







Decision production guidelines for claims assessors

A guide to producing decisions for
publication

**State Insurance
Regulatory
Authority**

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This edition published July 2012

INTRODUCTION FROM THE PCA

These guidelines prescribe the style or standard format to be adopted by Claims Assessors undertaking assessments. Although Claims Assessors send letters and emails and write other material, this document is aimed at prescribing the style for formal documents only – namely preliminary conference reports, post-assessment conference reports, directions, reasons and certificates.

These guidelines deal in a systematic fashion with content issues (such as spelling and grammar) and typographic issues (such as fonts and formats). It also covers citation of cases and legislation as well as information about confidentiality, anonymisation and privacy.

One of the main aims of this document is to promote consistency by providing uniformity of style and formatting of formal documents issued to the parties by Claims Assessors. As CARS moves towards the publication of decisions, it is important that our documents look the same and that they display a consistent interpretation and application of the law. Another crucial reason for having these guidelines is to briefly set out some of the principles we should apply in our writing so that our reasons (and other documents) are accessible to the reader.

Compliance with these guidelines is just one of the many ways of measuring the quality of the Claims Assessment and Resolution Service. As part of the Claims Assessor performance management plan, an individual Assessor's compliance with these guidelines (in particular typographic compliance) will be monitored, and feedback will be provided.

This is a comprehensive document and I must acknowledge the significant efforts of Ryan Williams (CARS Manager), Michael Wall (Freelance Editor) and the CARS team in bringing it together.

Belinda Cassidy

Principal Claims Assessor

July 2012

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GUIDING PRINCIPLES AND HANDY CHECKLISTS

Plain, accessible English

While most claimants (and many insurers) are legally represented at CARS, we must not forget that we are primarily writing for claimants and their families (as well as insurance company claims staff), who are not legally trained. CARS decisions are soon to be published in a way that they will be available to the legal profession as well as members of the general public seeking information about what we assess and how we assess it. Most of the matters that come before Claims Assessors for determination are relatively straightforward and it is rare for significant legal discourse to be required.

The 2006 Adult Literacy and Life Skills Survey¹ measured literacy levels in four areas: prose literacy, document literacy, numeracy and problem solving. Results were ranked on a scale from level 1 (lowest) to level 5 (highest). Level 3 was considered the minimum level required to meet the needs and demands of modern Australian society. Almost half of all Australians aged 15-74 years had literacy skills below level 3 (46% had prose literacy skills below level 3 and 47% had document literacy skills below this level) and more than half (53%) had numeracy skills below level 3.

According to the 2006 Census, over 560,000 Australians do not speak English well or at all.²

To ensure our decisions are widely understood, we need to embrace a style that is appropriate (in the legal context of dispute resolution) yet free of jargon, logical and simple, and free of unnecessary words or phrases that make our documents difficult for readers to understand. Such a style - crisp and informative, but easy to read - is surprisingly simple to achieve. Claims Assessors have been advised by Professor James Raymond to write 'newspaper English' and it is that concept of plain English accessible to the bulk of the population that CARS should try to achieve.

The fundamental principle of effective writing is to put yourself in the place of the reader. You are writing for them, not for yourself or your peers. By writing clearly, you will allow the reader to focus on the message rather than having to pick through the style. While our decisions may be read by both lawyers and laypeople, it is the laypeople who really need to know what we have decided and why. The lawyers will probably apply their knowledge and experience of personal injury litigation when reading our decisions and look at the end result, considering whether it is 'within the range' or outside it. The laypeople, without that knowledge and experience, will want to understand everything in the reasons to appreciate the outcome.

Plain English saves everyone time and is essential to serving our customers (claimants and insurers) well.

Here are a few simple principles to keep in mind:

Write simply

Writing effectively means writing simply. Make your point in as few words as possible. Then stop, review and revise. Use familiar, everyday words.

Instead of these ...	Consider using these ...
at a later date	later
collaborate together	collaborate
despite the fact that	although
follow after	follow
for a period of	for
in conjunction with	with
in connection with	about
in lieu of	instead of
in regard to	about
in the near future	soon
on two separate occasions	twice
originally created	created
with regard to	about
prior to	before

1. See Australia Bureau of Statistics, 2007, Adult Literacy and Life Skills Survey, Summary Results, Australia, cat. No. 4228.0, ABS, Canberra.

2. Australian Bureau of Statistics, 2006, Census Table 20680 Language spoken at home by proficiency in spoken English/language Australia.

Avoid or minimise use of the following

a total of
as a matter of fact
do not hesitate to contact us
please find attached
I would like to take this opportunity
I would like to say
on a weekly basis
to be perfectly honest
last but not least
in view of the fact that
at the end of the day
at this moment in time
as far as I am concerned
each and every one
going forward

Pay attention to sentence length

Vary your sentence length, but focus on keeping sentences short and simple. Fewer than 20 words is ideal. The longer the sentence, the harder it is to follow.

The basic rule of thumb here is to have one idea or thought in every sentence. Avoid linking thoughts/ideas with the word 'and'.

Use the active voice unless there is good reason to use the passive

Here are a few examples of the passive version followed by the active:

Your application will be considered shortly. (passive)



We will consider your application shortly. (active)



It is submitted ... (passive)



The respondent submitted ... (active)



Use 'you' and 'we'

Use 'you' and 'we' to keep sentences short, clear and personal. Use 'you' when addressing the reader, and imagine speaking to them in person. The myth that 'I' and 'we' should be avoided in official documents has crippled many writers, causing them to adopt clumsy and confusing constructions. If you are writing on behalf of the MAA/CARS it is often easier and less bureaucratic to write 'we'. And there is nothing wrong with using 'we' and 'I' in the same letter.

Claimants must send us ...



You must send us ...



The Department always tells customers before ...



We will always tell you before ...



Advice is available from ...



You can get advice from ...



Choose words appropriate for the reader

Say what you mean and choose words that your reader will understand. Jargon is language that is only understood by a particular group of people, such as a profession, industry or club. You can use jargon when writing to people who will understand the terms or phrases, but avoid it with other audiences or, as in our case, multiple audiences. While both parties to a dispute before you may be legally represented, their clients (claimant and insurer) are the customer and they will need to read and understand your decision.

Give instructions directly

Avoid long-winded instructions and directions that confuse the reader and muddle the message.

e.g. Please be advised that late documents will not be accepted under any circumstances. (not preferred)

I will not accept late documents. (preferred)

Be positive

Always try to emphasise the positive side of things. Even consequences can be presented in a pleasant manner when you arrange sentences in a positive way.

e.g. If you do not send your s 81 notice, I will not decide this matter. (negative – not preferred)

Please send your s 81 notice so I can consider your application. (positive – preferred)

Avoid legalisms and Latin

Remember the claimant is unlikely to be legally qualified, and insurance company staff range from junior to very experienced. Legalisms and Latin should be avoided at all times.

I have no power to determine this issue now. I will not hold a separate hearing to determine whether or not I can consider the surveillance film.



I am functus officio. I do not propose to conduct a voir dire regarding the admissibility of the surveillance film.



Avoid nominalisations

Nominalisation refers to the use of a noun form of a word instead of its verb. The enemies here are words with such endings as -ion, -tion, -ing, -ment, -ent, -ance, -ence, -ancy and -ency.

Instead of the noun form ... Use the simple verb ...

the advancement of	advance
the arrangement of	arrange
the completion of	complete
making a decision	decide
the facilitation of	facilitate
the implementation of	implement
making an introduction	introduce
conducting an investigation	investigate
the occurrence of	occur
the provision of	provide
the (re)development of	(re)develop

Spell out acronyms the first time you use them

This is a good general rule, but please see the 'acronyms' entry in the A-Z Style Guide (page 15) for specific examples.

Use headings and subheadings

Refer to 'heading levels' in the A-Z Style Guide (page 28) for specific examples of how we should use headings and subheadings in our reasons to assist readers in using the document.

Inclusive language

Inclusive language is language that does not demean, insult, exclude, stereotype or trivialise people on the basis of their disability, race or gender. We should avoid terminology that may be offensive or may portray any group in a stereotypical way. This is not about being 'politically correct' but rather about using language that is acceptable to the people being described. Where discriminatory or offensive language is used, please challenge this and suggest alternative phrases and words.

Language is dynamic and we need to be sensitive to changing expressions and meanings. The following are suggestions for using inclusive language in CARS documents:

- Put the person first, not the disability, e.g. people with disability, a person with a hearing impairment.
- Don't use phrases such as 'suffers from', 'stricken with' or 'victim of'. People with a disability do not necessarily suffer, nor do they wish to be seen as victims.
- Refer to 'people without a disability' rather than 'normal people' or 'able-bodied people'.

For more examples of inclusive language see Appendix 1 – Language of Disability, page 48.

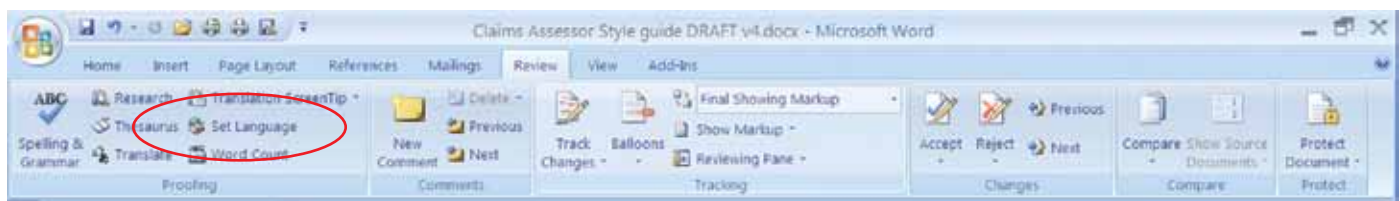
Confidentiality, anonymisation and privacy

See the CARS Anonymisation Policy, which is located on the CARS Extranet site.

References and resources

The *Macquarie Dictionary* is widely used and is now nationally and internationally regarded as the standard reference on Australian English. To ensure consistency in approach to language and spelling, CARS has adopted the Macquarie as the preferred reference. Where this guide remains silent on language, Assessors are referred the Macquarie for clarity.

To set the language in your Word documents, go to the 'Review' tab, select 'Set Language' (see below) and set to 'English (Australia)'.



Other references

- Commonwealth of Australia, *Style Manual For Authors, Editors and Printers* (John Wiley & Sons, 6th ed, revised by Snooks & Co, 2002)
- Macquarie University, *The Macquarie Dictionary* (Revised 5th ed, October 2009)
- Melbourne University Law Review Association Inc with Melbourne Journal of International Law Inc, *Australian Guide to Legal Citation* (Melbourne University Law Review Association Inc, 3rd ed, 2010)
- Mosby Inc, *Mosby's Dictionary of Medicine, Nursing & Health Professions* (Mosby Inc, 8th edition, 2008)
- Peters, Pam, *The Cambridge Guide to Australian English Usage* (Cambridge University Press, 2007)
- Ritter, RM, Stevenson, A & Brown L (eds) *New Oxford Dictionary for Writers and Editors: The Essential A-Z Guide to the Written Word* (Oxford University Press, 2005)

Resources/websites

- Australasian Legal Information Institute (AustLII), www.austlii.edu.au
- FamilyGP, www.familygp.com.au (online database searchable by name of GP or name of practice)
- LawCite, www.lawcite.org (international legal case and journal article citator)
- Law Society of New South Wales, www.lawsociety.com.au/community/findingalawyer/findalawyersearch/index.htm (online database of names and contact details for practising solicitors in NSW)
- MedicineNet.com, www.medterms.com/script/main/hp.asp (online medical dictionary)
- New South Wales Bar Association, www.nswbar.asn.au/findabarrister/index.php (online database of names and contact details for practising barristers in NSW)
- NSW Health, www.health.nsw.gov.au/hospitals/search.asp (searchable database of NSW hospitals and health services)
- Word 2007 Help and How-to, <http://office.microsoft.com/en-au/word-help>

Reviewing your document

When you're satisfied with the organisation of your document, review it to ensure all information is accurate, complete and comprehensible. Check to see the information is relevant to the document's purpose and to your audience's use. The efficient exchange of information from writer to reader is one of the main objectives of all technical writing.

