Pikestaff

Plain Language Commission newsletter no. 4, April 2007

Down with capitalism?

Legal documents can seem strange to non-lawyers for many reasons, among them the use of initial capitals for defined terms. In *Pikestaff 3* we upbraided those who overuse capitals, but should authors of legal documents be exempt from this criticism?

British laws don't use initial capitals for defined terms. But many law firms insist on it in their business-to-business agreements, and the practice spills over into their advice letters. They argue that initial caps make clear which terms are defined and allow them to use the same words in lower case in their undefined senses. For example, they may define *Property* as '35 Acacia Avenue, Barking' but if they then write about *the property*, the alert reader is supposed to realize this is not the defined one.

While this can be a useful technique, it brings possible pitfalls:

- Writers should take care to cap all uses of the defined terms (and they usually forget), and they should not cap undefined terms at random (and they often do).
- If an undefined sense of, say, 'property' is intended, it mustn't come at the start of a sentence (where it will take a cap and look like the defined term).
- In consumer contracts like credit-card terms and conditions, words like 'we' and 'you' are often defined. If they are given initial capitals and – as often happens – used hundreds of times, the document looks odd. It looks even odder if these terms are also put in bold type to make them stand out – allegedly for clarity's sake. The reader sees nothing but a dazzling array of pronouns.
- Some companies get round this by excluding 'we' and 'you' from their initial-caps and bold-type rules, while applying these same rules to the other defined terms. If that's inconsistent, they can take refuge in Ralph Waldo Emerson's dictum that 'A foolish consistency is the hobgoblin of little minds.'

Certainly it's possible to write consumer contracts without initial caps – it just takes a bit more care. Having set out your definitions and written your agreement, it's a good idea to use an automatic checker (like Microsoft Word's 'Find') to check whether you've used the defined words in undefined senses. If you have, you can usually change these words to others, though the variations aren't always elegant. Another (riskier) option is to take refuge in a phrase often seen at the start of the list of definitions: 'The following words have the meanings given below except where the context requires otherwise'. But not everyone may agree on when the context does indeed 'require otherwise'.

Health check for patient information

When searching for health and social care information, people can quickly be swamped by booklets, leaflets and website texts of varying quality from many organizations.

A voluntary accreditation scheme to reassure people that such information is from dependable sources is being planned by the Department of Health. The scheme will accredit producers of information in the public, not-for-profit and commercial sectors. Martin Cutts of Plain Language Commission has been invited to join a 15-strong expert working group that will be developing standards for the scheme.

Unlike our Clear English Standard, the scheme will accredit information producers rather than the information itself. So we'll be pleased to work with accredited bodies to offer them and their readers the further assurance that the information itself has passed a rigorous check of clarity, grammar and layout.

[Source: Department of Health website: http://www.dh.gov.uk /en/Policyandguidance/PatientChoice/Choice/ BetterInformationChoicesHealth/DH_4123086]

News from Plain Language Commission

Corporate membership
As part of your push for clear communications, why not become a corporate member of Plain Language Commission? Corporate membership gives you:

- 10–20% discounts on many of our services, which could save you hundreds or even thousands of pounds a year
- priority status for all our work for you
- the chance to put a customized corporate membership mark on all your documents, signalling your commitment to plain language
- one free copy of each of our distance-learning courses.

Membership costs £1,500 + VAT in the first year, then £1,250 + VAT in later years. Members include Companies House, Euler Hermes (UK) plc, Bromley Council, the Wrekin Housing Group, Wandle Housing Association, Catalyst Housing Group, the Financial Services Authority, Hampshire County Council, Lancashire County Council, Harvest Housing Group, the Information Commissioner's Office, and Health Scotland. Read more about the benefits of corporate membership at http://www.clearest.co.uk/?id=15.

