

A large decorative graphic consisting of a dark green shape on the left that curves upwards and to the right, topped with a thin orange layer. The text "Workbook 2010-2011" is centered within this graphic.

# Workbook 2010-2011

Revision	2.1
Author	Daniel Hedley
Last Revised	8 March 2011

# What is JustCite?

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## **JustCite is “one tool to search them all”.**

JustCite is the world’s only provider-neutral legal search engine. It allows you to search for case law, legislation, EU materials and journal articles **across Justis, Westlaw, Lexis Library, Lawtel, BAILII, Europa and over ninety other online legal databases**, including free as well as paid resources, covering the UK, Ireland and an increasing wealth of information from Commonwealth jurisdictions including Australia, Singapore, Canada, Bermuda and Jamaica. Rather than just providing the citation, JustCite deep-links right into the relevant page on whatever subscribed service you require. It helps you to make the best of **all** of the legal databases you have access to through one easy-to-use interface. Think of it as a very, very clever library catalogue!

## **JustCite shows you the law in context.**

JustCite shows you the relationships between legal documents. You can use JustCite to note up a case, find the learning on a legislative provision or cross-reference EU materials. In other words, JustCite answers the questions you want answered, such as:

- Which cases have interpreted this particular legislative provision?
- How is this Directive implemented in UK law?
- How have subsequent cases dealt with this case?
- Are there any journal articles about this case?

# Why would I use JustCite?

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## **JustCite is far-reaching.**

When you’re researching the law, you need to be certain you’ve covered all the bases. That means searching Westlaw, Lexis Library, BAILII and probably several other services too. JustCite lets you do exactly that, all in one place. By casting the widest possible net, you greatly reduce your chances of missing that one critical point that makes the difference between winning and losing.

## **JustCite saves you time.**

JustCite is easy to use, and eliminates the need to repeat yourself; you don’t need to run your search individually on each service you have available to you.

## **JustCite helps you ensure your submissions are accurate.**

JustCite shows you quickly and easily what is and what is not good law. Inadvertently misleading a court is a lawyer’s worst nightmare. Think it doesn’t happen? Have a look at *R v Chambers* [2008] EWCA Crim 2467. JustCite had the right information, but nobody in that case checked it. Don’t let it be you.

# What does JustCite cover?

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## Case law

JustCite indexes UK case law from 1163 to the present day as well as Irish case law, EU case law and decisions of the European Court of Human Rights. The oldest case it knows about is the trial of Thomas Becket! A growing range of Commonwealth case law is also covered from jurisdictions including Canada, Australia, Bermuda and Singapore.

## Legislation

JustCite indexes all UK Statutes from 1235 to the present day whether in force or not, Statutory Instruments and other secondary legislation from 1671, Acts of the Scottish Parliament from 1999 and Irish legislation from 1922.

## EU

All EU legal materials from 1951 to the present day are indexed on JustCite.

## Articles and Know-How

Journal article coverage is wide-ranging from 2005 to the present, and certain series are indexed much further back; for instance, PLC is indexed from 1969 to the present.

## Havers' Companion to the Bar

JustCite includes the full content of Havers' Companion to the Bar, the respected directory of barristers and chambers in England and Wales.

# Using JustCite

## Logging In

How you log in to JustCite will depend on how your organisation's subscription is set up. There are four basic ways to log in:

1. **User ID and password** – enter your email address and the password assigned to you to log in to the service.
2. **Username with IP recognition** – enter your email address. No password is required if you are logging in from within your organisation's network.
3. **Generic organisation-wide login with Continue** button – simply click on Continue to access the service. Note that My JustCite (post) will not be available when using this login method.
4. **Third-party authentication services such as Athens and Shibboleth** – for academic users only, you can log in to JustCite using the Athens or Shibboleth systems by clicking on "Athens Sign In" or "Your Home Institution" respectively.

Note that members of the judiciary have access to JustCite via the eLIS system.

## Search

Upon login you are presented with the Search screen.



This allows you to search in 3 ways:-

### By document title

Enter the names of one or more parties to a case, or the short title of a piece of legislation. JustCite can compensate for minor spelling mistakes and typos on the fly, and also recognises a significant number of cases and EU Directives by common name. For instance, try searching for **Cabaro v Duckman**, **Birmingham six case** or **mad directive**.

### By citation

Enter a citation such as [2001] 2 WLR 992 or SI 1993/3245. Note that, unlike some other legal search engines, **the citation need not be syntactically perfect** provided the information is in the correct order, so you could enter **2001 2 wlr 992** or **si 1993 3245** and JustCite will still know what you mean.

## By keyword

Enter a subject area such as **pollution** or **murder**. If you want to find an exact phrase make sure to enclose it in double quotation marks e.g. "duty of care".

You can use the standard Boolean, proximity and wildcard operators. The 'AND' operator is implied unless another operator is specified, so a search for **environment pollution** will return all documents containing both the word 'environment' and the word 'pollution'. Operators are explained in the appendix. Your law librarian or information officer can help you with them if you are unsure.

## Search as you type

Note that JustCite will suggest searches as you type:



This is useful for situations where you are not exactly sure which search terms are going to be the best match for the material you are looking for.

## Search from anywhere

The search box is pervasive in JustCite; that is, it appears at the top of every single screen. So, to start a new search you don't need to return to the home page.

## Results Page

Results are displayed 25 at a time. Use the page links at the bottom to move between pages.

