

# Pikestaff

## Plain Language Commission newsletter no. 5, May 2007

### Form-design fiasco gives spoils to Scot Nats

The forms used in the recent Scottish elections have been heavily criticized after over 140,000 ballot papers (almost 3.5%) were rejected as 'spoiled' – a higher rate than the 2% in the Palm Beach County debacle that saw George W Bush elected to the White House in 2000.

Voters had to fill in 2 forms but these were poorly worded and designed. In one form, voters were supposed to put a cross for one candidate in each of 2 columns. The first column was for a proportional representation vote for a party list. The second column was for a first-past-the-post constituency member of parliament. The small-print headings said all this. But many voters either didn't read the headings or misread them. They thought the 2 columns formed one continuous list, and put both their crosses in one column, spoiling their papers.

The other form, for the local council elections, used a different system – a single transferable vote. So voters were supposed to put numbers alongside up to 8 candidates in their chosen order. Many (you guessed it) used the method they were familiar with and that they may have just used on the other form, marking a cross or sometimes several crosses in the boxes. So these papers were also spoiled. You can see both forms and read about the problems at <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/05/05/nfiasco105.xml>.

It's not as if the Scottish Executive wasn't warned of the impending disaster. Though it claims to have consumer-tested an early version of the papers, it went ahead with what proved to be a flawed design. *The Scotsman* said: 'A draft of the paper was circulated to experts who insisted that it was entirely unacceptable. Aberdeen City Council warned that the paper "would lead to confusion". Both Capability Scotland, which represents disabled people, and the Electoral Reform Society said the paper should be increased in size, to avoid confusion. South Ayrshire Council said the paper was "unnecessarily complex" and would "be confusing for voters".'

In *The Times*, columnist Melanie Reid wrote: 'What is now crystal clear is that the poorer and more ill-educated the voters were, the more likely they were to put the wrong marks in the wrong places, and unwittingly invalidate their forms.' She points to the high rate of spoiled papers in the most deprived areas of Glasgow compared with more affluent areas. 'The ill-designed ballot papers disgracefully disenfranchised those who are already the most powerless and voiceless in society.'

As the Scottish National party won the election by only a single seat from the Scottish Labour party, the huge number of spoiled papers has almost certainly meant the country will get a government it doesn't want and that in several constituencies the wrong people have been elected. Legal challenges may result.

[Sources: *The Telegraph*, 5 May 2007; *The Scotsman*, 6 May 2007; *The*

*Times*, 7 May 2007; and the BBC News website: <http://news.bbc.co.uk/1/hi/scotland/6637387.stm>]

## **Tip of the month: write shorter sentences, but don't make your readers sea-sick!**

### **The problem**

In *Pikestaff 3*, we published 2 very long sentences (53 and 67 words) that were hard to understand. Helen Swallow emailed to say she thought their structure was more to blame than their length. Concerned to have heard some plain-English editors say sentences should be no longer than 15 words, she observed that using a lot of short sentences can give your writing a jerky rhythm – 'enough to make the reader feel sea-sick'.

### **Our advice**

At Plain Language Commission, all guidelines we work to in our editing and training are based on research evidence. We recommend an average sentence length of 15–20 words, with some longer and some shorter for variety and effect. For example, shorter sentences can be useful for emphasis. So the odd longer sentence is fine. But in general, the longer the sentence, the more readers have to concentrate, putting a greater burden on their short-term memory. Also, long sentences tend to have more complex structures.

Two useful techniques for shortening sentences are:

- splitting longer sentences into more, shorter ones – which works well when the long sentence is made up of 2 or more parts, often joined by 'and' or 'but'
- using vertical lists – good for sentences that contain a list of items.

### **Examples**

We don't come across many very long sentences in our clients' documents. More common are those of 30–40 words. At 34 words, this is a typical example:

The Housing Act 1985 sets out the basic rights of security for council tenants and the rules for the landlord to obtain possession if you do not abide by these conditions of tenancy.

You could split this using either of the above techniques. You'll see we've tweaked a few words too, to make it clearer.

#### *Splitting it into sentences*

The Housing Act 1985 states your basic rights of security as a council tenant. It also states when your landlord has the right to repossess your home if you break your tenancy conditions.

#### *Using a vertical list*

The Housing Act 1985 states:

- your basic rights of security as a council tenant
- when your landlord has the right to repossess your home if you break your tenancy conditions.

## **News from Plain Language Commission**

### **Third Sector Excellence Awards**

The closing date for entries to this year's Third Sector Excellence Awards is

29 June. The awards celebrate the achievements of charities and voluntary organizations.

Among last year's winners was one of our clients, Norwood, a not-for-profit organization that provides services to children and their families facing social difficulties, and children and adults with learning disabilities. Norwood won the Best Annual Report category, beating off competition from 8 other charities.

