



OLR Style Guide

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1 GENERAL GUIDELINES

The *Ottawa Law Review Style Guide* contains several stylistic choices that are unique to the *OLR*. All editors must be familiar with these stylistic choices and ensure that articles conform to these standards. Therefore, when conducting edits, please consult the following hierarchy of authorities:

- i. The *Ottawa Law Review Style Guide* (the “*OLR Style Guide*”)
- ii. The Canadian Guide to Uniform Legal Citation (the “*McGill Guide*”)

The current *McGill Guide* is the 10th edition. Please use this edition in your editing work.

Please refer to the *OLR Editing Handbook* for information concerning the Primary, Secondary, and Tertiary editing process. The roles and responsibilities of Assistant, Associate, and Senior Editors are also outlined in the *Handbook*.

1.1 General Roles

General

Where an article does not conform to the following requirements, Associate and Secondary Editors shall change the format of the article accordingly.

Associate Editors:

- Verify that the article’s table of contents and corresponding headings are consistent.
- Ensure that short-form references are consistent across citations by confirming with other Editors via discussion boards.
- Verify that where a style of cause or legislative title is written in the article text, it is omitted from the footnote.

Secondary Editors:

- Ensure that the electronic typeface is Times New Roman, 12-point font.
- Align text to the left-hand margin.
- Ensure the first sentences of paragraphs following headings/subheadings, block quotations, and numbered/bullet-point lists are not indented.
- Ensure there is only one space between sentences.

2 FOOTNOTES & SOURCING

2.1 Citing Jurisprudence: Reporters and Hierarchy

Editors should refer to the *McGill Guide* Rule 3.5 on Neutral Citations. In the following instances, citations involving jurisprudence do **not** require a parallel citation:

i. *Neutral Citation*

When included in the citation, a neutral citation is **always** the primary reference.

e.g., Hydro-Québec v Matta, 2020 SCC 37.

ii. *CanLII Citation*

Where a neutral reference is not available, a reference from the Canadian Legal Information Institute (CanLII) is preferred. This does not require a parallel citation.

e.g., Byrne v Trust Loan and Income, 1999 CanLII 12167 (QCCS).

Note where CanLII citations do not include page or paragraph numbers: For specific references (one that includes a pinpoint to a specific paragraph or page), if the CanLII case does not have page or paragraph numbers, Editors should change the footnote to cite a privileged reporter that *does* include page or paragraph numbers. If the reference is general (referring to the case without a pinpoint) and there are no other references to that case throughout the entire article, editors do not need to cite a privileged reporter (the CanLII case can be referenced).

iii. *Privileged Reporter*

When neither a neutral or CanLII citation are available, the author may cite jurisprudence by referencing one of the privileged reporters listed in Annex A. A reference from a privileged reporter does not require a parallel citation. **Note that this is distinct from the *McGill Guide* 10th Ed.**

e.g., Borowski v Canada (AG), 1989 1 SCR 342 (SCC).

Note where Privileged Reporter does not include page or paragraph numbers: When neither the CanLII citation nor the privileged reporter contain page or paragraph numbers, but the citation requires a specific reference, other online database sources (*e.g.*, WestLaw, LexisNexis) may be used for the main citation, if it contains a page or paragraph number. In this case, another accessible source, such as the CanLII citation, should be used as a parallel reference. **Note that this is distinct from the *McGill Guide* 10th Ed.**

e.g., Michelin & CIE v CAW-Canada, 1996 CarswellNat 2297 at para 69, 1996 CanLII 11755 (FC).

2.2 Footnotes Generally

General

All footnotes should end with a period.

Generally, footnotes should be placed at the end of the sentence. Where an author has placed a footnote in the middle of a sentence, *McGill Guide* Rules 1.3.2 and 1.3.4 provide guidance to verify the placement of the footnote.

Placement and Composition of Footnotes (for Legislation and Jurisprudence Only)

When a source is cited for the first time with a **general reference** (no pinpoint), place a footnote **immediately** after the in-text reference. In future references to the same source, place the footnote at the end of the sentence, after the punctuation.

e.g., This was the regime set out in *Carter v Canada*,¹ a decision of the Supreme Court of Canada.

¹ 2015 SCC 5 [*Carter*].

In *Carter*, the Supreme Court analyzed whether it should be bound by precedent set out in previous cases.³

³ *Supra* note 1.

However, where the initial reference to jurisprudence or legislation is a **specific reference** (a pinpoint to a page number, paragraph number, section, *etc.*), place **one** footnote at the end of the sentence.

e.g., *R v Gladue* states a judge's role is to "determine a fit sentence taking into account all the circumstance of the offence, the offender, the victims, and the community".¹

¹ 1999 CanLII 679 at para 75 (SCC).

e.g., Section 11 of the *Museums Act* outlines the purpose, powers, and capacity of the Canadian Museum of Nature.¹

¹ *Museums Act*, SC 1990, c 3, s 11.

Placement and Composition of Footnotes (for all other types of sources)

When a source is cited for the first time, place a footnote at the end of the sentence, after the punctuation.

Adding Footnotes – DO NOT use the “Insert Footnote” feature electronically

If a new footnote must be added, indicate "footnote number bis" at the end of the sentence. The numerical reference should then also be indicated in the footnote table using "FNbis" followed by the footnote table requirements for the added footnote. The number of the bis footnote should be the number of the next footnote (see example below).

e.g., The plaintiff made an action for negligence for the injuries they suffered while

employed.^[2bis] In *Whiten*, the Supreme Court clarified that....²

¹ *Hill v Church of Scientology of Toronto*, 1995 CanLII 59 (SCC).