Showing 1-25 of 1452 results for **duty, of, care** Print Email Download Sort by: JustCite Ranking

**Everything (1452)**  
 Cases (1293)  
 Legislation (65)  
 EU Materials (22)  
 Articles & Journals (72)

Text filter

Refine by jurisdiction

<input type="checkbox"/>	McAlister (or Donoghue) v Stevenson - 1932 NEGLIGENCE - Whether duty owed to person injured - Duty of manufacturer of article to ultimate consumer Treatments: 38 positive 346 neutral 8 negative	[1932] AC 562 CASE
<input type="checkbox"/>	Caparo Industries Plc v Dickman - 1990 NEGLIGENCE - Duty of care to whom? - Auditor Treatments: 53 positive 394 neutral 5 negative   Recent: Applied by [2010] 1 All ER (Comm) 125 (HL(E))	[1990] 2 AC 605 CASE
<input type="checkbox"/>	Hedley Byrne & Co. Ltd v Heller & Partners Ltd - 1963 NEGLIGENCE - PURE ECONOMIC LOSS - Duty of care Treatments: 35 positive 229 neutral 7 negative	[1964] AC 465 CASE
<input type="checkbox"/>	X (Minors) v Bedfordshire County Council - 1993 NEGLIGENCE - PUBLIC BODIES - Local authorities powers and duties Treatments: 12 positive 117 neutral 2 negative	[1995] 2 AC 633 CASE
<input type="checkbox"/>	Anns v Merton London Borough Council - 1977 HOUSE OF LORDS - New point raised on appeal - Leave to argue Treatments: 25 positive 344 neutral 11 negative   Recent: Considered by Design Services Ltd. v Canada (Supreme Court (Canada))	[1978] AC 728 CASE
<input type="checkbox"/>	Dorset Yacht Co Ltd v Home Office - 1970 NEGLIGENCE - Duty of care to whom? - Borstal institution Treatments: 15 positive 121 neutral 8 negative	[1970] AC 1004 CASE
<input type="checkbox"/>	Murphy v Brentwood District Council - 1990 NEGLIGENCE - Duty of care to whom? - LOCAL AUTHORITY Treatments: 8 positive 74 neutral 5 negative   Recent: Considered by [2007] 1 AC 181 (HL(E))	[1991] 1 AC 398 CASE

By default results are sorted according to the **JustCite Ranking System**, which determines how important a case is on the basis of its relationships with past and subsequent cases. To sort chronologically select the appropriate option from the 'Sort by:' dropdown menu.

Each result is presented on its own JustCite Profile Card, which provides a basic overview of the document including name, catchwords, citation, a summary of subsequent treatments and its parent jurisdiction:

	<b>Bolam v Friern Hospital Management Committee</b> - 1957	[1957] 1 WLR 582
	Medical law - Clinical negligence - Breach of duty	CASE 
Treatments: <span style="color: green;">28 positive</span> <span style="color: orange;">155 neutral</span> <span style="color: red;">2 negative</span>   Recent: Considered by <a href="#">Fitzpatrick v White (Supreme Court (Ire))</a>		

## Filtering your results

You can further refine the results by filtering them using one or more of the following tools, at the left of the screen.

<p><b>Sources</b> – allows you to choose to display results from only certain sources, such as Cases, Legislation, EU Materials and Articles.</p>	<p><b>Everything (1412)</b></p> <p><a href="#">Cases (1266)</a></p> <p><a href="#">Legislation (65)</a></p> <p><a href="#">EU Materials (18)</a></p> <p><a href="#">Articles &amp; Journals (65)</a></p>
<p><b>Text filter</b> – filters results by title and catchword. Note that there is an implied wildcard operator at the end of whatever you type in this box, so typing in <b>express</b> will also include 'expression', 'expressed' etc.</p>	<p><input type="text" value="Text filter"/></p>
<p><b>Refine by Jurisdiction</b> – select only results from certain jurisdictions</p>	<p> <a href="#">Refine by jurisdiction</a></p>

## Document Information Page

Clicking on a search result will display the relevant Document Information Page. A typical page will contain a great deal of useful information; precisely what shows will depend upon the type of document which has the focus.

### Document Information Page – Cases

The name of the case appears at the top of the page. Beneath that, the page is broadly arranged into 3 columns:

#### Waters v Commissioner of Police of the Metropolis

##### Show all

##### Overview & Citations

Cases Considered (7)

Subsequent Cases (16)

Articles (2)

Legislation Considered (7)

 Precedent Map

##### Keywords

Police - alleged failure to prevent victimisation of woman officer - arguable case raised

##### Key Subsequent Treatments

[See all](#)

- ▶ **Applied by** Banks v Ablex Ltd [2005] ICR 819
- ▶ **Decision of the Court of Appeal reversed by** Waters v Commissioner of Police of the Metropolis 01/08/2000 Times Law Reports
- ▶ **Decision of the Employment Appeal Tribunal affirmed by** Waters v Commissioner of Police of the Metropolis 01/08/2000 Times Law Reports

##### Key Cases Considered

[See all](#)

- ▶ **Distinguished** Calveley v Chief Constable of the Merseyside Police [1989] AC 1228
- ▶ **Distinguished** Hill v Chief Constable of West Yorkshire [1989] AC 53
- ▶ **Applied** Jones v Tower Boot Co. Ltd [1997] 2 All ER 406

##### Recent Articles

[See all](#)







- ▶ Liability of employers for verbal harassment in the workplace (2009)
- ▶ Mutual Trust and Confidence: Catalysts, Constraints and Commonality (2009)

##### Legislation Considered

[See all](#)

- ▶ Sex Discrimination Act 1975 s. 41 (1975 c. 65 s. 41)
- ▶ Sex Discrimination Act 1975 s. 6 (1975 c. 65 s. 6)

##### Citations & Full Text Sources

 [2000] 1 WLR 1607	HL
 [2000] 4 All ER 93	HL
 [2000] IRLR 720	HL
 [2000] ICR 1064	HL
 [2001] PIQR P6	HL
 [2000] 1 Pol LR 322	HL
 921 -- 27/07/2000 Daily Cases	HL
 4 -- 01/08/2000 Times Law Reports	HL
 [1997] ICR 1073	CA
 [1997] IRLR 589	CA
 [1995] ICR 510	EAT
 [1995] IRLR 531	EAT



All Cross  
References



Summary and Key References



Citations and links to Full  
Text Sources

## Middle Column

This column provides an overview of the information JustCite holds about the case.

