

QUOTATIONS 2

How do I format a quotation?

There are conventions (rules) about writing quotations. These rules are different for **SHORT** and **LONG** quotations.

▪ **SHORT QUOTATIONS**

Short quotations may be a word, an expression or a sentence (less than 40 words)

- Use single '...' or double "... " quotation marks (check your law school guidelines)

A quotation cannot stand alone. It always needs to be part of a sentence and / or introduced by a reporting verb.

(see documents on Resources page entitled Reporting Verbs 1 & 2)

example

X 'The style and structure of the law is no longer dominated by sheer rules'.

- Integrate the quotation into the sentence using a **reporting word or expression**.

example

- ✓ **They argue that** 'the style and structure of the law is no longer dominated by sheer rules'.
- ✓ **In his opinion,** 'the style and structure of the law is no longer dominated by sheer rules'.
- ✓ **The case was described as** 'a fiasco that should never have been allowed'.

Punctuation

- It is important that the sentence has **correct punctuation** and **grammar**.

If a quotation forms part of a comprehensive argument, the punctuation is part of the argument and a full stop or comma is placed **outside** the quotation marks.

example

The judge said, 'there has been an increase in crime'.

The judge told the court, 'this is unfair', and he went on to suggest improvements in the law.

- Use a **comma** after the **reporting word**

example

The judge **said**, 'there has been an increase in crime'.

- Do **not** use a comma if the reporting word is followed by 'that'

example

The judge **said that** 'there has been an increase in crime.'

- Use a comma after reporting expressions such as according to, in the opinion of the judge.

✓ According to the judge, 'there has been an increase in crime'.

X According to the judge, **he said**, 'there has been an increase in crime'.

- When a quotation starts with a capital letter, it indicates that the sentence is used independently and therefore requires a full stop *inside* the quotation marks.

example

✓ Smith admits: "There may be legitimate exceptions when consciously chosen to achieve a particular literary effect."

Grammar

A quotation must be **integrated** into the sentence so that the quotation is the grammatical continuation of the sentence and the sentence reads smoothly.

example

✓ Theft is a crime and is defined in the Theft Act 1968 as 'dishonestly appropriating the property of another with the intention of permanently depriving the other of it'.

✓ In Smith J's opinion, a simple comparison could not be made as there were 'a number of imponderables to be taken into account'.¹

X The judge said, 'an increase in crime'.

Do NOT use italics for short quotations – you have already signalled the quotation with the quotation marks.

▪ LONG QUOTATIONS

Quotations of more than 40 words or 3 lines are considered long quotations. They need to be treated in a different way from short quotations:

- Indent 2 spaces
- Use single line spacing (check your law school guidelines)
- The introductory part of the quotation usually begins with a colon (:).
- Footnote the quotation clearly either after the colon (:) or at the end of the quotation

example

The Sheen Enquiry into the ferry disaster had concluded that:²

A full investigation into the circumstances of the disaster leads inexorably to the conclusion that the underlying or cardinal faults lay higher up in the company. All concerned in management, from the members of the Board of Directors down to the junior superintendents, were guilty of fault in that all must be regarded as sharing responsibility for the failure of management.

Do NOT use italics or inverted commas for long quotations – you have signalled the quotation by a colon (:) and separated the quotation from the text by indenting and changing the line spacing of the quotation.

Make appropriate use of a long quotation

Sometimes in your writing you may want to quote clauses or sections of legislation in full rather than paraphrase or summarise them. Although it is not recommended that you quote large chunks of legislation, if you do need to do it, it is important to show the relevance of the quoted material by commenting and discussing it. Avoid just including it and leaving it there to explain itself.

¹ [1990] BCC 603

² Sheen MV *Herald of Free Enterprise Report of the Court No 8074* (Department of Transport 1987) 109

- The following extract shows how the writer has made effective use of a long quotation:

The draft statutory statement of director's duties contains one further principle, Principle 3. It states the duty which is to apply in relation to conflicts of interest. Although it seems not to have attracted adverse comment, it does raise concerns. These concerns can best be addressed in the light of the text of the proposed duty:³

- 3 Conflict of duty and interest**
A director must not:
- a authorise, procure or permit the company to enter into any transaction in which he has an interest unless the interest has been disclosed to the relevant directors to the extent required under the Act;⁴ nor
 - b use any property, information or opportunity of the company for his own or anyone else's benefit, nor obtain a benefit in any other way in connection with the exercise of his powers, unless he is allowed to make such use or obtain such benefit by the company's constitution, or the use or benefit has been disclosed to the company in general meeting and the company has consented to it.

This draft text clearly separates two distinct factual situations in which conflicts of duty and interest are likely to arise. **Paragraph (a)** deals with cases where the director contracts with the company; **paragraph (b)** with cases where the director contracts (or has some other arrangement) with third parties, not with the company. **This division** is commonly adopted for pedagogic purposes: the remedies **in the first cases** may, it seems, be limited to rescission of the underlying contract, with no option to request an account of profits should rescission be unavailable according to prevailing equitable rules; the remedies **in the second case** are not so limited, with disgorgement of the director's profits being effected either by means of a constructive trust or a personal obligation to account. **Despite these remedial differences**, it is clearly recognised that **both situations** are simply fact patterns raising the possibility of directors being tempted to act in their own personal interests rather than in accordance with their duties to the company.⁵

³ DF para 3.40, Principle 3

⁴ This is a reference to Companies Act 1985 s317, requiring a director to disclose [material] interests to the board of directors.

⁵ Sarah Worthington 'Reforming Directors' Duties' 64 *Modern Law Review* 2001 439