^{2bis} *Robitaille v Vancouver Hockey Club*, 1981 CanLII 532 (BCCA).

² *Whiten v Pilot Insurance*, 2002 SCC 19.

2.3 Pinpoints

All specific references should include a pinpoint. Where two citations are provided for jurisprudence, the pinpoint should be made to the first citation's reporter provided and kept consistent throughout the article. See Rule 1.5 of the *McGill Guide* for further clarity.

Generally, where a page range is provided in a pinpoint, only retain the last two digits of the second number in the range.

e.g., *Hill, supra* note 2 at paras 125–30.

There are two situations where more than the last two digits will be retained in a range:

- 1) Where the last two digits following the en dash begin with a zero.

Incorrect: 100–08

Correct: 100–108

- 2) Where the page range extends over a demonization of 100.

Incorrect: 198–07

Correct: 198–207

2.4 Prior and Subsequent References to a Citation

Short Form Titles

Only create a short-form title if there is further reference to the source in the article. Generally, if the title of the source is three words or less, the full title may be used in subsequent references. If the title of the source is longer, create a short title for subsequent references. Short-form titles should be placed in square brackets directly after the citation but before any parenthetical information.

- i. Legislation

If a piece of legislation has an official short title, use only this short title in the initial citation (see e.g. *McGill Guide*, Rule 1.4.1.2). If no official short title is provided, use the title at the head of the statute. If the short title is too long for subsequent references, create a distinctive

short-form title.

e.g., ¹ *Museums Act*, SC 1990, c 3.

² *Canada Business Corporations Act*, RSC 1985, c C-44 [CBCA].

³ *Museums Act*, *supra* note 1, s 2. See also *CBCA*, *supra* note 2, s 35.

ii. Jurisprudence

The short-form title for jurisprudence should reflect one of the parties' names or a distinctive part of the style of cause. Where a parallel citation is provided, the reader will assume that subsequent reference to the source is made to the first citation's reporter provided in the footnote.

e.g., ¹ *R v Van der Peet*, 1996 CanLII 216 (SCC) [*Van der Peet*].

² *Apotex v Pfizer*, 2009 FCA 8 at para 44 [*Apotex*].

³ *Fisher v Fisher*, 2008 ONCA 11 [*Fisher*].

⁴ *Van der Peet*, *supra* note 1 at 509.

⁵ *Apotex*, *supra* note 2 at para 35.

⁶ *Fisher*, *supra* note 3 at para 22.

iii. Secondary Sources

Generally, do not create a short form title for secondary sources.

In subsequent references to a secondary source, only use the author's surname. Where there are multiple authors, refer to the conventions in *McGill Guide* 6.1.2.2.

e.g., ¹ François Côté & Guillaume Rousseau, "From *Ford v Québec* to the *Act Respecting the Laicity of the State*: A Distinctive Quebec Theory and Practice of the Notwithstanding Clause", (2020) 94 SCLR (2d) 463 at 463

¹² Côté & Rousseau, *supra* note 1.

If citing two or more authors with the same surname, include the first initial for each author in subsequent references.

e.g., ¹ Stephen A Smith, "Duties, Liabilities, and Damages" (2012) 125:7 Harv L Rev 1727.

² Lionel Smith, "The Provinces of the Law of Restitution" (1992) 71:4 Can Bar Rev 672.

¹⁸ S Smith, *supra* note 1 at 1731.

¹⁹ L Smith, *supra* note 2 at 675.

If more than one work by an author is cited, a short-form title must be created and placed in brackets. This short-form title should consist of the author's surname and a shortened form of the title of the work. The title should maintain the same formatting as the full source.

e.g., ¹ Gloria Galloway, "Integrity Commissioner's Office Urged to Reopen Files", *The Globe and Mail* (11 December 2010) A19 [Galloway, "Integrity Commissioner's Office"].

² Gloria Galloway, "Watchdogs—or Lapdogs?", *The Globe and Mail* (28 December 2010) A4 [Galloway, "Watchdogs"].

¹⁸ Galloway, "Watchdogs", *supra* note 1.

¹⁹ Galloway, "Integrity Commissioner's Office", *supra* note 2.

Ibid

Ibid is used to direct the reader to the immediately preceding reference. Do not provide the number of the footnote in which the preceding reference appears.

If there is more than one reference in the previous footnote, use *supra* instead of *ibid*.

e.g., ¹ *R v Latimer*, 2001 SCC 1 [*Latimer*].

² *Ibid* at para 10.

³ *R v Morgentaler*, 1993 CanLII 74 (SCC) [*Morgentaler*]; *R v Pappajohn*, 1980 CanLII 13 (SCC); *R v Ruzic*, 2001 SCC 24 at 687.

⁴ *Morgentaler*, *supra* note 3 at para 21.

Supra

Use *supra* to refer to the footnote that contains the original, full citation. Do not use *supra* to refer to an *ibid* or another *supra* reference.

e.g., ¹ *Towne Cinema Theatres Ltd v R*, 1985 CanLII 75 (SCC) [*Towne Cinema*].

² *Ibid* at para 13.

³ *MacMillan Bloedel Ltd v British Columbia (AG)*, 1996 CanLII 1992 (BCCA).

⁴ *Towne Cinema*, *supra* note 1 at para 19.

Note that unlike *ibid*, *supra* does not refer to the original pinpoint, even if the pinpoint is the same as the pinpoint in the original footnote.

e.g., ² *R v Hart*, 2014 SCC 52 at para 106 [*Hart*].

¹⁸ *Hart*, *supra* note 2 at para 106.

