

BOOK REVIEW CLARITY FOR LAWYERS

EFFECTIVE LEGAL WRITING (2nd Edition)

By Mark Adler

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MARK A BETTER LIFE WITH PLAIN ENGLISH

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All lawyers and law students need this book...if only to give our clients confidence in us and the legal profession generally! Apart from well-known pompous judges (we have their names) and even more pompous civil servants employed in the court service (when they are not on strike), lawyers have a reputation for bad writing when traditional legal writing becomes a bad habit and requires simple modernisation.

I suggest you read '*Adler on Clarity*', starting at the beginning when Mr Adler writes that "this book is intended to give lawyers a better life". It does just that! The book succeeds in doing so brilliantly, and in a friendly manner. Adler has drawn from highly authoritative sources to make his point, including comments from the late Professor John Adams, acknowledging a list of distinguished personal contributors, and Lord Bingham's acute observation that "you cannot write clearly unless you know clearly what it is you want to say".

Contents of the Book

- What's wrong with legal writing?
- Alternative ways to communicate
- How to make legal writing more effective
- The common law rules of interpretation
- A plain language workshop

Each section builds up to provide a detailed guide to effective legal writing with a robust indictment of traditional legal language. The key is plain language which provides successful communication with clients, colleagues and the world in general. It is plain language and not pomposity which prevents ambiguity and mistakes to save your firm time and money as well as expressing a message effectively and in an approachable manner.

I was particularly interested in the sections on emails and websites which no doubt will expand with the third edition as these new methods of communication transform our lives. I see *'Clarity for Lawyers'* as a publication to be recommended in publications such as "Which" magazine, and its organisation, the Consumers' Association, plus all the consumer groups trying to establish modern rules of writing 'fit for purpose' (an unfortunate phrase) in the 21st century.

Probably the greatest benefits for lawyers are the working examples throughout showing how legalese can be rewritten into plain English. The examples are taken from Adler's extensive experience in practice, and in teaching (and clearly gained from his Cert Ed training which is an 'eye opener' to many) linked with the activities given in the plain language workshop, and the conclusion with the exercises and precedents. From what I have seen of this book, and it needs to be read over with care, it is highly suitable for the Bar course as well and has relevance to a much wider audience for its reader-friendly style. All interviewees should read it, too.

I was re-reading *'The Adventure of English'* by Melvyn Bragg which examines the position of English today as a truly global language, and I realised how the English language has moved on as changes in communication approaches take place. Just reading the old law reports illustrate such changes and Adler's attack on 'inflated' language is well placed here. I liked the conclusion in his preface when he refers to the 'robust attitude from the trial bench' (we have all suffered that) which he hopes will 'soon force the offenders to abandon their affectations'. The point is rightly asserted that clients will take their work elsewhere if their solicitor refuses to write plainly.

Some of the most successful professional writers are copywriters, and this book is also directly relevant to them as the 'Crystal Mark' has now become the accepted benchmark for plain writing. If the reader does not look at any other chapter, please read chapter 20 on 'choosing words'. It is always the dream of examiners, with their itchy red pens, to delete, prune or 'trim' what isn't necessary when marking a paper - Adler shows us what to do to erase the gobbledegook, and he gets full marks for it. Thank you for an excellent contribution to the study of twenty-first century English language, and let's make this work a set book for all students in the future.

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