Because revising content may significantly alter parts of a document, experienced writers review and revise the content thoroughly before they begin to edit for style, usage, grammar, punctuation and spelling.

Read through your draft slowly, stopping at the end of each section, and ask yourself the following questions:

1. Is the information accurate?

- Are there any incorrect data entries?
- Are all outside sources documented? Is all information from outside sources either paraphrased or quoted exactly and enclosed in quotation marks?
- Are any graphics misleading?
- Add up all tables in both the horizontal and the vertical directions to make sure the numbers balance. Similarly, add up all percentages in graphics and tables to check, if appropriate, that they add up to 100 percent.

2. Is the information complete?

- Have I omitted any facts or concepts necessary for the document's aim, the audience type and the audience's purpose?
- Is all quantitative information presented fully?
- Are all concepts explained in the detail appropriate for the document's aim, the audience type and the audience's purpose?
- Are there any steps missing from instructions, procedures, or descriptions of processes?

3. Is any irrelevant information included in the document?

4. Is the information comprehensible to your audience?

- Are all technical terms that need to be defined for your audience clearly defined?
- Are all technical terms used correctly?
- Are all technical terms used consistently?
- Are all acronyms explained when first used?
- Is the density of information appropriate to the expertise and purpose of your audience?

Strategies for revising content

Here is a 5-point checklist to assist you in revising your reasons:

1. Check information against the facts and correct if needed.
2. Add further information or explanations for your document's aim and audience.
3. Delete any information that is unimportant to most of your readers. If the information will be important to some of your readers, include it in one or more appendices.
4. Clarify technical terms:
 - Replace any term that is used incorrectly.
 - Replace any vague terms.
 - If a single term is used to refer to two or more separate items, replace the term with separate terms for each item.
 - If two or more terms are used to refer to a single item, choose the best term and replace all occurrences of the other terms with the one you have selected.
 - The first time you use an acronym or an abbreviation that may not be familiar to all your readers, write out the complete term followed by the acronym or abbreviation in parentheses.
 - Consider adding a glossary if you use many terms with which some readers may not be familiar.
5. Separate important technical terms and concepts so that your audience may easily digest the material.

Document checklist

1. Coverage and organisation

- Is the problem defined clearly and placed in context?
- Are all the elements included as required by a standard template?
- Is the material written for the 'losing party'?
- Are sections labelled with descriptive subject headings?

2. Expression

Paragraphs

- Are paragraphs used effectively to organise the material?
- Do the paragraphs have clear topic sentences?
- Are the paragraphs coherent?

Sentences

- Are sentences free of deadwood?
- Is the sentence structure clear?
- Do the sentences use active verbs?
- Has the material been read for grammatical errors?

Words

- Are words and terms used accurately?
- Is there effective descriptive detail?
- Has the spelling been checked?

3. Mechanics

- Do figures and tables have descriptive captions and accurate labels?
- Are the following items correctly and consistently numbered?
 - Pages
 - Sections
 - Figures
 - Tables
 - Equations
 - References
 - Appendices.
- Has the document been proofread for punctuation and typos?
- Have all citations, references and uses of material been properly identified and credited?

A - Z GUIDELINES

A

a/an

Use *a* before words starting with a consonant, including *h* if voiced as a consonant:

a historic 

an historic 

Before acronyms, use *a* or *an* according to how you would pronounce the acronym:

an HIC application 

a HIC application 

Aboriginal and Torres Strait Islander, see also ethnicity

Note that these are two distinct cultural groups and may need to be referred to separately.


abovementioned

abovementioned 

above mentioned 

abbreviations

Do not abbreviate words, terms or phrases as these can make decisions and reports sound jargonistic and 'clubby'.

contributory negligence 

contrib neg 

accident notification form

Do not capitalise or abbreviate.

accident notification form 

Accident Notification Form, ANF 

Achilles heel

Achilles heel 

Achilles' heel 

Same for *Achilles tendon*.

acronyms, see also capital letters

Do not use acronyms without explaining them, even common ones like GP. Spell in full on first use, with the acronym in parentheses, then use the acronym:

The compulsory third party (CTP) insurer ... 

Don't use full stops for acronyms:

MAAS 

M.A.A.S 

Avoid many Act, scheme or CARS related acronyms such as AC, ANF, PC, PTC, NEL, WIP or MVA as these can make decisions and reports sound 'clubby'.

Note: In common usage *acronym* is used for terms such as *ATM* ('automatic teller machine'). Strictly speaking, though, *ATM* is an initialism and a true acronym is a word such as *scuba*, a lower-case word formed from the words it stands for ('self-contained underwater breathing apparatus'). It's good to know the difference for trivia nights, but in this style guide we use *acronym* as it is commonly understood.

Acts, see also Bills, parentheses, regulations, section references, square brackets

When referring to any Act of Parliament (even in general) use capital 'A':

The Act does not apply in cases ... 

An Act cannot apply if ... 

Decisions will refer to at least the *Motor Accidents Compensation Act 1999*. Cite in full on first mention in the body of decision (note italics for name and roman font for year):

Motor Accidents Compensation Act 1999 

Civil Liability Act 2002 

After first mention, use 'the Act' (roman no italics):

The Act states that ... 

If required to specify a State or Territory jurisdiction, add in abbreviated form in roman and in parentheses:

Fair Work Act 2009 (Cth) 

General Tramways Act 1884 (SA) 

Delegated legislation such as regulations or guidelines should also be italicised (although the year should not):

Motor Accident Compensation Regulation 2005 

Claims Assessment Guidelines 

addresses

Don't use the shortened form for street, road, parade or highway:

Street	✓	St St.	✗
Road	✓	Rd Rd.	✗
Parade	✓	Pde Pde.	✗
Highway	✓	Hwy Hwy.	✗

Using either the shortened or long form for States and Territories is permissible:

NSW	✓	New South Wales	✓
ACT	✓	Australian Capital Territory	✓

Write a suburb or town in title case - not full caps:

Randwick	✓	RANDWICK	✗
Orange	✓	ORANGE	✗

advisor/adviser

advisor	✓	adviser	✗
---------	---	---------	---

ae

Use Australian/UK (not US) spelling for most words containing ae:

haematoma, paediatric, orthopaedic	✓	hematoma, pediatric, orthopedic	✗
------------------------------------	---	---------------------------------	---

However, note *pedophile* (not *paedophile*).

affect/effect, see effect/affect

ageing/aging

ageing	✓	aging	✗
--------	---	-------	---

ages, see also numbers

Within body text spell ages from one to nine, then use numerals (10, 11, etc):

Her son is aged seven.	✓
She has a seven-year-old son.	✓

Her son is 11.



She has an 11-year-old son.



But if the ages are in parentheses it's fine to use numerals:

She has two young sons (ages 1 and 2).



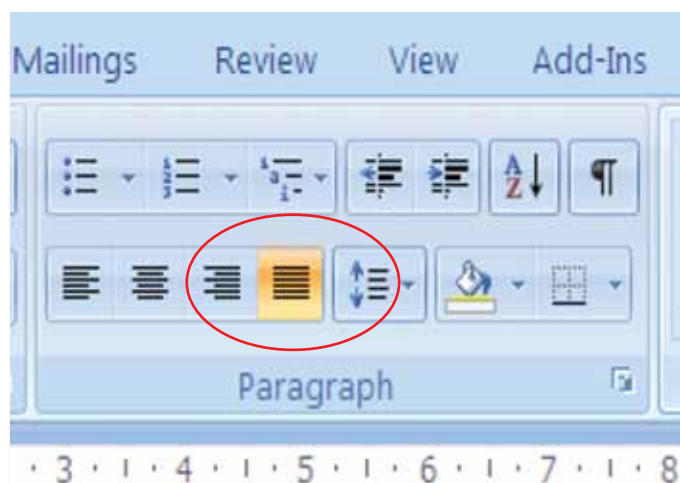
AIDS

Don't spell this out as it's best known by the acronym, not the full name.

alignment of text

Use justified text (not left aligned). It looks neater, and with the page width we use the gaps between words are generally not a problem.

To justify text, select the text then click the Justify icon in the tool bar.



alright/all right

alright



all right



Note: This refers specifically to *alright* as in *She said she felt alright*. It would be possible to use *all right* in a sentence like *She got the answers all right*.

am/pm, see also time of day

6.00am



6:00am



6.00 am

6am

6 a.m.

6.00AM

amid/amidst

amid



amidst



among/amongst

among



amongst



Exception: Use *amongst* in the expression *get amongst it*, though this would no doubt only come up in quoted speech.

ampersand (&), see also names and titles

An ampersand (a substitute for *and*) should not generally be used in body copy. However, it may be used in tables and for certain names or job titles (e.g. Manager, Communications & Public Affairs).

anticipate/expect

Anticipate means to be aware of a future event and to prepare for it; *expect* means to regard something as likely to happen:

The team members are anticipating their next match with confidence because they expect to win.



antidepressant, see also anti-inflammatory, hyphens

antidepressant



anti-depressant



Note that having a hyphen or not after *anti* varies from word to word. Check the *Macquarie Dictionary* if you're not sure.

anti-inflammatory, see also antidepressant, hyphens

anti-inflammatory



antiinflammatory



anymore, see also anyway, underway

Context and meaning determine whether this is one word or two. *Anymore* refers to time, while *any more* refers to quantity. The following two sentences illustrate the difference:

I can't love you anymore. (Relationship over!)

I can't love you any more. (Relationship promising!)

anyway, see also anymore, underway

Context and meaning determine whether this is one word or two. *Anyway* is an expression meaning something like 'after all', while *any way* means 'any possible way'. The following two sentences illustrate the difference:

She had left by then anyway.

She said she would help in any way she could.

apostrophe ('), see also contractions, its/it's

Apostrophes are used for contractions (e.g. *that is = that's*) – see entry on contractions. But the possessive apostrophe causes most of the problems.

For a singular 'owner', put the apostrophe after the owner and add s:

Sally's toys (one Sally, many toys)



For plural owners, put the apostrophe after the owners but do not add s:

The girls' toys (if there is more than one girl, many toys)



Exception: If a plural doesn't end in s, it acts like a singular:

The children's toys



If the owner's name ends in s (e.g. *James*), we usually add an apostrophe, but it can be hard to decide whether to add an s or not. Some style guides advise 'never' and some 'always'. On this matter you can do what you like (e.g. *James'* and *James's* are both fine). A good rule of thumb is say it out loud and then write what sounds better:

James's car (sounds OK with s added)



Mr Menzies' car (sounds bad with s added)



apparent/evident/obvious

Something is *apparent* if it appears to be true, *evident* if it is clearly seen to be true, *obvious* if it thrusts itself upon the observer:

It is **apparent** the Claimant is entitled to non-economic loss as the Insurer has not disputed that part of the Claimant's claim.



