How to make laws easier to read and understand

Martin Cutts with the Swedish justice minister, Beatrice Ask

This article is based on a paper by Martin Cutts given at the 'Laws for Citizens' Nordic–Baltic conference organized by the Swedish justice ministry in June 2008.

To get the most from the article, you will need a copy of "Clarifying Eurolaw" and "Clarifying EC Regulations". Download them free from www.clearest.co.uk, or buy them – details at the end.

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Language can be difficult for anybody. In court, even the judges have difficulty with strange words. In May 2007, Mr Justice Peter Openshaw – 'Mr Justice' just means he's male and a judge, they're not part of his real name – was overseeing the trial of 3 alleged 'cyber-terrorists' when he surprised prosecutors by saying this: [SLIDE]

> **'The trouble is I don't understand the language. I don't really understand what a website is.'**

A computer expert had to explain to him such terms as 'broadband', 'dial-up' and 'browser'. Some people mocked the judge. Not I, though. If more people asked, 'What does this mean?' instead of pretending they understood, the world would be a much clearer place. [The Times, 18 May 2007; Pikestaff 5]

In March 2002, Lord Phillips of Sudbury was speaking in a parliamentary debate, trying to persuade the Government to alter a horrible phrase in the Export Control Bill, which was 'in relation to a description of thing'. Lord Phillips said: [SLIDE]

> **"Human beings have to interpret the statutes that we leave them with, and the danger in this House and in the other place [the House of Commons] is that, week by week and year by year, we enter into legislation that is so alien in its language and so complex in its execution that the ordinary citizen of this land is left totally at a loss."**

The sheer quantity of law is also a difficulty. People complain they are over-regulated. Baroness O'Neill, principal of Newnham College, Cambridge has attacked the 'detailed control' practised by modern governments, criticizing: [SLIDE]

> **"An unending stream of new legislation and regulation, memoranda and instructions, guidance and advice" that has flooded into the public sector over the past 20 years. [Humphrys J, "Death of Common Sense", Daily Mail 19 April 2008])**

Back in 1985, the UK Parliament enacted 2,380 pages of primary law and 4,760 pages of secondary law. [SLIDE]

In 2005 (so just 20 years later), it enacted 2,712 pages of primary law and 11,868 pages of secondary law. In other words, the total number of pages of new law per year had virtually doubled. From 1992 to 2005, 39,000 pages of new primary law and 133,000 pages of secondary law were enacted. So in the UK we have had to absorb 172,000 new pages of law in 14 years, an average of 12,200 pages a year. [Letter to the author from Tom Levitt MP, 2 May 2008]

The law assumes that all of us understand it. There's a legal maxim: 'Ignorance of the law is no excuse' (Ignorantia legis non excusat). So we're all assumed to know what the law says and how it applies to us. If we're not sure, we can ask a lawyer, though most people don't do this because of the cost and inconvenience. Or we can read a guide to the law. Or we can look at the text of the law itself, say in a public library or on the internet.

Assuming we can find the relevant part, it ought to be understandable – written in clear language. And I don't just mean clear to lawyers and judges, though the law is not always clear to them either. (When the Renton report was published in 1975, it included 10 pages of cases from the 1950s and 1960s in which judges had found the laws on which they were supposed to base their decisions too difficult to understand.) The law should ideally be clear to a person with average reading ability. That average is likely to be well below the reading ability needed to gain a university degree, and well below that of everyone at this conference. In the UK, my calculation of average adult reading ability, based on information from the National Literacy Trust website, puts the level at about that of an average 13-year-old child – so that's 3 years below our minimum school-leaving age. (See "Writing by numbers: are readability tests to clarity what karaoke is to song?" by Martin Cutts (2008), www.clearest.co.uk)

So what can average 13-year-olds read? Here's an example from a Biology textbook that is suitable for them, according to readability tests and assessment by teachers. [slide]

> **While all this is happening, the embryo is getting longer. Now the tail bud begins to develop, and the embryo develops suckers beneath the place where the mouth will be. Although it is**

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only about twenty-eight hours old and barely recognizable as a tadpole, the embryo now hatches. Toad embryos emerge very early, while frog and salamander embryos are further along when they come out of their jelly prisons. The small embryos hang by the suckers to the jelly. It will be five more hours before they can move their muscles at all.

When they are a little more than an day and a half old, their hearts begin to beat. Soon the blood begins to circulate through the gills, the developing eyes can be seen, the mouth opens, and the suckers begin to disappear. At two and a half days of age, when the blood starts circulating in the tail, they really look like tadpoles.