The charity worked closely with us on the easy-to-read version of their annual review. It contains the same information as the conventional report, including a summary of the past year and details of the organization's finances. But symbols, large type, simple sentence structures and photos of key staff make this information far easier to understand. Awards judge Diane Yeo described it as 'absolutely brilliant'.

To read more about and view Norwood's winning entry, go to [http://www.norwood.org.uk/news\\_thirdsector\\_award06.htm](http://www.norwood.org.uk/news_thirdsector_award06.htm).

You can find more details of the awards, and an application form, at: <http://www.haymarketevents.com/awards/?fuseaction=eventIntro&eventID=1088>.

### **Distance-learning graduates have their say**

You can now post reviews of our distance-learning courses on our e-shop. Simply select the course you've completed and scroll to the Reviews button. Select this and you'll be taken to a page that enables you to write your review. However, a quirk of the program means your review can't be fewer than 50 words, despite Course 1 being called *Be Brief, Be Clear, Be Human*.

### **New website article describes what readers want from information leaflets**

Putting the reader first is the key to effective writing, says Judy Brown, Plain Language Commission associate. Her article lists the main points of style, structure and layout that readers say they find helpful in information leaflets.

<http://www.clearest.co.uk/index.php?id=34>.

### **Theatrical puffs to be blown away**

From next April in Britain, a new European law – the Unfair Commercial Practices Directive – will tackle theatres that try to attract theatre-goers by quoting selectively from reviews. A survey by *The Times* last year found that more than a third of theatres used selective quotes on their hoardings – some extracted from damning sentences. Here are some examples:

What the critic wrote: 'If it's an all-out retro romp you're after, this only fitfully delivers.' (Dominic Maxwell on *Saturday Night Fever*)

What the theatre used on its hoarding: 'An all-out retro romp!'

What the critic wrote: 'If schoolboy innuendo is your bag, book now.' (David Benedict on Gyles Brandreth's musical *Zipp!*, in *The Independent on Sunday*)

What the theatre used on its hoarding: 'Book now – *The Independent on Sunday*.'

Understandably, critics are unhappy when their views get so badly misrepresented. Yet look at those words from the theatre hoardings; their language is perfectly plain – it's the intention that isn't.

The plain-language movement aims to ensure fair treatment for the public,

but it's just as easy to deceive in plain as in complex language. In fact, the linguistic clarity of plainly worded lies can make them all the more convincing. A training course participant reported that in a previous job, managers had falsely reassured workers, 'We're not cutting any jobs.' This very plain statement was no doubt more comforting than, 'Downsizing of the workforce is not being implemented.' But the outcome proved to be quite the opposite: job losses were imposed.

At Plain Language Commission, we believe in the ethos of plain language: being plain in intention as well as in language, being reliable and ethical, keeping our promises and being clear about our prices. You can read all our principles at <http://www.clearest.co.uk/?id=8>. And although we give editorial – not legal or technical – advice, if we spot any factual errors, we'll tell you.

[Source: *The Times*, 27 April 2007]

## **Ombudsman publishes plainer principles**

The Parliamentary and Health Service Ombudsman (PHSO) has just published the *Principles of Good Administration*. The Principles are broad statements of what the Ombudsman, Ann Abraham, believes that bodies within her jurisdiction should be doing 'to deliver good administration and good customer service'.

Publication follows a 3-month consultation on a draft set of Principles that 58 respondents reviewed. They generally welcomed the Principles but some wanted the document checked for plain English.

Lesley Bainsfair, Policy Adviser for the PHSO, turned to us for help. 'We are really delighted. It's been good to work with Plain Language Commission and we are grateful for their thoughtful suggestions; the document is much better as a result of their involvement.'

We've awarded the final document our Clear English Standard. 'The Standard is awarded only to documents that meet strict criteria including good structure, style, grammar and layout,' said Martin Cutts, research director. 'It's been a pleasure to work with a group of people who are so committed to meeting the needs of their audience.'

You can see full details of the consultation and the final document at [http://www.ombudsman.org.uk/improving\\_services/good\\_administration/index.html](http://www.ombudsman.org.uk/improving_services/good_administration/index.html).

## **Oregon state documents to be clearly stated**

A bill has been passed in Oregon requiring the state to write documents in plain language. 'We need to make sure that when we talk to the people of our state, we talk in language that is understood,' said Chuck Riley, the bill's chief sponsor. 'There is no point in making contact with citizens when we talk in language they do not understand.'

