kingdom, are used as geographical designations in the library catalog. If you want to locate materials on English criminal law in the McGeorge Law Library, start with a keyword search for “criminal law England.” You might want to expand the search to “criminal

¹ [http://gocat.law.pacific.edu](http://gocat.law.pacific.edu)
law Great Britain” which will retrieve publications that cover England as well as the other
United Kingdom countries. Once you have located a catalog record of a publication that is
relevant to your research, you can locate similar publications by clicking on the subject heading
link in the catalog record.

1. The English Legal System and Legal History

a. Modern English Law

The English Legal Process. Terence Ingman.
Location: Stack-1 KD7111 .I53 2011

Location: Stack-1 KD662 .K57 1990

The English Legal System. Gary Slapper & David Kelly.
Location: Stack-1 KD661 .S53 2003

The English Legal System. R.J. Walker.
Location: Stack-1 KD7100 .W34 1985

Introduction to the English Legal System. Martin Partington.
2nd ed. 2003.
Location: Stack-1 KD661 .P37 2003

Location: Stack-1 KD660 .Z36 2004

b. English Legal History

2nd ed. 1981.
Location: Stack-1 KD671 .M54 1981

A History of English Law. Sir William Holdsworth
This 17 volume treatise, published between 1903-1972, covers English law from Anglo-Saxon
times until 1875.
Location: Stack-1 KD532 .H644
2nd ed. reissued 1968.  
Location: Stack-1 KD530 .P644 1968

An Introduction to English Legal History. Sir John Baker.  
Location: Stack-1 KD532 .B34 2002

Upon completion this work will provide a survey of the development of English law and its institutions from 597 to 1914. To date only volumes 1 (Canon Law and Ecclesiastical Jurisdiction from 597 to the 1640s), 6 (1483 to 1558), 11, 12 and 13 (1820 to 1914) have been published.  
Location: Stack-1 KD532 .O94

This encyclopedia includes entries for England, Ireland, Scotland and Wales.  
Location: Access through the library catalog or database page

2. Treatises

The law library owns both modern and historic treatises on specific areas of English law. Westlaw and Lexis offer a small number of modern treatises in their United Kingdom databases. Many of the Westlaw and Lexis publications do not appear in the library catalog. It is therefore necessary to search the United Kingdom databases of Westlaw and Lexis for treatise titles.

a. Modern Treatises

Location: Stack-1 KD4879 .W33 2004

Location: Stack-1 KD1554 .A586 2010

18th ed. 2011.  
Location: Stack-1 KD289 .C44 2011

Chitty on Contracts. H.G. Beale, ed.  
Location: Stack-1 KD1554 .C48 2004
b. English Legal Classics

The titles listed below are a brief selection of those available in the law library. The library has classic English legal texts in print and electronic formats. HeinOnline’s Legal Classics and Selden Society Publications and the History of Early English Law contain important treatises in this area. The editor and publication date of the HeinOnline version may differ from the print version. The publication information stated below concerns the print version. See HeinOnline for information on its editions. The titles in the Legal Classics library are searchable through the library catalog; however, publications in the Selden Society library do not appear in the library catalog. An alphabetical list of titles available in a HeinOnline library can be found by accessing the library.

Reprint of the first American edition published from 1771 to 1773 by Robert Bell.
Location: Stack-1 KD660 .B43b
HeinOnline: *Selden Society Publications and the History of Early English Law and Legal Classics*

Location: Stack-1 KD600 .B73
HeinOnline: *Selden Society Publications and the History of Early English Law and Legal Classics*

The Library has two reprints of early editions in print and HeinOnline offers another early edition.
Location: Stack-1 KD600 .C64 1979
HeinOnline: *Selden Society Publications and the History of Early English Law and Legal Classics*

*Littleton's Tenures in English.*
The print edition from 1903 is edited by Eugene Wambaugh.
Location: Stack-1 KD833 .L58 1985
HeinOnline: *Selden Society Publications and the History of Early English Law and Legal Classics*

3. Multi-Jurisdictional Publications

The library provides access to a number of publications that cover multiple jurisdictions. These may contain information about the law in England or the United Kingdom. There is no easy method of finding these titles in the library catalog. Try performing a keyword search for a legal subject and the word “international” or “world.” For example, a keyword search for “torts” and “international” will find the *International Encyclopaedia of Comparative Law: Torts.* The titles listed below are a few of the multi-jurisdictional publications available in the library.

