



# Referencing using OSCOLA

## Section 4: Journal Articles



# What information do you need?

- Author's name
- Title of the article
- Name of the journal
- Volume number (if there is one)
- Year of publication
- First page of the article



First, the title of the journal: Legal Studies

Legal Studies, Vol. 30 No. 1, March 2010, pp. 126–146  
DOI: 10.1111/j.1748-121X.2009.00147.x

## Reconstructing European insolvency law – putting in place a new paradigm

Gerard McCormack\*

Centre for Business Law and Practice, University of Leeds

*This paper critically examines the European Insolvency Regulation. It suggests the Regulation contains a fatal flaw at its heart; namely the ‘centre of main interests’ or COMI test governing the exercise of universal insolvency jurisdiction. The paper argues for greater jurisdictional flexibility to replace the COMI test and defends this proposal against charges that it will contribute to an excess of ‘forum shopping’ and encourage a ‘race to the bottom’. The American experience with bankruptcy court competition is considered in this connection.*

### INTRODUCTION

This paper calls for reform of the European Insolvency Regulation (the Regulation).<sup>1</sup> The Regulation is widely considered to be unsatisfactory and has been the subject of urgent attention by reform-oriented lobbyists.<sup>2</sup> The Regulation is in the process of review, although this is the normal process of review built into the Regulation rather than any extraordinary or emergency review.<sup>3</sup> In this paper, I put the case for a radical revision of the Regulation. This revision would recognise the reality of modern corporate groups and replace the ‘centre of main interests’ with the fact of incorporation in a particular State as the principal connecting factor governing the exercise of insolvency jurisdiction. The paper consists of six parts. The first part sketches out the background. The second part sets out the reasons why the Regulation is considered to be unsatisfactory. The third part considers various proposals for reform and advances and develops a specific proposal for radical revision of the Regulation. The American experience is examined as illustrating how the proposal might work in practice. The fourth part considers objections to the proposal and the American experience of bankruptcy forum shopping and objections thereto are considered in this connection.



Next to that, we can find  
the volume number:  
Vol 30 No.1

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And then the date:  
2010

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And finally the pages  
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and the author

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# Putting it together

As with books, the first thing is the author,  
followed by a comma:

Gerard McCormick,



## Now the title of the article

'Reconstructing European insolvency law –  
constructing a new paradigm' – in single  
quotation marks



# When it was published

(2010)

Round or square brackets?

- round brackets if there is a separate volume number, but square brackets if there isn't a separate volume number.
- In this example we know there is a volume number – Vol 30 no 1



## And finally...where to find it

30(1) LS 126

The volume number, followed by the issue number in brackets

Then the title of the journal – which can be abbreviated

Then the first page of the article



So the complete reference is...

Gerard McCormick, 'Reconstructing European insolvency law – constructing a new paradigm' (2010) 30(1) LS 126



# Pinpointing

- When pinpointing, put a comma between the first page of the article and the page pinpoint.
- Gerard McCormick, 'Reconstructing European insolvency law – constructing a new paradigm' (2010) 30(1) LS 126, 131.



# The formulae for journal articles

- author, | 'title' | [year] | journal name or abbreviation | first page of article
  
- [OR]
  
- author, | 'title' | (year) | volume | journal name or abbreviation | first page of article



## Examples of references without and with volume numbers

- Paul Craig, 'Theory, "Pure Theory" and Values in Public Law' [2005] PL 440.
- Alison L Young, 'In Defence of Due Deference' (2009) 72 MLR 554.





# Finding abbreviations for journals

- List in section 4.2.1 of the OSCOLA guide
- For other journals, use the Cardiff Index to Legal Abbreviations
- <http://www.legalabbrevs.cardiff.ac.uk/>
- Above all, be consistent!



<http://www.legalabbrevs.cardiff.ac.uk/>



## Cardiff Index to Legal Abbreviations

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### Cardiff Index to Legal Abbreviations

This database allows you to search for the meaning of abbreviations for English language legal publications, from the British Isles, the Commonwealth and the United States, including those covering international and comparative law.

A wide selection of major foreign language law publications is also included. Publications from over 295 jurisdictions are featured in the Index.

The database mainly covers law reports and law periodicals but some other legal publications are also included. The Index is under continuous development with new abbreviations and titles being added on a regular basis.



#### Search by Abbreviation

Enter an abbreviation to find matching Law publication titles

 

##### Search Options:

- Exact
- Close

#### Search by Title

Enter the title of a Law publication to find the abbreviation

 

##### Search Options:

- Exact Words (ALL words, any order)
- Phrase (ALL words in order)
- Keyword (ANY words, any order)



## Recap: Example for Journal Articles

**Author, | 'Title of Article' | [(Year)] | Volume |  
Abbreviation | First Page**

- **Footnote:** Graham Virgo, 'Why Study Law: the Relevance of Legal Information' (2011) 11 LIM 221.
- **If pinpointing page 223:** Graham Virgo, 'Why Study Law: the Relevance of Legal Information' (2011) 11 LIM 221, 223.
- **Short form:-** Virgo (n #).