

***APPEAL: Review of Current Law and Law Reform***  
**Style Guidelines**  
(Vol. 22, Spring 2017)

To ensure consistency for the graphic designer, edited papers must use Times New Roman font, size 12, single-spaced and with 1” margins. Text should be justified; footnotes should be left justified. Please save the file as a Microsoft Word document.

## **Formatting**

### **Division of Paper into Parts**

Where sections of the paper are referred to in the text (e.g., in providing a roadmap for the reader), they should be referred to as follows: Part I, Part II, Part III, Part IV, etc.

### **Headings**

Major headings should appear in bold upper case. All major headings except for the **INTRODUCTION** and **CONCLUSION** should be numbered with upper case roman numerals. Minor headings should be ordered alphabetically (using upper case letters), and appear in bold with capitalization following the normal rules for titles. Sub-headings should be ordered using lower case roman numerals, not bolded, and should be capitalized according to the regular rules for titles. Please follow the example below:

## **INTRODUCTION**

### **I. THE TECHNOLOGIES AT ISSUE**

#### **A. Tracking Cookies**

- i. How Tracking Cookies Work
- ii. Case Study – Google AdSense
  - a. Majority
  - b. Dissent

#### **B. Deep Packet Inspection**

- i. How Deep Packet Inspection Works
- ii. Case Study – Phorm Inc.

### **II. THE SCHEME OF *PIPEDA***

#### **A. Jurisdiction and Reasons for Focusing on *PIPEDA***

#### **B. Organization of *PIPEDA***

### **III. THE SOCIAL CONTEXT**

### **IV. ANALYSIS**

### **CONCLUSION**

## Lists

### **Bulleted Lists**

Bulleted lists should follow these rules:

- The list should normally be introduced using a colon and a complete sentence;
- Each bullet should begin with a capital letter and end with a semi-colon or a period (at the end of a list); and
- The grammatical construction of all of the bullet points should be consistent. (If one is a full sentence, they should all be full sentences. If one begins with a present tense verb, they should all begin this way.)

Please follow the example below:

In order to procrastinate during exams, I like to do the following things:

- Eat marshmallows;
- Hula hoop;
- Edit papers; and
- Watch horror movies.

### **Numbered lists**

Numbered lists are governed by three rules:

1. Each numeral should be followed by a period.
2. List items should be separated by a line break.
3. Numbered lists should follow the rules for bulleted lists described above.

### **Paragraphs**

Paragraphs should not be indented. They should be separated by a line break.

### **Table of Contents**

Tables of contents should only be included for papers over 8,500 words. They should follow the format described under “**Headings**” above, without any bold text.

### **Works Cited/Bibliographies**

Works cited or bibliography pages should not be included.

## Quotations

### **General**

Quotations should flow naturally into the sentences in which they appear. They should not be preceded by a comma. Authors should avoid using introductory colons for short quotations.

**Incorrect:** He states, “The animal is blue.”

**Correct, but not ideal:** He states: “The animal is blue.”

**Correct:** He states that “[t]he animal is blue.”

All spelling, capitalization, and internal punctuation in quotations should be exactly the same as in the original source. Any changes made by the author must be clearly indicated in square brackets. Where a quotation begins with an upper case letter but appears in the middle of a sentence, the upper case letter should be replaced with a lower case letter in square brackets. Please follow the example below:

Or, as the court in *Ross* states, “[f]reedom of religion is subject to such limitations as are necessary to protect public safety, order, health or morals and the fundamental rights and freedoms of others.”

Square brackets should also be used to indicate when materials have been removed and replaced with ellipsis. Ellipsis should be used when the middle or end of the quoted material is omitted from a passage. Ellipsis should only be used at the beginning of a quotation where the quotation is deliberately left grammatically incomplete.

Please follow the examples below:

Or, as the court in *Ross* states, “subject to such limitations [...] to protect public safety [...].”

This is based on the conception of the constitution as “[...] a living tree capable of growth and expansion.”

### **Long Quotations**

Quotations longer than two lines should be formatted as block quotations. They should be indented 0.5 inches from the left and right margins. Please follow the example below:

Consider this statement from Holder, writing about the Danish cartoon controversy:

At the heart of this controversy is an implicit assertion that Westerners can and should speak with impunity about Islam and its adherents. The violence that has greeted this assumption calls into question whether it is in fact true.

### **Short Quotations**

Quotations shorter than two lines are to be incorporated directly into the text.

## **References and Footnotes**

### **Acronyms**

Acronyms should be introduced following the first use of a long title. The title should be given in full, followed by the acronym in parenthesis. The acronym may then be used throughout the rest of the text. The author may wish to repeat the full title as an aid to the reader at certain points in the text. The acronym should be established in the full text of the paper even if it is stated in a footnote. However, an acronym that is only used in a footnote can be established in the footnote where it appears and it does not need to be introduced in the full text.

e.g., Established in 1976, the Canadian Radio-television and Telecommunications Commission (“CRTC”) was conceived as an administrative body concerned with the maintenance of a distinctive Canadian culture.