*International Encyclopaedia of Laws.*
This database covers over twenty subjects and within each subject the laws of numerous countries are examined.
Location: Access through the library catalog or database page

*International Encyclopedia of Comparative Law.*
This encyclopedia provides information on the legal systems of over 150 countries and a comparative analysis of the laws of these countries.
Location: Stack-1 K530 .I58

*International Securities Regulation.*
Location: Stack-1 K1331 .I558 1986
Modern Legal Systems Cyclopedia.
This multi-volume set provides an introduction to the major legal systems in the world, with coverage ranging from legal education and practice to the form of government and substantive law.
Location: Stack-1 K583 .M63 1984

Trademarks Throughout the World.
5th ed.
Location: Stack-1 K1555.4 .W55 2007

C. Dictionaries

When conducting English legal research it is appropriate to use an English legal dictionary. The modern law dictionaries listed below derive their definitions from English case law and statutes and contain references to English treatises.

Strouds Judicial Dictionary of Words and Phrases.
Location: Ref KD313 .S77 2000

Until the seventeenth century most of England’s legal literature was written in French or Latin. The main part of this volume consists of a glossary in which law French is translated into modern English.
Location: Stack-1 KD313 .B34 1990

Jowitt's Dictionary of English Law.
2nd ed. 1977.
Location: Treatise KD313 .J68 1977

D. Abbreviation Indexes

A legal abbreviation index or dictionary is used to determine the full name of a case reporter, journal, act, court or organization whose name may appear as an abbreviation or acronym.

Cardiff Index to Legal Abbreviations.
Website: http://www.legalabbrevs.cardiff.ac.uk

Index to Legal Citations and Abbreviations. Donald Raistrick.
This index focuses on abbreviations used in the United Kingdom, the Commonwealth, Europe and the United States.
Location: Ref K89 .R35 2008
E. Journal Articles

In addition to the resources listed below, which focus on United Kingdom materials, the American law journal databases on Westlaw and Lexis and indexes such as *Index to Legal Periodicals & Books* and *LegalTrac* will be useful for locating articles about English law.

*Legal Journals Index. Westlaw.*
This database indexes articles from law journals published in the United Kingdom and Europe as well as journals covering topics pertaining to the laws of the European Community and its Member States. Coverage begins in 1986.
Westlaw Database Identifier: LJI

*UK Law Journals Combined. Lexis.*
This database includes articles from about 50 legal periodicals published in the United Kingdom.
Lexis Library & File: UK;ALLJNL
Path: Legal > Find Laws by Country or Region > Foreign Laws & Legal Sources > United Kingdom > Journals > UK Law Journals, Combined

*United Kingdom Journals and Law Reviews. Westlaw.*
This database includes articles from about 80 legal periodicals published by Sweet & Maxwell and Oxford University Press.
Westlaw Database Identifier: UK-JLR

III. Primary Sources

A. Treaties

The United Kingdom, rather than its individual constituent countries, enters into treaties with foreign governments. In addition to the United Kingdom treaty sources listed below, treaties to which the United Kingdom is a party may be found in many other publications, for example, the U.N. Treaty Collection. See the Library research guides on *Public International Law* and *Non-U.S. Treaty Research* for additional sources of United Kingdom treaties. Westlaw and Lexis do not have any databases that focus solely on treaties of the United Kingdom, but both offer subject related treaty collections that contain treaties to which the United Kingdom is a party.
1. Print Sources

*Treaty Series.* Her Majesty's Stationery Office.  
The Library microfilm collection of United Kingdom treaties covers the period from 1892 to 1985. Use the guide listed below to locate the specific reel of film that you need.  
Location: Film JX636 1892

This guide lists the years covered on each reel of the series.  
Location: Stack-1 Micro JX 636 1892 guide

2. Online Sources

*Official Documents.* The National Archives.  
This website is a source for Command and House documents. United Kingdom treaties are Command documents. The coverage is selective from 1994 to April 2005 and comprehensive thereafter.  
Website: http://www.official-documents.gov.uk/menu/about.htm

*Tax Analysts Worldwide Tax Treaties Combined Files.* Lexis.  
This database contains more than 4,400 international tax treaties.  
Lexis Library & File: INTLAW; TAWTT  
Path: Legal > Find Laws by Country or Region > Foreign Laws & Legal Sources > United Kingdom > Treaties & Intl Agreements

