

pkestaff

PLAIN
LANGUAGE
COMMISSION

Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits

This issue of Pikestaff is longer than usual. It's been six months since the previous one and we've decided to run all the stories at full length instead of snipping them off and offering you a link for the continuation.

Conference plea for more-accessible websites

In a keynote speech at PLAIN 2015 – an international conference of plain-language specialists held at Dublin Castle in September – the accessibility guru David Berman said that in the last 30 years more people had been liberated by information technology than by wars and revolutions. He declared that the mobile phone would soon be the way most of the world's population interacted with printed documents and web pages, so it was vital for them to be designed with the small screen in mind.

Berman – pictured here wearing glasses that simulate low vision – said it was just as important to design in a way that helped people with a wide range of disabilities. He claimed that if long and short sight were included in the definition of disability, most people could be regarded as disabled.



Berman, author of *Do Good Design* and a UN special adviser on web accessibility, said good design could make many things more accessible. For example, with some 10% of adult men being colour blind for green and red, the lights above Ontario traffic lanes had been designed with two red squares for 'closed' and one green circle for 'open'.

Access to the internet via a mobile phone could be a matter of life and death in poorer countries, said Berman. For example, in Ghana many of the pharmaceutical products on sale were fakes. With mobiles being so ubiquitous, people could use them to read a code on the medicine package and know instantly from the mpedigree network whether it was genuine.

The conference's many memorable sessions included a talk from Neil James, Lynda Harris and Chris Bransfield, whose 'integrated model for evaluating plain language' offered a matrix for assessing the clarity and usability of written information.



Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

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Editing the National Trust

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Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits



The presenters' slideshows should now be available on the PLAIN website. They include an updated version of an illustrated talk Martin Cutts of Plain Language Commission gave at the 2014 Clarity/IC Clear conference, 'Foxed and fined: how unclear contractual parking signs bamboozle motorists'.

This was the tenth conference of Plain Language Association InterNational (PLAIN) and was attended by 250 people. It was arranged by Ireland's National Adult Literacy Agency.

PLAIN (newly designed website <http://plainlanguagenetwork.org>) has finally decided on its definition/description of 'plain language': 'A communication is in plain language if the language, structure, and design are so clear that the intended audience can easily find what they need, understand what they find, and use that information.'

Very plain care-home-fees pledge broken weeks after election win

The UK prime minister, David Cameron, has emphasized the importance of using plain language in government. But after making a very plain manifesto pledge during May's election battle, he broke it within weeks of winning the election.

The Conservative manifesto promised to apply a £72,000 lifetime cap to the fees that self-funding residents in care homes would have to pay from April 2016. But on 16 July 2015, the Care Minister betrayed many old people who had relied on the pledge, saying it would be 'postponed' until 2020. In this case, postponed means it will never happen.

In an uncompromising article that spares neither of the two main political parties, Martin Cutts examines how and why the pledge was broken. To download the article go to 'Publications > Articles > Campaigns > ['Care-home-fees cap pledge betrayed'](#)'.

Gorenje website: really 'Life Simplified'?

Websites should be easy to read **and** easy to use. If they aren't, they waste time and infuriate users. When our informant 'Deep Freeze' decided to register the five-year guarantee on her new fridge from Gorenje – slogan: 'Life Simplified' – she didn't expect to spend 90 minutes on such a supposedly simple action and still not succeed. But a poorly explained task on a poorly designed website meant exactly that. Martin Cutts reports on Deep Freeze's usability nightmare. To read the article, go to 'Publications > Articles > Campaigns > ['Gorenje website: really "life simplified"?'](#)'.

Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits



Engineers destroyed for want of a nail...

A 134-year-old family firm has been destroyed by a mistake in an official document issued by Companies House.

The Cardiff engineering company Taylor & Sons Ltd collapsed a month after Companies House confused it with a similarly named business in Manchester. Officials meant to announce that Taylor & Son Ltd was being wound up but referred to it as Taylor & Sons Ltd.

Companies House corrected the typo within three days but by then rumours had spread via the internet, and the firm lost orders and had credit withdrawn. Its best customer, Tata Steel, withdrew from a £400,000-a-month deal. It also lost contracts worth £3million to build three lifeboat stations.

A judge has ruled that Companies House, which registers British firms for the Department of Business, Skills and Innovation, was responsible for the mistake. Taxpayers will now drop for about £9million to compensate the company's shareholders. Some 250 people have lost their jobs.

