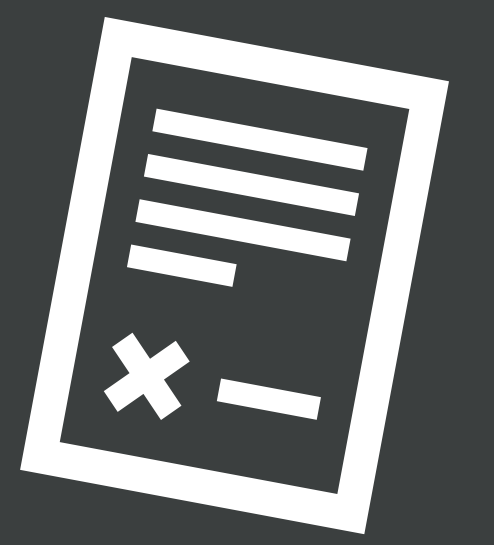




From fine print to plain language: An evaluation of wireless service contracts



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Introduction

- As citizens and consumers we are constantly faced with documents that are less than readable, with contracts particularly notorious for being difficult for people with no legal training to understand.¹
- There are over 30 million wireless service subscribers in Canada – they should all be able to understand their contracts.
- The Canadian Radio-television and Telecommunication Commission's *Wireless Code* defines the rights and obligations of Canadian consumers and wireless service providers (WSPs), including the requirement that wireless service contracts be written in "plain language."²
- However, there is minimal guidance in the *Wireless Code* on what plain language actually means and how it should be assessed.
- Ensuring compliance with these regulations is essential because communicating in plain language improves comprehensibility and encourages responsible and informed decision-making.³
- Plain language has the potential to correct power imbalances: when consumers are effectively informed of their rights, they have the power to act in their own best interest and purchase services which actually meet their financial and communication needs.
- Informed consumers can also build more mutually beneficial relationships with WSPs, based on trust and understanding.⁴

Research purpose: design an evaluation framework to assess compliance with the plain language regulatory requirement and apply it to consumers' wireless service contracts with the three largest Canadian WSPs.

Methodology

- Literature Review**
 - Analyze peer-reviewed literature on plain language in the disciplines of communications, law, information studies and business
 - Review the *Wireless Code*
- Evaluation Framework**
 - Develop a concrete plain language evaluation framework in the context of wireless contracts
 - Create a check-list measuring 28 different qualitative observations on a Likert-type quantitative scale from 0-5 points (non-existent to excellent), per element
- Evaluation**
 - Obtain copies of consumer contracts with the three main Canadian WSP's: Rogers, Bell & Telus
 - Evaluate each contract against the check-list to assess compliance, calculating a "score" for each category

References



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Results

Communicating in "plain language" is about much more than just word choice – it is about effectively using language, structure, design and content to convey intended messages in a way that **meets the needs of the audience**.⁵ In the context of a wireless contract, this means that terms are set out **comprehensively** and **transparently** to ensure that consumers are aware of important information and are easily able to find it, understand it, and use it.⁶