– Quoted in W H DuBay 'The Principles of Readability', quoting 'Qualitative Assessment of Text Difficulty, A Practical Guide for Teachers and Writers' by Jeanne Chall and others (1996).

So if we write laws that are much more difficult than that, we are causing difficulty for the average person who might want to make sense of them.

This question of audience is vital. For whom is legislation written? I believe legislators should regard their primary audience as interested private citizens, not lawyers. Ideally, they should be targeting that average reading age of 13. But if the laws are more difficult than this, they should at least be understandable to reasonably literate, motivated people who are prepared to make an effort (it may be a pretty big effort, of course, especially in technical areas of law). Let us say that reading-age level is 16. We can measure this in various ways: assessments by experts, readability formulas; testing with focus groups.

Some people object to this idea of writing with non-lawyers in mind. But think of the enormous number of non-lawyers who from time to time have to read legislation in its raw state – police officers, local authority officials, tax collectors, special interest groups, trade unionists, small-business owners and that very special group of ordinary citizens who happen – usually without the benefit of any training in the law – to have been elected as members of our various national parliaments.

And non-professionals have to read legislation too, at least they do in the UK. If you sign a timeshare agreement you see this extract from the Timeshare Act 1992 (s7) on your right-to-cancel notice, as required by statutory instrument: [SLIDE]

(1) This section applies following—

(a) the giving of notice of cancellation of a timeshare agreement in accordance with section 5 of this Act in a case where subsection (9) of that section applies, or

(b) the giving of notice of cancellation of a timeshare credit agreement in accordance with section 6 of this Act.

(2) If the offeree repays the whole or a portion of the credit—

(a) before the expiry of one month following the giving of the notice, or

(b) in the case of a credit repayable by instalments, before the date on which the first instalment is due, no interest shall be payable on the amount repaid.

(3) If the whole of a credit repayable by instalments is not repaid on or before the date specified in subsection (2)(b) above, the offeree shall not be liable to repay any of the credit except on receipt of a request in writing in such form as may be prescribed, signed by or on behalf of the offeror or (as the case may be) creditor, stating the amounts of the remaining instalments (recalculated by the offeror or creditor as nearly as may be in accordance with the agreement and without extending the repayment period), but excluding any sum other than principal and interest.

That includes unexplained technical terms, words that won't appear in many dictionaries ('offeror' and 'offeree', a 102-word sentence, and references to sections and subsections that you can't explore unless you happen to have a copy of the Act.

If you fill in a bankruptcy questionnaire from the Insolvency Service, you'll be signing that: "I confirm that I have read/have had read over to me section 216 and 217 of the Insolvency Act 1986", which are helpfully printed on the form for you.

If you look on the back of the Highway Code, the most popular paperback in Britain, you'll see this extract from the 1988 Road Traffic Act [SLIDE]:

A failure on the part of a person to observe any provision of the Highway Code shall not of itself render that person liable to criminal prosecution of any kind, but any such failure may in any proceedings (whether civil or criminal and including proceedings for an offence under

> the Traffic Acts, the Public Passenger Vehicles Act 1981 or sections 18 to 23 of the Transport Act 1985) be relied upon by any party to the proceedings as tending to establish or negative any liability which is in question in those proceedings.

That is old-fashioned, difficult, legalistic language. And it was written only 20 years ago. The first bit of it just means, in plainer English: 'Disobeying the Highway Code is not a criminal offence. But…'

Judges recognize the need for people to make some sense of the laws that govern them. Lord Justice Clarke called recently for the Consumer Credit Act to be simplified to make it understandable to the borrowers it was designed to protect. He said: "Simplification of a part of the law which is intended to protect consumers is surely long overdue so as to make it comprehensible to layman and lawyer alike. At present it is certainly not comprehensible to the former and is scarcely comprehensible to the latter." (Daily Telegraph, 24 April 2002)

Over-complex laws lead to over-complex guides to the law – the trickle-down of complexity – and extreme difficulty for lawyers in interpreting the meaning of the law as it applies to citizens.

A word on recent UK laws

Some UK laws are written in a much clearer style than they used to be. Examples include the Elections Act 2001, the Human Rights Act 1998, the Land Registration Act 2002, and the Arbitration Act 1996. They make good use of present-tense drafting; short sentences; well-constructed vertical lists; very few shalls ('must' and 'is to be' instead); 'if' not 'where' to introduce conditional sentences; and explanations of what cross-referenced sections are about. I've even seen several full stops within subsections (eg, Care Standards Act 2000, ch 14), as suggested by the report by Lord Renton in 1975 but largely ignored for a quarter of a century.

