Re-imagining legislation and official publications – by design?

Legislation is information that has a status and authority and is complex. Good design should reveal the underlying structure for those using it. But does it? How can we shape content for all users, and what are the distinctive differences that government needs to balance? Users arrive online with lots of assumptions, so how can design help us to manage their expectations?

Carol Tullo
Director of Information Policy and Services, The National Archives, Controller and Queen's Printer

Carol joined The National Archives in 2006 as Director of Information Policy and Services when the Office of Public Sector Information moved from the Cabinet Office.

Carol's directorate provides strong, coherent leadership in information policy areas across government and the wider public sector. It spans a strategic focus and operational roles across a broad portfolio of information standards, services, guidance and advice.

Carol retains under Letters Patent the titles of Controller for Her Majesty's Stationery Office (HMSO) and Queen's Printer of Acts of Parliament (1997); Government Printer for Northern Ireland (1997); Queen's Printer for Scotland (1999). HMSO manages Crown copyright and database rights, publication of legislation and provision of official publishing guidance.

Following a law degree and call to the Bar by Inner Temple in July 1977, Carol practised in London. She joined Sweet & Maxwell Ltd., Law Publishers and as Publishing Director was responsible for publishing operations in England and Wales, Scotland, Ireland and setting up the Hong Kong subsidiary. She advised the wider international Thomson Information Group on contractual and intellectual property matters relating to digital media before joining HMSO and the Cabinet Office in 1997.

Carol represents official publishing interests across a range of professional bodies and lectures widely to the information management community.

The Good Law initiative

Law is not "bad" – but it can be confusing and intimidating. Law is no longer just the preserve of lawyers – parliamentarians, taxpayers, teachers etc all need to understand it. Good law can help them do so. But how do we get good law? We are focusing on quality of legislation – its content, language and style – and the user experience – the architecture of the overall statute book and accessibility of law. As a drafter I am concerned with language – but also structure and layout. What is most helpful for users? Legislative drafting has changed over the past 200 years, and even over the past 20. Has the layout of Bills and Acts kept pace? What more could be done?

Hayley Rogers
Office of the Parliamentary Counsel

I have been a parliamentary drafter at the Office of the Parliamentary Counsel since 1993. During this time I have drafted UK legislation on a wide range of topics, from disability discrimination to criminal justice, and planning to education. I've also spent several years rewriting tax legislation for HMRC's Tax Law Rewrite Project. Most recently I worked on the Children and Families Bill, which became an Act in March.

Since July last year I have led the Good Law initiative, launched in April 2013. The initiative is an appeal to all involved in making, publishing and interpreting law to work towards making it clearer and more accessible.

Simplification centre • clarity • IDA

#ClearLegalInfo

Layered formats for legal information

Legal information presents an unusual challenge to the designer, whether in the form of legislation, business contracts or consumer agreements. There is often a considerable gap between the typical length, complexity and difficulty of the text, and the willingness and ability of the reader to engage with it. In the case of other communication genres, for example, newspapers, textbooks, or user guides, the text can be edited and designed to meet the readers' needs. But traditional legal text has the primary purpose of codifying legal relationships, contingencies, rights and responsibilities, and removing potential doubt. Information designers are restrained by their clients from changing text because it is statutory, or has been written by their legal department, or because counsel's opinion has been sought.

For centuries, the comprehension gap between 'sacred' text and lay readers has been managed through the layering of alternative versions. This talk reviews some layered design patterns that support strategic reading and comprehension by different audiences.

Rob Waller
Simplification Centre

Rob Waller is an information designer with wide experience of practice, research, writing and teaching. He is director of the Simplification Centre, Adjunct Professor of Communication Design at Hong Kong Polytechnic University, and Visiting Research Fellow at the Helen Hamlyn Centre for Design, Royal College of Art. He is a partner in Said (Service and Information Design), a consultancy developing clear communications for clients in the UK, USA, Ireland and the Middle East.