### **Footnotes**

Footnotes should follow the guidelines in the Canadian Guide to Uniform Legal Citation, 8<sup>th</sup> Edition (the McGill Guide). Note in particular that all cases and statutes should be footnoted where they first appear in the text. The footnote should appear either at the end of the sentence in which the case is introduced, or immediately following the name (or short form) of the case.

Footnotes should generally appear after punctuation.

Authors should cite from original sources whenever possible with attribution to the secondary source in which the author first encountered the source, if applicable.

## **Introducing Case Law and Legislation**

The first time that a case or a piece of legislation appears in the text, the full name should be provided in italics, along with a footnote. Where necessary, the author may establish a short form. The short form should appear immediately after the full name, in quotation marks wrapped in parenthesis. It should also be in italics. (Note that this is contrary to McGill, which indicates that where an acronym is used for a piece of legislation it should not be italicized.) The footnote should occur after the short form, as well as any punctuation, or at the end of the sentence if subsequent content is attributable to the case.

e.g., The use of these technologies in the field of targeted advertising has not yet been subject to a finding under the *Personal Information and Protection of Electronic Documents Act* (“*PIPEDA*” or the “Act”).<sup>1</sup>

e.g., These are important principles in society, as stated in *R v Big M Drug Mart Ltd* (“*Big M*”),<sup>2</sup> a case about religious freedom.

See Chapter 1 of McGill regarding short forms. Acts with short titles (e.g., the *Apology Act*) do not require a short form. Similarly, the short form for a secondary source is simply the author’s last name, unless there citations to multiple sources by that author. In that case, the short form would be the author’s last name and a short version of each title.

## **Referring to courts**

The full proper name of a court should be given the first time it appears, and an acronym established. The acronym should then be used throughout the rest of the paper. Once the full name is given, the author may also use “the Court” to refer to the highest or only court mentioned in the paper or in other circumstances where it is clear which court is being referred to at the editor’s discretion.

## **Referring to Scholars**

Scholars should first be introduced in the text by their full name. Unless the person is very well known, the author should briefly describe the scholar as to put the reference in context. The extent of the description will vary depending on what is appropriate in the circumstances. After the full name has been given, the author may refer to the scholar using only the last name throughout the rest of the text. Authors should attribute ideas to specific scholars within the text, rather than making statements such as “One commentator notes...” and including the name only in the footnote.

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<sup>1</sup>*Personal Information and Protection of Electronic Documents Act*, SC 2000, c 5 [*PIPEDA*].

<sup>2</sup>*R v Big M Drug Mart Ltd*, [1985] 1 SCR 295 [*Big M*].

- e.g., In his extensive work on the sociology of apology, Nicolas Tavuchi recognizes that apology is more than just an expression of feeling.
- e.g., Philosopher Alan Shrift has noted how these neo-liberal reforms have allowed a narrow self-interested form of reciprocal return to dominate current discourses.

## **Referring to Countries**

Authors should use the full names of countries throughout the text, rather than abbreviations. This would also apply to provinces (e.g. British Columbia, not BC).

- e.g., The United States is a strange place, but not as strange as the United Kingdom.

## **Referring to Statutory Provisions**

Authors should write “section 1” rather than “s.1” in the text.

Statutory provisions should be incorporated as block quotations. They should replicate how the text appears in the actual statute.

e.g., Section 296 of the Canadian *Criminal Code* prohibits blasphemous libel. The statute reads:

296. (1) Everyone who publishes a blasphemous libel is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.

(2) It is a question of fact whether or not any matter that is published is a blasphemous libel.

Sections referred to in footnotes may be abbreviated, but should not include a period

- e.g., *Apology Act*, SBC 2006, c 19, s 2(3).

## **Referring to Judges**

Judges should be referred to using their full, capitalized title throughout the text.

- e.g., Justice Dickson (as he then was)  
e.g., Chief Justice Dickson

Please note that judges may “find”, “hold”, “decide”, “state”, etc. but they do not traditionally “argue”. Language to this effect should be avoided.

## Terms of Art

While terms of art will sometimes be necessary, plain English should be used if it is capable of conveying the same idea.

e.g., “*mens rea*” vs. “guilty mind”

e.g., “fee simple absolute” vs. “complete ownership of an interest in land”

## Terms in Other Languages

Terms in other languages (e.g., French, Latin) should appear in italics. Unless they are explained in the text, words and phrases in other languages should be translated in a footnote.

e.g., *Toronto (City) v CUPE, Local 79* was Justice LeBel’s *cri de coeur*.<sup>3</sup>

## Grammar, Punctuation and Spelling

### Hyphens and Dashes

In addition to the hyphen, there are two types of dashes. Examples of each type of mark are provided below.

**Hyphen:** e.g., two-toned

**En-dash:** 1880 – 1900

**Em-dash:** In contrast, the salutary effects of limits on political expression have—albeit principally in the early cases—been downplayed.

To create an em-dash, type the word before the em-dash. Then, type two dashes. Then, type the word after the em-dash, followed by a space. Do not type any spaces except the last one. The em-dash should automatically appear.

Em-dashes can be used to:

- Enclose a portion of a sentence that interrupts the flow of thought or deserves emphasis;

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<sup>3</sup> This is a French turn of phrase which translates to English as “a passionate outcry.”