<p><b>Keywords</b> – taken straight from the headnote of the most authoritative report for the case.</p>	<p><b>Keywords</b></p> <p>Negligence - the appellant suffered shock and severe gastro-enteritis as a result of consuming part of the contents of a bottle of ginger-beer which had been manufactured by the respondent, and which contained the decomposed remains of a snail - No contract - Duty of care by manufacturer of article to ultimate consumer</p>
<p><b>Key Subsequent Treatments</b> – the most important subsequent decisions, determined according to their treatment of the instant case.</p>	<p><b>Key Subsequent Treatments</b> <a href="#">See all</a></p> <ul style="list-style-type: none"> <li>▶ <b>Distinguished by</b> <a href="#">B v Islington Health Authority</a> [1991] 1 QB 638</li> <li>▶ <b>Distinguished by</b> <a href="#">O'Reilly v I.C.I. Ltd</a> [1955] 1 WLR 1155</li> <li>▶ <b>Applied by</b> <a href="#">Tutton v A. D. Walter Ltd</a> [1986] QB 61</li> </ul>
<p><b>Key Cases Considered</b> – the most important previous cases considered in judgment, determined according to how they were treated in the instant case</p>	<p><b>Key Cases Considered</b> <a href="#">See all</a></p> <ul style="list-style-type: none"> <li>▶ <b>Approved</b> <a href="#">George v Skivington</a> LR 5 Exch 1</li> <li>▶ <b>Overruled</b> <a href="#">Mullen v Barr &amp; Co.</a> <a href="#">M'Gowan v Barr &amp; Co.</a> [1929] SC 461</li> </ul>
<p><b>Legislation Considered</b> – legislative provisions about which the case has something substantive to say. Note that this list is tightly editorially controlled, so if a provision appears in this list, it is not merely mentioned in passing; the case adds to the learning on the provision. <b>It is <i>not</i> a list of every legislative provision cited in judgment.</b></p>	<p><b>Legislation Considered</b> <a href="#">See all</a></p> <ul style="list-style-type: none"> <li>▶ <a href="#">Sex Discrimination Act 1975 s. 41</a> (1975 c. 65 s. 41)</li> <li>▶ <a href="#">Sex Discrimination Act 1975 s. 6</a> (1975 c. 65 s. 6)</li> <li>▶ <a href="#">Sex Discrimination Act 1975 s. 6</a> (1975 c. 65 s. 6)</li> </ul>
<p><b>Recent Articles</b> – the three most recent articles referring to the case</p>	<p><b>Recent Articles</b> <a href="#">See all</a></p> <ul style="list-style-type: none"> <li>▶ <a href="#">An overview of the law of negligent misstatement or misrepresentation in Ireland (2009)</a></li> <li>▶ <a href="#">Damages for Self-Harm after Suffering Tortious Injury (Suicide and Contributory Negligence) (2009)</a></li> <li>▶ <a href="#">The eclipse of the common law (2010)</a></li> </ul>

## Left Column

The left column provides access to additional views showing detailed cross-referencing information. To return to the overview from any of these pages, click on 'Overview & Citations'.

**Cases Considered** – these are cases mentioned in the judgment in the instant case. Clicking this link will take you to a screen similar to the below:

House of Lords (Scotland)	
<b>Approved</b>	
<a href="#">George v Skivington</a> Husband and Wife, Action by - Injury caused to Wife arising out of Sale of Goods to Husba	LR 5 Exch 1 EXCHEQUER
<b>Cited</b>	
<a href="#">Bates v Batey &amp; Co. Ltd</a> Negligence - Dangerous Article - Sale by Manufacturer to Shopkeeper - Purchase by Plaintiff	[1913] 3 KB 351 KBD
<a href="#">Bottomley v Bannister</a> Vendor and Purchaser - Lessor and Lessee - Dangerous Condition of Hereditament or Tenemen	[1932] 1 KB 458 CA
<a href="#">Caledonian Railway Company v Mulholland</a> Negligence - Defective Railway Wagons - Breach of Duty - Liability of Railway Company for	[1898] AC 216 HL

Select from the list of courts on the left to show only those cases considered in that stage of the case's appellate history. Clicking the name of any of the considered cases will make that case the focus of JustCite.

**Subsequent Cases** – these are later cases which somehow refer to the instant case. Again, clicking this link will take you through to a list of all subsequent cases, sorted by treatment. Negative treatments are presented first.

Distinguished by	
<a href="#">Farr v Butters Brothers &amp; Co.</a> Negligence - Crane Sold in Parts by Manufacturers to Builders - Parts Assembled by Builders...	[1932] 2 KB 606 CA
<a href="#">McPhail v Lanarkshire County Council</a> Negligence—Municipal election held in County Council school—Voter injured by fall in playground—Action...	1951 SC 301 COURT OF SESSION (INNER HOUSE - 1ST DIV)
<a href="#">O'Reilly v I.C.I. Ltd</a> Master and Servant - Employment of servant of another - Invitee or employee - Full-time hiring...	[1955] 1 WLR 1155 CA
<a href="#">B v Islington Health Authority</a> Negligence - Unborn child - Duty to take care - Embryo injured in utero - Hospital carrying...	[1991] 1 QB 638 QBD
<a href="#">Rivtow Marine Ltd v Washington Iron Works</a>	[1972] 3 WWR 735 BCCA CA OF BRITISH COLUMBIA (CANADA)

Again, Select from the list of courts on the left to show only subsequent cases heard in that court.