Several of the UK government's chief law-writers (first parliamentary counsel) have been members of Clarity. One of them, Christopher Jenkins, wrote this: [SLIDE]

> Clarity is an essential aim in drafting legislation. It is much more than an optional extra. If law is not clear there is no certainty that the courts and others to whom it is addressed will give effect to it in the way intended.

There is, of course, good plain language and bad plain language. Bad plain language puts clarity above certainty. The big idea is that clarity and certainty go together.

What readers like

It's important to write laws as if readers matter. We therefore need to consider readers' preferences. Research on their preferences shows they like the following things, and this seems to be true whether they are lawyers or not: [SLIDE]

- Title and purpose.
- Clear structure: headings and subheadings; numbering; grouping of like with like; bullet lists; summaries of main points.
- Clear style: short sentences; good and thorough punctuation; everyday words; explanations of technical terms when such terms are necessary; active voice; conciseness; straightforward sentence construction.

Ways of clarifying law

I want to show how we can have more of these desirable features. So first I'll show some examples of what happens when we don't write law as clearly as we can, and what we can do about it.

European directives often lack the desirable features I have described, and the result is excessive complexity. People say that directives and other legal texts are inherently complicated because of their subject matter. There is some truth in this, but not much. In fact, much of the complication is the result of linguistic and structural fog produced by poor drafting practices.

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I want to illustrate this by referring to directive 88/378/EEC, shown in the booklet "Clarifying Eurolaw", which you have in front of you. The directive starts on page 8 of the booklet, [SLIDE] and you will see that I've added green numbered boxes around the edge of page 8 and the other pages to help you understand the points I'm making.

Starting with green box 1 on page 8, we can see that this directive has a title but it is long and unmemorable. At green box 2, the legal basis is given and the reasons for the directive begin, but the sentence that starts here continues for another 1,000 words until the end of the next page, having traversed 34 whereas-clauses (or recitals) in the traditional way. There are no headings, and the information seems rather haphazardly grouped, with scattered references to things like "approved bodies" and "essential requirements". The first reference to "essential requirements" is at green box 5 on page 8, but no explanation is given anywhere in this recitals section. At green box 8 on page 10 we see the first reference to an "approved body" but the term is not explained until 4 paragraphs later. These things hinder the reader.

The Articles are the parts that really matter – the substantive provisions. When they begin, at green box 12, we see the first definition, in this case "toy", but there is no single section where all definitions are grouped. Neither here, nor anywhere in the Articles, is a clear purpose stated for the directive.

At green box 16 on page 12, the level of complication is gradually rising, with a 70-word sentence that has two internal cross-references. Cross-references are a persistent problem in this directive: there are 44 of them. The sentence refers to "certificate" and "model", neither of which is explained or defined.

We've all seen much worse examples than this directive. But still, it is not good. It is disorganized, it lacks headings and it occasionally uses archaic English like "said particulars", "in pursuance of", "forthwith", "hereinafter" and "thereof". If you walk into central London tomorrow and use these words when buying your daily newspaper, most people will think you are very strange.

Helped by staff at the European Commission's translation service and other EC experts, I prepared a rewritten version of the directive, just to show what might be done in Utopia. It was not meant to be exactly equivalent because no rewrite can be. But I think it comes very close to conveying the intended meaning of the original text, as far as I can work that out.

To see the rewritten version, you need to look at page 21 of the booklet. [SLIDE]

At blue box 1, I've added a short title that I hope is easy to remember. Beneath that, I've lengthened the long title so that it now more accurately states what the directive is about, since it is about free trade not just safety. At blue box 2, I have written a contents section so that people can easily find the bits they need. A contents section forces the writer to think about good organization and then to group like with like.

At blue box 3, I've added a citizen's summary. This would not have legal effect but would give people the main points of the directive, the highlights. You will notice on the next page that there are more headings than in the original directive and that there is a hierarchy of headings; also that the Articles now precede the Reasons (as I have renamed them). This is because the Reasons are background but the Articles are what really matter. At blue box 6 you will see that I have grouped all the definitions. At blue box 7, overleaf, you can see the use of short sentences and simple word order. Generally, the original and revised versions are not directly comparable, paragraph to paragraph, but in a few cases comparison is possible, eg: [SLIDE]

Example from the recitals in the original directive
Whereas the standard of safety of the toy must be considered when it is marketed, bearing in mind the need to ensure that this standard is maintained throughout the foreseeable and normal period of use of the toy.