It is **evident** the Claimant is entitled to non-economic loss as he has had a laminectomy and cervical fusion.



It is **obvious** the Claimant is entitled to non-economic loss as the Claimant has been assessed as having a 25% whole person impairment and the Insurer has not lodged an application for review or further assessment.



applications/forms

Use lower case for *form* and *application*. This is consistent with the Act and the Guidelines.

claim form



accident notification form



CARS form 2A



CARS 2A form



reply form



When read together, the Act and the Guidelines refer to applications for general assessment, special assessment, exemption and further assessment. In this context a reference to *application* includes the whole of the matter, that is, the application form (and everything in it), the reply form (and everything in it) and/or any other additional information lodged by the parties.

e.g. application for general assessment
application for (discretionary) exemption

assessment conference, see also capitals, preliminary conference

assessment conference



Assessment Conference



Do not abbreviate to 'AC' in formal reports or reasons and preferably not in other communications with the parties.

assessments

The terminology in the Act does not give Claims Assessors power to *order* or *award*. *Order* suggests there is some form of enforcement available. *Award* is formal, legalistic and a court-based term. Instead, the Act gives us power to *assess* and *direct*, and we should stick to these terms:

I **direct** the Claimant to provide tax returns.



I **order** the Claimant to provide tax returns.



I **assess** the Claimant's costs for non-economic loss at \$150,000.



I **award** the Claimant \$150,000 for non-economic loss.



Claims Assessors do not hand down 'judgments'; they undertake assessments and produce decisions, certificates, reasons or determinations. *Note*: use lower case for 'certificate' and 'reasons for decision'.

e.g. Claims Assessor Smith determined that the late claims could be made.

Claims Assessor Smith's reasons were relied on by the Claimant in his application for costs.
the exemption certificate was issued on...
my reasons for decision will be sent on...

Medical Assessors do not produce 'reports'; they produce decisions, certificates, reasons or determinations.

The certificate issued by the Medical Assessor ...



The report issued by the Medical Assessor ...



If you're referring to a Medical Assessor's decision, certificate, reasons or determinations, refer to the assessor as 'Medical Assessor Smith', not as 'Doctor Smith'.

If a party is relying on a medico-legal report from a doctor who is also a Medical Assessor, do not refer to them as 'Medical Assessor Smith' as they are not providing the report in their capacity as a Medical Assessor.

Assessor, see also assessments

Capitalise when referring to a Claims or Medical Assessor:

The Claims Assessor found this to be valid.



The Medical Assessor found the Claimant was exaggerating his range of movement.



Medical Assessor Smith certified the surgery was reasonable and necessary.



Note: The General Manager of the MAA has indicated that we are not CARS Assessors or MAS Assessors – we are Claims Assessors or Medical Assessors, as in the Act.

Claims Assessor 	CARS Assessor claims assessor 
Medical Assessor 	MAS Assessor medical assessor 

If there may be confusion between an insurance company's claims assessor and a Motor Accident Authority Claims Assessor, the General Manager of the MAA has indicated that we should use the term *CARS Claims Assessor* to avoid any doubt.

authorised reports



Court/jurisdiction	Report series
High Court of Australia	CLR
Federal Court of Australia	FCR
Australian Capital Territory	ACTR (in ALR); ACTLR
New South Wales	SR (NSW); NSW; NSWLR; DDCR
Northern Territory	NTR (in ALR); NTLR
Queensland	QSR; Qd R
South Australia	SALR; SASR
Tasmania	Tas LR; Tas SR; Tas R
Victoria	VLR; VR
Western Australia	WALR; WAR

awards, see assessments

B

bachelor degree

Don't capitalise degrees:

bachelor of arts 	Bachelor of Arts 
bachelor's degree	Bachelor degree
	Bachelor Degree

backyard

One word, though *front yard* is two.

bare/bear

Bare generally means 'uncover/reveal' (verb) or 'uncovered/revealed' (adjective):

e.g. bare its teeth, bare hands

Bear (noun) is the furry animal. *Bear* (verb) has various meaning to do with 'carry' or 'push':

e.g. bear in mind, bear fruit, bear with me, bear down on

benefit

Don't double the *t* for other verb forms of this word:

benefited, benefiting  benefitted, benefitting 

Bills, see also Acts, paragraph references, regulations

When referring to any Bill of Parliament (even in general) use capital 'B':

The Bill does not appear ... 

A Bill will not ... 

On first citation, give the Bill's name in full (in roman not italics) and add the year:

Motor Accidents Compensation Amendment (Claims and Dispute Resolution) Bill 2007 

After first mention, use 'the Bill':

The Bill states that ... 

If required to specify a State or Territory jurisdiction, add in abbreviated form in parentheses:

Fair Work Bill 2009 (Cth) 

General Tramways Bill 1884 (SA) 

birth control

Two words (no hyphen) unless in front of a noun:

She was using birth control at the time. 

She visited a birth-control clinic. 

blonde/blond

Blonde = female, blond = male. One of the few examples of inflected adjectives in English!

blood-alcohol reading

blood-alcohol reading



blood alcohol reading



bold type, see also headings, italics, website addresses

Use bold type sparingly. In decisions it can be used for:

- Headings
- Title page details (**Claimant**, **Insurer**, etc).
- Final dollar figures for a head of damage, as it aids in adding up and reduces mistakes:

e.g. Therefore the total of my assessment of past loss of earnings is **\$25,343.98**.

- Dates of compliance or direction:

e.g. The Claimant is, by **21 June 2010**, to serve on the Insurer and send to me copies of all hospital notes in his possession.

borne/born

Borne means 'carried' (either literally or figuratively):

I have borne these matters in mind.



I have born these matters in mind.



Born refers specifically to birth:

She was born in 2008.



She was borne in 2008



Just to be tricky, you could say a child was *borne* if you mean 'carried', e.g. *She was borne in a sling*.

breastfeeding

breastfeeding, breastfeed



breast feeding, breast feed



bulk-bill

bulk-bill



bulk bill, bulkbill



Include hyphen for noun (e.g. *bulk-billing of patients*), verb (e.g. *our practice bulk-bills*) and adjective (e.g. *a bulk-billing doctor*).

burnt/burned

Both are acceptable, so it's your choice. Just be consistent.

C

canvas/canvass

Canvas is a fabric. To *canvass* is to seek or solicit, e.g. *The Claimant canvassed opinions on the matter*.

capital letters

Capitals are used for names (people, places, etc) and titles (jobs, publications, etc).

Also, the following words should be capitalised:

- Act (e.g. *The Act states ...*)
- Assessor, Medical Assessor (e.g. *The Assessor decided ...*, *Medical Assessor Collins decided ...*)
- Claimant
- Court (when referring to a particular court, e.g. *The District Court held ...*)
- Insurer
- judicial officers (e.g. *his Honour Justice Smith*)
- Reasons (e.g. *These Reasons ...*)

The following should not be capitalised:

- assessment conference
- preliminary conference
- claim form
- counsel
- barrister
- solicitor
- full bench
- medical specialty (e.g. gastroenterologist; Ms Smith, physiotherapist)
- general references to job titles, (e.g. *She is a doctor* not *She is a Doctor*)
- sub headings (e.g. **Future treatment expenses** not **Future Treatment Expenses**)
- non-title acronyms when spelt out (e.g. ATM = *automatic teller machine* not *Automatic Teller Machine*).

When in doubt, lower case should be the default.

CARS, see MAA

CARS Assessor, see Assessor

cases, see citations

Caucasian

Caucasian



caucasian



centimetres

It is acceptable to use *cm*, even in body text:

e.g. It was 55cm in length.

Note that there is no space before *cm*. Also, don't write *cms* for plural.

certificate, see assessments

chair

chair

chairperson, chairman

Exceptions: Chairperson, CTTT; Chair of the Motor Accidents Council

childcare

childcare

child care, child-care

chord/cord

Cord is a length of something (e.g. *vocal cord*, *spinal cord*). *Chord* is a musical term.

citations

Cite cases in full for the initial citation (note italics), and thereafter use just the name:

In *Gudelj v Motor Accidents Authority of New South Wales* [2011] NSWCA 158, it was held that ...

In *Gudelj*, the finding ...

Where the parties are individuals, omit given names and initials:

Smith v ...

J. Smith v ...

Janine Smith v ...

Cite only the first-named plaintiff/applicant/appellant and first-named defendant/respondent. Don't use & ors or & anor.

Smith v ...

Smith & anor v ...

No full stops following abbreviations or initials:

TCA v ...

T.C.A. v ...

Where a party is a business corporation or firm, use the following abbreviations as required within the business name:

&, Co, Ltd, Pty, Inc, (in liq), (in prov liq), t/as

Exception: Use *t/as* (not *trading as*) in the text of decisions, but when saving a copy of the decision to the hard drive use 'trading as' because a file name can't have a slash (/) in it.

claim form

Do not capitalise or abbreviate:

claim form

Claim Form, CF

Claimant

Should be capitalised in decisions when referring to the Claimant whose claim you are assessing:

The Claimant was injured on 21 June 2010.

The claimant was injured on 21 June 2010.

But lower case if used as a general reference:

e.g. When a claimant makes a claim ...

clause references, see also regulations

To refer to a clause within a regulation, use lower case *cl* or *cls* followed by space, then the number:

In *cl* 22 ...

In *cls* 22 and 23 ...

In *clause* 22 ...

In *Clause* 22 ...

In *clauses* 22 and 23 ...

In *Clauses* 22 and 23 ...

However, at the start of a sentence, spell in full:

Clause 22 states ...

Clauses 22 and 23 state ...

Cl 22 states ...

Cls 22 and 23 state ...

colon (:)

In a sentence or heading, a colon can be used to show that examples or further information are about to come (note no capital letter after colon):

All the required documents were supplied: doctor's certificate, physiotherapist's report and witnesses' statements.

In a bullet list, the introductory statement should end with a colon:

The Claimant agrees to:

- Submit a certificate ...

Don't use a colon for times of day (use a full stop instead):

2.30pm



2:30pm



commas

A big topic. Here are the main things you need to know.

Numbers

Add a comma in numbers of four digits or more:

1,232 11,232

\$3,400 \$33,400.80



Sentence lists

Use commas in sentence lists, usually with no comma before *and*:

The organisation provides guidance on tax, auditing, financial reporting and superannuation.



Occasionally a comma is needed before *and* for clarity:

The organisation employs barristers, conveyancers, and copyright and intellectual property lawyers.



Opening statement in a sentence

A comma can indicate an opening statement in a sentence, giving the reader a short pause:

Despite repeated efforts to contact the regulator, we have had no further information on this matter.



But if the opening statement has five words or fewer, the comma is usually optional (i.e. both of the following are fine):

On 24 June 2007, the Claimant appealed to the District Court.



On 24 June 2007 the Claimant appealed to the District Court.



Subordinate clauses or phrases

A pair of commas, not just one, should be used to separate a subordinate clause (the 'added' part of the sentence you would normally say in a lower voice):

The best way to see Sydney, unless you suffer from sea-sickness, is by ferry.



The best way to see Sydney unless you suffer from sea-sickness, is by ferry.