**Articles** – articles which refer to the instant case.

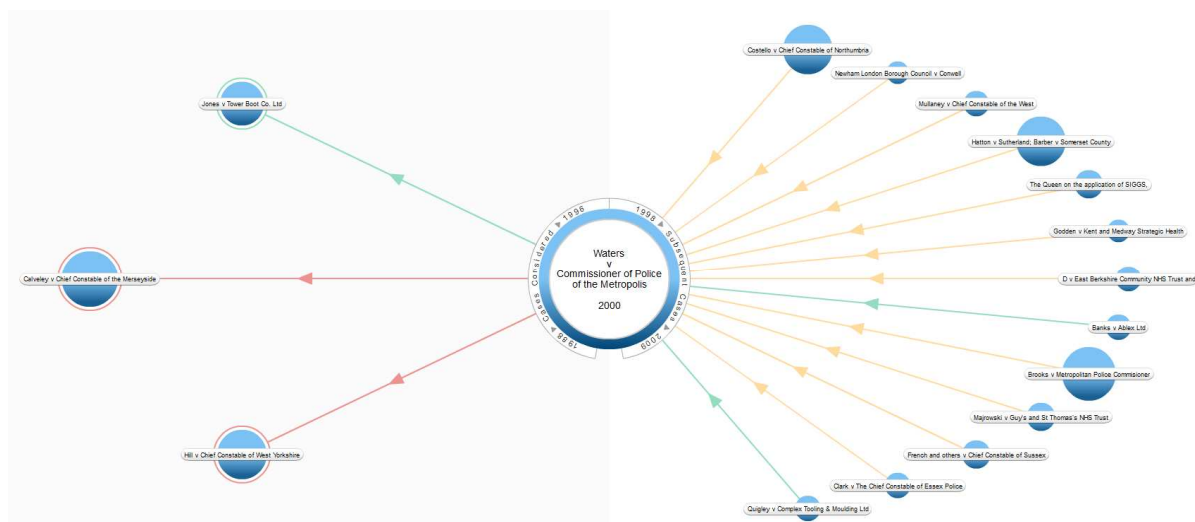
<a href="#">An overview of the law of negligent misstatement or misrepresentation in Ireland (2009)</a>	(2009) 16(1) CLP 7
<a href="#">Construction basics: Risk and liability (2009)</a>	(2009) 239 PLJ 5
<a href="#">Damages for Self-Harm after Suffering Tortious Injury (Suicide and Contributory Negligence) (2009)</a>	JPI Law 2009 1 20
<a href="#">Mainly for students (2009)</a>	[2009] 0944 EG 204

**Legislation Considered** – legislative provisions about which the case has something substantive to say.

7 Legislative Provisions Considered	
Court of Appeal (4)	
<a href="#">Sex Discrimination Act 1975 s. 4</a>	1975 c. 65 s. 4
<a href="#">Sex Discrimination Act 1975 s. 6</a>	1975 c. 65 s. 6
<a href="#">Sex Discrimination Act 1975 s. 41</a>	1975 c. 65 s. 41
<a href="#">Police Act 1964 s. 48</a>	1964 c. 48 s. 48
Employment Appeal Tribunal (3)	
<a href="#">Sex Discrimination Act 1975 s. 4</a>	1975 c. 65 s. 4
<a href="#">Sex Discrimination Act 1975 s. 6</a>	1975 c. 65 s. 6
<a href="#">Sex Discrimination Act 1975 s. 41</a>	1975 c. 65 s. 41

**Show All** – display all of the information JustCite holds about the case in a tabular list.

**Precedent Map** – display an innovative visual representation of the “network” of cases related to the instant case:



For further explanation of the precedent map, see the online help available at <http://new.justcite.com/Help/PrecedentMap>.

### Right Column

This column lists all of the parallel citations for the case at each stage of its appellate history. For each stage, the most authoritative citation is highlighted in bold.

#### Citations & Full Text Sources

▶ [2000] 1 WLR 1607	HL
▶ [2000] 4 All ER 93	HL
▶ [2000] IRLR 720	HL
▶ [2000] ICR 1064	HL
▶ [2001] PIQR P6	HL
▶ [2000] 1 Pol LR 322	HL
▶ 921 -- 27/07/2000 Daily Cases	HL
▶ 4 -- 01/08/2000 Times Law Reports	HL
▶ [1997] ICR 1073	CA
▶ [1997] IRLR 589	CA
▶ [1995] ICR 510	EAT
▶ [1995] IRLR 531	EAT

Clicking on a citation will reveal links to the full text of the judgment on all sources you subscribe to<sup>1</sup>:

<sup>1</sup> Note that by default JustCite will in fact display links to all full-text resources where the judgment is available. However, it is very likely that these links have been customised to correspond to your institution's subscriptions.

[1932] AC 562	HL(Sc)
<b>Justis</b>	Full Text
Lexis Library	Full Text
Westlaw.UK (OLD)	Full Text
Westlaw Australia	Full Text
Westlaw.INTERNATIONAL	Full Text
Westlaw.UK (NEW)	Full Text
LexisNexis <sup>®</sup> Athens/ Shibboleth	Full Text for Academic Institutions
Westlaw.UK Athens	Full Text for Academic Institutions
LexisNexis	Full Text for Academic Institutions
Westlaw.UK (OLD)	Full Text for Academic Institutions
<b>Cardiff Index</b>	Other Information

To link to a full text source, hover the mouse over it and then click the green Go button that appears:






























The full text will be loaded in the selected service. Depending on how the selected service is set up at your institution, it may require you to log in first.

## Document Information Page – Legislation

The Document Information Page for a piece of legislation necessarily differs from that of a case, but the layout is similar. As with cases, the blue reference link will provide links to the full text on your available providers.

The section number, Act name and the short title of the particular provision appear at the top of the page. Beneath that the page is arranged into three columns.