Alternative
Toys should not only be safe when marketed, but throughout their foreseeable and normal

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period of use.

Example from the recitals in the original directive
Whereas the opinion of the Scientific Advisory Committee for the evaluation of the toxicity and ecotoxicity of chemical compounds has been taken into account with respect to the health-based limits of bioavailability of metallic compounds in toys to children.

Alternative
Children can suffer ill-effects from ingesting metallic compounds from toys, for example by sucking them. So the opinion of the EC Scientific Advisory Committee has been considered when drawing up limits for the presence of these compounds in toys.

The EC legal service and others objected to the choice of a directive for this exercise. Regulations, they said, apply directly to the person in the street so rewriting one of them would be a fairer test. So Emma Wagner (then head of department at the EC translation service) and I decided to tackle the regulation of 2001 about access to documents. The result is the second booklet I have given you, called "Clarifying EC Regulations", which shows how many of the same techniques can benefit regulations too. We looked at vocabulary, for example: [SLIDE]

sufficiently precise manner = precise enough way
is not obliged = need not
assist the applicant in doing so = help the applicant do so
in the event of = if
pursuant to = under
the rights they enjoy = their rights
this Regulation shall be without prejudice to any existing rules =
this Regulation does not prejudice any existing rules

We also noticed that the original regulation missed many opportunities to use vertical lists. Article 7(1), for example, has a 66-word sentence that could have been split as we show in our Article 8(1). The slab of text in Article 4(1) to (3) presents a tougher challenge, but we believe the ideas can be made more clearly and just as accurately by reorganizing them, as shown in our Article 5(2).

So the main features of clear writing are: [SLIDE]

1 to state a clear title and purpose
2 to include a contents list and a summary of main points (which need not be part of the law itself)
3 to use everyday words in everyday senses, not archaisms like 'whereof' and 'notwithstanding'
4 to explain or define any technical words that have to be used
5 to favour short sentences, say 15-20 words
6 to favour active-voice constructions
7 to put words in a sensible order, eg avoiding big gaps between subject and verb
8 to be concise
9 to group like with like under headed sections and subsections
10 to adopt a clear numbering system
11 to put fine detail in schedules or appendices

Body to improve the form after the substance is fixed

Lord Brightman has called for the parliamentary counsel's office in the UK to be subject to drafting guidelines of the kind that are common in Australia and New Zealand. In the EC, such guidelines exist, and they say many good things. But often they are ignored by the draftsmen, as an article by Helen Xanthaki in the Common Market Law Review 38 has shown. To help things along, "Clarifying EC Regulations" proposes the creation of a supra-institutional legal drafting service in the EC to advise on clear writing during negotiations, and then (pre-enactment) to improve the form after politicians have fixed the substance. Such a single service – replacing the current 3 legal-linguistic services – would clarify editorial ownership. This is similar to the set-up in Sweden.

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Citizens summaries: progress

"Clarifying EC Regulations" renewed my call, first made in 1994 in the book "Lucid Law", for citizen's summaries to be attached to every piece of law. Neil Kinnock, Vice-President of the European Commission, and Peter Hain, then the UK's Minister for Europe, have supported this idea.

In the last few weeks we have heard some good news about citizens summaries.

The Secretary General of the European Commission has written to all directors-general and heads of service (SEC (2007) 1709, 12 Dec 2007) announcing that "for 2008, all submissions to inter-service consultation for strategic and priority initiatives in the Work Programme" should be accompanied by a citizen's summary. This follows 2 years of testing of the idea within the EC, where "the conclusion was that the summaries were valuable". The letter indicates that the summaries also benefited staff, as well as producing the benefits for the public we always hoped for.

I'll name a few of those who have supported this change. First the 2 signatories to the letter, Catherine Day (Secretary General of the EC) and Claus Sorensen (Director General of the EC's communications directorate), Margot Wallström (Swedish), Vice-President of the Commission and responsible for communication, Diana Wallis (British), Vice-President of the European Parliament and a lawyer, Tim Martin (a head of department in the EC's translation service), and Emma Wagner (a former head of that department and co-author of "Clarifying EC Regulations").