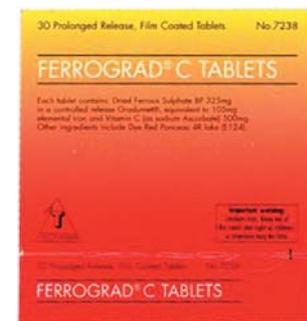
Just as bad as the initial mistake is that Companies House chose to fight the case, wasting even more public money and prolonging the agony of company chiefs. As with mistakes by the NHS, wouldn't it be better to say at the outset: 'We screwed up. We apologize. We'll pay your claim in full.' [Source: Guardian, 28 January 2015]

Package leaflets for medicines could be clearer – despite EC tests

If you're prescribed the iron supplement Ferrograd C, you'll get the bonus of a diverting package leaflet published by makers Teofarma SRL. First it warns of a terrible disease that could afflict your furniture: 'Your stools may turn black whilst taking Ferrograd C.' Then it says, 'Ferrograd is not recommended for children under 12 years old. Acute iron poisoning is a serious risk in the paediatric population.'

When 'paediatric population' is used as supposedly elegant variation for 'children under 12', you wonder how the leaflet passed the mandatory European Commission clarity test that pharmaceutical firms have to use – we trust no VW-style defeat device was applied.

The leaflet says Ferrograd C may not work properly if the user is also taking 'zinc - containing preparations', which presumably means 'zinc-containing preparations'. Odd that the clarity tests didn't pick this up.



Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits

Official guidance on the clarity tests says: 'A satisfactory test outcome [...] is when the information requested[...] can be found by 90% of test participants, of whom 90% can show they understand it. That means to have 16 out of 20 participants able to find the information and answer each question correctly and act appropriately.' It goes on: 'In approving package leaflets the competent authorities will look for evidence that people who are likely to rely on the package leaflet can understand it and act appropriately.'

The EC's guideline on the readability of the labelling and package leaflet of medicinal products for human use, also known as 'ENTR/F/2/SF/jr(2009)D/869 (Brussels; 2009 Jan 12)' is available by [clicking here](#).

An article, 'Making leaflets clearer for patients', is published in the March 2015 edition of Medical Writing, which is devoted to plain language and readability (Cutts M., Making leaflets clearer for patients Med Writing 2015;24(1):14-19). The article examines the clarity of several health information leaflets issued to the public and finds some of the language quirky, ambiguous and confusing. In one leaflet, the size of type is too small for easy reading, even by people with good eyesight.

The author says: 'I've never understood why some medics talk to patients about "stools" and "back passages", as if they are in a hardware store. To avoid the confusion that can arise from both taboo and high-register language, I've persuaded some health trusts to use words like "poo" and "pee" in their leaflets. Of course, there's a difficult line to tread between being clear and causing offence, but I feel it's better to err on the side of clarity. These days, "What colour is your poo?" is likely to be well understood by most people without any embarrassment. Few people understand "faeces", and even fewer can pronounce it.' Medical Writing and access to the article are available by [clicking here](#).

In-out question shaken all about by Electoral Commission

The Electoral Commission's recommendation that the UK Government alter the proposed EU in-out referendum question has been accepted after the original wording was said to be slanted. The Commission's chair, Jenny Watson, told the Daily Mail (2 Sept) that the question – 'Should the United Kingdom remain a member of the European Union?' – was 'easy to understand' but 'It was not seen by voters as entirely unbiased'. Eurosceptics felt it painted their position as negative, as the possible answers were 'Yes' and 'No'.

The new question and answers will be nearly three times longer: 'Should the United Kingdom remain a member of the European Union or leave the European Union?', with the possible responses being 'Remain a member of the European Union' and 'Leave the European Union'.

Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits

As with the recent Scottish referendum question, the Electoral Commission asked Plain Language Commission to give a professional opinion on the proposed question.

The referendum is expected to take place by the end of 2017, after the Government has sought to renegotiate the UK's terms of membership.

RSPCA used small print to snare donors

A leading charity has been caught using small print to trap potential donors into allowing their details to be passed to other bodies that go on to pester them with cold-calls for money.