 **s.15 Limitation Act 1980**  
Time limit for actions to recover land.

<p><b>Show all</b></p> <p><b>Overview &amp; Status</b> Citing Cases (24) Amending Items (3) Articles (6)</p>	<p><b>Reference</b></p> <p>1980 c. 58 s. 15</p> <p><b>Status</b></p> <p>See Amending Items for details and check amendments to the full act.</p> <p><b>Recent Citing Cases</b> <a href="#">See all</a></p> <ul style="list-style-type: none"> <li>▶ <a href="#">Ofulue and Another v Bossert</a> [2009] 1 AC 990</li> <li>▶ <a href="#">Port of London Authority v Ashmore</a> [2010] EWCA Civ 30</li> <li>▶ <a href="#">R (Smith) v The Land Registry</a> [2010] EWCA Civ 200</li> </ul> <p><b>Recent Articles</b> <a href="#">See all</a></p> <ul style="list-style-type: none"> <li>▶ <a href="#">Factual possession</a> (2009) 159 NLJ 185</li> <li>▶ <a href="#">Lessons in without prejudice</a> (2009) 159 New LJ 709</li> <li>▶ <a href="#">To own or not to own</a> (2009) 159 NLJ 582</li> </ul>	<p><b>Full Text Sources</b></p> <table border="1"> <tr> <td>1980 c. 58 s. 15</td> <td></td> </tr> <tr> <td> Justis</td> <td><a href="#">Full Text</a></td> </tr> <tr> <td> Lexis Library</td> <td><a href="#">Full Text</a></td> </tr> <tr> <td> Westlaw UK (OLD)</td> <td><a href="#">Full Text</a></td> </tr> <tr> <td> Westlaw Australia</td> <td><a href="#">Full Text</a></td> </tr> <tr> <td> Westlaw INTERNATIONAL</td> <td><a href="#">Full Text</a></td> </tr> <tr> <td> legislation.gov.uk</td> <td><a href="#">Full Text</a></td> </tr> <tr> <td> Westlaw UK</td> <td><a href="#">Full Text</a></td> </tr> <tr> <td> LexisNexis<sup>®</sup> Athens/Shibboleth</td> <td><a href="#">Full Text for Academic Institutions</a></td> </tr> <tr> <td> Westlaw UK Athens</td> <td><a href="#">Full Text for Academic Institutions</a></td> </tr> <tr> <td> Westlaw UK Home Organisation</td> <td><a href="#">Full Text for Academic Institutions</a></td> </tr> </table>	1980 c. 58 s. 15		 Justis	<a href="#">Full Text</a>	 Lexis Library	<a href="#">Full Text</a>	 Westlaw UK (OLD)	<a href="#">Full Text</a>	 Westlaw Australia	<a href="#">Full Text</a>	 Westlaw INTERNATIONAL	<a href="#">Full Text</a>	 legislation.gov.uk	<a href="#">Full Text</a>	 Westlaw UK	<a href="#">Full Text</a>	 LexisNexis <sup>®</sup> Athens/Shibboleth	<a href="#">Full Text for Academic Institutions</a>	 Westlaw UK Athens	<a href="#">Full Text for Academic Institutions</a>	 Westlaw UK Home Organisation	<a href="#">Full Text for Academic Institutions</a>
1980 c. 58 s. 15																								
 Justis	<a href="#">Full Text</a>																							
 Lexis Library	<a href="#">Full Text</a>																							
 Westlaw UK (OLD)	<a href="#">Full Text</a>																							
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 Westlaw UK	<a href="#">Full Text</a>																							
 LexisNexis <sup>®</sup> Athens/Shibboleth	<a href="#">Full Text for Academic Institutions</a>																							
 Westlaw UK Athens	<a href="#">Full Text for Academic Institutions</a>																							
 Westlaw UK Home Organisation	<a href="#">Full Text for Academic Institutions</a>																							



All Cross  
References  
and  
Amendments



Summary status information and recent  
subsequent cases



Links to full text sources. NB  
There is only one possible  
citation for a legislative  
provision.

### Middle Column

This column provides an overview of the information JustCite holds about the provision.

**Status** – if the provision is repealed in its entirety, the word REPEALED will appear under this heading. Otherwise, you are referred to the Amending Items list and to the information page for the full act for further detail as to the section's precise status.

**Recent Citing Cases** – the three most recent cases which add substantively to the learning on the provision.

**Recent Articles** – the three most recent journal articles referring to the provision.

### Left Column

The left column provides access to cross referencing and amendment information. To return to the overview screen from any of these pages, click on 'Overview & Status'.

**Citing Cases** – these are cases which have something substantive to say about the legislative provision. Clicking this link will take you to a screen similar to the below:

24 Citing Cases  
House of Lords (England)

<b>J. A. Pye (Oxford) Ltd v South Gloucestershire District Council and Others - 2001</b> Planning - planning agreement - no connection between subject of agreement and development granted planning permission - whether agreement valid	[2002] 3 All ER 865 HL
<b>Ofulue and Another v Bossert - 2009</b> Limitation of action - Land, recovery of - Possessory title - Claimants having registered title to land occupied by defendant - Claimants bringing action for its recovery - Defendant's predecessor having asserted right to tenancy in defence and counterclaim in earlier proceedings - Earlier proceedings automatically stayed for want of prosecution - Claimants bringing fresh proceedings - Judge declaring defendant owner of property by adverse possession - Whether extinction of claimants' title infringing Convention right - Extent to which court free to depart from European Court of Human Rights' ruling that domestic law complying with Convention - Whether assertion of entitlement to tenancy in earlier proceedings indicating lack of intention to possess - Whether statement in pleading capable of constituting acknowledgement of claimants' title* - Whether sufficient to stop time running - Limitation Act 1980 (c 58), s. 29 - Human Rights Act 1998 (c 42), Sch. 1, Pt II, art 1	[2009] 1 AC 990 HL(E)
<b>Court Pending</b>	
<b>Ashe v National Westminster Bank plc - 2008</b> MORTGAGE - Possession - Mortgagee's right to - Legal charge over mortgagor's leasehold interest to secure liabilities to bank - Mortgagor's failure to make payments - Leasehold interest vesting in trustee following mortgagor's bankruptcy - Bank's failure for 12 years to demand payment or enforce security - Whether mortgagor in "adverse possession" - Whether bank's right of action extinguished - Limitation Act, ss. 15, 17, Sch. 1, Pt 1, para 8	[2008] 1 WLR 1334 HL(E)

Much like the legislative provisions on the Case Information Page, the Citing Cases section of a Legislation Information Page is tightly editorially controlled. To appear in this list, it is not enough that the case simply mention the provision in passing; it must have something substantive to say about it.