Deciding whether to add commas around someone's name in certain sentences can be tricky. The following sentences should give you the idea:

The GP, Dr J Wilson, approved the treatment. (Words between commas can be removed)



The GP Dr J Wilson approved the treatment. (Needs commas)



He attended a physiotherapist, Jane Miller, for symptomatic relief. (Words between commas can be removed)



He attended a physiotherapist Jane Miller for symptomatic relief. (Needs commas)



He attended a physiotherapist Jane Miller, for symptomatic relief. (Needs two commas, not one)

A report prepared by GP Dr J Wilson was presented. (No need for commas)



A report prepared by GP, Dr J Wilson, was presented. (Words between commas cannot be removed)



common law

Do not capitalise.

The common law position is ...



The Common Law position is ...



common sense/commensense

Noun is two words (e.g. *Use your common sense*) but adjective is one word (e.g. *It is a commonsense notion.*)

companies

Companies, organisations and other entities should be treated as singular. Use 'it' not 'they':

QBE has expressed its views about the suitability of this claim.



The NRMA have said that in their view the claim is suitable.



Make an effort to get names of organisations (and people) correct!

conditions, see also Appendix 2

Always use lower case except when a proper name is part of the condition's name:

rheumatoid arthritis  Rheumatoid Arthritis 

Huntington's disease 

continual/continuous

Continual means repeated many times; *continuous* means going on without a break.

I am continually being interrupted by phone calls. 

People waiting for the bus formed a continuous line for 50 metres. 


contractions

A contraction is a word containing an apostrophe to indicate missing letters, e.g. *that's* = *that is*.

Contractions in quoted speech are fine:

He replied, "I couldn't possibly pick up the kids". 

But do not use contractions in body text of reasons and reports as they are too informal.

Given his injury, he could not attend the meeting.  Given his injury, he couldn't attend the meeting. 

cooperate

cooperate  co-operate 

But co-op still needs a hyphen.

co-opt

co-opt  coopt 

coordinate

coordinate, coordinator  co-ordinate, co-ordinator 

cord/chord

A cord is a length of something (e.g. *vocal cord*, *spinal cord*). *Chord* is a musical term.

corequisite, see also prerequisite

corequisite  co-requisite 

councillor/counsellor

A councillor is a member of a council, whereas a counsellor is someone who gives guidance on personal or psychological problems.

counsel

Should be lower case:

The Claimant's counsel argued ...  The Claimant's Counsel argued ... 

Note: There is no need to include the reference to QC or SC when referring to counsel in the body of reasons. Postnominals such as these should be included in the appearances section only.

Court

Should be singular not plural:

The Court has decided ...  The Court have decided ... 

Use capital C when referring to a specific court:

The Court of Appeal is ... 

The Court decided ... 


But lower case for general mentions:


A court is not a place for ... 

criterion/criteria


A criterion is a standard by which something is judged, not a requirement (though in common usage it is often used for the latter).

Following the Greek origins of the word, *criterion* is singular, *criteria* is plural:

There is only one criterion that must be considered. 

There is only one criteria that must be considered. 



There are several criteria to consider. 




There are several criterion to consider. 

Note: These days many people use *criteria* for singular (rather like the Latin plural 'agenda' being singular in English), and this may eventually become acceptable usage, but it hasn't yet.

cross-

Words with *cross-* as a prefix should take a hyphen:

cross-examine 
cross-street 

cross examine 
crossexamine 
cross street 

Crown

Capitalised when referring to 'the Crown':

Crown land ... 

CT scan

There is no need to refer to this by its full name (computerised tomography scan), and make sure you use *CT* not *CAT*.

CT scan 

CAT scan 

curb/kerb

Curb means restrain. The *kerb* is the edge of the pavement.

D

dashes, see also hyphens

Dashes give impact to a sentence and hence should be used sparingly (overuse reduces their impact). Only use them when commas are not enough, as in the following examples.


A single dash allows you to add something with impact to the end of a sentence:

It was over - no doubt about it. 

A pair of dashes can surround a statement that intrudes into a sentence (here they act like parentheses but with more impact):

The company - there's no need to say its name - was facing ruin. 

Frankly, it is only rarely in a decision that you would want to use a dash, but if you do then use an en dash (medium length, with space on either side) not an em dash (longer, with no spaces):

It was over - no doubt about it. 

It was over-no doubt about it. 

A hyphen should not be used in place of a dash:

It was over - no doubt about it. 

dates

CARS prefers the following format:

20 March 2011 

20 MARCH 2011 

20th March 2011

March 20, 2011

March 20th, 2011

20/03/11

20.03.11

If adding the day of the week, use a comma:

Monday, 20 March 2007 

For a period of time that spans two or more years, use full years divided by an en dash:

2010-2011 

But for a financial year use a slash:

2010/11 

Note: As these two could still be confused, it's probably worth spelling out what you mean:

For the 2010/11 financial year the amount was ...



days of the week

In body text, days of the week should be spelled in full, and always with a capital letter:

The following Monday he ...



On Monday, 20 March 2011 he



In tables or brackets, you may use the three-letter abbreviations (Mon, Tue, Wed, Thu, Fri, Sat, Sun).

decisions, see assessments

dependant/dependent

Dependant is a noun, while *dependent* is an adjective:

She has two dependants.



She has two dependents.



She has two dependent children.



She has two dependant children.



diarrhoea

diarrhoea



diarrhea



dictionary

If this style guide leaves you in any doubt, check the *Macquarie Dictionary*. You can also refer to the *Style Manual for Authors, Editors and Printers* (commonly known as the Government Style Guide). *The Cambridge Guide to Australian English Usage* (by Australian grammar guru Pam Peters) is fantastic for answering grammar and style questions.

directions, see assessments

disability language, see Appendix 1

discreet/discrete

Discreet means 'prudent' or 'circumspect':

She was discreet about his gambling problems.



Discrete means 'separate' or 'distinct':

This amount can be divided into four discrete parts.



diseases, see also Appendix 2

For diseases/conditions, use lower case except when a proper noun is part of the name:

rheumatoid arthritis



Rheumatoid Arthritis



Huntington's disease



distance, see measurements

doctor

Abbreviate to *Dr* in titles but don't use a full stop:

Dr Patel



Dr. Patel



In the US they do add a full stop (e.g. *Dr. Merkel*) but this is not style in Australia.

If you're referring to a determination, certificate or reasons from a Medical Assessor, do not refer to the author as 'Dr' but as 'Medical Assessor', e.g. 'Medical Assessor Smith'. Do not refer to the Medical Assessor's decision as a 'report' (Medical Assessors write 'reasons' and 'certificates', not reports).

dollars, see money

E

e.g. and i.e.

In body text it is best to use *for example* and *that is* in full. But it's common for *e.g.* and *i.e.* to be used where space is limited (e.g. tables, parentheses):

Many companies (e.g. BHP, QBE) have opposed ...



While it is common to drop full stops for abbreviations these days, we still retain them for these ones:

e.g.
i.e.



eg. eg
ie. ie



e-commerce

e-commerce



ecommerce, eCommerce



-ed and -t

When a word can end in either *-ed* or *-t* (e.g. *learned*, *learnt*) you can go with the one you prefer. Just be consistent.

effect/affect

The general rule is 'e for noun, a for verb':

The effect was felt by the children. (noun meaning 'something that is caused')



This did not affect the children. (verb meaning 'make a difference to')



She affected an English accent. (verb meaning 'put on')



But there are some other, less common, usages that oppose this rule:

This will effect a major change. (verb meaning 'bring about')



His affect was loving. (noun meaning 'feeling' or 'emotion')



ellipsis (...)

Used to indicate a gap in quoted speech. Put a space on both sides of an ellipsis:

He said, "I couldn't possibly look after ... the children".



email

email



e-mail



emigrant, see migrant

en rule, see dashes, hyphens

enquiry/inquiry

As a rule, an *enquiry* is a simple question (e.g. *She made an enquiry at the counter*) while an *inquiry* is more official (e.g. *There was an inquiry into police actions in the matter*).

etc

The term *etc* is vague and should be used sparingly in decisions. It's often better to use 'such as' or 'including' to set up a list of items. If you do have cause to use it, don't put a full stop after it (unless at end of sentence of course):

etc



etc.



ethnicity

If the person's ethnic background makes no difference to the main point of the matter, don't refer to it.

evident, see apparent

expect, see anticipate

F

fewer/less

People often confuse *less* and *fewer*. The trick is to understand the difference between countable nouns (e.g. dog – as in *five dogs*) and non-countable nouns (e.g. health – you can't say *five healths*).

If you can count the noun, use fewer:

She saw no fewer than five specialists.



She saw no less than five specialists.



If you can't count the noun, use less:

After she lost her job there was considerably less money available for daily expenses.



To complicate matters, some nouns are both countable and non-countable, depending on context:

He called her no fewer than five times. (time is countable here)



She spends less time with the children than she would like. (time is non-countable here)



figures, see money, numbers

file, see lodge

focused

focused, focusing



focussed, focussing



follow-up/follow up

Follow-up (with a hyphen) is a noun:

This included follow-up with the physician.



Follow up (two words) is a verb:

She would then need to follow up the payment.



font

For decisions we use 12 point Arial. Block quotations can be distinguished by using either 11 point Arial or 12 point Arial Narrow:

The Claimant's disabilities were summarised in paragraph 3 of Dr Mark's report of 12 January 2011 as follows:

Mrs Smith is no longer able to look after herself or her family. She cannot carry anything other than the lightest of weights, she cannot stand for more than 10 minutes and she has to take frequent rests ...

forebear/forbear

Forebear is a noun meaning ancestor:

His forebears laid the foundation for the family wealth. ✓

Forbear is a verb meaning to refrain from or resist, and is rather archaic:

He could not forbear to act in this matter. ✓

forego/forgo

Forego (usually used in the adjectival form *foregoing*) is a verb meaning to go before:

This should be clear from the foregoing discussion. ✓

Forgo is a verb meaning to give up:

He had no choice but to forgo payment. ✓

foreseeable

foreseeable ✓ foreseeable ✗

Forms, see applications

front yard

Two words, though *backyard* is one word.

fulfil/fulfill

Go with Australian style (single *l*) over US style (double *l*):

fulfil, fulfilment ✓ fulfill, fulfillment ✗

Note that we do double the *l* for *fulfilling* and *fulfilled*.

full bench

Do not capitalise.

full bench of the ... ✓ Full Bench of the ... ✗

full-time/full time

Hyphenated when in front of a noun:

She had a full-time job. ✓ She had a full time job. ✗

No hyphen when not in front of a noun:

She was working full time. ✓ She was working full-time. ✗

This also applies for *part-time/part time*.

future care

Do not capitalise.

future care ✓ Future Care ✗

future economic loss

Do not capitalise.

future economic loss ✓ Future Economic Loss ✗

G

gaol/jail

We've chosen to use the old English spelling, not the American spelling:

gaol ✓ jail ✗

gay/homosexual

Technically, both *gay* and *homosexual* can be used for both men and women. In practice, *gay* and *homosexual* are used for men and *lesbian* is used for women. However, a person's sexuality should not be mentioned at all unless it is relevant to the decision.

government

Capitalise only if referring to a specific government:

The NSW Government has ... ✓

The Government decided ... (if you have already introduced this particular government in the text) ✓

Otherwise, use lower case:

A government needs to take note of ... ✓

Several governments have ... ✓

GST

No need to spell this in full – people know it better by the acronym.

H

haematoma, see also *ae*, orthopaedic, paediatric, pedophile

haematoma



hematoma



heading levels

There should be only two heading levels:

HOW DO HIS INJURIES AFFECT THE CLAIMANT? (main heading, bold, full caps, question format)

Lower back (secondary heading, bold, lower case except for first word and proper nouns)

Note: Don't use underlining for headings and don't number the headings.

hold-up/hold up

Hold-up is a noun:

There was a hold-up with the payment.



