



CLEO

Community Legal Education Ontario
Éducation juridique communautaire Ontario

Clear language and design helps everyone

Better writing and design

May 19, 2021

Nicole Osbourne James

 **The Law
Foundation
of Ontario**
Advancing access to justice



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Land Acknowledgement

We acknowledge that since time immemorial the land on which we live and work has been the home and traditional territory of Indigenous Peoples, including the Mississaugas of the Credit, Haudenosaunee and Wyandot, and is now home to many diverse First Nations, Inuit, and Métis relatives. CLEO's work is also carried out across the many traditional territories of this land that is also known as Ontario. We acknowledge our privilege as well as our role in the systems of colonization.

CLEO staff are learning to be better allies by participating in training about the systemic nature of anti-Indigenous racism in Canada. We are strengthening ties to Indigenous-serving organizations in order to produce information and resources that reflect the experience of Indigenous Peoples, and develop training that is more relevant for and accessible to Indigenous Peoples.



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Steps to Justice

Your guide to law in Ontario

Justice pas-à-pas

Votre guide de droit en Ontario



CLEO Connect

Training and tools
for community workers



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Questions?

Please ask your questions using the Q&A feature not the chat.



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About our Presenter



Our trainer is Nicole Osbourne James, Editor and Production Coordinator at CLEO.

What we're talking about

- Why better legal information?
- What is plain language?
- Audience
- Purpose
- Plain language principles
 - Style
 - Tone
 - Words
- Design tips



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"Marcia, do we have anyone in legal who's
fluent in both 'Mumbo' and 'Jumbo'?"



Literacy is an essential skill in 21st century Ontario. However, many people in our province do not have the literacy skills that they need for home, work, and life.

15% of Ontarians scored at or below Literacy Level 1



1 in 6 (or 15%) of Ontarians aged 16 to 65 scored at or below Literacy Level 1. People scoring at this level struggle with very serious literacy challenges, and have trouble reading even the most basic text.



Literacy Skills in Ontario

47% of Ontarians scored at or below Literacy Level 2.

At Literacy Level 2, people can read but with difficulty.

They will likely have problems with basic forms and directions in everyday life such as contracts, rental agreements, medication instructions, and more.





Literacy is not just about reading

It's about living.

- Finding, getting and keeping a job
- Knowing how much my rent is going up
- Understanding health instructions from the doctor, or reading the dosage on medication
- Paying a fine or responding to a notice
- Helping a child with homework

Being busy, tired, or stressed also lowers literacy.



The stress effect





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Better legal information



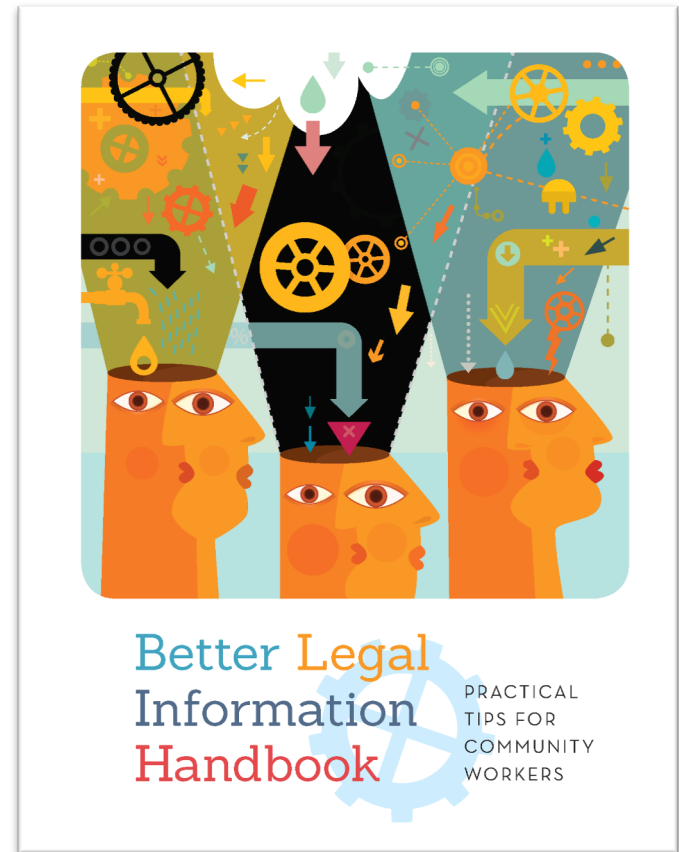
Better Legal
Information
Handbook

PRACTICAL
TIPS FOR
COMMUNITY
WORKERS

Better legal information

What is it?

- Accurate and up-to-date
- Written in plain language (message is understood by your audience the first time they read it)
- Available in the best format, when and where it is needed



Better legal information

What is it?

- Accurate and up-to-date
- Written in plain language (message is understood by your audience the first time they read it)
- Available in the best format, when and where it is needed

What does it do?

