

## Answers to practical exercises

### Chapter 18: Mooting skills

Page 425

Can you put these fictitious citations in order according to the hierarchy of law reports:

*R v. Jones* [1999] 2 Cr App R 345

*R v. Jones* [1999] Ch 345

*R v. Jones* [1998] 3 WLR 1234

*R v. Jones* [1999] 1 All ER 98

*R v. Jones* [1998] Crim LR 42

| Order | Citation              | Reasoning  |
|-------|-----------------------|--|
| 1     | [1999] Ch 345         | The Chancery Reports are part of the Official Reports produced by the Incorporated Council of Law Reporting (ICLR). This family of reports is top of the hierarchy and should always be used if the case has been reported here irrespective of where else it has been reported.           |
| 2=    | [1998] 3 WLR 1234     | The Weekly Law Reports are also produced by the ICLR and contain the full text of the judgment but not details of arguments advanced by counsel.   |
| 2=    | [1999] 1 All ER 98    | The All England Reports are also full text reports. Although they are not produced by the ICLR they are equal in the hierarchy to the WLR.   |
| 4     | [1999] 2 Cr App R 345 | The Criminal Appeal Reports are a specialist report in that they provide full text judgments in cases involving criminal law or sentencing. They are lower in the hierarchy than general full-text series of reports.  |
| 5     | [1998] Crim LR 42     | The Criminal Law Review provides a summary of the case and the reasoning of the judge as well as a comment on that case. Although they are low in the hierarchy in this respect, they can be useful for helping you to understand the case and providing a critique of the reasoning used. |

## Example 2:

*Cody v. Nugget Skyways Industries Ltd* [2006] ICR 13

*Cody v. Nugget Skyways Industries Ltd* [2006] 3 All ER 14

*Cody v. Nugget Skyways Industries Ltd* [2006] IRLR 26

| Order | Citation           | Reasoning  |
|-------|--------------------|--|
| 1     | [2006] ICR 13      | The Industrial Cases Reports are part of the Official Reports produced by the (ICLR). This family of reports is top of the hierarchy and should always be used if the case has been reported here irrespective of where else it has been reported. |
| 2     | [2006] 3 All ER 14 | The All England Reports is a general series of reports, <i>i.e.</i> it includes reports of cases in all areas of law. It is a full-text report but it is lower in the hierarchy than the Official Reports.   |
| 3     | [2006] IRLR 26     | The Industrial Relations Law Reports are a specialist series of reports dealing with employment cases. As a specialist series of reports, they are lower in the hierarchy than general reports.  |

## Example 3:

*Re G (A Child)* [2006] 1 AC 303

*Re G (A Child)* [2006] 2 WLR 390

*Re G (A Child)* [2006] Fam 57

*Re G (A Child)* [2005] FLR 166

| Order | Citation        | Reasoning  |
|-------|-----------------|--|
| 1     | [2006] 1 AC 303 | The Appeal Cases are at the top of the hierarchy of the Official Reports produced by the Incorporated Council of Law Reporting (ICLR). This means that reference should always be made to the Appeal Cases if the case is reported there irrespective of where else it is reported. The Appeal Cases only reports cases from the House of Lords. |
| 2     | [2006] Fam 57   | The Family Reports are also part of the Official Reports produced by the ICLR. It is below the Appeal Cases in the hierarchy as no series of reports ever  |

|   |                  |   |
|---|------------------|---|
|   |                  | outranks the Appeal Cases.  |
| 3 | [2006] 2 WLR 390 | As a general series of reports produced by the ICLR, the Weekly Law Reports is lower in the hierarchy than the official series of reports but is higher than other general reports such as the All England Reports. |
| 4 | [2005] FLR 166   | The Family Law Reports is a specialist series of reports so is lower in the hierarchy than the general reports.   |