



sible. One of the reasons for this is that South Africa now has 11 official languages: English, Afrikaans, Ndebele, Pedi, Northern Sotho, Southern Sotho, Swati, Tsonga, Venda, Xhosa, and Zulu. The job of accurately translating law texts is difficult enough without having to interpret their meaning before translation.

The Minister of Justice, Mr Dullah Omar explained, "Simply translating what is obscurely written in English or Afrikaans into equally obscure Xhosa or Zulu is not the answer. We do not need 11 versions of gobbledygook. Any translator into an African language will tell you how she or he struggles with English that is written in a complicated and jargonistic way. So, whichever of our 11 languages we use, the principle remains the same. Communication should be clear, simple and understandable."

The Minister went on to explain that the issue of plain language does not only apply to law texts. He wants to see all the information that the Government produces for the public written in plain language. The Minister gave an example of how poorly-written maintenance grant forms are creating problems. He explained that according to latest available figures, only a shocking 0.3% of African children receive the grants they are entitled to. This figure seems unlikely to improve while Government forms remain unnecessarily complicated.

Professor Joe Kimble explained that one of the aims of the plain language movement was to revolutionise the language of the law. He went on to explain the misconceptions that some lawyers have about plain language. Here are some of the myths:

- plain language documents can't be precise
- plain language documents aren't "safe"
- you must only use short sentences and simple words
- plain language is patronising
- it is "baby language" or "street-talk"
- the plain language movement wishes to limit writers of poetry and literature
- plain language will devalue the image of the legal profession

Professor Kimble outlined the overwhelming evidence that judges, lawyers, and other peo-

ple who have to deal with law texts prefer plain language versions to those written in a traditional style. He also explained how much time and money can be saved if law texts are written in plain language because readers will understand them better.

Christopher Balmford explained how the plain language movement in Australia has grown and how his law firm, Phillips Fox, has benefited from adopting plain language principles. He also explained some of the guidelines of drafting law texts in plain language and the work that had been done during his time with the Law Reform Commission of Victoria.

The Minister of Justice has asked the team to rewrite and redesign the Human Rights Commission Act. This will provide a useful model which will be distributed to legislative drafters together with a full report of the seminar.

Following on from the two-day seminar, Philip Knight was asked to suggest changes to the Correctional Services Amendment Bill and present the revision to the Select Committee on Correctional Services. He is a Canadian lawyer and consultant who specialises in clarifying law texts and business communications. He explained, "I only had a couple of days to work with the Bill, so I focused on the main problems as I saw them – passivity, excessive wordiness, legalese and over-use of cross-referencing. My goal was to reduce all four and have the law place the duty of compliance on the person actually able to perform the duty. By the end of our trip I believe we had achieved something really positive for the people of South Africa and the international plain language movement."

Plain English Campaign's Chrissie Maher adds, "We believe that it is vital that official information is provided in plain language. Without this, the people of South Africa have no chance of understanding what is going on around them and no chance of understanding their rights or responsibilities."

The international team now hopes to start a long-term training programme in South Africa to make sure that public information produced by the Government is clearly written and well designed. □