Hold up is a verb:

He could not hold up his end of the agreement.



homosexual, see gay

however

A much misused word. Here are the main points.

Don't use *however* when you mean *but*:

The Claimant seeks the cost of an operation, however I am not satisfied one is needed.



To make this sentence work you could change to one of the following:

The Claimant seeks the cost of an operation, but I am not satisfied one is needed.



The Claimant seeks the cost of an operation. However, I am not satisfied one is needed.



The Claimant seeks the cost of an operation; however, I am not satisfied one is needed.



Use a comma to differentiate the two main senses of *however*:

However, this has now changed. (meaning 'in spite of that' – comma straight after *however*)



However one looks at it, the facts remain the same. (meaning 'in whatever way' – no comma straight after *however*)



Be aware that *however* can move around a sentence:

However, this has now changed.



This, however, has now changed.



This has now changed, however.



humour

humour



humor



But note *humorous* (not *humourous*) as in funny, and *humerus* as in upper arm bone.

hypertension/hypotension

Hyper- means 'over', and *hypertension* means abnormally high blood pressure.

Hypo- means 'under', and *hypotension* means abnormally low blood pressure.

hyphen (-), see also en rule

Within a word

In certain words you must use a hyphen to attach a prefix:

re-sign (different from resign)



re-form (different from reform)



mid-term election (mid- is a prefix not a separate word)



non-economic loss (non- is a prefix not a separate word)




In other cases the hyphen is merely preferable:

un-Australian (allows you to keep capital A, though *transatlantic* suggests we may eventually have *unaustralian*)




re-establish (splits two e's that are pronounced differently)



e-commerce (the e- prefix is still quite new and usually carries a hyphen) 

But many words have lost or are losing the hyphen:

email (used to have a hyphen but has lost it due to daily familiarity) 

coordinate, cooperate (hyphens would help here but common usage has won the day) 

Some people like to add a hyphen every time for the prefix *re-* (e.g. *re-appear, re-visit, re-calculate*). But a hyphen is only necessary if there is a possible ambiguity (e.g. *re-sign/resign, re-creation/recreation*) or if there are two e's together pronounced differently (e.g. *re-establish*).

If in doubt on any of these, check the *Macquarie Dictionary*.

Linking words before a noun

Sometimes two (or more) words combine to describe a noun, and need a hyphen:

I have a part-time job. 

Same goes for *long-term treatment, out-of-pocket expenses, up-to-date information, 37-year-old women*, etc.

Note the hyphen is usually dropped when not in front of a noun:

I work part time.  **I work part-time.** 

I

illnesses, see Appendix 2

imply/infer

The following sentences illustrate the correct usage of these words:

The Minister implied that the policy would be changed, although he did not say so outright. 

The press inferred that the policy would be changed. 

inclusive language, see Appendix 1

initialisms, see acronyms

in principle

Hyphenate when in front of a noun, e.g. *in-principle agreement*. But don't hyphenate when not in front of a noun, e.g. *She agreed in principle*.

including

In nearly all cases, should be preceded by a comma:


e.g. There were several complications, including a ruptured appendix and a damaged spleen.


insurance/assurance

Strictly speaking, *assurance* refers to cover for something that will happen (e.g. death) and *insurance* refers to cover for something that may happen (e.g. car accident). But in common usage *insurance* is used for both, and is used in CARS decisions in this way.

Insurer

Capitalise when you are talking about the Insurer in the claim you are assessing (just as you capitalise *Claimant*):

The Insurer has denied fault in an s 81 notice dated ... 

The insurer has denied fault in an s 81 notice dated ... 

But use lower case for a general reference:

Section 81 imposes a duty on an insurer to admit or deny liability within three months. 

internet

the internet, the net 

the Internet, the Net 

is/iz, see s and z

italics

Use italics (with no bolding) for:

- Cases (e.g. *Figliuzzi v Yonan*)
- Legislation including delegated legislation (e.g. *Motor Accidents Compensation Act*; *Motor Accidents Compensation Regulation*; *Claims Assessment Guidelines*)
- Titles of publications (e.g. *Macquarie Dictionary*)
- Emphasis of a word or words, (e.g. She said she learned of this only *after* the divorce. (Best to use this sparingly))

Do not use italics for:

- Bills, e.g. Civil Dispute Resolution Bill 2010
- Year of an Act (eg. *Civil Liability Act* 2002)
- Quoted text (see entry on quoted speech/text).

its/it's


Its is the possessive of *it*:


**Its effect will no
doubt last many years.** 

**It's effect will no
doubt last many years.** 

Note: In this regard *its* acts much like *yours*, *hers*, *theirs*, etc - none of which carries an apostrophe.

It's is the contraction of *it is* (or *it has*):

**It's not possible to
calculate this
accurately.** 

**Its not possible to
calculate this
accurately.** 

J

job titles, see names and titles

Judge/Justice

When citing a judge's name check the title (e.g. Judge or Justice).

Note the honorific and check the gender of the judge (e.g. *her Honour Judge Sidis*; *his Honour Justice Hoeben*).

When quoting a passage of a judgment, write as follows:

McHugh J noted at [4] that ... 

judgment/judgement

judgment 

judgement 

When adding the name of the judgment, write as follows:

In his *Smith v Jones* judgment, Kirby J made it clear ... 

judicial abbreviations

Judicial office	Abbreviation/title
Acting Chief Justice	ACJ
Acting Deputy President	ADP
Acting Justice of Appeal	AJA
Acting Justices of Appeal	AJJA
Acting Justice	AJ
Acting Justices	AJJ
Acting President	AP
Arbitrator	Arbitrator
Associate Justice	AsJ
Auxiliary Judge	AuJ
Chief Judge Administrator	CJA
Chief Judge at Common Law	CJ at CL
Chief Judge in Equity	CJ in Eq
Chief Judge of the Commercial Division	CJ Comm D
Chief Justice	CJ
Commissioner	Commissioner
Deputy Chief Justice/District Court Judge	DCJ
Deputy President	DP
Federal Magistrate	FM
Judge	Judge
Judicial Registrar	JR
Justice	J
Justices	JJ
Justice of Appeal	JA
Justices of Appeal	JJA
Magistrate	Magistrate
Master	Master
President	P
Senior Judge Administrator	SJA
Senior Judge	SJ
Senior Judges	SJJ
Senior Puisne Judge	SPJ
Vice-President	V-P

K


kilometre, see measurements


L

language of disability, see Appendix 1


lay/lie


Lay essentially means to put something or someone down and is a transitive verb (i.e. must have an object):

He said he just wanted to lay the clothes on the bed. 

He said he just wanted to lie the clothes on the bed. 

Lie means to repose and is an intransitive verb (does not have an object), for which *lay* is the past tense:

She said he should lie down. (present tense) 

She said he should lay down. (wrong for present tense) 

He then lay on the bed. (past tense)

He then lied on the bed. (wrong for past tense)

lead/led

Lead is a verb meaning 'go first', with past tense *led*:

I should lead as I know the way. (present tense) 

He led me to this spot. (past tense - not to be confused with the metal *lead*, which is also pronounced *led*)

leant/leaned

Both are acceptable, so it's your choice. Just be consistent.

learnt/learned

Both are acceptable, so it's your choice. Just be consistent.

legal case citations, see cases

legislation, see Acts, Bills

legislature, also see government, parliament

legislature, also known simply as parliament. Can be used interchangeably.

If used as the Legislature, capitalise.

lesbian, see gay


less/fewer, see fewer/less


licence/license

In Australia, *licence* is the noun and *license* the verb (memory tip: *ice* is a noun, *is* is a verb):

She lost her licence. 

She lost her license. 

The restaurant was licensed. 

The restaurant was licenced. 

Note: The opposite applies in the US.

The same essentially applies for *practice/practise*.

For types of licences, add apostrophe and s:

driver's licence 

drivers licence, driver licence 

pilot's licence

pilots licence, pilot licence

links to websites, see also live links, website addresses

If you are linking to a specific page on a website, make sure the entire address is copied correctly, including the ending (such as .htm, .html, .asp or .cfm), and make it bold:

For more information on building communities visit the State Government's website at [**www.nsw.gov.au/Building.asp**](http://www.nsw.gov.au/Building.asp) 

Sometimes a web address can be very long. Such addresses are of limited value in a printed document and should be avoided. However, if it is essential to include a long address, ensure it is accurately copied (best to cut and paste from the website):

For more information on volunteering programs visit the State Government's website at [**nsw.gov.au/Building_results.asp?area=VOLUNTEERING_BUILDCOM_COMMUNITY_SNSW&parent=BUILDCOM_COMMUNITY_SNSW**](http://nsw.gov.au/Building_results.asp?area=VOLUNTEERING_BUILDCOM_COMMUNITY_SNSW&parent=BUILDCOM_COMMUNITY_SNSW) 

lists

Use standard round black bullets (not arrows, hollow bullets, etc).

The punctuation of bullet lists causes endless confusion because standards have changed, e.g. use of a semicolon at the end of each line has all but dropped out. Also, there are three (main) list types, each requiring slightly different punctuation.

1. List as one whole sentence

- e.g. The insurer agreed to:
- Allow an amount for future spinal surgery at \$7,500
 - Increase the allowance for future loss of earning capacity to \$60,000
 - Review its position in respect of the claim for childcare expenses, and
 - Pay for the claimant to travel to the MAS appointments.

Note capital for the start of each line and no punctuation at end of each line, except comma + *and* after second-last line and full stop after last line. There is often argument over the use of capitals (as it's odd to have a capital in the middle of a sentence) but this is standard style these days.

2. Each bullet as a fragment of a sentence

- e.g. The following matters are to be assessed:
- Whether the claimant's explanation for the delay in making the claim is full
 - Whether the explanation is satisfactory
 - Whether the late claim can be made.

Essentially same as for type 1 above, i.e. capital for the start of each line and no punctuation at the end of each line, except full stop after last line. But you don't usually need comma + *and* on the second-last line.

3. Each bullet as an independent sentence (either question or statement)

- e.g. The following issues have arisen in the assessment of past and future loss of earnings:
- What was the Claimant's pre-accident rate of pay?
 - Did the Claimant perform overtime regularly?
 - Was the Claimant going to be promoted?
 - When was the Claimant likely to retire?

Note capital for the start of each line and question mark (or full stop for statement) at the end of each line.

live links, see also links to website, website addresses

Generally there is no need to include live links in your reasons. Parties will generally not receive an electronic version of your reasons, so a live link will be redundant. If, however, the need arises, Microsoft Word will normally recognise that a web address has been inserted into the text and create a hyperlink. By default, it will apply a colour and underlining to the web address. If you need a live link then leave the formatting as it is. Always check such links before finalising your document to ensure they work properly. If no live link is required, the address should remain consistent in style, format, font and colour with the text in the body of the document.

loath/loathe

Loath is an adjective meaning 'reluctant':

She was loath to involve the grandparents.



She was loathe to involve the grandparents.



Loathe is a verb meaning 'detest':

She loathed her job.



lodge/lodgement

Whereas documents are *filed* at Court, documents are *lodged* at CARS. Parties should therefore be directed to lodge documents rather than file documents.

long-term/long term

Hyphen when in front of a noun:

This would prove to be a long-term relationship.



This would prove to be a long term relationship.