Figure 1: Highlights from the plain language evaluation check-list

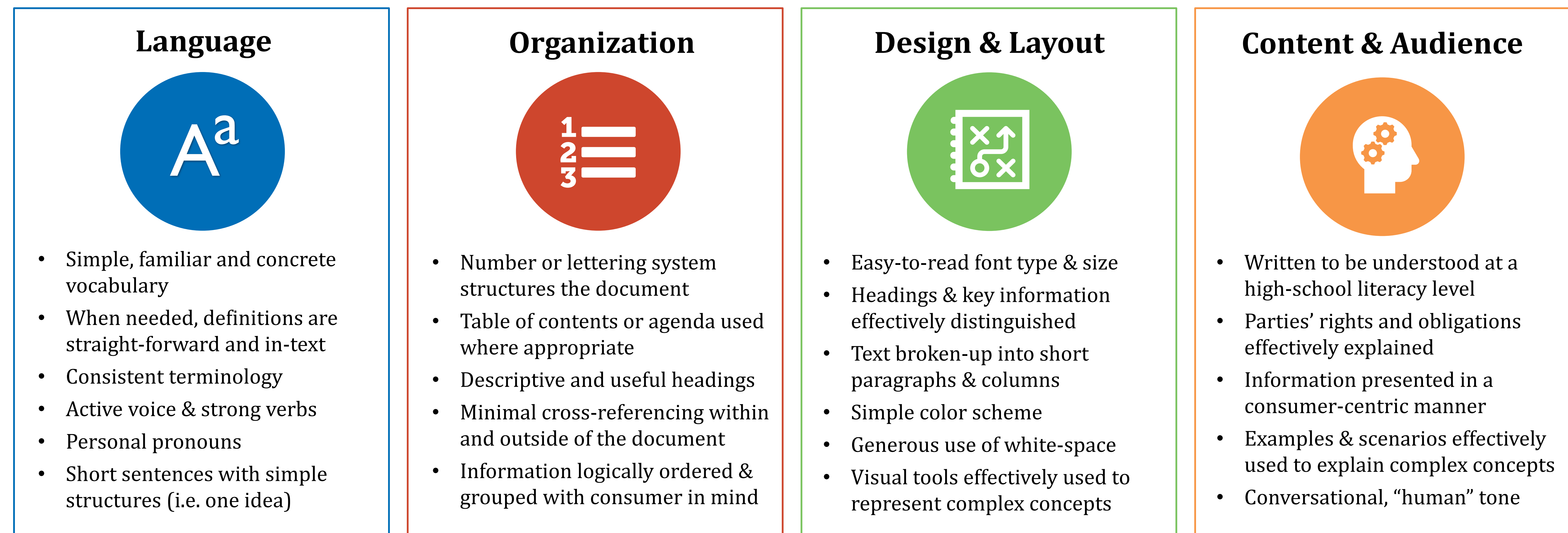
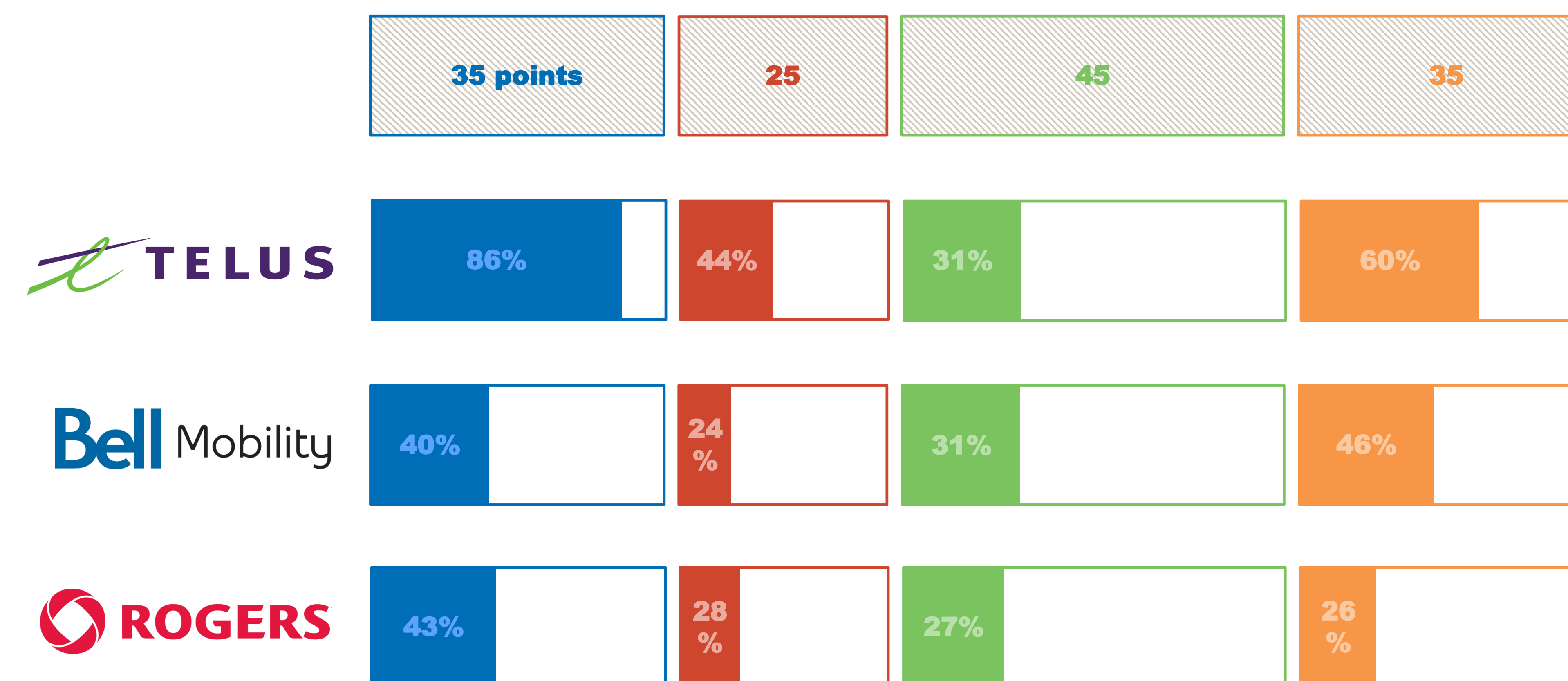


Figure 2: Evaluation of plain language in wireless service contracts of largest Canadian WSPs



Conclusion

- Of the three, Telus's contract best communicates in plain language due to its more consumer-centric word choice, tone and structure.
- However, all three contracts fall significantly short of the ideal plain language standard in the following main ways:
 - fail to effectively inform consumers of their rights (e.g. trial period, warranty, unlocking, data and roaming caps) or sufficiently explain other important information, such as terms that could negatively impact consumers (e.g. overage charges);
 - lack an easily navigable structure (e.g. table of contents, numbering system, or useful headers);
 - frequently cross-reference separate documents or resources (e.g. the WSP's general website or Terms of Service), forcing consumers to look elsewhere in order to find key information;
 - neglect to use any visual tools (e.g. tables, diagrams) or examples, which could have more effectively explained some complex concepts; and,
 - arrange text in a dense and compressed wall of fine-print, with minimal white space.
- Limitation of study: only a single evaluator; Future directions: build more rigor into the assessment framework, develop tools for consumers and WSPs

Superficial linguistic changes are not enough to make these documents compliant with plain language regulatory requirements: to communicate more effectively, they need to be **re-designed with the needs of the consumer at the forefront**. Plain language drafting should also be supported by additional initiatives, such as public education tools, to ensure that consumers' rights and obligations are broadly understood.