*UK Treaties Online.* Foreign and Commonwealth Office.  
The FCO’s treaty database covers some 2,900 multilateral treaty records and over 10,000 bilateral records from 1835 to the present.  
Website: http://www.fco.gov.uk/en/publications-and-documents/treaties/uk-treaties-online

*United Kingdom Human Rights – Treaties.* Westlaw.  
This database offers the texts of treaties, conventions, agreements, protocols, and other instruments of the Council of Europe related to human rights.  
Westlaw Database Identifier: UKHR-TREATIES  
Path: All Databases > International/Worldwide Materials > Databases Listed Alphabetically by Country or Region > United Kingdom (England, Scotland, Wales & N. Ireland) > By Practice Area > Human Rights > Treaties

This database contains the texts of treaties relating to intellectual property, including the Paris Convention for the Protection of Industrial Property.  
Westlaw Database Identifier: UKIP-TREATIES  
B. Statutes

The Parliament at Westminster enacts legislation that may apply to any or all of the countries of the United Kingdom. Scotland, Wales and Northern Ireland have in recent years formed legislative bodies that have begun to enact legislation in specific areas. Each of these countries has its own legislative website. Coverage of legislation specific to Scotland, Wales and Northern Ireland is beyond the scope of this research guide. United Kingdom statutes have not been officially codified.

For statutes enacted prior to 1963 the citation includes the title, year, regnal year and chapter number. For example: Abandonment of Animals Act 1960 (8 & 9 Eliz. 2, c.40). In this example 1960 encompasses the eighth and ninth year of the reign of Elizabeth II. From 1963 on the regnal year is omitted. If you were to format according to the Bluebook, you would also include an abbreviation of the jurisdiction if it is not evident from the context.

1. Print Sources

The official current print source of legislation published by the Stationery Office, Public General Acts and General Synod Measures, is unavailable in the McGeorge law library. If you require a copy of the official print version you should submit a request for an inter-library loan. Include citations to amendments if necessary. The two publications listed below will be useful when performing statutory research.

Is it in Force? Butterworths.
This publication provides commencement dates of acts in England, Wales and Scotland passed after January 1, 1960.
Location: Stack-1 KD142.6 .I8

Statutes in Force. Her Majesty’s Stationery Office.
This publication contains all statutes in force dating back to 1235, including Public General Acts, Acts of the Parliament of Scotland and certain Acts of the Parliament of Ireland. The text reflects amendments and repeals. This publication has not been updated since 1991.
Location: Microfiche KD 132 1972.

2. Online Sources

Legislation.gov.uk. Managed by The National Archives.
Website: http://www.legislation.gov.uk

This file contains the full, amended text of all public general Acts that are currently in force. Legislation that has been recently enacted but is not yet in force is also included.
Statutes of the Realm. The Record Commission.  
This publication is considered the most authoritative collection of statutes from the period between 1235 and 1713 and private acts before 1539. Alphabetical, chronological and subject indexes are provided.  
HeinOnline: Selden Society Publications and the History of Early English Law

UK Parliament website.  
Parliament’s website contains pending legislation, draft bills, committee reports, transcripts of debates and information on Members of Parliament and the House of Lords.  
Website: http://www.parliament.uk

UK Statutes. Westlaw.  
United Kingdom - Statutes includes statutes currently in effect in the UK as well as rules of the Supreme Court and county court rules.  
Westlaw Database Identifier: UK-ST  
Path: All Databases > International/Worldwide Materials > Databases Listed Alphabetically by Country or Region > United Kingdom (England, Scotland, Wales & N. Ireland) > Statutes and Legislative Services > United Kingdom Statutes

C. Statutory Instruments

Statutory instruments (SIs) are a type of delegated legislation, similar to administrative regulations in the United States. Approximately 3000 SIs are issued each year. SIs are normally drafted by the legal office of a government department. The McGeorge Law Library does not have any print sources of SIs. The following sources are online.