Above and Below

In the footnote, use "above" and "below" to direct the reader to a portion of the main text. Do not use "above" and "below" to refer to another footnote.

e.g., ¹ Part III-A, *above*, for more on this topic.

² *Animal Protection Act*, RSA 2000, c A-41.

³ A further discussion of this case will be found at pages 164–65, *below*.

⁴ *Animal Protection Act*, *supra* note 2, s 7.

2.5 Repeated and General References for Legislation and Jurisprudence

Primary (Assistant and Associate) editors are not concerned with this rule and must not apply it.

A repeated general reference is a footnote following the title of a law, the style of cause of a case, or an established short title of either, that refers to a statute or case that was previously cited. Repeated general references are “general” because they lack pinpoints.

e.g., Rendered in 2012, *Jones v Tsige*¹ concerns the tort of invasion of privacy in Ontario.

[...]

This is clearly distinguishable from the tort of invasion of privacy in *Jones*.²⁵

¹ 2012 ONCA 32 [*Jones*].

[...]

²⁵ *Supra* note 1.

In this example, footnote 25 is a general reference and can be removed if doing so would not create confusion for the reader.

Tertiary and Secondary editors must add or remove repeated general references so that there is a consistent application throughout the piece, enhancing comprehension and readability.

In a case comment, for example, general repeated references for the case under review would be unnecessary and should be removed. The same applies to sections discussing a particular case or legislative framework.

Conversely, if a piece mentions a previously cited case or statute, and the reader (editor) finds themselves confused or curious about its source, a repeated general reference should be added and flagged for review by the Editor-in-Chief. Essentially, a repeated general reference is necessary if the case or statute is mentioned multiple times in different contexts or sections throughout a piece.

2.6 Introductory Signals in Footnotes

General

The *OLR* generally does not use the introductory signal “see”.

There are exceptions when “see” is used in a footnote as an introductory signal:

- When “see” is preceded by text in the footnote.
*e.g.,² On the distinction between “activism” and “restraint” see Geoffrey Marshall, *Constitutional Theory* (Oxford: Clarendon Press, 1980) at 132.*
- When “see” is placed in parentheses to introduce a source after text commentary
*e.g.,⁴ In his reasons, Justice Major referred to the preamble as “textual affirmation” of the unwritten principle of judicial independence (see *Babcock v Canada (AG*, 2002 SCC 57 at para 19).*

The following introductory signals are mandatory:

See also	The source cited provides added support for the proposition, but is not the most authoritative or is not directly on point.
But see	The source cited is in partial disagreement with the proposition, but does not directly contradict it.
See e.g.	<i>Exempli gratia</i> , literally “for example”. The source cited is one of several that support the proposition given, but the other supporting sources are not cited.
See generally	The source cited supports and provides background information relevant to the proposition. Explanatory parenthetical remarks are recommended.
See especially	The source cited is the strongest of several that support the proposition. Use only when listing the best of many possible sources.
Cf	<i>Confer</i> , literally “compare”. The source cited supports a different proposition, but one that is sufficiently analogous so as to lend support to the proposition. Explanatory parenthetical remarks are recommended.
Contra	The source cited directly contradicts the proposition.

Do not use an introductory signal where the footnote refers to a source that is directly quoted in the main text.

e.g., “The effect of denying the services of Insite to the population it serves is grossly disproportionate to any benefit that Canada might derive from presenting a uniform stance on the possession of narcotics.”¹

¹ *Canada (AG) v PHS Community Services Society*, 2011 SCC 44 at para 133.

Do not use introductory signals where the title of the source appears for the first time in the main text and the footnote only provides the other elements of the citation.

e.g., In *R v Morgentaler*,¹ Justice Wilson stated that...

¹ 1993 CanLII 74 (SCC).

Unlisted Signals

The *McGill Guide* sets out a list of introductory signals that may be used in footnotes (see Rule 1.3.6). If an author uses an introductory signal that is not in the *McGill Guide*, the signal should be replaced if it is:

- (a) interchangeable with one of the listed introductory signals; or
- (b) a Latin word that can be replaced by an English word.

Proper Ordering of Signals

When a number of authorities are cited in one footnote, the signals introducing the authorities should appear in the following order:

- i. Support signals: See especially, See e.g., See also, *Cf*
- ii. Comparator signals: Compare
- iii. Specific contradictor signals: But see, *Contra*
- iv. General signals: See generally

e.g., See also *Re Mauro*, 1983 CanLII 1818 (ONSC). Compare *Royal Bank of Canada v Nicholson*, 1980 CanLII 3811 (ONSC). But see *Re Ali (No 1)*, 1987 CanLII 4087 (ONSC). See generally *supra* note 20.

Combining Sources Under Introductory Signals

One signal may introduce more than one authority within a single footnote. However, all authorities that one signal introduces must be of the same basic type (*i.e.*, supporting, comparing, contradicting, or providing background information for the cited text). Whenever an authority of a different type is introduced in a footnote paragraph, a new footnote sentence must be used and introduced with the appropriate signal.

2.7 Information within Footnotes

The inclusion of information within footnotes is optional. Generally, information should not be added unless the reader may be misled without its inclusion. When an author includes parenthetical information in an article's footnotes, the placement and wording of this information should be reviewed.

All parenthetical information should begin with a lowercase letter. If the citation begins with a capital letter, change it to a lowercase letter in brackets.

Weight of Authority

Where a case is cited for a proposition that is not the single, clear holding of the majority opinion, this fact should be indicated by explanatory parenthetical remarks. These parenthetical notations should be included at the end of the relevant citation.

e.g., Re Gillespie, 1968 CanLII 281 (ONCA) (dissenting opinion).