No hyphen when not in front of a noun:

This proved effective in the long term.





This proved effective in the long-term.




low-income/low income


Hyphen when in front of a noun:

He was working in a
low-income job at
the time. 

He was working in a
low income job at
the time. 

No hyphen when not in front of a noun:

His job provided
a low income. 

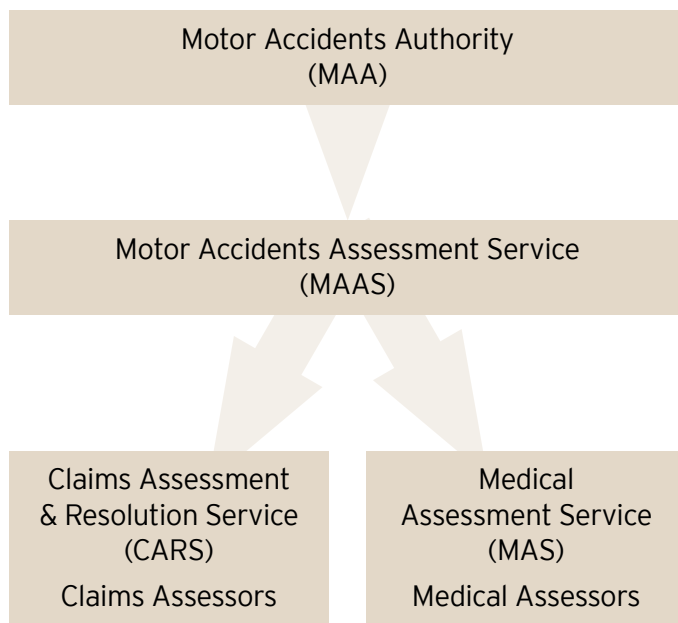
His job provided
a low-income. 

M

MAA/MAAS/CARS/MAS

When referring to any of these please spell in full on first use, then use an acronym.

The organisational chart is as follows:



Note: Avoid using 'the scheme' or 'the CTP scheme' or 'the MAC scheme' as the average person would not know what these refer to.

MAS Assessor, see **Medical Assessor**,
see *also* **Assessor**

measurements, see *also* money

All measurements should be metric. Always use contractions for *km*, *kg* and *g* (with no space) if referring to specific amounts:

29km 

500kg 

20mm 

Do not use plural:

kms 

kgs 


cms 

It is acceptable to use the abbreviation *kmph* for 'kilometres per hour'.

Spell distances in full if referring to non-specific amounts:

several kilometres 

It's OK to use *cm*, even in body text (note no space before *cm*):

It was some 55cm in length. 

median/median strip

The *median* is the middle number in a sorted list of numbers. The *median strip* is the middle or dividing area between opposing lanes of traffic.

Medical Assessor

Title

The title *Medical Assessor* should be capitalised (as *Claims Assessor* is). When referring to a determination of a Medical Assessor, use that title and not *Dr* or *Professor*.


Medical Assessor Dowda's reasons dated ... 

Medical Assessor Dr Dowda's reasons dated ... 

Dr Dowda's reasons dated ... 

Sometimes a person who is a Medical Assessor may be providing a medico-legal opinion, in which case take care to use their professional title.

Dr Dowda's report dated ... 

Medical Assessor Dowda's report dated ... 

Reasons

Note from the above examples that a reference to a document produced by a Medical Assessor is a reference to a certificate or reasons or determination and is not a 'report'. A document produced by a medically qualified (or other) expert is a report.

medical terms, see also Appendix 2

Generally

This topic is an example of having to balance exactness with plain English. Where possible, try to use terms that laypeople (such as parties to the dispute) will understand. If necessary you may use a medical term but please explain it on first usage.


For example:

The Claimant sustained a comminuted fracture of the os calcis with extension into the subtalar and calaneocuboid joints. [Acceptable]

The Claimant sustained a comminuted fracture (multiple breaks) of the os calcis (neck of the calcaneum) with extension into the subtalar and calaneocuboid joints. In essence the Claimant sustained a badly fractured ankle. [Better]

Abbreviations

Avoid abbreviations if possible but otherwise use the full term first and thereafter use the abbreviation.

The Claimant's Glasgow Coma Scale (GCS) rating was 13 (out of a possible 15). 

The Claimant's GCS was 13. 

Names of diseases

For diseases or conditions, use lower case except when a proper name is part of the name:

rheumatoid arthritis 

Rheumatoid Arthritis 

Scheuermann's disease 

medico-legal

medico-legal 

medicolegal 

meter/metre

Meter is the device that measures:

a parking meter 

a parking metre 

Metre is a metric measurement:

It was one metre wide. 

It was one meter wide. 

mid-, see also hyphens, non-

Mid- is a prefix, not a word on its own, so attach it with a hyphen:

mid-tier company 

mid tier company 

mid-back 

mid back 

Note: In common usage *mid* is slowly becoming a separate word but at present CARS style is to hyphenate it as a prefix.


migrant/emigrant/immigrant

An *emigrant* is someone who has left a country and an *immigrant* is someone who has come to a country. Immigrants to Australia are usually called simply *migrants*, and this is preferred style.

money

Always add a comma for dollar figures of four digits or more:

\$2,000 

\$2000 

When it comes to adding '.00' for cents, CARS style is to add it only when needed:

\$3,586.80 

Otherwise use whole-dollar figures:

\$60,000 

But if you have a list with both, add cents for all:

Costs
\$6,486.90
\$4,300.00
\$2,987.00



When referring to millions:

- In body text write as *\$1 million* (note: don't write *\$1m*)
- In tables or figures, write as *\$1,000,000*.

months of the year

In body text, months of the year should be spelled in full.

In tables or parentheses, you can use the three-letter abbreviated form (Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec).

mother-in-law

Spelled with two hyphens. Plural is *mothers-in-law*.

motorbike/motor bike

One word not two:

motorbike



motor bike



motorcycle/motor cycle

One word not two:

motorcycle



motor cycle



motor vehicle

Unlike *motorbike* and *motorcycle*, *motor vehicle* is two words. Do not abbreviate to *MV* or *mv*.

motor vehicle accident

Do not capitalise and do not abbreviate.

motor vehicle
accident



Motor Vehicle
Accident, MVA



MRI

Capitalise. Note there is no need to refer to this by its full name (magnetic resonance imaging).

MRI scan



mri scan



must/should

These words have different meanings and you must take care when using them.

Must means the action is mandatory:

Claims must be referred to CARS in accordance with s 91.



Should means that the action is preferred or recommended but not mandatory:

Applications should be legible.



N

names and titles

As a rule, do not capitalise job titles:

physiotherapist,
doctor



Physiotherapist,
Doctor



However, do capitalise *Assessor*, *Claims Assessor* and *Medical Assessor*.

Do not add initials for people's names (unless needed to differentiate two people with same surname):

Dr Turnbull



Dr J. Turnbull



If listing someone's qualifications/honours (known as postnominals), add no commas, bolding or italics:

Jane Smith BBus
LLB AO
John Smith QC



John Smith S.C.



nerve-racking

nerve-racking



nerve-wracking
(this is not a word)



net/nett, see also internet

net income



nett income



nevertheless

nevertheless



never the less



Nominal Defendant

This should be capitalised (as it is in the Act).

The Nominal Defendant
has denied liability. 

The nominal defendant
has denied liability. 

non-

Non- is a prefix, not a word in its own right, so attach it with a hyphen:

non-economic loss 


non economic loss 

Note: Just because we write past economic loss with no hyphen does not mean we should do the same for *non-economic loss* (past is a word in its own right but *non-* is a prefix).

non-economic loss, see also non-

Add a hyphen, do not capitalise and do not abbreviate to *NEL*.


non-economic loss 

non economic loss 
Non-Economic Loss
Non-economic Loss
NEL

non-English-speaking

Use two hyphens:

non-English-speaking
background 

non English speaking
background 
non-English speaking
background

nonetheless

nonetheless 

none the less 

non-government

Use a hyphen.

non-government
organisation 

non government
organisation 

no-one

no-one 

no one, noone 

numbers

The general rule is to write numbers in full from one to nine, then use digits (10, 11 ...):

They have five
children. 

They have 5 children. 

They have 23
grandchildren. 

They have twenty-
three grandchildren. 

Do not write the number and then place the numeral in parentheses

They have five (5) children 

However, there are some exceptions:

- In tables, use digits for all numbers (e.g. 1, 2, 3 ...).
- For mathematical terms and figures, use digits (e.g. 5%).
- At the start of a sentence, write all numbers in full (e.g. *Forty-four years have passed since then.*).
- When referring to decades, use digits (e.g. *the 1970s*).
- For a span of numbers crossing the 'nine/10 divide', use digits (e.g. *1-17* not *one-17*).

Add a comma in numbers of four digits or more:

1,232 

11,232

\$3,400

\$33,400


1232 

11 232

\$3400

\$33 400

When referring to dollars, the word *million* should be spelled out, with a space:

A figure of \$1.2 million has been ... 

However, in a table, or in a list which contains other numerals (e.g. \$436,291), write as \$1,000,000.

O

obvious, see apparent

occur

The verb *occur* implies something unintentional (e.g. car accident). If you are referring to something intentional (e.g. a divorce) you should use *take place* (or similar) rather than *occur*.

oe, see also **haematoma**, **orthopaedic**, **paediatric**

Use Australian/UK spellings for most words containing oe:

diarrhoea	✓	diarrhea (US spelling)	✗
-----------	---	------------------------	---

online

online	✓	on-line, on line	✗
--------	---	------------------	---

-or/-our

Use Australian/UK not US spelling for words such as the following:

parlour	✓	parlor	✗
harbour		harbor	
humour		humor	
colour		color	
honour		honor	

Note that we do drop the *u* in certain other forms of these words, e.g. *humorous*, *honorable*.

Also note *Australian Labor Party* (though *Labour Party* in the UK has a *u*).

orders, see **assessments**, see also **regulations**

organisation/organization, see also **s** and **z**

organisation	✓	organization	✗
--------------	---	--------------	---

orthopaedic, see also **ae**, **haematoma**, **paediatric**

orthopaedic	✓	orthopedic	✗
-------------	---	------------	---

out-of-pocket

Use hyphens:

Out-of-pocket expenses	✓
------------------------	---

It is a bit casual to use *out-of-pockets* as a noun, but if you do then retain the hyphens.

P

paediatric, see also **ae**, **haematoma**, **orthopaedic**

paediatric	✓	pediatric	✗
------------	---	-----------	---

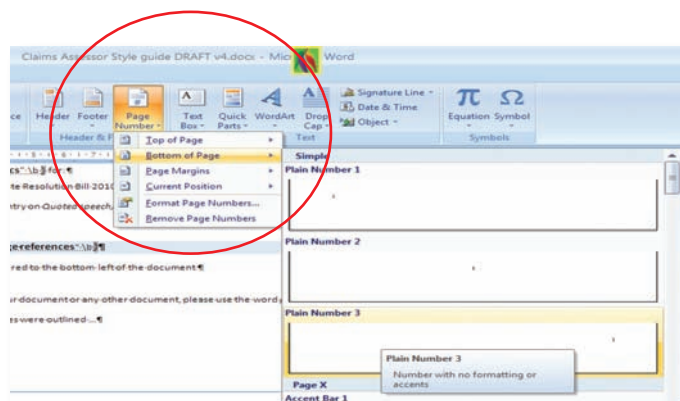
page numbering

Any document longer than one page should have page numbers.