In 2005 the RSPCA got Samuel Rae's details when he took out a pet insurance policy. After his wife died in 2009, Rae set up a monthly direct debit to the RSPCA, her favourite charity. Minuscule print on the direct debit form said: 'We sometimes allow other organizations whose aims are in sympathy with our own, or whose offers will benefit animal welfare, to contact our supporters. If you do not wish to hear from them, please tick this box.' He didn't see this message and thus opted in to his details being shared.

The RSPCA sent him 35 begging letters in a three-year period and passed his details to other bodies. Various charities cold-called him 200 times. The relentless campaign to extract money from Rae – highlighted in the Daily Mail on 2 Sept – came to light only when he contracted dementia and his son took over his affairs in 2015.

The Mail's investigators found the RSPCA had passed Rae's details to companies that help charities predict how much they may get from persuading supporters to leave them a legacy. One such outfit was the aptly named Prospecting for Gold Ltd.

The Information Commissioner, Christopher Graham, told the paper that charities risk becoming a 'dirty word' if they abuse people's personal data: 'There's a danger here of blackening the whole sector.' The Mail has also exposed the huge salaries being paid to leading charity officials, sometimes triple that of the prime minister.

Loose chippings from the Tower of Babel

► **Headline news** The Times has been running a 'top headlines' series in its diary column. Accolades for the best must go to the gruesome aftermath of a murder case: 'Headless body in topless bar' (New York Post); a thrilling incident in a Welsh town, 'City bus on fire – passengers alight' (West Wales Guardian); and, concerning the ailing heiress Gloria Vanderbilt, who was returning to New York for a lawsuit, 'Sick Gloria in transit Monday'. The latter needs no explaining for Latin scholars, of

Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits

course, but for everyone else's benefit it plays upon the mediaeval tombstone inscription 'Sic transit gloria mundi', or 'Thus pass all the fripperies of this world'.

► **Mixed metaphors** Welsh Conservative Party leader Andrew Davies said of his opponents in the Welsh Assembly: 'The fig-leaf they are trying to pull over people's eyes just won't wash.' Bath-time at the Davies household must be more interesting than most.

► **Ferment or foment, controversy's brewing** Labour's new shadow chancellor John McDonnell is an avowed Marxist who wants to nationalize the banks, railways and utilities. His Who's Who entry speaks of 'fermenting the overthrow of capitalism'. It's always fun to be reminded that Who's Who entries are written by the subjects themselves with barely any subediting, which is probably why former spouses, jail sentences and inconvenient children are so routinely omitted. In this case, McDonnell must have meant (as it were) 'fomented'. Well, he'll never get a better chance of fomenting the overthrow of capitalism than he has now. The public will give their verdict on his plans at the 2020 election – unless the revolution arrives before then, of course.

► **Will Corbyn kneel and swear?** Speaking of new Labour – or at least, the new Labour leadership – if Jeremy Corbyn wants to join the Privy Council he's supposed to kiss the sovereign's hand while kneeling and being told: 'You do swear by Almighty God to be a true and faithful Servant unto the Queen's Majesty, as one of Her Majesty's Privy Council. You will not know or understand of any manner of thing to be attempted, done or spoken against Her Majesty's Person, Honour or Dignity Royal...'. Corbyn, a staunch republican and atheist, would strike a blow for god-free language and against genuflection if he said he'd rather not join the Privy Council on such terms.

► **Abundant nebulosity** More fog from Aberdeen Fund Managers Limited, renowned jargon specialists of the financial services world. In their annual short report to folk who invest in the Aberdeen Multi-Manager Constellation Portfolio, they say: 'Global equities rose strongly over the period under review, supported by loose monetary policy and abundant liquidity. While the rise in equity indexes suggested a period of steady gains, in reality there were significant sector and style rotations that impacted portfolio returns.' Sector and style rotations, indeed!

► **Pope not Catholic shock** The Times' Credo column on 8 August referred to Karol Wojtyla as 'the first non-Catholic pope for 450 years'. How had this scandal been kept so quiet? Eventually it became clear that the Times had meant to say that the pope, a Pole, was the first non-Italian pope for 450 years. Back to sleep, everybody.

► **Nearly right** At Istead Rise primary school, near Gravesend Kent, workers painted SCHOOL on the roadway in huge yellow letters – or intended to, at least. After they'd left, observant children noticed that the job hadn't quite gone to plan,

Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits

as the word actually read SOHOOL. The kids drew the obvious conclusion and teachers reported renewed diligence in the English classes.

