

A movement to simplify legal language

Patron: Lord Justice Staughton

## Newsletter

No 37: October 1996

### CLARITY evening

Thursday, 5th December

#### Annual meeting

The CLARITY evening will begin in the Smoking Room in Middle Temple Hall at 6pm.

There will be a brief chairman's report, updating members with developments since this newsletter. The treasurer will also report, and there will be elections. Details appear under the "committee" heading opposite. Members will have the opportunity to make suggestions and to raise points for discussion.

#### CLARITY awards

The second stage of the evening will follow, still in the Smoking Room, at about 6.45.

For the second year our awards have been generously sponsored by D.J. Freeman, the well-known city solicitors who pioneered the plain language "leasebook" to replace the notorious traditional leases used in large commercial developments. We are also grateful for the support given by the *Solicitors Journal*, who will cover the event. We are pleased to welcome as our guest to present the awards Tony Girling, the President of the English and Welsh Law Society.

By the 21st October deadline we had received 31 entries from Britain and elsewhere, and the judges will start to consider them this week.

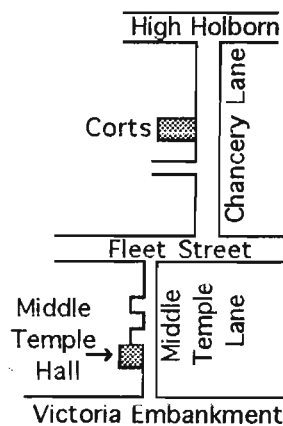
### Annual supper

The final part of the evening will be an informal supper for members and their guests, including those staying on from the awards. We have booked a room from 8pm in Corts Restuarant at 84 Chancery Lane.

If you would like to come please tell Alexandra Marks at Linklaters & Paines (DX 10 or 59 Gresham St, London EC2V 7JA) as soon as possible, sending an unreturnable deposit of £20 a head, payable to CLARITY. The balance of the cost is normally shared equally by those attending. The deposit is the restaurant's estimated cost of food (including service charge) but drinks will be extra. They will hire staff for the evening so it is necessary to give them a fairly accurate estimate of numbers in advance.

We are grateful to the *Solicitors Journal* for sponsoring the meals of the official guests - Mr Girling and the award-winners.

We are also grateful to Alexandra Marks and the staff of D.J. Freeman for their hard work in organising all stages of the evening.



### Committee

We are sorry to record that Justin Nelson has stepped down after two years as the fourth occupant of the CLARITY chair. His solicitor's practice is flourishing and without partners for support he needs to give it his full attention.

He joined the committee in 1985 when all the meetings were held in the founder's office at Rugby Town Hall. He travelled regularly from Tenterden, near the Kent coast, and continued to attend - and took over the treasury - when the meetings moved to London on John Walton's retirement in 1987. He looked after the accounts until he took the chair. He has contributed a wealth of ideas in committee and many book reviews to the journal. He recently co-authored with Richard Castle the CLARITY Interpretation Clauses (*Clarity* 34, Jan 1996).

We hope he will remain as active a member as his work and family commitments allow.

The committee has asked Mark Adler to return as acting chairman until the annual meeting and it nominates him for re-election. He previously served in the post from 1989 until 1994.

Nick O'Brien has now completed the two years he originally offered to serve as treasurer but is willing to stay on for another year to complete the reorganisation he has started and to hand over to Christine Graham. For this coming year Mrs Graham will act as deputy treasurer. This arrangement too is offered for ratification at the annual meeting.

Alexandra Marks proposes to stand down from the committee, although she is willing to reconsider if no-one comes forward to replace her. The other members offer themselves for re-election (or, in the case of those marked with an asterisk, who have been co-opted since last time, for first election). They are Simon Adamyk\*, Richard Castle, Stewart Graham\*, Richard Oerton\*, and John Pare\*.

Any member may nominate him- or herself or (with their permission) anyone else, either to serve on the committee in general or in a particular office. If you wish to oppose anyone nominated please tell us well before the meeting so that all members can be invited to vote either at the meeting or by post.

### **Consumer contract regulations 1994**

Richard Castle would like to hear from anyone with experience or knowledge of the practical effect of the regulations requiring plain language in consumer contracts.

### **UK tax law rewrite**

November 1st is the strict deadline for submissions on the consultative document summarised in *Clarity* 36. CLARITY has been represented on the Law Society committee considering the document, and we are also liaising directly with Inland Revenue. We would be interested to see any comments submitted directly by members.

In the last few weeks the Revenue has published some specimen clauses under the title *Examples of rewritten legislation*. These are the work of parliamentary counsel Graham Sellers (who was also responsible for the Arbitration Act 1996). This is only a first draft, and inevitably points will be found for

improvement, but the radically plain style is evidence of a dramatic and welcome change in parliamentary counsel's office. This should be a positive influence on the style of other statutes and we trust it will encourage private practitioners to draft plainly. Members can obtain the full before-and-after text from Ajit Philipose (see *Clarity* 36, p.10, for details) or from the internet at <http://www.open.gov.uk/inrev/condoc3.htm>

### **College of Law**

CLARITY is to provide occasional speakers at each of the College's centres. If anyone feels willing and able to represent us at the York campus would they please call John Pare (the committee member responsible) on 01691 652020.

### **CLARITY seminars overseas**

Cheryl Stephens has asked for permission to give CLARITY seminars in the US and Canada.

We would like to extend our influence, and if other members are interested we would like to hear from them with a proposal (including, please, an outline and any other training materials they would use).

### **Membership**

We now have 657 members, of whom 72 are in the USA (thanks to Joe Kimble's extraordinary efforts).

If you did not receive the July journal (36) please check that you have paid your 1995 subscription.

We are grateful to Carol Ann Wilson of Texas for her offer to prepare a detailed membership list (showing areas of interest, email addresses, and other useful information) to supply to members without cost to CLARITY. She proposes to charge a fee for supplying the list, to

recoup her outlay, but to bear the risk herself (or by obtaining sponsorship). Comments are invited.

### **Conference 1997**

The International Plain Language Consultants Network is planning a conference to be held in Calgary in the summer or fall of 1997.

Please send suggestions (and any offers of help) to Cheryl Stephens on fax 00 1 604 739 0443.

### **Scribes Journal of Legal Writing**

Volume 5 (1994-1995) has now been published, and includes contributions by three CLARITY members (two of whom edit it).

The journal is the organ of *Scribes*, the American society of writers on legal subjects. Membership costs \$50, and is open to any member of the legal profession in good standing who has written and published one law-related book or two articles; or edits a law journal; or, as a judge, has published more than one opinion in an official report. Contact *Scribes*, Wake Forest University School of Law, POB 7206, Winston-Salem, NC 27109, USA.

### **Clarity 38**

The next full journal issue will be published in January. It is being edited in Canada jointly by Phil Knight and Peg James. Please send copy to them on 74014.254@compuserve.com or fax 00 1 604 983 2447, or to the address below. computer readable submissions are preferred but not essential.

### **Computer virus**

Phil Knight passes on a warning that emails with the subject line "Good Times" should be deleted unopened. This title apparently flags a virus which can ruin your computer.

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