**Amending Items** – these are subsequent legislative provisions which amend, repeal or otherwise alter, reduce or extend the effect of the instant provision. Any express savings of the instant provision will also appear here. Clicking the link will take you to a screen similar to the following:

3 Amending Items [List of abbreviations used](#)

Limitation Act 1980, s. 15 amended by: Collapse

<b>Land Registration Act 2002, s. 96</b> <i>appl</i> [(EW)]	2002 c. 9 s. 96
<b>Land Registration Act 2002, sch. 6</b> <i>appl</i> [(EW)]	2002 c. 9 sch. 6
<b>Coal Industry Act 1994, s. 10</b> <i>restr</i>	1994 c. 21 s. 10

Each Amending Item has a series of codes showing how it affects the instant provision. Explanations of these codes can be found by clicking on “List of abbreviations used”. Commonly used codes include “am” for amended and “appl” for applied. The code “prosp” means that the amendment is prospective; that is, not yet in force. The codes enclosed in round and square brackets denote the jurisdictional scope of the amendment; which countries within the United Kingdom the amendment affects. For example, “[[(EW)]]” means that the amendment affects only England and Wales.

### Right Column

There is only one possible citation for a legislative provision<sup>2</sup>, so the list of full-text sources is already expanded. Note that the source you choose will depend not only on the subscriptions available to you but also on whether you require the text of the provision as enacted, as it has effect today, or as it had effect at some point in the past.

<sup>2</sup> JustCite does also support searching for legislative provisions by regnal year but the regnal year is not included as a separate citation parallel to the year and chapter reference.

## Document Information Page – EU Documents

The Document Information Page for EU documents is laid out similarly to those for cases and legislation. Possible types of cross-reference are as follows. Not every EU document will have information available in every category.

### Legislative Base

The document's parent legislation. In the case of secondary legislation such as Regulations and Directives, this will usually be one or more Treaty Articles, as in the example below:

#### Legislative Base (1)

TREATY ESTABLISHING THE EUROPEAN ECONOMIC COMMUNITY, PART THREE - POLICY OF THE COMMUNITY, TITLE VII: ENVIRONMENT, ARTICLE 130 S European Economic Community Treaty	11957E130S
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Supplementary legislation such as Council Decisions will usually have a Regulation or a Directive as their Legislative Base.

### Legislative Citations

Lists those previous documents which are cited in the instant document, but which are not amended by the document and which do not form part of the document's Legislative Base.

#### Legislative Citations (4)

Resolution of the Council of the European Communities and of the representatives of the Governments of the Member States, meeting within the Council of 19 October 1987 on the continuation and implementation of a European Community policy and action programme on the environment (1987-1992)	41987Y1207(01)
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Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption	31980L0778
--	------------

### Amended Items

Details prior EU documents which the Directive amends:

#### Amended Items (3)

Directive 2001/34/EC of the European Parliament and of the Council of 28 May 2001 on the admission of securities to official stock exchange listing and on information to be published on those securities	32001L0034
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Proposal for a Directive of the European Parliament and of the Council on insider dealing and market manipulation (market abuse)	52001PC0281
--	-------------

Council Directive 89/592/EEC of 13 November 1989 coordinating regulations on insider dealing	31989L0592
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## ECJ Citing Cases

Decisions and rulings of the courts of the European Union, and opinions of the advocates general, which cite the instant document:

### ECJ Citing Cases (8)

Judgment of the Court (Sixth Chamber) of 14 March 2002. Commission of the European Communities v Federal Republic of Germany. Failure by a Member State to fulfil its obligations - Directive 91/676/EEC - Pollution - Protection of waters - Nitrates. Case C-161/00.	62000J0161
Judgment of the Court (Sixth Chamber) of 27 June 2002. Commission of the European Communities v French Republic. Failure to fulfil obligations - Directive 91/676/EEC - Protection of waters against pollution caused by nitrates from agricultural sources - Identification of waters affected by pollution - Designation of vulnerable zones. Case C-258/00.	62000J0258
Judgment of the Court (Sixth Chamber) of 8 November 2001. Commission of the European Communities v Italian Republic. Failure by a Member State to fulfil its obligations - Inadequate implementation of Directive 91/676/EEC - Protection of waters against pollution caused by nitrates from agricultural sources. Case C-127/99.	61999J0127

## Other Citing Cases

Decisions of EU courts reported in other series, and selected decisions of the domestic courts of the member states which cite the instant document:

Mutuelle du Mans assurances IARD v Administration des Impôts - 2003 Delivery Date: 2003-03-11 - Country Code: FR	CASELEX FR 2003 5 COURT OF CASSATION (FRANCE)
P.T.B. spol. s.r.o. v Finanční reditelství v Brne - 2005 Delivery Date: 2005-09-29 - Country Code: CZ	CASELEX CZ 2005 1 SUPREME ADMINISTRATIVE COURT (CZECH REPUBLIC)
Riksskatteverket v H.K. - 2005 Delivery Date: 2005-11-25 - Country Code: SE	CASELEX SE 2005 7 SUPREME ADMINISTRATIVE COURT (SWEDEN)
S.A. "LE CLUB FRANCAIS DU LIVRE" v ministre de l'économie, des finances et de l'industrie - 2000 Delivery Date: 2000-02-23 - Country Code: FR	CASELEX FR 2000 5 COUNCIL OF STATE (FRANCE)