PLAIN conference
We're showing our own commitment to plain language around the globe by sending representatives to the biennial conference of the Plain Language Association International (PLAIN) this autumn. It's always been held in North America, but this time the venue is Amsterdam (the historic Beurs van Berlage), from 11–14 October. For more information, visit PLAIN's and the conference's websites at http://www.plainlanguagenetwork.org/ and http://www.plain2007.com/home-1.html.

Dogged by train English

We reported in *Pikestaff 3* that *The Independent* was using some of Martin Cutts' material in its week-long 'Improve Your English' promotion. This was well received by readers, provoking several letters to the editor.

Anthony Evans wrote to say: 'London Underground escalators enjoin that "Dogs must be carried". I have yet to be challenged to produce my dog on demand.'

Nicholas Waters mentioned the perhaps greater challenge announced by a train guard to 'take all your belongings with you', pointing out that his alone would fill a whole carriage and take hours to load and unload.

Shirley Horsman quoted a letter she'd just received from her local hospital trust. Strewn with Pompous Initial Capitals, the missive said: 'We write to inform you that the existing Job Matching outcome related to the above Post, following Review, remains unchanged. There is, therefore, no requirement to provide you with further documentation other than that which is already in your possession i.e. Assimilation Letter, Job Matched Report, and National Job Profile. In line with the Nationally agreed Process this therefore concludes your assimilation in regard to the above Post, with no further review opportunities related to it available to you.' Horsman remarked: 'I think it means that my appeal against the downgrading of my job has been unsuccessful. Amusingly, I resigned my job a year ago.'

Rigorous about readability

Have you ever wondered how we know at what level to pitch the documents we edit? As in everything we do, we try to base our approach on research.

Department for Education and Skills figures from 2003 show the average adult to be at 'level 1' for literacy. This equates roughly to a reading age of 13–15 years. If people with very weak reading skills are discounted, then the national average reading age appears to be 15–16 years – roughly GCSE level (grades A*–C).

When topics are inherently complex, we can still aim for a reading-age level of 14–15 years in text, but won't always be able to achieve this. If the audience is likely to include many people with weak reading skills, then we may aim for a level of 12–13. Whatever your audience and topic, you can be sure our editors will make your document as readable as possible. And if it's hard to edit a particular document to the right level, we'll tell you and discuss your options.

There's an article about what the national average reading age might be on our website: Paying the price for crystal balls (http://www.clearest.co.uk/index.php?id=34). We're planning more articles on:

- what reading-age levels represent in terms of actual pieces of text
- how readability may be measured
- how to write and edit to achieve particular reading-age levels.

[Source: http://www.dfes.gov.uk/readwriteplus/bank.cfm?section=211]

The plain in Strine falls mainly on young brains

Primary and secondary school pupils in Queensland, Australia will have a new plain-English syllabus from the middle of 2008, reports the *Brisbane Courier Mail*. 'Curriculum waffle is out, clear English is in,' said education minister Rod Welford. The new syllabus would take a 'nuts-and-bolts' approach to help children write well and speak clearly, he said, while encouraging them to read and think.

It makes sense to start training people to write clearly at an early age, so that communicating in plain English comes naturally to the next generation. The land that gave us Strine – English spoken with a broad Aussie accent – seems to be leading the world on this, encouraged by media efforts:

- At the English Teachers Association conference in December 2006, plain-English expert Neil James, of the Australian Plain English Foundation, presented a session on plain English. The opening of his speech quoted Martin Cutts' description of plain English.

- James has also contributed a chapter on plain English to a secondary-school textbook and CD-ROM. *English Alive 4* (John Wiley and Sons) will be published in Australia and New Zealand in May.

[Source: *Brisbane Courier Mail*, 22 February 2007: http://www.news.com.au/couriermail/story/0,23739,21266907-5007200,00.html; and thanks to Neil James for more details]

Our exclusive tip of the month: use inclusive language

The problem

A Web search for 'political correctness gone mad' produces several thousand hits. And certainly PC language can seem silly at times. Rosalie Maggio, who's written about inclusive language, quotes examples she regards as ridiculous:

- 'woperson' for 'woman'
- 'chairperdaughter' for 'chairperson'
- 'ethically challenged' for 'criminal'
- 'follicularly challenged' for 'bald'.