Explanatory Remarks

Brief explanatory remarks may be added in a footnote. A citation should immediately follow the brief description. The citation may be in parentheses where appropriate. If the citation follows the text, an introductory signal should be used (see *McGill Guide*, Rule 1.3.7).

*e.g.,² On the distinction between “activism” and “restraint” see Geoffrey Marshall, *Constitutional Theory* (Oxford: Clarendon Press, 1980) at 132.*

*e.g.,⁴ In his reasons, Justice Major referred to the preamble as “textual affirmation” of the unwritten principle of judicial independence (see *Babcock v Canada (AG)*, 2002 SCC 57 at para 19).*

If the explanatory remark is a quotation, a citation should precede the quotation. The quotation should be placed in parentheses.

*e.g., *Oakwood Development Ltd v St François Xavier (Municipality)*, 1985 CanLII 50 (SCC), Wilson J [Oakwood] (“[t]he failure of an administrative decision-maker to take into account a highly relevant consideration is just as erroneous as the improper importation of an extraneous consideration” at para 16).*

2.8 Punctuation and Structure in Footnotes

Punctuation

In footnotes, punctuation is placed external to quotation marks per the *McGill Guide*'s specifications.

e.g., Baker, “Post-Confederation Rights”, *supra* note 3 at 86.

Capitalizations

Capitalization rules also apply to titles in footnotes (see *McGill Guide*, Rules 6.1.3 and 6.2.3), as well as headings. See [section 3.7](#), *below*.

Capitalizations in Titles

In titles, capitalize all words except articles, conjunctions of fewer than four letters, and prepositions of fewer than four letters. In hyphenated words, uppercase letters should be used on either side of the hyphen. The *OLR* Editor must change the original author's capitalization to comply with this rule and Rule 6.1.3 of the *McGill Guide*.

e.g., Protecting Market Integrity in an Era of Fragmentation and Cross-Border Trading

Italicizations in Titles

In titles, italicize all references to legislation and jurisprudence.

e.g., David M Brown, “Freedom From or Freedom For?: Religion As a Case Study in Defining the Content of **Charter** Rights” (2000) 33:3 UBC L Rev 551.

Latin Terms in Footnotes

Latin terms in footnote introductory signals should not be italicized and should not be followed by a comma.¹

¹ See *e.g. McGill Guide*, Rule 1.3.6 and *McGill Guide*, Rule 6.1.2.2.

Punctuation that follows italicized text should not be italicized.

e.g., ⁵Stone, *supra* note 1.

2.9 Online Sources

General Rule

The inclusion of a URL should be included for purely online sources (blogs, podcasts, webpages, social media, etc.), as well as government documents (see *McGill Guide*, Rule 6.18).

Footnotes for online sources should follow the following format: Traditional Citation, online (type of electronic source): <URL>. No URL should be a hyperlink. See *McGill Guide*, Rule 6.18.1.

e.g., Michael Geist, “Why the Government’s Bill C-18 Draft Regulations Do Little to Ensure More Spending on Journalists or News Content” (5 September 2023), online (blog): <michaelgeist.ca/2023/09/why-the-governments-bill-c-18-draft-regulations-do-little-to-ensure-more-spending-on-journalists-or-news-content/>.

Unlike the regime set out in the *McGill Guide*, the *OLR* prefers the following:

- **No** inclusion of an archived URL. The *OLR* currently does not have an archived URL system.
- Include the **entire** URL, instead of just the URL to the home page of the website, **except for** **http://** and **https://**.

3 PUNCTUATION, STRUCTURE, & STYLE

3.1 Commas

General

The use of commas is liberal. This assists the reader in comprehending material that is presented in a complicated sentence structure.

Comma Splices

Comma splices arise when a comma is used to join two independent clauses. Comma splices generally create run-on or disjointed sentences when there is no conjunction between the two independent clauses. Comma splices are grammatically incorrect and must be revised. There are three ways in which you can fix the clauses to avoid the comma splice and run-on sentences: (a) make two separate sentences; (b) join the clauses with a semi-colon (;) if the two clauses are very closely related; or, (c) use a comma and a coordinating conjunction (such

as *and* or *but*).

Incorrect: He went to the restaurant, he did not have to wait long for a table.

Correct: He went to the restaurant. He did not have to wait long for a table.

Correct: He went to the restaurant; he did not have to wait long for a table.

Correct: He went to the restaurant, but he did not have to wait long for a table.

Series of Listed Terms

In a series of three or more listed terms, place a comma after the next-to-last term (*i.e.*, use the Oxford Comma).

Incorrect: Every citizen has the freedom of thought, belief, opinion and expression.

Correct: Every citizen has the freedom of thought, belief, opinion, and expression.

3.2 Semi-Colons

General

The semi-colon is used to connect two independent clauses that are related in topic. Semi-colons may be used when it is desirable to set off larger conjunctions (such as “however” or “as a result”) followed by a comma within a series of clauses.

e.g., Jane is a dependent child of the deceased; she is the applicant in these proceedings.

e.g., Jane is a dependent child of the deceased; as a result, she is left without a guardian.

3.3 Colons

General

Colons may be used between two independent clauses that are not joined by a conjunction, if the second clause explains or illustrates the first clause. In such sentences, a semi-colon would also be correct, but less effective.

e.g., Put most simply, the amendments look forward or anticipate: they give regulators a means towards restricting the market in times of change.