- Grabs and holds the reader's attention
- Gives information that the reader needs
- Helps the reader to take action (for example, to exercise their legal rights)



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What is plain language?

A communication is in plain language if its wording, structure, and design are so clear that the intended readers can easily find what they need, understand what they find, and use that information.

Source: International Plain Language Federation



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Plain language

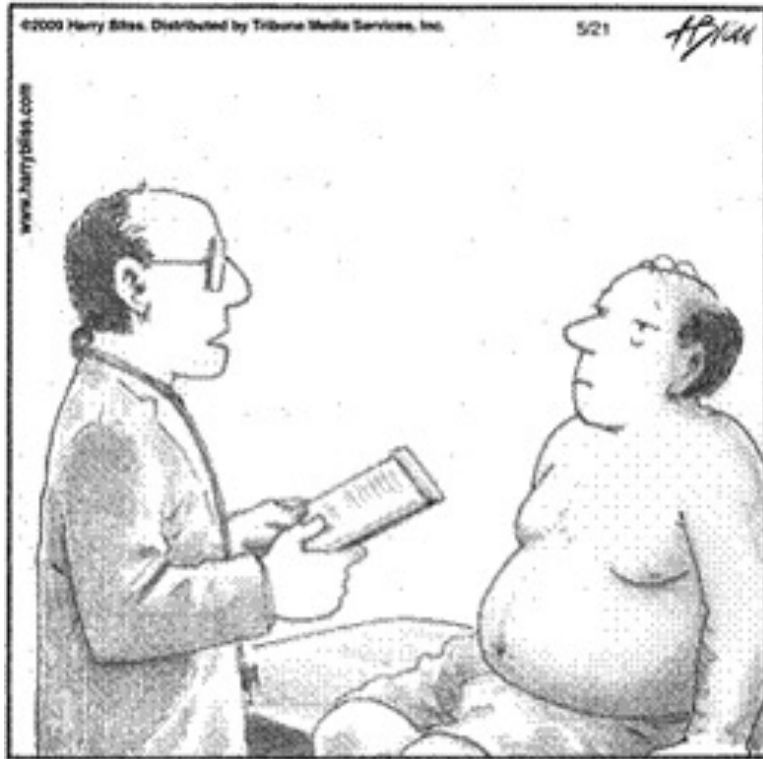
Plain language is communication your audience can understand the first time they read it.

Plain language

Plain language is communication your audience can understand the first time they read it.

Plain language is easy to:

- read
- understand
- follow
- remember



“Well, yes, I suppose I could explain the test results in ‘plain English’ – but then you’d know how sick you are.”



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It's about the audience

- **Who is the audience?**
 - What do they need to know
 - What do they already know
 - What will they understand

It's about the audience

- **Who is the audience?**
 - What do they need to know
 - What do they already know
 - What will they understand
- **What is the purpose?**
 - Why do I need to write this
 - What do I want to achieve
 - What do I want my readers to do after they read this

It's about the audience

- Level of education
- Literacy and language skills
- Age and gender
- Income
- Ethnic or cultural background
- Health and disability issues
- Stress or anxiety about legal problems
- Level of confidence to take action
- Location and access to services



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Questions so far?

What's my motivation?

Some common goals:

- raise awareness to avoid a legal problem or take action before situation gets worse
- increase understanding or knowledge to take next steps
- guide reader through a process



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What's my motivation?

**NOTE: PERSONS
WITHOUT COUNSEL
ARE ADVISED TO
CONSULT A LAWYER.
COURT STAFF MAY
NOT GIVE LEGAL
ADVICE, PREPARE
YOUR PAPERS OR
ACT AS YOUR
LAWYER.**



Better legal information

NOTE: PERSONS WITHOUT COUNSEL ARE ADVISED TO CONSULT A LAWYER. COURT STAFF MAY NOT GIVE LEGAL ADVICE, PREPARE YOUR PAPERS OR ACT AS YOUR LAWYER.

Need help with your court case?

You can:

- talk to a duty counsel lawyer at the courthouse
- visit the court website at ontariocourts.on.ca
- call Legal Aid Ontario at **1-800-668-8258**



Choosing the right tone

Whenever medical attention is required for a work-related injury, the employee will report to the person holding a Survival First Aid certificate when practicable and if applicable. If necessary, the employee will then report to the nearest medical facility to ensure prompt attention to, and the least possible aggravation to, his/her injury. Following this, if fit to do so, the employee will report back to his supervisor, advising of his status and the name of the attending physician.

Speak directly to your readers

Whenever medical attention is required for a work-related injury, the employee will report to the person holding a Survival First Aid certificate where practicable and if applicable. If necessary, the employee will then report to the nearest medical facility to ensure prompt attention to, and the least possible aggravation to, his/her injury. Following this, if fit to do so, the employee will report back to his supervisor, advising of his status and the name of the attending physician.