Limited to 2 pages, these summaries must use language that's "extremely simple and clear, and the writer should take the standpoint that the reader could be any citizen, without specific knowledge on the subject matter. All summaries should follow a common structure, based on the '5 W rule':

- why the proposal is needed
- what the proposal is and its benefits
- who in the EU will benefit and why
- where and how the proposal will be applied
- when the proposal will take effect.

This doesn't go as far as I'd like as it doesn't apply to all directives and regulations, but it's a very good step forward. There'll now be a dedicated section on the Europa server for citizens summaries.

Consultation and user testing

In the UK, it is good that the Tax Law Rewrite project run by Her Majesty's Revenue and Customs is consulting users widely when issuing its drafts. I suggest though, that another approach to assessing the users' response to draft legislation would also help. When I rewrote the Timeshare Act and published it in "Lucid Law" (as a demonstration of what was possible), I could justify the claim that it was clearer by the results of tests with 91 students on placement with leading London law firms. These showed that the students strongly preferred the revised version, and performed significantly better when answering a key question designed to test comprehension.

I occasionally test bits of legislation by asking trainee solicitors to interpret them. I am fond of showing them a 4-page freestanding schedule from the 1992 Finance Bill introducing rent-a-room tax relief. Virtually all find it utterly incomprehensible. Most think it imposes a tax rather than gives a relief. You can see the full schedule and a possible rewrite of it in "Lucid Law" (2000) downloadable from www.clearest.co.uk.

In Utopia you'd test the comprehensibility of legislation as it was being written. In our present system in the UK, this seems pointless, because Bills are amended so much. But as an aid for legislative drafters, and as a check for them that they're producing what people need, I believe that at least 3 new and randomly selected pieces of

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legislation should be road-tested with groups of typical users every year, by giving them test papers and asking them to answer certain questions using the Acts. I have shown one method of doing this in "Lucid Law", but no doubt something much more sophisticated could be devised.

Regulations

Let me turn briefly to UK regulations (secondary law). I'm persuaded to raise this because the style and structure of many of them seems uninfluenced by recent improvements in our primary law. They tend to be written in a far less clear style than current primary law, probably because they are generally not written by the government's own law-writing service. This, for instance, transposes a relatively simple piece of EC text into British law, having picked up all sorts of debris along the way like a particularly nasty comet. [SLIDE]

> Every manufacturer of toys established in the United Kingdom or, where the manufacturer is not established in the Community, the manufacturer's authorised representative established in the United Kingdom or, where the manufacturer is established outside the Community and he has no authorised representative established in the Community, the person who supplies a toy on the first occasion on which it is supplied in the Community provided that he is established in the United Kingdom shall keep the following information available for inspection by an enforcement authority or any of its officers in respect of toys supplied in the Community by such manufacturer, authorised representative or first supplier which are not manufactured, or which are manufactured only partly, in accordance with the relevant national standards applicable to that toy or for which no such standards exist or where the relevant national standards relate only to some of the matters covered by the essential safety requirements applicable to the toy and which bear the CE marking denoting conformity among other things of the toywith the approved model and shall give the information to an enforcement authority or any of its officers on his being required to give such information within a reasonable time… (SI1995/No 204, reg 11(2))

The Statute Law Review says I'm unfair to criticize that sentence (editorial, vol 22, number 1, pp iii-iv, 2001). But it's unspeakably bad, a total disgrace. No minister should ever have signed it into law. I understand that when the parliamentary committee that scrutinized these regulations questioned the obscurity of the drafting style, it was told "this is the way we do things" – basically, take it or leave it. And it imposes immense costs on the toymakers and others.

Other regulations seem just as uninspired. SI2002/80 is designed to restrict farmwork in parts of the Peak Park. It's short but almost entirely in legal jargon: ghastly sub-English like "being satisfied that it is expedient", "hereafter mentioned", "comprised in a national park", "hereby", "said land", "hereto", and "pursuant to". I believe that legal writers can do better than this. As I've said, the UK is making progress with primary law. But all legislators – especially MPs and government ministers – need to think much more about their audience.