Series of Listed Terms

Colons may also be used to introduce a list of terms. In this manner of use, the colon follows an annunciatory statement. Colons should not be used after expressions like “such as”, “for instance”, or “for example”. Similarly, colons should not be used if the list is the object or

complement of an element in the annunciatory statement.

Incorrect: The subjects covered were: bonds, mutual funds, and global investments.

The memo was sent to: directors, section managers, and human resource managers.

Correct: The following subjects were covered: bonds, mutual funds, and global investments.

The memo was sent to directors, section managers, and human resource managers.

3.4 Hyphens and Dashes

Hyphens

A hyphen (“-”) is used to join words in a compound construction.

e.g., cruelty-free eggs, Bill C-45.

En-Dashes

An en-dash (“—”) is used to separate items that denote a range.

e.g., from 1989—1991.

The *OLR* also uses the en-dash in citations for pinpoint references. Retain only the two last digits following the en-dash.

e.g., *Ibid* at 512—14.

Em-Dashes

An em-dash (“—”) is used as a stand-in for a comma, colon, semi-colon, or a set of parentheses. It indicates an emphatic break in the sentence. When an em-dash is used, it should not be preceded or followed by a space.

e.g., To write creatively—or perhaps to write at all—one needs to think big.

3.5 Quotations

Formatting Considerations

Round quotation marks (“ ”) should be used instead of straight quotation marks (" ").

Quotations of five lines or more should be formatted as block quotations. Block quotations should be single-spaced and indented $\frac{1}{2}$ inch (1.27 cm) from both margins. Do not use quotation marks with block quotations.

There is no indent in the first paragraph following a block quotation.

Legislative provisions should be formatted as block quotations even if they are four lines or shorter.

Colons should be used to introduce a block quote where the quote does not read as part of a sentence. Where a colon is used, capitalize the first word using square brackets if it is not already capitalized in the original source.

*e.g., The Court explained,
in the interest of justice, greater emphasis should be placed on...*

*e.g., The Court decided that
in the interest of justice, greater emphasis should be placed on...*

*e.g., The Court explained it as follows:
[I]t is in the interest of justice to...*

Emphasis Notes

When a quotation has special font formatting (*i.e.*, italics, boldface, underlining) in the main body text of the original source, maintain that original formatting. The reason for including this formatting should be at the end of the footnote for the quotation.

*e.g., Whiten, *supra* note 16 at paras 72–73 [emphasis in original].*

If there is both a short-form title and an emphasis note in the footnote, the short title should be presented first.

*e.g., Rosemary Cairns-Way, ed, *Dimensions of Criminal Law*, 3rd ed (Toronto: Emond Montgomery Publications Ltd, 2002) at 813 [Cairns-Way, *Dimensions*] [emphasis in original].*

Punctuation within Quotations

Punctuation should be excluded from quotation marks, except for instances in which the quotation itself includes the punctuation.

Incorrect: The “principle of necessity,” while unique in Canada to Quebec, can be found in various international forums.

Correct: The “principle of necessity”, while unique in Canada to Quebec, can be found in various international forums.

The placement of question marks and exclamation marks should strictly follow the original quotation. If the question mark or exclamation mark does not appear in the original quotation, it cannot appear inside of the quotation marks.

Incorrect: “The ‘principle of necessity,’ while unique in Canada to Quebec, can be found in various international forums!”

Correct: “The ‘principle of necessity’, while unique in Canada to Quebec, can be found in various intentional forums”!

Where an Editor cannot verify whether the placement of punctuation should be within or outside of quotation marks (e.g., quotations from interviews, personal notes, *etc.*), Editors should move the punctuation outside of the quotation marks.

In footnotes, punctuation is placed external to quotation marks per the *McGill Guide*’s specifications.

e.g., Baker, “Post-Confederation Rights”, *supra* note 3 at 86.

Ellipses

e.g., The law...was subsequently enacted.

The omission of the end of a quoted sentence is indicated by an ellipsis. After the ellipsis, the end punctuation should be preserved. Ellipses should not precede or follow a space, nor is there a space between individual periods within the ellipses.

e.g., “Will the case be appealed...?” or “The appeal was successful....”

Ellipses are not to be used at the beginning of a quoted sentence unless it is deliberately presented in a grammatically incomplete form.

Quotations that Contain Footnotes

When quoting from a source containing a passage that includes a footnote number, do not include the footnote number. When citing the passage, indicate [footnote(s) omitted] at the end of the footnote. Do not indicate the omission if the footnote number follows the last word quoted.

Original text: The prosecutor’s quasi-judicial function “excludes any notion of winning and losing.”⁸⁴ Prosecutors must be fair.

In-text use: Their function does not include “any notion of winning and losing’...[p]rosecutors must be fair.”³

³ Canada, Department of Justice, *The Path to Justice: Preventing Wrongful Convictions* (Ottawa, Ontario: FPT Heads of Prosecution Subcommittee on the Prevention of Wrongful Convictions, 2011) at 43 [footnote omitted].

Quotations that Contain In-Text Citations

When quoting a source (often jurisprudence) containing in-text citations, remove the citation if doing so does not change the value or meaning of the quote. When citing the passage, indicate [citation(s) omitted] at the end of the citation in the footnote. Do not indicate the omission if the footnote number follows the last word quoted.

Original text: Indeed, it has consistently been held that the *Doré* framework applies not only where an administrative decision *directly* infringes *Charter* rights but also in cases where it simply engages a value underlying one or more *Charter* rights, without limiting these rights (*Doré*, at paras. 35 et seq.; *Loyola*, at para. 4; *Trinity Western University*, at para. 57). This is the case because administrative decision makers have an obligation to consider the values relevant to the exercise of their discretion, in addition to respecting *Charter* rights.