## Amending Items

Subsequent EU documents which amend the Directive. In this example, there is only a corrigendum (a document correcting a minor error such as a spelling mistake, typographical error or mistranslation):

### Amending Items (1)

Corrigendum to Directive 6/2003	32003L0006R(01)
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## Subsequent Legislation

The document's child legislation; that is, legislative documents issued pursuant to a power granted in the instant document. For directives, these will be Commission decisions and reports. For example:

### Subsequent Legislation (4)

2002/915/EC: Commission Decision of 18 November 2002 concerning a request for derogation under paragraph 2(b) of Annex III to and Article 9 of Council Directive 91/676/EEC concerning protection of waters against pollution caused by nitrates from agricultural sources (notified under document number C(2002) 464)	32002D0915
Report from the Commission - Implementation of Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources - Synthesis from year 2000 Member States reports	52002DC0407
Report of the Commission to the Council and European Parliament - Measures taken pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources - Summary of Reports submitted to the Commission by Member States under Article 11 /* COM/98/0016 final */	51998DC0016
Report of the Commission to the Council and European Parliament - The implementation of Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources /* COM/97/0473 final */	51997DC0473

## Subsequent Legislative Citations

Subsequent provisions which cite the instant document in their text, but which do not amend the instant document, and for which the instant document does not form part of the Legislative Base:

### Subsequent Legislative Citations (51)

Commission Regulation (EC) No 445/2002 of 26 February 2002 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF)	32002R0445
2001/371/EC: Commission Decision of 21 December 2000 on the exemption from mineral levies under the manure law which the Netherlands intends to grant (notified under document number C(2000) 4404)	32001D0371
2001/521/EC: Commission Decision of 13 December 2000 on the aid scheme implemented by the Kingdom of the Netherlands for six manure-processing companies (Text with EEA relevance) (notified under document number C(2000) 4070)	32001D0521(01)

## Future Proposals

Working documents affecting the instant document which are not yet (and may never be) implemented:

### Future Proposals (1)

Proposal for a Regulation of the European Parliament and of the Council adapting the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in European Parliament and Council instruments adopted in accordance with the procedure laid down in Article 251 of the Treaty	52001PC0789(02)
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## Implementing SIs

Directives only. Details how the Directive is implemented in English law:

### Implementing SIs (10)

Action Programme for Nitrate Vulnerable Zones (England and Wales) Regulations 1998	SI 1998/1202
Action Programme for Nitrate Vulnerable Zones (Scotland) Regulations 1998	SI 1998/2927
Designation of Nitrate Vulnerable Zones (Scotland) Regulations 2000	SSI 2000/96
Nitrate Vulnerable Zones (Additional Designations) (England) (No. 2) Regulations 2002	SI 2002/2614

Note that it is common for multiple SIs to be required in order to implement a Directive fully.

## Document Information Page – Articles

The Document Information Page for journal articles and support materials is much simpler and largely self-explanatory. In addition to the links to the full text, it contains an abstract of the article and lists of cases, EU documents and statutory provisions cited.

### A Balanced Approach to Halifax (2009)

#### Show all

Statutes (1)  
Cases (9)  
EU Information (2)

#### Author

Amanda Brown and Keith Anderson

#### Subject Terms

TAXATION  
Indirect taxation  
Case Law Analysis

#### Abstract

The authors discuss the case of *Pendragon v HMRC* recently released by the VAT and Duties Tribunal. The issues arising in the case required consideration of the approach undertaken by courts in previous VAT cases, most particularly the case of *Halifax*. The case is noted by the authors to be the first where the taxpayer has been successful, and the court has held that there has been no artificiality in structure or abuse. Some degree of certainty in relation to the test for abuse has been determined. It is however highlighted that HMRC has applied for permission to appeal and therefore the question of finance arrangements has not been definitively resolved.

#### Publisher & Copyright holder

LexisNexis

#### Date

05/10/2009

#### Full Text Sources

Tax J 999, 9

LexisLibrary Full Text

LexisNexis® Athens/Shibboleth Full Text for Academic Institutions

Cardiff Index Other Information

It is important to note that the Subject Terms field will only contain a few keywords whereas the Abstract is a longer summary of the article's content. Therefore, if you get unsatisfactory results using the Subject field in the Advanced Articles Search (post), try putting the same search terms into Abstract field instead.

## Advanced Searches

JustCite provides an advanced search form allowing you to enter more specific search criteria. To access it, click on 'Advanced Search' to the right of the search box:



It is important to note that the predictive search and variation searching offered by the general search box are not currently available in Advanced Search.

## Search for Cases

Select 'Cases' from the list on the left.

 A screenshot of a search form titled "Search for Cases". It contains several input fields:
 

- Parties:** A text box followed by "v" and another text box labeled "(optional)".
- Citation:** Four text boxes labeled "year", "volume", "series", and "page or number".
- Court:** A single text box.
- Year:** A text box followed by "to" and another text box labeled "(optional)".
- Subject:** A single text box.

 Each field has a small question mark icon to its right. At the bottom of the form are two buttons: "Clear" and "Search".

You can specify search terms for one or more of the following fields:

- **Parties** – the order of the names is not important, so a search for `Dickman v Caparo` will find `Caparo v Dickman`.
- **Citation** – this need not be a full citation, so if you have been given a citation which is incomplete or simply wrong, this will help you find what you're looking for.
- **Court** – this mainly uses common abbreviations such as `hl` or `ca (civ)`.
- **Year** – this can be a single year or, by filling out both boxes, a range of years. Note that this will return the year in which the *most authoritative report* of the case was published, not necessarily the year in which the judgment was handed down.
- **Subject** – this includes the summary and catchwords added by the law reporter.

## Search for Legislation

Select 'Legislation' from the list on the left.