Fairness in language may seem trivial and unnecessary to some. But there's plenty of research to show that language powerfully influences attitudes, behaviour and perceptions. In other words, using biased language can prolong inequality in society. Also, it makes little business sense to offend your readers. If they see prejudice in your writing, they'll reject your message.

Examples

- A well-known plain-English company edited a surgical consent form. The space it allowed for the surgeon's name started 'Mr', implying that all surgeons were male.

- An organization's board papers said: 'Payments to board members must be approved by the relevant chairman in his capacity as responsible officer.' But several of the committee chairs were women.

Our thoughts

1. Remember that non-sexist language treats both sexes equally and doesn't refer to a person's sex at all when it's irrelevant.

2. Avoid the generic use of 'man'. In its original sense, 'man' meant 'adult human' as well as 'adult male'. But now its meaning is so closely identified with the latter that it's best to say, for example, 'layperson' for 'layman'; 'people' for 'mankind'; and 'to staff' for 'to man'.

3. Use sex-neutral titles – such as 'chair' for 'chairman'; 'firefighter' for 'fireman'; 'actor' for 'actress'; and 'author' for 'authoress'.

4. Don't use 'he', 'him' and 'his' when talking about both men and women. Using 'he or she' may be clumsy, especially if you need to write it several times. 'He/she' and 's(he)' don't look good and are hard to read aloud. But you can often avoid these by using the plural or rephrasing the sentence. To use the second example above, you could say:
Using the plural: 'Payments to board members must be approved by the relevant chairs in their capacity as responsible officers.' (There's a risk that people may think several signatures are needed, but the context would usually prevent this.)
Rephrasing: 'As responsible officer, the relevant chair must approve

payments to board members.'

5. In legislation and contracts, there's a risk that a plural will change the meaning. Rephrasing may be feasible though it can be clumsy and long-winded. Using 'you' and 'we' can work well in consumer contracts. Some authors use a male or female singular throughout, explaining at the start that they've done so, for example: 'Words relating to one gender are treated as meaning any gender.' But this can still prolong inequality, as the reader forms a subconscious mental picture of the gender used. British law generally uses the male pronoun, with obvious exceptions for maternity law. A council's education booklet uses 'he' on odd-numbered pages and 'she' on even-numbered pages when referring to pupils, and explains in the introduction that it's doing so. But readers need to keep adjusting, so it can be distracting.

6. Sexism may be the most obvious prejudice in writing, but it's not the only one. We recommend Rosalie Maggio's book, *Talking About People: a guide to fair and accurate language* (Oryx Press, 1997).

[Many thanks to Jane Tomlinson for giving us the idea for this tip of the month.]

I spy with a critical eye

In *Pikestaff 3* we asked for your examples of language pushed beyond its limits. Thanks to all who contributed:

- Spotted in an Australian outback workshop: 'Antiques made to order - modern methods'.
- Parents in recovery from the Easter school holidays may find this advice on a Marks & Spencer carrier bag comes several weeks too late: 'To avoid suffocation keep away from children.'
- A housing association asked a consultant to write a communication strategy. The consultant replied: 'The matrix for reaching our target audiences should be used as a basis for the protocol for communicating opportunities for involvement in consultation.'
- From the website of the Department for Education and Skills: 'Under Section 509AA-AC of the Education Act 1996, LEAs [local education authorities] must arrange transport to ensure that students aren't prevented from going to college because their fares are too high or their are no services to take them there.'

Email us any examples you've seen of poor, ambiguous or incorrect English.

Contribute
Email us with your views, examples, and ideas for future stories at pikestaff@clearest.co.uk.

Back issues
You can see back issues of *Pikestaff* on our website, www.clearest.co.uk (click on 'Newsletter').

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Credits
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