

pkestaff

PLAIN
LANGUAGE
COMMISSION

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March 2014

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Plain English Campaign Ltd removes false guarantee claims (at last)

The company that sells the Crystal Mark logo to businesses and government bodies has removed claims from its website that the logo is a 'guarantee' of clarity, after receiving a warning letter from the UK's advertising regulator.

The Advertising Standards Authority (ASA) stepped in to ask Plain English Campaign Ltd (PEC) – one of the loudest businesses in the plain-language field – to justify its claims that the Crystal Mark was a guarantee that a document is clear or in plain English. PEC chose to withdraw the statements rather than give evidence for them, which could have prompted an in-depth investigation by the watchdog. PEC's claims have been on display for more than seven years but the ASA has only recently acquired powers to bring company websites within its 'legal, decent, honest and truthful' rules.

PEC's exaggerated claims for the Crystal Mark scheme included the following:

- 'Our Crystal Mark is now firmly established as a guarantee that a document is written in plain English.'

But PEC did not state who had 'firmly established' this or how it had been measured.

- 'Nearly 1500 organisations know that only our Crystal Mark will be accepted by the public as a guarantee of a document's clarity.'

But PEC did not name any of the 1,500 bodies or say how they had shown that they 'knew' this. Neither did PEC say how 'the public' had shown that they accepted 'only our Crystal Mark' as 'a guarantee of a document's clarity'.

- 'The Crystal Mark has become widely recognised as a guarantee that a document has been written and designed as clearly as possible.'

Again, PEC cited no evidence for the guarantee or the 'wide recognition'.

Martin Cutts of Plain Language Commission said: 'These empty guarantee claims have been an important part of PEC's trading practices for a long time. PEC has had seven years to remove them since we first drew attention to them. PEC must have known it could not provide sufficient evidence for them but steadfastly kept them on view.'

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Cliché corner

Enough is rarely enough when it comes to clichés. Some authors don't do things by halves. So it was a pearl beyond price to find at least four clichés in the space of only 24 words in one local newspaper:

'**In days gone by**, the Saturday market was a **hive of activity** – a renowned **jewel in the town's crown**. Now it is a **shadow of its former self**.'

For cliché haters, there's a new section on the subject in the fourth edition of Martin Cutts's *Oxford Guide to Plain English* (see the **Publications** tab on our website).

Lie back and think of English

An advert for a brand of armchairs bears the headline 'Turn on. Tune in. Lay back', a slogan that seeks to tap in to its customers' hippie-era memories as they recline in their decline. The correct verb form in standard English would be 'Lie back', with 'lay back' being a past tense.

Popular songs have a lot to answer for here: John Denver in Annie's Song, 'Let me lay down beside you'; Simon and Garfunkel in Bridge Over Troubled Water, 'I will lay me down', and Bob Dylan, 'Lay lady lay, lay across my big brass bed'.

So, for devotees of strict grammar, this one is probably a lost cause.



Verbless writing

In business English, it's generally good to express the action using the best-possible verbs. But marketing copy sometimes omits verbs in pursuit of a pacey style. Our hunch is that this can work well if the readers are literate enough to pick up the rhythm and guess the missing verb successfully. Here's an example from Tisserand on its packaging for an upmarket soap. In square brackets we've given our guesses as to the verbs:

'From the Tea Tree experts [comes] a pure vegetable soap to deep-cleanse & soothe the face without drying. [It is] Particularly beneficial for oily or blemish-prone skin types. [And it's] Also perfect for bath, shower or basin use for all the family. [This is] A unique blend of skin-purifying Tea Tree essential oil, antioxidant extract of Sage & astringent extract of Cypress with nourishing Avocado & Sea Buckthorn oils.'

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Run-on sentences, re-run

An error common in business English – but rare in professionally edited work – is the run-on sentence or comma splice, where a comma is placed between two statements that should stand alone as complete sentences. Here's a typical example in a marketing leaflet:

'The solar photovoltaic system is particularly good news for electric AGA owners, the cooker can store the green energy generated by the solar panels, rather than sending it back to the grid.'

DVLA should stop selling drivers' data to ParkingEye

We've called for a ban on the sale of motorists' data to the UK's biggest private-parking company, ParkingEye, after the county courts threw out a string of cases it had brought against drivers for supposed breach of contract.

ParkingEye had claimed that drivers who parked at sites it looked after had overstayed the time allowed. But in such contract-law cases, warning signs must be clear and the damages claimed must not exceed the loss suffered – there must not be any penalty or fine. Some county courts have found that ParkingEye lacks proper authority to bring a claim (when acting as a mere agent for the landowner) or its claim exceeds any loss it has genuinely suffered or its warning signs are unclear.

By the end of the current financial year, ParkingEye will have bought details of 800,000 drivers at £2.50 from the Driver and Vehicle Licensing Agency (DVLA), netting the government body £2million. This will enable ParkingEye to chase the drivers for up to £100 a time, which could bring the company £60–80million.

In a formal complaint to the DVLA we pointed out that when ParkingEye had sought to justify its charges as being a 'genuine pre-estimate of loss' under contract law, it had lost numerous cases in the courts and at the Parking on Private Land Appeals Service (Popla). The company had also lost cases where judges found its signs ambiguous.