Legislation.gov.uk. Managed by The National Archives.  
A complete collection of statutory instruments is available back to 1987 and selected SIs are available back to 1948.  
Website: http://www.legislation.gov.uk/uksi

This database contains the full, amended text of all public general SIs that are currently in force. Legislation that has been recently enacted but is not yet in force is also included.  
Lexis Library & File: ENGGEN;SI  
Location: Legal > Find Laws by Country or Region > Foreign Laws & Legal Sources > United Kingdom > Legislation & Regulations > Statutory Instruments of England & Wales
D. Case Law

The United Kingdom does not have a single unified court system. There is one system for England and Wales, another for Scotland, and a third for Northern Ireland. The Supreme Court, which in 2009 replaced the Appellate Committee of the House of Lords as the highest court in the United Kingdom, is the final court of appeal for all civil cases and for criminal cases from England, Wales and Northern Ireland, but not Scotland.

English case reporters have existed since the 13th century. The earliest were called Year Books, compiled between the 13th and 16th centuries. In the 16th century after the Year Books ceased publication, the Nominate Reports, privately published and named after the compiler, began to appear. Nominate Reports can be found in a reprint such as the English Reports (1220-1867). In 1865 the Law Reports began publishing cases from the House of Lords, Privy Council, Queen’s Bench, Chancery, Appeals Courts and other major courts. Only a small percentage of UK case law appears in published reporters. In recent years many courts and tribunals have begun to make decisions available on the Internet.

Citations to cases in modern English law reports are similar to those in American law reports. The elements include the case name, reporter abbreviation with volume and page numbers. More recently, some English courts have adopted a neutral source format. This consists of a case name, year, court abbreviation, judgment number and paragraph number. The Bluebook requires a citation to either the English Reports or Law Reports if a case is published in one of these sources.

1. Print Sources

All England Law Reports.
This reporter publishes cases from 1936 to the present. Library holdings cover the period from 1936 to 2001.
Location: Stack-1 KD288 .A64

English Reports.
This set of 176 volumes contains reprints of cases from about 265 separate nominative reporters covering the period between 1220-1867. English Reports is also available in Electronic format.
Location: Stack-1 KD270 1220 .E53

The Law Reports.
This reporter was originally published in 11 series, each covering a different court. Today, after a restructuring of the courts, there are four series: Appeal Cases, Chancery Division, Queen’s
Bench Division and Family Division. The library has the print version of *The Law Reports* from 1865 through 2012. For cases after 2012 use *The Law Reports* on Westlaw listed below under Online Sources.

*The Law Reports: Appeal Cases.*
Location: Stack-1 KD275.4 .L39

*The Law Reports: Chancery Division.*
Location: Stack-1 KD276.3 .L385

*The Law Reports: Family Division.*
Location: Stack-1 KD279.4 .L39

*The Law Reports: Queens Bench.*
Location: Stack-1 KD277.7 .L39

*Year Books* and Early English Case Law. Selden Society. The Selden Society publishes volumes on legal history and early English case law. The original text is published along with a translation into modern English. Selden Society print publications appear as numbered volumes under the call number listed below. See the section on online sources below for information on the electronic versions of these publications.
Location: Stack-1 KD532.A73 S4

2. Online Sources

HeinOnline, the Internet, Westlaw and Lexis provide access to English case law.

*English and Wales Cases Combined.* Lexis.
This database contains case law from 1500 to the present.
Lexis Library & File: ENGGEN;ALLEWC
Path: Legal > Find Laws by Country or Region > Foreign Laws & Legal Sources > United Kingdom > Caselaw > England & Wales Cases: Combined

*English Reports.* Westlaw, HeinOnline & Internet
*English Reports* is a case reporter that covers case law from 1220 to 1867. It is also available in print.
Westlaw Database Identifier: ENG-RPTS
Path: All Databases > International/Worldwide Materials > Databases Listed Alphabetically by Country or Region > United Kingdom (England, Scotland, Wales & N. Ireland) > Cases > English Reports
HeinOnline: *Selden Society Publications and the History of Early English Law* Website: http://www.commonlii.org/uk/cases/EngR
Law Reports. Westlaw.  
This reporter covers United Kingdom cases from 1865 to the present. It is also available in print.  
Westlaw Database Identifier: LAW-RPTS  

Year Books and Early English Case Law.  
HeinOnline: Selden Society Publications and the History of Early English Law

3. Court Websites

The British and Irish Legal Information Institute (BAILII) website contains of list of links to court websites for the UK and its constituent countries.  
Website: http://www.bailii.org