- Show a dramatic shift in tone;
- Restate; or
- Amplify.

e.g., Their origins could not be more different—one stemming from common law and one from statute—but their function is essentially the same.

## **Colons and Semicolons**

Generally speaking, a colon should always be preceded by a full sentence. A colon may be used in the following situations:

- Before a list;
- Before an appositive; and
- To introduce or define an idea or term.

A semicolon may be used to join together two independent clauses.

e.g., Beverly McLachlin is the Chief Justice of Canada; Antonio Lamer served as Chief Justice before her.

## **Lists (In-Text)**

Lists may also appear within sentences in the text. Items in such a list should normally be separated by commas. Where the list items are preceded by a colon, semi-colons should be used instead of commas. If the in-text list is long and/or complex, consider using a numbered or bulleted list instead. All lists should include the Oxford comma—the comma following the penultimate list item.

e.g., My favourite foods are pizza, marshmallows, noodles, cake, and chicken.

e.g., Answering this question depends upon determining whether the following premises hold true: that a law against blasphemy is consistent with freedoms of expression and religion; that these laws are justified in a multicultural society; and that laws against blasphemy are necessary to prevent public disorder.

## **Spelling**

Where alternative spellings of a word exist, authors should use the primary spelling in the Canadian Oxford Dictionary (accessible online through UVic Libraries).

## Punctuation

The punctuation mark at the end of a sentence should be followed by a single space.

## Quotation Marks

Commas and periods should always fall inside the quotation marks. Conversely, colons and semi-colons should always fall outside of the quotation marks. Exclamation points and question marks should be placed inside the quotation marks if they are part of the quote but outside of the quotation marks if they are meant to apply to the entire statement.

When quoting within a quotation, single quotation marks should be used.

e.g., Law requires an inquisitive mind: “as Thomas Jefferson said, ‘it is the trade of lawyers to question everything.’”

When setting a word apart from the rest of the text, authors should use double quotation marks.

e.g., But some may argue that “*mens rea*” and “a guilty mind” are not truly the same thing.

## Style

### Capitalization

The following should be capitalized:

- Names of courts;
- Titles of legislation;
- Geographic place names;
- People’s names and nicknames;
- Words of family relationship used as names;
- Nationalities, tribes, races, and languages;
- Names of historical events, periods, movements, documents, and treaties;
- Government departments;
- Names of ships and aircraft;
- Months, days of the week, and holidays;
- Names of religions, religious books, special religious days, and deities; and
- Other proper nouns.

## Emphasis

Italics may be used for emphasis. When emphasis has been added by the author, this should be noted by placing [emphasis added] at the end of the citation in the footnotes. Likewise, if italics are used for emphasis in the quotation, this should be noted by placing [emphasis in original] at the end of the citation in the footnotes. This goes after the citation but before the final punctuation. It is not italicized. Do not use [emphasis mine].

e.g., Crucially, Justice Wilson noted:

It is of interest to note in this connection that La Forest J. completely agrees with Cory J. about the importance of freedom of expression in the abstract. He acknowledges that it is fundamental in a democratic society. He sees the issue in the case, however, as being whether an open court process should prevail over the litigant's right to privacy. *In other words, while not disputing the values which are protected by s.2(b) as identified by Cory J., he takes a contextual approach to the definition of the conflict in this particular case.*<sup>4</sup>

## Ending with a quotation

Quotations should not be cited without analysis provided by the author. Generally, this means that paragraphs will not end with a quotation.

## Gender-neutral language

Pronouns should be grammatically correct; a singular pronoun must refer to a singular noun and a plural pronoun must refer to a plural noun. The construction "he or she" should be avoided where possible.

**Incorrect:** If a person is unsatisfied with the result, they may contest it.

**Correct, but not ideal:** If a person is unsatisfied with the result, he or she may contest it.

**Ideal:** If people are unsatisfied with the result, they may contest it.

## Numbers

Numbers from one to nine should be written as text except where they are used for listing purposes. Numerals should be used for numbers above nine (e.g., 10 and 142) except at the beginning of a sentence. Where numbers below and above ten are used in the same sentence, use numerals throughout. Rounded numbers above one thousand (e.g., eight million) should generally be written as text, unless they represent years or data points.

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<sup>4</sup> *Ibid* at para 47 [emphasis added].

“Percent” should be written as text, unless it appears in bracketed material.

e.g., Eighty percent of the student body was in attendance (65% first-years, 40% second-years, 5% third-years).

## **Passive voice**

The passive voice should be avoided.

## **Use of First Person**

Use of the first person should generally be confined to introductions and conclusions.

## **Additional Resources**

### **Citations**

Canadian Guide to Uniform Legal Citation, 8<sup>th</sup> Edition (the McGill Guide)

See also UBC Law Library Legal Citation Guide:

<http://guides.library.ubc.ca/legalcitation>

### **Grammar and Punctuation**

Chicago Manual of Style [UVic Libraries electronic resource]:

<http://voyager.library.uvic.ca/vwebv/holdingsInfo?bibId=1600075>