► **Not so Bright** In the UK general election campaign, would-be Conservative MPs James Duddridge and Alex Bright issued a leaflet that proudly announced 'It's erection day!' At least Duddridge, a Foreign Office minister, had the chutzpah to laugh it off, telling journalists who queried the error, 'Keep it up!'

► **No more pillow-fights in the dorm** A UKIP election leaflet in Frome, Somerset promised that the party would 'take back control of our borders'.

Mystic hunt for sense in gender-political language

A 14-year project to recreate the lost tapestries of James V at Stirling Castle, Scotland – home of Mary of Guise – has been completed with the hanging of the beautiful final panel, as reported in the Times on 24 June. It's called the Mystic Hunt of the Unicorn. Castle guides will doubtless be enunciating this title very carefully as they show groups of sniggering schoolkids around.

As to the sex of this or any other unicorn, little is known. But if ever unicorns have to fill in official documents, there may soon be a bewildering range of genders they can choose from if Facebook is anything to go by. The social-network behemoth offers its users 50 options from 'agender' to 'transmasculine'.

In July, BBC Radio 4's Woman's Hour held a discussion between someone who styled herself 'gender queer' and another who said she was 'gender fluid'. Listeners weren't told what these terms meant but were probably too busy groaning at the speakers' rambling incoherence to worry unduly. This was not a triumph for the ever-impartial BBC, which spent much of the summer mourning the defeat of its Preferred Supplier of Political Opinions in May's general election. So much gnashing and wailing at the success of the terrible Tories, matched only by grief as the even more terrible Trots swept to victory in the Preferred Supplier's leadership race!

The spread of gender-political jargon was the focus of a Sunday Telegraph article by Tim Stanley called '**Am I a man?**'. He complains that Oxford University students labelled him a 'cis' (nothing to do with 'cissy', it seems, but from the Latin for 'on this side of') and being guilty of 'cissexism'. It seems a cis is a person who identifies with the sex they were assigned at birth. As Stanley puts it, 'someone born a man, who has been raised as a man and who now identifies as a man. In plainer English and fewer words: a man'.

One of the 163 people who comment on the article says that where he comes from, cis stands for Cattle Information Service. He may well have missed the point.

Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer - despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits



Meanwhile, students at the University of Tennessee are being encouraged to ditch the pronouns he and she in favour of the gender-neutral 'ze'. The Times (31 Aug) reports that the university's Office for Diversity and Inclusion has distributed a new lexicon that enables students to cast off the 'heavy burden' of traditional labels.

Instead of she, her, hers and he, him, his, students are offered the opportunity to use ze, hir, hirs or ze, zir, zirs. In the plural the suggested pronouns are xe, xem and xir. Donna Braquet, director of the university's Pride Centre, advises teachers to abandon the usual roll call and focus on asking students their preferred name and pronoun.

Bill Dunn, a state congressman, said: 'We have paid people a lot of money to sit around and come up with this nonsense.'

He forgets that what seems barking mad today becomes merely orthodox tomorrow.

Desikan, India consumer champion and plain-language pioneer, dies at 82

R Desikan, one of India's leading consumer activists, died at his home at Vettuvankeni, Tamil Nadu, India on 27 June at the age of 82. He devoted much of his life to campaigning for better rights for shoppers and service users in a country where consumer interests are often neglected and people feel powerless to complain.



Desikan (pictured with his wife Nirmala in Chennai, 1993) was keen on the use of clear language in public information and product particulars, which in India are often bedevilled by pomposity, legalese and a style of English reminiscent of the colonial era. The resulting obscurity is often used as cover, Desikan felt, for inertia, incompetence and low standards among public services and utility companies.

In the late 1980s, Desikan sought help from the UK's National Consumer Council on how to introduce plain-language ideas to consumer groups and sympathetic companies. This led to Martin Cutts of Plain Language Commission being invited by the British Council and Desikan's Federation of Consumer Organisations of Tamilnadu (Fedcot) to visit India several times in the 1990s to conduct workshops and give lectures all over the country.

Desikan was a great persuader, with a winning combination of presence and charm

Read more [here](#) and [here](#).

Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits

Ashes win raises small-print refund question

When Mark Wood's cannonball demolished Nathan Lyon's stumps to give England victory and the Ashes in the fourth Test match at Trent Bridge, perhaps only a few spectators would have been thinking about such trivialities as the small print on their tickets.