After training as a typographer (University of Reading, BA 1974, PhD 1988), Rob was a researcher with the Open University in the 70s and 80s, working in a multidisciplinary team investigating learning from text. In 1987 he started the consultancy Information Design Unit and together with business partner David Lewis grew this into the UK's largest information design agency, selling to WPP in 2001, and subsequently leading the merged information design team as part of the Brand Union, the global branding agency. Rob has developed customer communications for major names such as Vodafone, British Gas, Barclays, Aviva, AXA, HM Revenue & Customs, and many others. He has worked on projects as diverse as lottery tickets, flight information displays, museum signing, government forms and board games.

Visualisation in commercial contracts

Commercial contracts are complex and their meaning is not always clear to those who are impacted. Major contract risks are caused by the gaps when information and responsibility are transferred from one team to the other. What can we do to provide better usability and to prevent inadvertent non-compliance and negative surprises? Here, visualisation enters the picture.

In order for contract designers to capture business objectives and for contracts to transmit obligations to the implementation team, cross-professional communication must succeed. Management involvement is crucial, yet it is not always easy to engage busy business people. When working together in a research program, we felt the need to enhance the user experience and usability of contracts. We explored ways to introduce user-centered design into the field of contract design and to merge a proactive approach with design thinking, especially information design and visualization.

This session demonstrates how new design methods and tools can enable managers and lawyers to better understand and address current business needs and learn from past mistakes. Our examples include, for instance, prototypes of visualized contract clauses and a visual user guide to the General Terms of Public Procurement of Services in Finland.

Helena Haapio
University of Vaasa, Finland, and Lexpert Ltd

Helena Haapio, LL.M., MQ, DSc (Master of Laws, Master of Quality, Doctor of Science (Econ.)) works as Postdoctoral Researcher at the University of Vaasa and as Legal Management Consultant at Lexpert Ltd based in Helsinki, Finland (www.lexpert.com). She helps her clients use contracts and the law proactively to achieve better business results, balance risk with reward, and prevent problems. She also acts as arbitrator in cross-border contract disputes.

After completing legal studies at the University of Turku, Finland, and Cambridge University, England, Helena served for several years as in-house Legal Counsel in Europe and the United States. Since her doctoral dissertation on Next Generation Contracts her multi-disciplinary research focuses on ways to enhance the quality – especially functionality and usability – of contracts. Through a proactive approach, information design and visualization, she seeks to fundamentally change the way contracts are designed, communicated, perceived, and taught.

Stefania Passera
Aalto University, Espoo, Finland

Stefania is a doctoral student researching the emerging topic of contract visualization, an approach that aims at making contracts clearer and more user-friendly with the help of better typography, layout design and information visualization. The goal is not to beautify contracts, but to help the readers in making sense of complex information. In business contract, transparency and trust can lead partners in being more collaborative and innovative in their efforts to deliver value to the final customer.

Stefania has been working with private and public organizations in Finland on the development of user-centered visual contract documents, combining research and practice (e.g. in Fimecc UXUS -project, and collaborating with the PRO2ACT -project). She is the mastermind behind the Legal Design Jam, an international series of workshops where designers and lawyers collaborate in redesigning existing legal documents in a user-centric manner. Additionally, she teaches strategic innovation through design thinking ad experimentation, in an international master course provided by Aalto University and ESADE Business School Barcelona.

Codifying the visualisation of legal norms

Computers increasingly employ graphical user-interfaces, such as icons on the screen of a tablet. By comparison, the user interface for legal code has remained relatively constant in its focus on "black letter law". Traditionally, the legal profession only uses only a rudimentary graphical language in traffic signs and other iconography, intended for rapid communication of normative expressions like "no smoking". Otherwise, most sources of legal norms are predominantly defined and communicated textually, despite the limitations of textual communication. Who has the time and resources to read, comprehend and evaluate the 60-page updated end-user license some phone manufacturers regularly require their customers to accept? Would it perhaps be possible and useful to have an additional graphical user-interface, on top of the legal text? Ideally, such an interface could be used to quickly communicate the meaning of key elements of legal code. In addition, graphical icons might even be useful when putting together a legal text, such as a contract, based on standard building blocks. It is unknown whether the development of a graphical user-interface for legal texts would be viable, but we will never find out unless we give it a try. This presentation offers some initial ideas, combining visual elements with formal approaches from research in artificial intelligence and law.