Put page numbers at the bottom right of the page.

The CARS templates provide for page numbering at the bottom right of a page in the form 'Page 1 of 10'.

To insert a page number go to the 'Insert' tab, click 'Page Number' and then choose from the options.



If referring to a page in your document or any other document, please use the word *page* in full:

On page 4 the expenses are outlined ... ✓

painkiller/pain killer

painkiller, painkilling	✓	pain killer, pain killing	✗
-------------------------	---	---------------------------	---

paragraph numbering

All paragraphs contained within an Assessor's written reasons for decision should be numbered. There should only be three levels of numbering using the following style:

1.	✓	1	✗
a.		1.1	
i.		1.1.1	

paragraph references

Generally

When referring to a specific paragraph in a document other than a judgment or Bill, spell *paragraph* in full. Do not abbreviate:

In paragraph 2 the author argues that ... ✓

In judgments

When referring to a specific paragraph in a judgment use square brackets and the number:

Justice Kirby at [4] made it quite clear that in his view ... ✓

In CARS assessments

When referring to a specific paragraph in your own decision, it is permissible to use square brackets and the number:

For the reasons set out in [14] - [15] above, I do not allow anything for future loss of earning capacity.

In Bills

Acts have sections but Bills have paragraph numbers. To refer to a paragraph within a Bill, use lower case *para* or *paras* followed by space, then the number:

**In para 22 ...
In paras 22 and 23 ...**

**In paragraph 22 ...
In Paragraph 22 ...
In paragraphs 22 and 23 ...
In Paragraphs 22 and 23 ...**

However, at the start of a sentence, spell in full:

**Paragraph 22 states ...
Paragraphs 22 and
23 state ...**

**Para 22 states ...
Paras 22 and
23 state ...**

Handy tip: To avoid breaking the reference over the end of a line, insert a non-breaking space (shift+ctrl+space bar) instead of a normal space.

parentheses, see also Acts, square brackets

Use parentheses to enclose the year the decision was handed down in citations where the law report series is organised by volume number:

***Novello v Zinc Corporation Ltd* (1988) 4 NSWLR 25
Mitchell v Central West Area Health Service (1997)
14 NSWCCR 526**

Parentheses can also be used to insert technical detail or an 'aside' into text:

**Most respondents (56%) approved the measure.
MAAS (not to be confused with MAS) is a division
of the MAA.**

It is acceptable, though rather unattractive, to have parentheses within parentheses in certain circumstances:

**Under the legislation (s 81(1) *Motor Accidents
Compensation Act* 1999) insurers must ...**

parliament, also see government, legislature.

Capitalise only if referring to a specific parliament:

**The NSW Parliament...
The Parliament has decided... (if you have already
introduced the particular parliament in the text)**

Otherwise use lower case

**A parliament needs to take note
Several parliaments have...**

part-time, see full-time

percentages

It's common to write *percent* or *per cent* in body text. However, CARS has decided, for simplicity, to use the symbol % in almost all cases, even in body text:

**The result was a whole person impairment assessment
of 20%.**

Contributory negligence is assessed at 25%.

At the start of a sentence, however, spell in full:

Twenty-five percent of full movement was recorded.

phone numbers, see telephone numbers

pm/am

6.00pm

**6:00pm
6.00 pm
6pm
6 p.m.
6.00PM**

police

Use lower case when referring to police in general, and for the term *police report*:

**The police arrived at this time.
The police report was not available.**

But use capital if part of a title:

The NSW Police eventually solved the crime.

policy

A policy is a document embodying a contract of insurance. The word *policy* should be lower case except when part of a title:

Many liability policies are voidable.
The Federal Taxation Policy states that ...

possessive apostrophe, see apostrophe

post

Post (in the sense of 'after') is essentially a prefix not a word on its own, so hyphenate:

post-accident
treatment

post accident
treatment

However, it's becoming acceptable to use it as a word in its own right in certain circumstances:

e.g. Mr Smith noted that, post accident, the Claimant ...

It's one of those prefixes that may or may not have a hyphen (follow the Macquarie on this):

post-mortem
post-operative
postdate
postnatal

post mortem
postoperative
post-date
post-natal

post-traumatic stress disorder

Add a hyphen, don't spell with initial capitals, and don't use the acronym:

post-traumatic stress
disorder

post traumatic stress
disorder
Post Traumatic Stress
Disorder
PTSD

postnominals, see names and titles

practice/practise, see licence

pre-

This is a prefix that may or may not take a hyphen (e.g. *prefer*, *pre-existing*). Check the Macquarie if in doubt.

pre-existing

pre-existing

preexisting

preliminary conference, see also capitals

Do not capitalise or abbreviate:

preliminary
conference

Preliminary
Conference
PC

Note: Don't use the term *preliminary teleconference* or *PTC* at all.

presently/currently

Presently means soon; currently means now:

He will arrive presently.

He is currently on his way.

prerequisite, see also corequisite

prerequisite

pre-requisite

Principal Claims Assessor

Capitalise, as in the Act, and make sure you spell *Principal* correctly:

Principal Claims
Assessor

principal claims
assessor, Principle
Claims Assessor

principle/principal

Principle refers to a moral standpoint, agreed rule, or something you believe in:

The Claims Assessor
upheld the principle
of natural justice.

The Claims Assessor
upheld the principal
of natural justice.

Principal means 'main' or 'head' (memory tip: 'the principal is your pal'):

The school's principal
has an office near
the main gate.

The school's principle
has an office near the
main gate.

program

program 


programme 

Note: programme is UK style while program is Australian and US style.

pronouns (I, he, she ...)

Use first person when referring to yourself. Do not use third person as it sounds too far removed:

I note the Insurer ... 


The Assessor notes the Insurer ... 

If referring to the Claimant, use *he* or *she*:

She agreed with this assessment. 

However, it's common to repeat *the Claimant* for each new paragraph, particularly if *he* or *she* could be ambiguous (e.g. you've mentioned a doctor or family member of the same sex).

They and *their* strictly refer to the plural but can be used for the singular in certain contexts:

Each family member was required to pay their own travel expenses. 

Q

quadriplegic

Note spelling, not *quadraplegic*.

qualifications, see names and titles

Quoted speech/text, see also italics

quoted speech within a sentence


In common business and publishing usage, either single or double quotation marks may be used. CARS has decided to use double quotation marks (with no italics and no change of font):

Smith J says at paragraph 6 that "If a plaintiff can no longer ..." 

Note that if you are quoting only a fragment (not a whole sentence) you would put the quotation marks inside the full stop:

He stated that this was "acceptable for the moment". 

But if you quote a whole sentence the closing quotation mark would go outside the full stop:

Dr Wilson stated: "She is unlikely to be able to do meaningful work in the foreseeable future." 

Block (indented) quote

For a block quote, including case quotations or extracts from medical evidence, indent the text on the left side and make the text one font size smaller (i.e. Arial 11) - no quotation marks, no italics:

Dr Collins noted that the Claimant had a past history of mental illness but added the following:

As she is on a disability pension due to her bipolar disorder, it is unlikely she will be able to do any meaningful work in the foreseeable future. However, this does not mean that she will never be able to work.

R

re-, see hyphens

reasons for decision, see assessments

regulations/guidelines, see also Acts, Bills

Regulations and other delegated legislation such as statutory guidelines should be cited in the same manner as in the primary legislation (italics for the name but roman for the year):

Motor Accidents Compensation Regulation 2005
Claims Assessment Guidelines 


reports, see authorised reports

S

s and z

Use *is* not *iz*:

finalise, finalisation 

finalize, finalization 

Use *ys* not *yz*:

analyse 

analyze 

Handy tip: The template should be set to the default language English UK. As many Assessors will be using different versions of Microsoft Word, it is best to access your 'Help' menu for instructions on how to set English UK as your default language.

section references

To refer to a section within an Act, use lower case s or ss followed by a space, then the number:

In s 22 ...



In ss 22 and 23 ...

In sec 22 ...



In section 22 ...

In Section 22 ...

In secs 22 and 23 ...

In sections 22 and 23 ...

In Sections 22 and 23 ...

However, at the start of a sentence, spell in full:

Section 22 states ...



Sections 22 and 23 state ...

S 22 states ...



Ss 22 and 23 state ...

Handy tip: To avoid breaking the reference over the end of a line, insert a non-breaking space (shift+ctrl+space bar) instead of a normal space between the s and the number.

self

When used as a prefix, *self* should have a hyphen:

self-punishment



self-diagnosed

self punishment



self diagnosed

semicolon (;), see also bullet points, lists

A semicolon is a cross between a full stop and a comma (as the semicolon symbol suggests). Accordingly, it has two main uses.

Firstly, it can be used as a 'weak full stop', joining a pair of strongly related clauses:

The children are now living with their father; this arrangement appears stable.



(Note that if you add *and* between the clauses you would switch to a comma, i.e. *The children are now living with their father, and this arrangement appears stable.*)

Secondly, it can be used as a 'strong comma' to give structure to a long list-style sentence containing many commas:

She would prefer that: the children remain with her, as long as she can still receive the pension; the house be sold, if a good price can be obtained; and the husband have weekend visiting rights, unless this proves to be impractical.



Note: We do not use semicolons at the end of each item in a bullet list.

send/serve

The word *serve* is usually referable to an adversarial court setting (e.g. *The plaintiff served his statement of claim on the insurer*). As CARS is part of the claims process, the less formal word *send* is preferred:

e.g. I direct the Insurer to send to me and to the Claimant the following documents ...

However, note the particular wording of the legislation:

e.g. In s 81 and s 110 the Insurer is required to give notice, and s 220 provides for the service of notices and documents.

shall, see will/shall

short-term/short term

Hyphen when in front of a noun:

She sees this as a short-term arrangement.



She sees this as a short term arrangement.



But two words if not in front of a noun:

She believes this will work in the short term.



She believes this will work in the short-term.



should, see must/should

sidelight

sidelight



side light



silicone/silicon

Silicone is a plastic, used for window sealers, breast implants, etc. *Silicon* is a metal, used for computer chips, etc.

skilful

skilful, skilfully



skillful, skillfully
(US spelling)



But note doubling of letter in certain other forms of the word, e.g. *skilled*.

social media

These should be capitalised as they are brand names:

Facebook



facebook



Twitter

twitter

However, *google* (as a verb) and *tweet* (noun or verb) should be lower case.

solicitor, see also counsel

Don't capitalise *solicitor* (or *counsel*):

The Claimant's
solicitor noted ...



The Claimant's
Solicitor noted ...



spacing

Generally

Line spacing in a decision should be single line spacing.

After headings and sub-headings

A line space should be inserted between a first level or main heading and the text below. There should be no space between a second level or sub-heading and the text below. The template provides for this. If you are using a first level or main heading followed by a second level or sub-heading with no text between them leave a line space between the main heading and the sub-heading.

After a full stop

Use a single space, not double, after a full stop at the end of a sentence. (In the days of typewriters, a double space was commonly used so there would be a clear gap between sentences, but a full stop on a computer actually has some extra space built in so double spacing is not needed.)

Between lines

You must put one line space between paragraphs. There are two ways to do this:

- Press 'Enter' to add a line space manually.
- Go to 'Paragraph' settings and insert 'Spacing before' of 12 pt.

