

*Introductory Note by FB*

The article below is a further addition to my writings on the use of plain language in legislation. Others are included within the Topic 'Plain language law'. The Topic can be found on this website at [www.francisbennion.com/topic/plainlanguagelaw.htm](http://www.francisbennion.com/topic/plainlanguagelaw.htm).

-----  
**Legislation in plain English? 2**

Now that the Draft Coroners Bill has been published we can see that Rosemary Bennett was wide of the mark in her article 'At last, a piece of legal history – it's the law in plain English' (7 June 2006).

The heading to the piece said 'Centuries of parliamentary tradition will be swept away . . . with a new-style Bill offering a "plain English" translation of the usual impenetrable legal language'. This was a gross exaggeration. Nothing has been 'swept away'. All that has happened is that the usual explanatory notes are more extensive than usual. They cannot accurately be described as a 'translation' of the Bill.

A moment's thought will show that it would produce chaos for Parliament to enact a Bill which really did contain two different English texts that were intended to bear an identical legal meaning. It would lead to endless arguments in the courts about which version was intended to carry the day on a particular point.

Finally I would point out that the impression given by Ms Bennett that current legislative drafting is unnecessarily complicated does not do justice to the drafters, Parliamentary Counsel. She gave what purported to be a simple 'translation' into plain English of clause 49 of the Equality Bill, but it does not have the same detailed meaning as clause 49 - a meaning which the drafter was no doubt instructed to convey and was required by government policy.

*Note* Unlike the *New Law Journal* (see 2006.025), *The Times*, like *The Spectator* (see 2006.027) did not do its duty and publish my correction of its misstatement.