Tobias Mahler

Postdoctoral Fellow, Norwegian Research Center for Computers and Law

Tobias Mahler is Associate Professor at the Norwegian Research Center for Computers and Law, University of Oslo. He holds a PhD in legal risk management (Oslo 2010), an LL.M. degree in computers and law (Hannover 2001) and a German law degree (Kiel 2000). He is the director of the NRCCL's Masters program in information and communications technology law and also teaches at universities in Stockholm and London (Queen Mary and King's College, respectively). In parallel to his university research, he has worked for several years as legal counsel in a global corporation.

Introducing…
the Legal Information Design network

http://www.lidnetwork.org

You can use a smartphone with a QR app to read these codes and link to these organisations' websites.

Olivia Zarcate

Imagidroit, Law + Visual Thinking, Paris

Olivia Zarcate is an expert in legal information design. She founded Imagidroit in 2012 to make law more accessible through visual thinking.

She graduated from the University of Paris Pantheon-Sorbonne (Master in International and European Law) and Robert Schuman University in Strasbourg (Master in European Criminal Law) and passed the Bar exam of Paris in 2009. She completed her training in visual thinking with Roberta Faulhaber (graphic facilitation), Dan Roam (visual problem solving) and Samuel Le Bihan (Mind map), and in collective intelligence (Shabnam Anvar) and in pedagogy of law (Jonathan Levy).

Imagidroit offers a unique service: to create tailor-made visual tools to train, communicate, share law – mapping, synthesising, visualising to create a big picture and help anyone to cope with the Law's complexity.

Imagidroit feeds a watch on Legal Information Design on the Scoop.it platform, to gather new and different ways to present legal information (http://www.scoop.it/t/legal-information-design). Imagidroit has been presented in Belgium, France, UK, Morocco, Greece. Olivia Zarcate has recently launched the Legal Information Design network (LID network) to gather practitioners of legal information design from all over the world.

Introducing…
the IACCM Contract Design Award Programme

https://www.iaccm.com/services/contractdesign/

Tim Cummins

President and CEO, International Association for Contract and Commercial Management

In his role as President/CEO of IACCM, Tim works with leading corporations, public and academic bodies, supporting executive awareness and understanding of the role that procurement, contracting and relationship management increasingly play in 21st century business performance and public policy.

Prior to IACCM, Tim's business career included executive roles at IBM and a period on the Chairman's staff, leading studies on the impacts of globalization and the re-engineering of IBM's global contracting processes. His earlier career involved the banking, automotive and aerospace industries, initially in Corporate Finance and later in commercial and business development. He led negotiations up to $1.5bn in value and his work has taken him to over 40 countries.

Tim's writing is extensively published and he has acted in an advisory capacity to government bodies in countries that include the US, UK, Australia, Canada and Japan, as well as regular briefings to senior managers at many of the world's largest companies.

Introducing…
Clarity

http://www.clarity-international.net

Daphne Perry

Clarify Now

Daphne has been a plain English enthusiast since 1993, when an expert witness introduced her to Clarity, the international organisation promoting plain legal language.

At first, Daphne used plain English to become more persuasive, in her work as a commercial barrister. Then, when she moved into writing and training within a London law firm, she used it to write for the web and save time for her readers, who were all busy lawyers. She became plain language co-ordinator for an international law firm and started arranging Clarity events in London, to meet like-minded people and learn more.

Daphne is now a freelance trainer, legal writer and consultant on plain English for law and business, and UK representative of Clarity. Experienced in plain English legal drafting and editing, she is quoted in the Law Society's textbook "Clarity for Lawyers".

For more information, see http://uk.linkedin.com/in/daphneperry (Daphne) and www.clarity-international.net (Clarity).

Afterwards

After the conference you are welcome to join us to continue the discussion over a drink at the City of London Distillery.

The afternoon is organized by the Simplification Centre, in partnership with Clarity and the Information Design Association.

www.infodesign.org.uk

www.simplificationcentre.org.uk