Finally

In case we need some courage to use plainer legal language, Professor Peter Butt, a lawyer and one of the leading figures in the plain-language field says:

> Plain language in law is now reasonably well-established. In its early days, its exponents made the assumptions I have discussed – assumptions about the benefits of plain legal language – without at that stage having verified the assumptions by empirical research. But now, more than 20 years on, research has proved the assumptions to be correct. The evidence is overwhelming. Plain legal language brings substantial benefits. [It would bring those benefits to the construction industry.] Carefully used, plain language is legally safe; it saves time and money; lawyers and non-lawyers alike have a better chance of understanding it; and most judges prefer it. There seems no substantial reason to resist it.
> (Professor Peter Butt, Plain Language in the Construction Industry, International Forum on Construction Industry Payment Acts and Adjudication, (Kuala Lumpur, September 2005), page 9. Quoted in MODERN PLAIN ENGLISH DRAFTING AND CONSTRUCTION: THE MALAYSIAN SUBCONTRACT MODEL TERMS A revised version of a paper presented at the Pacific Association of Quantity Surveyors International Conference in Auckland, New Zealand in June 2007 Sr Noushad Ali Naseem Ameer Ali, April 2008.)

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(Handout text)

Other points for you to consider

Joe Kimble

Professor Joseph Kimble asserts that the views below are all myths about plain English:

1. Its advocates want low-grade prose or want to reduce writing to the lowest common denominator;

2. It does not allow for literary effect or recognize the ceremonial value of legal language;

3. It is impossible, because legal writing includes so many 'terms of art';

4. It is impossible, because the law deals with complicated ideas that require great precision.

He explains why these myths must be abandoned and then says:

"Legalese persists for the same reasons as always – habit, inertia, formbooks, fear of change and notions of prestige. These reasons are more emotional then intellectual. ... And besides, since legalese has nothing of substance to recommend it, its dubious prestige value depends on ignorance. We cannot fool people forever. Our main goal should be to communicate, not to impress." (Benson Barr, George Hathaway, Nancy Omichinski and Diana Pratt, 'Legalese and the Myth of Case Precedent' (1985) 64 Michigan Bar Journal 1136-1137, quoted in Joseph Kimble, Lifting the Fog of Legalese: Essays on Plain Language, Durham NC, Carolina Academic Press (2005), page 11.)

Sr Noushad Ali Naseem Ameer Ali

"The adoption of plain language is not an exercise of merely replacing turgid words or legalese with simpler and more understandable ones. It includes reviewing the whole document and structure – including the layout, arrangement of ideas, sentence structure and of course the choice of words. Lord Donaldson MR went in effect further in the Merkur case, suggesting that if a government finds that some part of its policy is not capable of being expressed in basic English, then the policy itself should be reviewed: 'When formulating policy, ministers, of whatever political persuasion, should at all times be asking themselves and asking parliamentary counsel: Is this concept too refined to be capable of expression in basic English? If so, is there some way in which we can modify the policy so that it can be so expressed.' (Merkur Island Shipping Corporation v Laughton [1983] 2 AC 570, CA (and also HL) at 595)." MODERN PLAIN ENGLISH DRAFTING AND CONSTRUCTION: THE MALAYSIAN SUBCONTRACT MODEL TERMS A revised version of a paper presented at the Pacific Association of Quantity Surveyors International Conference in Auckland, New Zealand in June 2007 Sr Noushad Ali Naseem Ameer Ali, April 2008

Legal definition of plain language

South Africa: Consumer Protection Bill 2008

'A notice, document or visual representation is in plain language if it is reasonable to conclude that an ordinary consumer of the class of persons for whom the notice, document or visual representation is intended, with average literacy skills and minimal experience as a consumer of the relevant goods or services, could be expected to understand the content, significance, and import of the notice, document or visual representation without undue effort, having regard to –

(a) the context, comprehensiveness and consistency of the notice, document or visual representation;

(b) the organisation, form and style of the notice, document or visual representation;

(c) the vocabulary, usage and sentence structure of the notice, document or visual representation; and

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(d) the use of any illustrations, examples, headings, or other aids to reading and understanding.

Downloadable advice

NZ Law Commission, The Format of Legislation (Report No 27, December 1993) and Legislation Manual, Structure and Style (Report No 35, 1996); downloadable from www.lawcom.govt.nz.

Books

"Clarifying Eurolaw", "Lucid Law" and "Clarifying EC Regulations" can be downloaded free from Plain Language Commission's website, www.clearest.co.uk. All are also available as printed booklets for £8 UK or £10 (other EU, Scandinavia) from Plain Language Commission, 29 Stoneheads, Whaley Bridge, High Peak SK23 7BB. Sterling cheques or bank drafts only, please. Discount of 15% if you buy all three.

You can also email us for a booklist on plain-language sources, including many on plain legal language.

Join 'Clarity', the international movement (of, mainly, lawyers) to clarify legal language.

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