In-text use: Here, however, the Court reaffirmed *Doré* in no uncertain terms:

Indeed, it has consistently been held that the *Doré* framework applies not only where an administrative decision *directly* infringes *Charter* rights but also in cases where it simply engages a value underlying one or more *Charter* rights, without limiting these rights....This is the case because administrative decision makers have an obligation to consider the values relevant to the exercise of their discretion, in addition to respecting *Charter* rights.⁴

⁴ *Commission scolaire francophone des Territoires du Nord-Ouest v. Northwest Territories (Education, Culture and Employment)*, 2023 SCC 31 at paras 64–65 [citations omitted].

Changing Case of a First Word

If the case of the first letter of a quoted sentence requires changing, square brackets should be placed around this first letter.

e.g., The teacher explained that “[i]t would require a great deal of patience” to continue the lesson.

Quotations within Quotations

Generally, a quotation within a quotation takes single quotation marks. However, where an internal quotation is contained within a block quotation, the internal quotation takes double quotation marks.

3.6 Abbreviations

Acronyms and Initialisms

Acronyms and initialisms do not take periods.

e.g., CUSMA, CIA, OECD

When introducing an acronym or initialism in text, use parentheses without quotation marks.

Incorrect: (“*PIPEDA*”)

Correct: (*PIPEDA*)

Abbreviations with Titles

When presented in the body of the article or a **textual** footnote, judges’ titles should be presented in full.

e.g., Justice Abella

The abbreviated form of judges’ titles must be used in **non-textual** footnotes (see *McGill Guide*, Rule 3.10 for examples).

e.g., R v M (ML), 1994 CanLII 77 (SCC), Abella J.

Do not use periods with degrees, memberships, and distinctions.

e.g., BSC, MA, QC

Do not use periods in a style of cause when referenced in text.

e.g., In R v Hart, the majority held that...

Periods follow abbreviations for most non-military titles that precede a person’s name.

e.g., Ms. Jane Smith

Note: “Miss” is not an abbreviation and, as such, does not take a period.

Abbreviations of Legislative Titles

When an author refers to a piece of legislation with an abbreviated title or using an acronym, italics should be retained.

*e.g., In the *Paris Agreement (PA)*.... The *PA* was signed....*

Abbreviations of Legislative Subdivisions

When an author refers to a legislative subdivision (*e.g.*, chapter, section, subsection, paragraph, article) in text, the unabbreviated form should be used.

e.g., paragraph 3(1)(a)

When referring to legislative subdivisions, the following convention should be used:

- i. section: s 3
- ii. subsection: s 3(1)
- iii. paragraph: s 3(1)(a)
- iv. subparagraph: s 3(1)(a)(iii)
- v. clause: s 3(1)(a)(iii)(B)
- vi. subclause: s 3(1)(a)(iii)(B)(IV)

The placement of punctuation should conform to the *McGill Guide* (see Rules 2.1.9 and 2.1.10). If, in a textual footnote, an author refers to a legislative subdivision, the unabbreviated form should be used.

3.7 Capitalizations

Initial Capitals

Initial capitals are only used where the reference is so specific as to constitute a proper noun.

e.g., the Western world, the Parliament of Canada, Prime Minister Wilfrid Laurier.

When the noun is used as a general reference, initial capitals should not be used.

e.g., As prime minister, one must be responsible.

When in doubt as to whether an initial capital is appropriate, flag the issue for a supervising editor.

When referring to a specific court, “court” should always be capitalized.

e.g., The Court overturned the lower decision.

Capitalizations in Titles

In titles, capitalize all words except articles, conjunctions of fewer than four letters, and prepositions of fewer than four letters. In hyphenated words, uppercase letters should be used on either side of the hyphen. The *OLR* Editor must change the original author’s capitalization to comply with this rule and Rule 6.1.3 of the *McGill Guide*.

e.g., Protecting Market Integrity in an Era of Fragmentation and Cross-Border Trading

NOTE:

The word “with” should never be capitalized.

Capitalization rules also apply to titles in footnotes (see *McGill Guide*, Rules 6.1.3 and 6.2.3), as well as headings.

3.8 Italics

OLR Editors should treat Latin terms in text differently than Latin terms in footnote introductory signals. For information on Latin terms in footnotes, see [section 2.9, above](#).

Latin Terms in Footnotes:

Latin terms in footnote introductory signals should not be italicized and should not be followed by a comma.¹

¹ See e.g. *McGill Guide*, Rule 1.3.6 and *McGill Guide*, Rule 6.1.2.2.

Latin Terms in Text:

All Latin terms in text should be italicized. The following Latin terms should be italicized and followed by an **unitalicized** comma:

i.e., which stands for *id est*, meaning “that is”

e.g., which stand for *exempli gratia*, meaning “for example”

In English articles, French and foreign words should be written if they are not considered to have been assimilated into English.

e.g., *mutatis mutandis*

raison d'état

Note that an English pronunciation often indicates that a word or phrase has been assimilated.

When French or foreign words or phrases are considered to have been assimilated into English, italics are not used:

e.g., *ad hoc*

tsunami

Punctuation that follows italicized text should not be italicized.

e.g., ⁵*Stone, supra* note 1.