Our complaint suggested to the DVLA that ParkingEye therefore no longer had 'reasonable cause' to obtain motorists' names and addresses, so the DVLA should not release the data. The complaint is now being examined by the DVLA.

You can [click here](#) to download one judgment (ParkingEye v Collins-Daniel, 2014) in which the judge ridiculed the language of a sign setting out ParkingEye's contract. There are sharp exchanges about meaning and punctuation between the judge and ParkingEye's advocate.

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Tebbit and text messages stoke obesity debate

Stoke-on-Trent council in Staffordshire has begun sending motivational text messages to 500 of the 70,000 adults reckoned to be obese in the area, urging them to reduce their intake of food and drink. On the whole, the messages are phrased in straightforward language like 'Use the stairs more' and 'Eat fruit and veg', though 'Keep a check on snacks and drinks' seems too vague and ambiguous to be useful. Other messages tend to be wheedling rather than tough, eg: 'Why not walk to the shops more often' and 'Eat slightly smaller portions'. The pioneering 10-week pilot scheme will cost about £10,000.

Council cabinet member for health Adrian Knapper told the BBC Online (4 Feb): 'On average it costs the same amount [as this scheme] to perform just one intervention operation to help people manage their weight.' (Translation moment: by 'intervention operation', Knapper probably means such things as fitting a gastric band.)

Robert Eagleson

Professor Robert Eagleson, an outstanding figure in the plain-language field, died in Australia on 28 October.

While at the University of Sydney's Department of English, Robert worked closely with the Victoria Law Reform Commission in its pioneering efforts to rewrite laws in plainer English in the 1980s.

Unusually, he was a commissioner there without being a lawyer. Robert (pictured here with his wife Muriel in 1992) was a learned and amusing speaker at several plain-language conferences.



Government lawyers to investigate wording of target-setting parking-ticket contracts

Local government minister Brandon Lewis has pledged to investigate whether local authorities are illegally setting targets for the number of parking tickets issued by traffic enforcement officers.

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Following an investigation, the BBC's Inside Out programme alleges that three London boroughs – Lambeth, Bromley and Hackney – are setting targets or offering incentives. Bromley, it says, is offering financial bonuses to private contractor Vinci for every penalty charge notice (PCN) issued over a baseline number of 72,000. Meanwhile, says the BBC, Lambeth has stipulated in its contract with NSL (formerly NCP) that it requires at least 205,000 PCNs to be issued every year.

Crystal-marked leaflet at centre of NHS England fiasco

Public concerns about care.data – the new programme from NHS England in which everyone's confidential medical records will be brought together in one giant database – have led to the scheme's introduction being put on ice for at least six months. The Government has admitted its efforts to inform the public have been poor. In a YouGov poll of 1,100 adults, more than two thirds said they had not seen the four-page leaflet [[click here](#) to download] that was delivered to 26 million households at a cost of £1.2million. Many people may have disregarded it as junk mail as it lacked impact or visual appeal and was not individually addressed.

Those who have tried to make sense of the leaflet, called 'Better information means better care', seem to have found it a muddle. 'Incoherent, superficial and grossly misleading' was the verdict of John Bradfield, a former medical, psychiatric and child care social worker in a letter to the agency's chief executive. He said it failed 'to provide a picture which can be readily understood, without having to read endless websites and other information'.

The leaflet – which carries the Crystal Mark from Plain English Campaign Ltd – fails to say clearly what NHS England wants to do with people's medical records or how people can opt out if they don't like the plan.

Dumb and dumber in Dunbartonshire

Every few weeks there's a newspaper story that makes your jaw drop, and this is it.

A family that includes a wheelchair-using seven-year-old girl needed to have easier access to their home, owned by West Dunbartonshire Council, near Glasgow. So, instead of rehousing the family where there was better access or creating a simple ramp, the council spent at least £40,000 building a 60-metre concrete and metal structure that has obliterated their front garden.

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Daily Express columnist Ross Clark's entertaining piece includes a staggering (as it were) picture. [Click here](#) for the full works. As Clark points out, the council pays its chief executive £141,000 a year. If the Daily Express is not to your liking, there's Frances Ryan in the Guardian, whose piece includes before-and-after pictures. [Click here](#).

Finally, here's the Daily Telegraph's piece. [Click here](#).

The West Dunbarton ramp could easily be the greatest example of official stupidity in 2014, though the field already shows signs of being very crowded. No wonder the local council is crying about having to cut back its budgets. The only silver lining is that tourist buses have started arriving to view the Sochi-style slalom course, adding valuable income to the local economy.

Other stories from our website – just click on the headline:

Bookless in Benefits Street

Apostrophes in street names, again

Tax name confusion

Ward's words

Ray Ward (Brain of Britain 2012) tests you with this quizzicality:

Which once-rare, now familiar, word is derived from the Japanese for 'harbour waves'?

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Rolling the credits

Pikestaff is published by Plain Language Commission (clearest.co.uk ltd).
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Answer to quiz:

TSUNAMI.