The screenshot shows a search interface for legislation. It includes three text input fields: 'Title', 'Reference', and 'Repealed'. Each field has a small question mark icon to its right. Below the 'Repealed' field, there are three radio buttons: 'All' (which is selected), 'In Force', and 'Repealed'. At the bottom right of the form, there are two buttons: a grey 'Clear' button and a green 'Search' button.

You can specify search terms for one or more of the following fields:

- **Title** – this searches the *short* title only.
- **Reference** – this field searches section number (e.g. 4 for s4) and chapter reference for primary legislation (e.g. 1977 c. 50), and section and SI number for statutory instruments (e.g. SI 1993/3245).
- **Repealed/In Force toggle** – this allows you to choose whether you want to see all legislation, only legislation currently in force or only repealed legislation.

## Search for EU Materials

Select 'EU Materials' from the list on the left.

The screenshot shows a search interface for EU materials. It includes three text input fields: 'Title', 'Reference', and 'Journal Reference'. Each field has a small question mark icon to its right. At the bottom right of the form, there are two buttons: a grey 'Clear' button and a green 'Search' button.

You can specify search terms for one or more of the following fields:

- **Title** – note that because EU documents tend to have long, descriptive titles, this can double up as a subject search.
- **Reference** – this field allows you to search for a particular CELEX document number.
- **Journal Reference** – This field allows you to search for a document by its Official Journal number.

## Search for Articles

Select 'Articles & Journals' from the list on the left.



The image shows a search interface with four input fields stacked vertically. Each field has a label to its left and a small square button with a question mark to its right. The fields are labeled 'Title', 'Reference', 'Subject', and 'Abstract'. Below the fields are two buttons: a light grey 'Clear' button and a green 'Search' button.

You can specify search terms for one or more of the following fields:

- **Title** – searches the title of the article.
- **Reference** – search for journal articles by citation.
- **Subject** – searches the subject keywords only.
- **Abstract** – searches the longer document summary. If putting what you want into Subject doesn't find what you want, try Abstract instead.

# Appendix - Operators

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Operators are connecting words and symbols which affect how your search terms are dealt with by JustCite. Simple examples include `cigarettes or tobacco` and `children near safeguarding`. Operators fall into a number of distinct types, each with particular roles.

## Boolean Operators

Boolean or logical operators include AND, NOT and OR. They are used to specify a relationship between two or more search terms.

- Use **AND** when both search terms must appear in the results. Note that on JustCite, the AND operator is implied as between two search terms unless another operator is specified. For example, `damages taxation` will return all entries which include both the word 'damages' and the word 'taxation'.
- Use **NOT** when one search term must appear in the results but another must not. For example, `newspaper not times` will return all entries which include the word 'newspaper' except those that also include the word 'times'.
- Use **OR** when either one search term or another search term must appear in the results. For example, `children or minors` will return all entries which include the word 'children' and all entries which include the word 'minors'.
- When searching the Year field in the Advanced Search, use the date operators **before** and **after** to specify a cut-off date rather than a specific range. For example, `before 1932` will restrict your results to those dated before the year 1932.

## Phrase Searching

As discussed above, when you enter two or more search terms into JustCite without operators, JustCite will infer an **AND** operator and return any entry that contains all of the terms entered, regardless of their proximity to one another.

To restrict results to only those documents containing a particular phrase, you must enclose the phrase in **double quotation marks**. For example, `"duty of care"` will return only those entries which contain the words 'duty', 'of' and 'care' annexed together in that particular order, whereas `duty of care` will simply return any entry that contains the word 'duty', the word 'of' and the word 'care' anywhere in the document.

You can also use double quotation marks to have JustCite treat as a search term a word that would otherwise be treated as an operator. For example, entering `health and safety` will search for the word 'health' **AND** the word 'safety', whereas entering `"health and safety"` will match only that exact phrase, including the word 'and'.

## Proximity Operators

Proximity operators are used to specify the maximum gap between two search terms in a result.

- Use **near** to return results where two search terms are a maximum of **10 words** apart. For example, `homicide near provocation`.
- Use **within x of** to specify a set maximum number of words between the search terms. For example, `freezing within 3 of injunction`. You can also use **w/x** as a short-form version.

## Wildcard Operators

Wildcard operators are used to match fragments of words. They are useful when you want your search results to encapsulate multiple forms of a word; for example, if you want results that include both 'woman' and 'women', or 'insolvent' and 'insolvency'.

- Use **\*** (**asterisk**) at the end of a word fragment to return all words which begin with the letters specified. For example, `insolv*` will return 'insolvent' and 'insolvency'.
- Use **?** (**question mark**) to substitute a single letter. For example, `wom?n` will return both 'woman' and 'women'.
- Use **~** (**tilde**) at the end of a word when you are unsure of the correct spelling. This tends to work best with proper names; for example, `sarah~` will also return 'farah' and 'sharah'.

NOTE: If your search terms return no results the system will automatically re-run the search looking for near matches. Therefore, when using JustCite it is only necessary to use the tilde when you want multiple variations of a search term within the same set of search results.

## Parentheses

These are used to specify the order in which operators are worked out. For example, searching for `smugglers and alcohol or tobacco` would return:

1. Documents containing the word 'smugglers' and the word 'alcohol'; AND
2. Documents containing only the word 'tobacco'.

What we actually WANT is:

1. Documents containing the word 'smugglers' and the word 'alcohol'; AND
2. Documents containing the word 'smugglers' and the word 'tobacco'.

To accomplish this, we use parentheses, as follows:

`smugglers and (alcohol or tobacco)`

In short, the parentheses tell JustCite that we want A together with either B or C.

## Combining Operators

It is possible to combine all of these operators to produce some very specific searches. Can you work out what the following searches will return?

- `("domestic violence" or abuse) provocation`
- `(mareva or freez*) near (order or injunct*)`
- `(cut* near (spending or budget*)) "judicial review"`