3.9 Headings

Associate editors must correct headings found in the text according to the following format:

I. PART (aligned to left margin and in “small caps”)

A. Section (aligned to left margin; no italics)

1. *Subsection* (indented at the first level; while the title is in italics, the number and period are not)

(a) *Item* (indented at the second level; while the title is in italics, the letter and parentheses are not)

(i) *Secondary Item* (indented at the third level; while the title is in italics, the letter and parentheses are not)

3.10 In-Text References to Jurisprudence and Legislation

Jurisprudence

At an initial reference, the author may choose to use the full or short form of a case. Editors should ensure the author’s choice is consistently applied.

If the author uses the full style of cause at the initial reference, establish a short form in the footnote. In subsequent in-text references to the case, use the short form that has been established in the footnote.

e.g., In *Jones v Tsige*,¹ the Court dealt with the tort of invasion of privacy.

...

The Court in *Jones* found that....

¹ 2012 ONCA 32 [*Jones*].

If the author does not use the full style of cause at the initial reference, write the full style of cause in the footnote. In subsequent in-text references to the case, continue to use the same short form.

e.g., This was the regime set out in *Carter*,¹ a decision of the Supreme Court of Canada.

¹ *Carter v Canada*, 2015 SCC 5 [*Carter*].

Legislation

When a piece of legislation is first referenced in the text of the article, use the official short title if one exists. If the official short title is more than four words, establish an acronym in parentheses following the in-text reference. In subsequent in-text references, use the acronym that has been established in-text.

e.g., In the *Personal Information Protection and Electronic Documents Act* (*PIPEDA*),² a focus is placed on....

...

The purpose of *PIPEDA* is....

² SC 2000, c 5 [*PIPEDA*].

4 GRAMMAR

General

Where possible, Associate Editors should alter punctuation, rather than text, to clarify meaning. Failing this, Associate Editors may add or delete a few words to resolve confusing sentence structure. If the intended meaning of the sentence is still unclear, the sentence should be flagged for a supervising Senior Editor.

4.1 Active Voice

Editors should ensure that articles are written in the active voice rather than the passive voice.

Incorrect: The indication was given by the legislative body.

Correct: The legislative body indicated...

Where the passive voice can be fixed by moving or altering a few words, Associate Editors should suggest the change. Where changing the passive voice requires more substantial edits, the issue should be flagged for the Senior Editor.

4.2 Subject-Verb Agreement

Verbs should be conjugated in a manner that complements the subject of the sentence.

Incorrect: Jurisdictional powers **was** outlined in the Constitution.

Correct: Jurisdictional powers **were** outlined in the Constitution.

4.3 Split Infinitives

When an adverb is used in conjunction with an infinitive verb, the adverb should not be placed between “to” and the verb.

Incorrect: The Members of Parliament wanted to quickly enact the new law.

Correct: The Members of Parliament wanted to enact the new law quickly.

4.4 Percent

An author should write the word “percent” not the symbol “%”.

Incorrect: 58% of law students are female.

Correct: 58 percent of law students are female.

Where an author is quoting text that uses “%”, “[percent]” should be used instead.

Incorrect: The professor explained that “75% of students passed the exam”.

Correct: The professor explained that “75 [percent] of students passed the exam”.

4.5 “Which” and “That”

“Which” and “that” are used to introduce relative clauses. If the removal of the relative clause would change the meaning of the sentence, “that” should be used. “Which” should be used if the omission of the relative clause would not change the meaning of the sentence. When using “which” to introduce a relative clause, “which” should be preceded by a comma.

e.g., I am fearful of dogs that bark.

The garage, which is brown, is falling apart.

4.6 And/Or

Eliminate the use of “and/or”. “And/or” should be replaced with “or”, which encompasses “and”.

4.7 Ending a Sentence with a Preposition

In the *OLR*, sentences should not end with prepositions. To correct this error, move the preposition inside the sentence.

Incorrect: There was no one she could speak to.

Correct: There was no one to whom she could speak.

4.8 The Possessive Form with a Judge’s Name

Avoid using the possessive form with a judge’s name.

Incorrect: Chief Justice Dickson’s judgment....

Correct: The judgment of Chief Justice Dickson....

4.9 Commonly Confused Words

Pay close attention when editing for words with ambiguous or commonly confused meanings:

- “infer”/“imply”
- “effect”/“affect”
- “alternate”/“alternative”
- “intra-”/“inter-”
- “allude”/“elude”
- “principal”/“principle”
- “proscribe”/“prescribe”
- “its”/“it’s”
- “their”/“there”
- “complement”/“compliment”

4.10 Gender-Neutral Language

The University of Ottawa has a policy on gender-neutral language (see “Guidelines for Gender Parity in University Texts” published by the University Secretary on May 6, 1991). When conducting text edits, Editors should adhere to the following principles:

- i. The masculine gender should be avoided when referring to any gender.
- ii. Gender-neutral sentence structures should be used whenever possible when referring to any gender.
- iii. Titles should be neutralized or, as a second resort, feminized whenever possible.

Pronouns

In order of preference, the following alternatives are available to avoid gender-specific pronouns:

- Replace the gendered subject and pronoun with a plural subject and pronoun.
Incorrect: A staff member can use his ID card to enter the facility.
Correct: Staff members can use their ID card to enter the facility.
- Replace pronouns with articles.
Incorrect: An employee must advise his supervisor in case of an emergency
Correct: An employee must advise the supervisor in case of an emergency
- Eliminate the pronoun.
Incorrect: Each student is expected to try as hard as she can.
Correct: Each student is expected to try as hard as possible.
- Directly address the reader.
Incorrect: If he partakes in the activity, then he will become more proficient.
Correct: If you partake in the activity, then you will become more proficient.
- Use both gendered pronouns linked by “or.”
Incorrect: The author should include footnotes in his paper.
Correct: The author should include footnotes in his or her paper.

