Introduction to UK Law

This is a general introduction to legal sources, aimed at those for whom law is not their main subject. You will find more detail on specific materials or sources on the Law subject page.

Law resources frequently use abbreviations for journal titles. To decode the abbreviations, use the Cardiff Index to Legal Abbreviations at www.legalabbrevs.cardiff.ac.uk. Some abbreviations match more than one title, so always pay attention to jurisdiction.

English legal resources can broadly be divided into two types: primary and secondary.

Primary Materials – These define the law.

- **Legislation** is the law made by Parliament consisting of Acts (or Statutes), and Statutory Instruments or “SIs” (these support an Act), and other government orders and regulations. Confusingly, Acts are often referred to as primary legislation, and Statutory Instruments are referred to as secondary or subordinate legislation, as they are made under powers conferred by the relevant Act. You can find a clear explanation of how Acts come into being at www.parliament.uk/about/how/laws

- **Case Law** (sometimes called common law) shows the way in which legislation is enforced. It is a law/rule, which is not in a statute, but can be found as a principle of law established by a judge in some recorded case. When a case of legal importance goes to court, it will be reported by a law reporting service as case law. Under English law, how a judge deals with a case, and the way legislation is interpreted is a vital part of the legal process and can set precedents for future decisions. It is important to remember that not all cases are automatically reported, but only those covering significant points of law.

Electronic Primary Sources – Legal databases

- **Lexis Library** Full text of Acts and SIs in force and a wide variety of full text case reports
- **Westlaw** Full text of Acts and SIs in force and a wide variety of full text case reports

Please note: these two databases only provide access to legislative documents as currently in force as legislation is constantly changing. If you require access to the original and unaltered text of Acts that may have been amended or repealed over time, please use the printed source marked with an asterisk* below or consult Statutes (1988-) or Statutory Instruments (1987-) electronically at http://www.legislation.gov.uk/browse

Legislation in print – Law Reference Collection

- **Halsbury’s Statutes*** An indexed, multi-volume work. Laws are grouped together in volumes by topic.
- **Halsbury’s Statutory Instruments** An indexed, multi-volume work. Selected SIs are grouped together in volumes by topic.
- **Public & General Acts** Bound volumes giving statutes in the order in which they are issued by government. You must know the year the Act was passed.

Case law in print

- **Current Law** Monthly cumulation of recent case law
- **Law report series** Reports from a variety of services, general & specific e.g. Weekly Law Reports, and Criminal Appeal Reports

**NB Primary legal sources will not show up in searches of the Library catalogue or Discovery. Secondary sources marked with an asterisk are also omitted from these results.**
Secondary Materials – These are about the law.

- Parliamentary Papers sometimes help with understanding primary sources as they include Green and White Papers, which outline government intentions as to proposed legislation as well as Parliamentary debates during the framing of statutes. They may in fact influence decisions in case law. In legal essays you may need to treat these as primary sources and cite them. Ask your tutor for guidance. Parliamentary Papers also include secondary materials on how particular laws function and government policy in action. Increasingly, many parliamentary papers can be accessed online via the following sites:
  - The Official Documents website at www.official-documents.co.uk
  - United Kingdom Parliament at www.parliament.uk
  - Hansard (for Parliamentary debates) at www.parliament.uk/business/publications

- Commentary covers books and journal articles which are written to aid understanding of legislation and case law. Always remember that secondary sources represent only the author’s interpretation of the law, and carry no legal weight. If in doubt, you should always refer to the primary sources of information.

Commentary: Books

The Library has a selection of textbooks and research texts relating to law units taught at the university. These can be identified via the library catalogue or the Discovery Service. However, within the legal profession there are specific works devoted to particular areas of law which are recognised as particularly authoritative. These are frequently known by the original editor’s name (even after death) and the area of law to which they cover (e.g. Chitty on contracts, and Woodfall: Landlord and tenant). The Library supplies a number of these in electronic format via Westlaw and Lexis Library. The most notable general reference source is Halsbury’s laws of England, a multi-volume work in the Law Reference Collection which is also available electronically in Lexis Library.

Commentary: Journals

You will find some of the most recent issues of law journals on display on the First Floor in the Library but most are shelved alphabetically by title in the Journal Collection on the Second Floor. Unless you have been given references by your lecturer and know exactly where to look, you will need to use a database, and search by keywords to find articles on particular topics for your assignments. This is much more effective and efficient than simply browsing through back issues of journals.

The best databases for finding law articles are:
- Westlaw* – contains indexed as well as full-text articles (plus cases and legislation)
- Lexis Library – full-text articles (plus cases and legislation)
- HeinOnline – full-text articles (use with caution and be certain which jurisdiction is covered)

These are all available via the Law subject page of the Library website and you can search the databases on or off-campus. You may need to use your institutional login (your university username and password) to access electronic resources (see the library guide for Accessing Electronic Resources for additional help). On-screen help is available within each database or you can get help from Enquiry desk staff who will show you how to search and download, print, or email results.

Depending upon the database, only citations and abstracts may be available. In those cases you will need to determine if the Library has a subscription to the journal and the year you require. Use the Library catalogue and the eJournals Publications page section to search for the title of the journal and then check the holdings information. If it is not available in either format, you can obtain it through the library’s inter-library loans service. You can also search the Discovery Service for legal (and non-legal) articles.

Further help for finding law books, journals, websites, etc. is available from:
- the Law Librarian Linda Jones, email linda.jones@port.ac.uk (tel 023 9284 3240)
- or Sharon Bittner, email sharon.bittner@port.ac.uk (tel 023 9284 3234)
- or the Enquiry Team at any help desk (tel 023 9284 3228)