If you are injured while working:

- get **medical help** from an employee with a Survival First Aid Certificate
- if you **need more care**, go to the nearest medical centre
- if you are **able to return to work**, report the injury to your supervisor and give the name of the doctor who treated you



Sentences and paragraphs

- Keep them short.
- Keep them clear.

Choosing the right words

Use common or plain words and phrases

Instead of	Use this
has a requirement	
it is essential	
modify	
remuneration	
witnessed	
in lieu of	



Choosing the right words

Use common or plain words and phrases


Instead of	Use this
has a requirement for	needs
it is essential	must
modify	change
remuneration	pay
witnessed	saw
in lieu of	instead



Everyday language: Watch out for...

Needless words	In order to, with regards to
Redundancy	Very unique
Technical or specialized jargon	Lay an information, retain counsel
Acronyms and other short forms	IRB
Idioms	Costs an arm and a leg

Define difficult words

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Family Law

An Introduction to Family Law in Ontario

Family law is mostly about the rights and responsibilities of married or common-law couples, parents, and children. Rights are what the law says you can get. Responsibilities are what the law says you have to do.

Some of your rights and responsibilities depend on whether you are married or living together. In Canada, same-sex couples and opposite-sex couples are treated the same.

Living together

Living together in a marriage-like relationship without getting married is often called cohabitation or living common-law. There is no formal process or document needed.

Married

To be legally married, you must go through a marriage ceremony with another person. The ceremony must be done by someone who has the legal power to marry people, such as a judge, justice of the peace, or religious official.

Separation and divorce

There is no formal process or document needed to **separate** from a common-law or married partner. Only one partner has to want to separate and live in a way that shows this.

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Parents have to decide issues about their children like:

- where they will **live**
- **decision-making responsibility** or who will make major decisions about their health, education, and religion
- **parenting time** or how much time they will spend with each parent
- Decision-making responsibility and parenting time used to be called custody and access.

– from CLEO’s *An Introduction to Family Law in Ontario* (March 2021)



Everyday language: Watch out for...

Watch out for:	Don't do this:
long, complex, abstract, unfamiliar words	terminate instead of end or finish
latinate forms	domicile or residence instead of home
'frozen verbs' (nominalization)	Specialization, ratification
impersonal terms	Client, patient, the insured instead of you
noun strings	Human resource development initiative semi-annual report



Sentence structure: Watch out for...

Watch out for:	Do this instead:
sentences over 25 words	sentences of varying length
sentences with several clauses	one idea per sentence or bulleted clause
paragraphs longer than 3 sentences	tightly chunked information, identified with a label or header
negative or passive constructions	positive, active constructions
run-on lists of items or ideas	bulleted lists, introduced with a phrase and grouped for relevance

Format and design

- Keep your audience in mind
 - How do we reach them?
 - Are there any issues with vision, language, literacy?
 - How do we get and keep their attention?





Clear design tips for print

- ✓ Simple is best
 - ✓ Choose fonts carefully
 - ✓ **Emphasize** with **bold** text
 - ✓ DON'T USE ALL CAPS
 - ✓ Left-alignment is best
 - ✓ Make good use of white space
- More really great tips in the **Better Legal Information Handbook**



Any questions?

www.cleoconnect.ca



Better Legal
Information
Handbook

PRACTICAL
TIPS FOR
COMMUNITY
WORKERS



Clear writing resources

1. [CLEO's Better Legal Information Handbook](#)
2. [Resources on developing legal information on CLEO Connect](#)
3. [Community Literacy of Ontario's Literacy: Why It Matters \(2018\)](#)
4. [Summary of Christopher Trudeau's research](#) about the overwhelming preference for plain language across education levels

[Research paper](#) – The Public Speaks, Again: An International Study of Legal Communication



Clear writing resources

5. Conference Board of Canada statistics:

- Nearly every Canadian adult has finished high school — 92%.
- Most adults (25–64) in Canada have not completed university — 69%.
- 50% of Canadian adults have inadequate literacy skills and are unable to “engage with written texts to participate in society”.
- 55% of Canadian adults have inadequate numeracy skills.
- Just over 31% of Canadian 15-year-olds “have such a limited scientific knowledge that it can only be applied to a few, familiar situations. Their science skills leave them poorly prepared to participate effectively and productively in Canada’s advanced economy.”
- A person's ability to deal with complex texts drops the longer they have been out of school. So, an academic tone would miss a lot more of the market because people don’t maintain their level of education over the years. And adults' willingness to read difficult text diminishes greatly without the external motivators of course marks or salaries.



Clear writing resources

6. [Questions to ask yourself before you write](#)
7. [Let's be clear blog](#)
8. [Book review](#) – Communicating with Older People: Writing in plain English by Sarah Carr
9. [Plain language training](#), based on criminal procedure in Ireland, with an opportunity to test your skills
10. [PLAIN](#) – an international association for plain language supporters and practitioners
11. [Center for Plain Language – tips for clear writing and before and after examples](#)
12. [Letting Go of the Words: Writing web content that works](#) by Ginny Redish
* other resources available on her website



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