Nouns

Whenever possible, avoid nouns that purport to include both genders by reference to one gender. The following chart contains a list of suggested titles and terms:

Original Term	New Term
Businessman	Business executive, business people

Cameraman	Camera operator
Chairman	Chairperson
Craftsman	Artisan, craftsperson
Draftsman	Drafter, draftsperson
Housewife	Homemaker
Maiden name	Birth name
Man-made	Artificial, manufactured, synthetic
Mankind	Humanity, humankind, people
Manpower	Workforce, workers, personnel
Middleman	Intermediary, go-between
Ombudsman	Ombudsperson
Policeman	Police officer
Sportsmanship	Fair play
Spokesman	Representative, spokesperson

5 SPELLING

General

As a general principle, spelling should conform to the Oxford English Dictionary. Where equally acceptable variant spellings of a word exist, use the first spelling that is offered by your work of reference. Once a particular spelling has been chosen, it must be consistently used throughout the article text.

5.1 Word Ending

The following spelling patterns are preferred:

- “-our” instead of “-or”: **colour, labour, honour.**
- “-re” instead of “-er”: **centre, metre, litre.**

- “-l” instead of “-ll”: **enrol, instil, fulfil.**
- A double “l” form is taken when a suffix is added: **enrollment, instilled, fulfilling.**

Where the spelling occurs in a quotation or in a proper noun, adhere to the original spelling.

Incorrect: **US Department of Labour, Hastings Centre**

Correct: **US Department of Labor, Hastings Center**

Generally, the *OLR* prefers to have words ending in “-ize” instead of “-ise.”

e.g., characterize, socialize, privatize

Use of “-ise” should be used for the following words:

• advertise	• devise	• mortise
• advise	• disguise	• premise
• apprise	• enterprise	• reprise
• arise	• excise	• revise
• chastise	• exercise	• supervise
• circumcise	• franchise	• surmise
• comprise	• guise	• surprise
• compromise	• improvise	• teleview
• demise	• incise	• wise
• despise	• merchandise	

5.2 Numbers

Numbers from one to ten are spelled out (*i.e.*, “one” and “ten” instead of “1” and “10”).

Numbers larger than ten are written in numerals (*i.e.*, “11” and “50” instead of “eleven” and “fifty”). Numbers in the millions or larger should be written as a combination of numbers and letters (*i.e.*, 23 million, 75 billion).

Ordinal numbers take a superscript form when in the body of the article if they are above ten.

e.g., We have yet to see technological innovation in courts of the 20th century.

*e.g., The first edition of the *McGill Guide*.*

ANNEX A: LIST OF PRIVILEGED REPORTERS

<u>Abbreviation</u>	<u>Full name of reporter</u>	<u>Additional comments</u>
Alta LR	Alberta Law Report	
AR	Alberta Reports	
BCLR	British Columbia Law Reports	Edition 1-5
BR	Recueils de jurisprudence du Québec : Cour du Banc de la Reine/du Roi	
BR	Rapports judiciaires officiels de Québec : Cour du Banc de la Reine/du Roi	
CA	Recueils de jurisprudence du Québec : Cour d'appel	
CBES	Recueils de jurisprudence du Québec : Cour du bien-être social	
CCC	Canadian Criminal Cases	Publishes nearly every Canadian criminal case.
CF	Recueils des arrêts de la Cour fédérale du Canada	
CNLR	Canadian Native Law Cases	Publishes most major decisions on aboriginal law.
CP	Recueils de jurisprudence du Québec : Cour provinciale	
CR	Criminal Reports	Publishes criminal cases from all appeal and non-appeal courts but has a shorter library than CCC.
CS	Quebec Official Judicial Reports: Superior Court	
CSP	Recueils de jurisprudence du Québec : Cour des Sessions de la paix	
DLR	Dominion Law Reports	Edition 1-4
Ex CR	Exchequer Court of Canada Reports	
Ex CR	Canada Law Reports: Exchequer Court	
FC	Canada Federal Court Reports	
FCR	Federal Court Reports	
Man R	Manitoba Reports	Edition 1-2
NBR	New Brunswick Reports	Edition 1-2
Nfld & PEIR	Newfoundland and Prince Edward Island Reports	
Nfld LR	Newfoundland Law Reports	
NR	National Reporter	
NSR	Nova Scotia Reports	Edition 1-2
NWTR	Northwest Territories Reports	
OAR	Ontario Appeal Reports	
OLR	Ontario Law Reports	

<u>Abbreviation</u>	<u>Full name of reporter</u>	<u>Additional comments</u>
OR	Ontario Reports	Edition 1-3
RC de l'É	Recueil des arrêts de la Cour de l'Échiquier	
RC de l'É	Rapports judiciaires du Canada : Cour de l'Échiquier	
RCF	Recueil des décisions des Cours fédérales	
RCS	Rapports judiciaires du Canada : cour suprême	
RCS	Recueil des arrêts de la Cour suprême du Canada	
RJQ	Recueils de jurisprudence du Québec	
RNB (2d)	Recueil des arrêts du Nouveau Brunswick(deuxième série)(1825-1928: voir New Brunswick Reports)	
Sask LR	Saskatchewan Law Reports	
Sask R	Saskatchewan Reports	
SCR	Canada Law Reports: Supreme Court of Canada	
SCR	Canada Supreme Court Reports	
Terr LR	Territoires Law Reports	
TJ	Recueils de jurisprudence du Québec: Tribunal de la jeunesse	
WWR	Western Weekly Reports	
WWR (NS)	Western Weekly Reports (New Series)	
YR	Yukon Reports	