But because the match ended after only 62 balls had been bowled on the third day, a hefty refund on the tickets (most of which cost £85) was triggered.

But how much would it be? Here's what the tickets say: 'You may claim a refund of only the match ticket value subject to there being: (a) 10 overs or less because of adverse weather conditions or completion of the match – a full refund; (b) 10.1 overs to 24.5 overs because of adverse weather conditions or completion of the match – a 50% refund.'

An over is called after 6 legal balls have been bowled. But what happened on this occasion?

To start the day, Mark Wood bowled 4 balls to complete the over interrupted when bad light stopped play on the previous evening. So did those 4 balls constitute an over? Not really. Such an 'over' surely wouldn't have counted towards the number of overs that must be bowled in a Test Match day.

Then Ben Stokes and Wood bowled the remaining 9 overs and 4 balls, with the final Wood delivery ending the innings and the match. Neither of them bowled any no-balls or wides on the final morning.

So although 62 balls were bowled, 4 were to complete an over from the previous day, 54 comprised the 9 complete overs, and 4 came in the final, incomplete over. That looks like only 9 complete overs were bowled, so a full refund would be due. However, if Trent Bridge decreed that 62 balls meant 10.2 overs, then only a 50% refund would be due.

The difference in refund is a significant sum of money. The 17,500 crowd had paid about £1.3million for their tickets, so that's the price of a full refund. Fifty per cent of that is £0.65million. Or, to put it another way, if you and your friend had bought tickets worth £170, you'd collect either £170 or £85. Enough for a very good celebration dinner on the way home.

Who cares, when England have retained the Ashes? Well, you might care if you were a ticket-holder – especially an Australian ticket-holder.

The word from Trent Bridge is that only a 50% refund will be paid. As yet, we don't know the reason. We've repeatedly asked for it, but so far the England and Wales Cricket Board have kept their counsel, merely offering the Boycottian dead bat of their [web page](#).

Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits

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'Tis the season for wandering around the houses, parks and gardens so ably stewarded by the National Trust, perhaps the UK's greatest keeper of worthwhile places.

'Tis also the time to cast a critical eye over the National Trust publications you collect as you wander. So if you find any that don't come up to

scratch – or any that are particularly good – do please drop us an email.

At Trelissick, a country house and gardens on the banks of the Fal river in Cornwall (pictured), the walking map is generally well designed and clear but one miserable paragraph stands out – perhaps it was a late addition that avoided the editor's scrutiny. It goes like this:

'The iconic Water Tower was built for irrigating the estate and for fire control, today you can holiday there. More examples of re-use is the rain water we collect and use, also the spare heat from our kitchens appliances keeps the restaurant cosy, our water is heated by solar panels. We are constantly finding new ways to be eco-friendly.'

That punctuation is a car crash, while 'More examples of re-use is...' and 'kitchens appliances' could be better. It's always good to strike out that overused word of the moment, 'iconic', so perhaps the paragraph could say something like:

'The water tower was built for fire control and to irrigate the estate, but today you can holiday there and enjoy wonderful views over the gardens and the Fal.

'We are continually finding new ways of being Earth-friendly. For example, we collect and use rain water in the gardens, we keep the restaurant cosy using spare heat from the kitchen appliances, and our water is heated by solar panels.'

Our email of gentle reproof to Trelissick brought a positive response, as follows: 'Put simply, we couldn't agree more, we are aware the text in the leaflet isn't of a standard we are happy with. We are currently developing a larger, better quality leaflet which will be professionally printed and much clearer to read. We hope this will be finished and in use very soon.'



Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer - despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits

Green light for parking predators as appeal court rules against consumers

Parking firms will continue to milk millions of drivers for penalties in private car parks after judges in the court of appeal ruled that an £85 charge imposed on a Chelmsford man by ParkingEye Ltd for overstaying a two-hour free-parking limit was not 'excessively high' or 'extravagant or unconscionable'. The case has now been appealed to the Supreme Court.

ParkingEye uses camera technology to watch the car parks it runs for supermarkets and hospitals, recording the exact time drivers enter and leave. It then demands charges of up to £100 for those who break its often complex payment rules. It buys drivers' details from the DVLA. ParkingEye hits around 850,000 drivers a year with its charges.