The bill states that 'a written document conforms to plain language standards if the document, whenever possible:

- (a) Uses everyday words that convey meanings clearly and directly;
- (b) Uses the present tense and the active voice;
- (c) Uses short, simple sentences;
- (d) Defines only those words that cannot be properly explained or qualified in the text;
- (e) Uses type of a readable size; and
- (f) Uses layout and spacing that separate the paragraphs and sections of the

document from each other.'

You can see the full bill at <http://www.leg.state.or.us/07reg/measpdf/hb2700.dir/hb2702.a.pdf>.

[Source: *The Statesman Journal*, 18 May 2007]

## **Crustless bread yields mighty beef**

So what does happen to the crusts from Allied Bakeries' new *Crusts Away!* bread? Fearing they may be going to waste (ooh, she's a worrier), our resident home economist learned from the company that 'they are introduced back into the food chain in a number of ways, some of which are currently proprietary, the remainder is fed back to cattle which re enter the human food chain in milk and beef products'. In other words (possibly), the company uses some of the crusts themselves – free toast for the workers? – and feeds the rest to the local cows.

Pedantic Pikestaffers will be intrigued by 're enter' (and not a little shocked by the missing hyphen), which implies that the cows themselves return to the food chain – having been there in a previous life, perhaps? (And if you think Allied Bakeries' author needed a semicolon too, you'd be right. We'll be looking at that modern writing plague, the run-on sentence, in a future tip of the month.)

We can also report one final beef to the *The Independent* following its 'Improve Your English' promotion. Michael West wrote: 'Only those desperate for posthumous celebrity dare to use the men's lavatory at Bristol Airport, where you are warned, "In case of terminal evacuation, red lights will flash".'

[Source: *The Independent*, 11 April]

## ***Ignorantia legis non excusat*, but ignorance of the judiciary may be no bad thing**

It's not only lay people who have trouble with the weird language used in court: judges don't always get it either. Mr Justice Peter Openshaw was overseeing the trial of 3 alleged 'cyber-terrorists' when he staggered prosecutors by saying: 'The trouble is I don't understand the language. I don't really understand what a website is.'

A computer expert, Professor Peter Sams, had to explain to him such terms as 'broadband', 'dial-up' and 'browser'.

Judge Openshaw's comment will doubtless join the long list of remarks that supposedly show the judiciary's divorce from real life, such as 'What is B&Q?' (Lord Irvine of Lairg, the Lord Chancellor) and 'How can a bed be turned into a sofa?' (Judge Seddon Cripps, concerning futons). But here at *Pikestaff* we take a different view: if more people asked, 'What does that mean?' instead of pretending they understood, the world would be a clearer place. The emperor's new clothes, and all that.

[Source: *The Times*, 18 May 2007]

## **Death of Lord Renton, supporter of plain language in the law**

*Martin Cutts writes:* Lord Renton has died at the age of 98. Britain's longest-serving parliamentarian, he was a strong supporter of plainer language in

legislation. A lawyer by training, David Renton was a junior minister in Conservative governments from 1955–62. In 1973 he was given the chairmanship of the Committee on Preparation of Legislation, which produced a widely admired report in 1975, *The Preparation of Legislation*, aka the Renton Report. It criticized 'the tendency of all governments to rush too much weighty legislation through Parliament in too short a time' (a thing not unknown even today). The report included 10 pages of cases from the 1950s and 1960s in which judges had found the statutes on which they were supposed to base their decisions too difficult to understand.

Lord Renton believed that a law should state, clearly and early, its main purpose. In 1979 he wrote, 'In Britain the drafting of legislation remains an arcane subject. Those responsible do not admit that any problem of obscurity exists. They resolutely reject any dialogue with statute law users. There is resistance to change, and to the adoption (or even investigation) of new methods. The economic cost of statute law is enormous, yet official interest has been lacking.' Lord Renton lived long enough to see some of the resistance crumbling. He was generous in his public and private comments about my rewrite of the Timeshare Act 1992 (published in *Lucid Law*), noting that it began with a clear purpose statement. He remained a stalwart of the Statute Law Society and a member of the Statute Law Review's editorial board.

[Sources: *The Times*, 25 May 2007; and *Lucid Law*, Plain Language Commission 2000. You can buy *Lucid Law* from our e-shop or download a free copy from our website, [www.clearest.co.uk](http://www.clearest.co.uk); click on 'Books'.]

### **Contribute**

Email us with your views, examples, and ideas for future stories at [pikestaff@clearest.co.uk](mailto:pikestaff@clearest.co.uk).

### **Back issues**

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### **Tell a friend**

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### **Rolling the credits**

*Pikestaff* is written by Sarah Carr and edited by Martin Cutts. Published by Plain Language Commission (clearest.co.uk Ltd).