Barry Beavis, a fish-and-chip shop owner, refused to pay the £85 charge demanded after overstaying at the Riverside Retail Park, Chelmsford. But the judges, who earn about £200,000 a year, decided that a charge like this was not unreasonably high. The judgment was condemned by the AA, the RAC Foundation and Which?, whose executive director Richard Lloyd told the Daily Mail: 'We are concerned that this decision waters down the law on penalty charges and may encourage excessive default charges.'

The AA's president Edmund King said: 'This is a licence to print money for people who have now been handed an open cheque and invited to make up the figures as they like.'

Michael Green of ChallengeTheFine.com said: 'This issue is no longer about private parking tickets, but about whether it is OK for private entities to charge "fines" or penalties in all areas of life. That includes ending your gym membership early, terminating your TV/mobile phone contract, and cancelling airline flights.'

Why tax is still too taxing

The UK's Inland Revenue service, also known as HMRC, likes to tell everyone that 'tax doesn't have to be taxing'. Its latest advertising campaign has also shown people in yoga poses who, having filed their tax returns on time, have supposedly found inner peace.

But just how much enlightenment is there among the 64,000 HMRC staff and their political bosses? The UK tax code now stands at a door-stopping 21,000 pages, and its 10 million words make it one of the world's longest. Hong Kong manages to survive and prosper with a mere 300 pages. In 2010 the chancellor, George Osborne, called it 'one of the most complex and opaque tax codes' on the planet.

Pikestaff 72
October 2015

In this issue:

Conference plea for more-accessible websites

Very plain care-home-fees pledge broken weeks after election win

Gorenje website: really 'Life Simplified'?

Engineers destroyed for want of a nail...

Package leaflets for medicines could be clearer – despite EC tests

In-out question shaken all about by Electoral Commission

RSPCA used small print to snare donors

Loose chippings from the Tower of Babel

Mystic hunt for sense in gender-political language

Desikan, India consumer champion and plain-language pioneer, dies at 82

Ashes win raises small-print refund question

Editing the National Trust

Green light for parking predators as appeal court rules against consumers

Why tax is still too taxing

Cliché alert: even Lonely Planet authors 'wash down' their food

Links and credits

People have sat on so many learned committees proposing tax-code simplification that their futile reports must be almost as weighty as the code itself. In the Times on 6 July, the columnist Matt Ridley said: 'In 2012, the 2020 Tax Commission... recommended abolishing eight taxes and folding all income tax, national insurance, capital gains tax, transaction taxes and corporation tax into a single income tax with a 30 per cent maximum rate and a £10,000 exemption.'

But its report has been ignored. There's also something called the Office of Tax Simplification, whose six employees must wonder if anything they suggest will ever be adopted. They want income tax and national insurance to be merged, but it never happens. Meanwhile, the population waste time dealing with two taxes when they could deal with only one. And all because they have to be fooled that national insurance isn't really a tax.

Who benefits from tax complexity? Not low earners, that's for sure. It's the loophole specialists – and the wealthiest who can afford to employ them – who gain the most.

Nigel Lawson, chancellor during much of the Thatcher era, abolished one tax in each budget, doing so six times. He also cut income tax and reduced it to two bands. Now that's simplification.

The latest UK budget was another missed opportunity to simplify tax. We'll probably have to wait till next year to see if the chancellor is brave enough to try it.

Cliché alert: even Lonely Planet authors 'wash down' their food

Restaurant critics are notoriously addicted to the cliché 'wash down' when referring to their consumption of wine with a meal. No doubt they 'wash down' their cars or drains with buckets of water, but do they really 'wash down' their food? It conjures up the revolting notion of millions of food particles being sluiced through the oesophagus in a tidal wave of gloop.

The latest offender is a Lonely Planet guide to the delights of Amalfi coast cuisine. Visit the isle of Capri, it suggests, to sample 'light insalata caprese (mozzarella, tomato and basil salad) and calorific torta caprese (almond and chocolate cake)'.


But then it recommends: 'Wash it down with limoncello (lemon liqueur).'

Wash it down! Hideous idea! And how much limoncello would be needed for a proper washdown? Enough to make the author sick, that's for sure.

[Source: <http://www.lonelyplanet.com/italy/naples-the-amalfi-coast/travel-tips-and-articles/77717>]

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Commission

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Tower of Babel

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gender-political language

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print refund question

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predators as appeal court
rules against consumers

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Cliché alert: even Lonely
Planet authors 'wash
down' their food

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