Handy tip: To avoid breaking references or dates over the end of a line, insert a non-breaking space (shift+ctrl+space bar) instead of a normal space.

spinal cord

spinal cord



spinal chord



square brackets, see also Acts, parentheses

Case citations

Use square brackets if the volumes of a law report series are organised by year. The year in square brackets represents the year of publication and the volume within that law report series:

Mogensen v Premium Grain Handlers Pty Ltd
[2008] WASC 145



Kendirjian v Ayoub [2008] NSWCA 194

If more than one volume is produced in a single year, a further volume number must be added after the square brackets:

State Rail Authority of New South Wales v Belgrove
[1982] 2 NSWLR 38



Yacob v Arnotts Snack Products Pty Ltd [1982]
1 NSWLR 632

Paragraphs of judgments

Use square brackets to indicate the paragraph you are referring to in a judgment:

In Minister for Immigration and Ethnic Affairs v Bhardwaj [2002] HCA 11, Chief Justice Gleeson said at [14] that there had been a denial of procedural fairness ...



Quoted text

In quoted text, square brackets are used for editorial clarifications or to paraphrase:

The minister said, "This initiative [the change to insurance rules] will have long-lasting effects".



The minister said, "This initiative will have an effect on [claimants] as well as insurers".

If you use an ellipsis (three dots to indicate missing text) there is no need to put it in square brackets:

The minister said, "This initiative will have an effect on ... insurers".		The minister said, "This initiative will have an effect on [...] insurers".	
---	--	---	--

Note: If use of square brackets within a quote becomes too laborious, you could paraphrase the quoted text and remove the quotation marks altogether.

state of the art

Hyphens when in front of a noun:

The hospital has state-of-the-art equipment.		The hospital has state of the art equipment.	
--	--	--	--

No hyphens when not in front of a noun:

The equipment is state of the art.		The equipment is state-of-the-art.	
------------------------------------	--	------------------------------------	--

State/Territory

Use initial capitals for these when referring to Australian States and Territories:

The NSW Government provides facilities at various centres across the State.	
The States and Territories have agreed on a compensation arrangement.	

stationary/stationery

Stationary is all about standing still and not moving. Stationery includes pens and pencils. Memory tip: Cars are stationary, pens are stationery.

statutory declaration

Do not capitalise or abbreviate:

statutory declaration		Statutory Declaration stat dec	
-----------------------	--	-----------------------------------	--

storey/story

In Australia, storey refers to levels of a building:

They lived in a single-storey, three-bedroom house.		They lived in a single-story, three-bedroom house.	
---	--	--	--

Story refers to tales, books, etc.

Her story appears credible.		Her storey appears credible.	
-----------------------------	--	------------------------------	--

Note: In the US, story is used for both.

T

targeted

targeted		targetted	
----------	--	-----------	--

taxpayer

taxpayer		tax payer tax-payer	
----------	--	------------------------	--

telephone numbers

The anonymisation policy suggests telephone numbers of individual claimants should not be reproduced in decisions. If it is necessary to include telephone numbers in letters, reports or reasons, the following standard should apply.

Include the area code in brackets and add a space between two groups of four numbers:

(02) 9999 9999	
----------------	--

If the audience is outside Australia, include Australia's international code:

+61 2 9999 9999	
-----------------	--

Mobile phone numbers do not have an area code, and numbers are grouped 4-3-3, as are 1300 numbers:

0411 222 333 1300 656 919	
------------------------------	--

templates

It is important for consistency's sake that Assessors use the templates provided by the Motor Accidents Authority. Assessors should regularly refer to the Claims Assessors Extranet site for templates currently in use.

The templates will contain the correct formal parts of the document (such as headers and parties) and formatting of decisions (such as fonts, line spacing and headings) and will provide instructions as how to correctly complete the template.

that

That is a very tricky word. Here are the common issues.


Is it needed?


You can add or drop *that* in certain sentences:

He said **that** he could not meet the payments. 

He said he could not meet the payments.


However, when a sentence is more complex, adding or removing *that* can affect meaning:


He said **that** he could not meet the payments and **that** his wife agreed on this matter. (Clearly indicates that he said she agreed) 

He said **that**he could not meet the payments and his wife agreed on this matter. (Ambiguous: did he say his wife agreed, or did she actually agree?) 

That or which?


The choice between *that* and *which* depends on the sentence. If *that* or *which* is defining the main noun (house in the following example), you can use either:

The house **that** she used to live in has been demolished. 

The house **which** she used to live in has been demolished. 


Most people in the above example would use *that*, but *which* is perfectly acceptable. (Unfortunately, the spellchecker in Microsoft Word will insist you use *that* in this situation, but it's overstepping the mark.)

If you are merely describing the noun (adding information about it but not defining it), you must use *which* and it must be preceded by a comma:

The family home, **which** had been rented out for years, passed to her when she turned 21. 

Be careful of double 'that'


Don't unwittingly repeat 'that' in a sentence:

The Claimant explains in her affidavit **that**, when she saw solicitors in relation to the unfair dismissal claim, **that** she ... 

their, see pronouns

timeframe

timeframe 

time frame 

time of day, see also am/pm

Use *am* and *pm* (not 24-hour, not *o'clock*), and add '.00' for full hours:

She left work at 8.00pm. 

The accident occurred at 10.15am.

She left work at work at 8 o'clock. 

The accident occurred at a quarter past ten in the morning.

tire/tyre

To *tire* is to grow weary (and in the US it is the spelling for a car tyre). In Australia when referring to motor vehicles::

tyre 

tire 

U

underlining, see also bold, italics

There is no need to use underlining for emphasis; use italics instead.

For websites, use bold not underline.

Do not use underlining for headings.

underway, see also anymore, anyway


underway 

under way 

Note: Unlike *anymore/any more* and *anyway/any way*, there is no situation where *underway* may be spelled as two words.


up to date

Hyphens when in front of a noun:

He has the most up-to-date information. 

He has the most up to date information. 

No hyphens when not in front of a noun:

His information is up to date. 

His information is up-to-date. 

V

verbal/oral

Verbal means in words; *oral* means spoken. So the commonly used expression 'He informed me verbally' is nonsense (unless the writer wants to make it clear that the informant did not use sign language).

verb tenses

Don't switch between tenses unnecessarily:

He established a time to meet and had met her at this time. ❌

Dr Collins has raised the possibility of future heart surgery but noted the risks of surgery are not significant. ❌

However, sometimes two or more verb tenses can coexist in a sentence:

He said he loves his children. ✅

You could say *loved* here if you go on to clarify, e.g. *He said that he loved his children and that he continues to do so.*

Verb tense is of course a huge topic, so consult a grammar book for more details.

vocal cord

vocal cord ✅

vocal chord ❌

W

web

the web ✅

the Web ❌

webpage

webpage ✅

Webpage
Web page
web page
web-page ❌

website

website ✅

Website
Web site
web site
web-site ❌

website addresses, see also links to websites, live links

Write website addresses in bold to help readers identify them easily.

Generally, do not include 'http:/' at the beginning of website addresses (only do so if there's no 'www'):

Visit the State Government's Budget website at **www.budget.nsw.gov.au**. ✅

wellbeing

wellbeing ✅

well-being
well being ❌

well-known

Hyphen when in front of a noun:

This is a well-known treatment. ✅

This is a well known treatment. ❌

No hyphen when not in front of a noun:

This treatment is well known. ✅

This treatment is well-known. ❌

while/whilst

while ✅

whilst ❌

While is synonymous with the word 'whilst' which is considered somewhat outdated. It is preferable that it is not used in CARS assessments.

which, see that

who/whom

Use of *who* and *whom* can be contentious, so CARS has decided to give you a choice. But it helps to understand the logic behind this point of grammar.

Who is subjective (for the subject of the sentence, the one usually doing the action):

Who should have responsibility for the children?



Whom should have responsibility for the children?



Strictly, *whom* is objective (for the object of the sentence, the one usually receiving the action). But in standard business usage you could use either *who* or *whom* in the following:

Whom should I consult on this matter?



Who should I consult on this matter?

As noted above, you are free to choose on this matter. There is one area where *whom* survives uncontested. When it is directly preceded by a preposition (e.g. *to*, *with*), *whom* is retained:

To whom did the money go?



To who did the money go?



However, if you rephrased this sentence you'd find yourself using *who*, e.g. *Who should pay for this?*

whole person impairment

Do not capitalise or abbreviate:

whole person impairment



Whole Person Impairment
WPI



-wide

As a suffix, usually does not need a hyphen:

nationwide
worldwide
statewide



But it sometimes does:

Australia-wide



Check the Macquarie if in doubt.

will/shall

Modern grammar books tend to agree that *shall* is in decline, and CARS style is to use *will* instead.

However, *shall* has a few residual uses, none of which we are likely to see in CARS documents:

- Future action in the first person, e.g. *We shall see you tomorrow* (mostly replaced by *will* these days)
- Legislation, implying obligation to do something, e.g. *The officer shall ...* (even this is being gradually replaced by *will* or *must*)
- Questions in the first person, e.g. *Shall we go?* (the only usage of *shall* that is in regular use these days).

workers compensation

Do not capitalise or add an apostrophe:

The Claimant was paid workers compensation benefits.



The Claimant was paid Workers Compensation benefits.



The Claimant was paid worker's compensation benefits.

The Claimant was paid benefits under the workers compensation legislation.



The workers compensation insurer sought recovery of its payments pursuant to s 151Z of the Workers Compensation Act 1987

workforce

workforce



work force



world wars

World War II



World War Two
World War 2
Second World War



X

X-ray

Capital X and a hyphen:

X-ray



x-ray
X ray



Y

years, see also dates

year 12



37-year-old woman

three-and-a-half years

Year 12



37 year old woman

three and a half years

Note you add an apostrophe in sentences such as the following: *In three years' time this will be obsolete.*

ys/yz, see s and z

APPENDIX 1 - LANGUAGE OF DISABILITY

In recent years, the language of disability has moved away from medical jargon implying sickness and imperfection to a social perspective that reflects the relationship between the individual and his or her environment. The emphasis is on the person first without denying or obscuring the reality of the disability. This approach recognises that people with a disability are more likely to be handicapped by environmental barriers and attitudes than by the disability itself.

A

a haemophiliac, an epileptic, a paraplegic

You should not use 'a' before these nouns because it implies that you can categorise the person solely based on their disability. Instead use *person with haemophilia*, *woman with epilepsy*, *a man who has paraplegia*, etc.

abnormal/sub-normal

Not acceptable. Use *person with a disability*.

B

blind

Use only to describe a person who really is blind. Otherwise *person with a vision impairment* is preferred.

C

carer

Carers NSW defines a carer as any individual who provides unpaid care and support to a family member or friend who has a disability, mental illness, drug/alcohol dependencies, chronic condition or terminal illness, or who is frail. The term 'carer' should be reserved for an individual who is unpaid. Paid care workers should be referred to as such or be referred to as 'paid assistants' or 'paid attendants'. Please refer to the *Carers (Recognition) Act 2010* for further information.

challenged

Euphemisms and imprecise terms such as *intellectually challenged*, *physically challenged* and *differently abled* are seen as political correctness gone too far. Don't use them.

confined to a wheelchair

A wheelchair is not confining - it provides mobility to those who can't walk. Avoid terms that define the disability as a limitation. *Wheelchair-bound* is another example.

cripple

Should only be used as part of a direct quote, as part of an organisation's name, or by Steady Eddie!

D

Deaf with a capital 'D'

Many people who are unable to hear identify themselves as belonging to a group with its own language (Australian Sign Language - AUSLAN) and culture. In such cases a capital 'D' is used when referring to this group, e.g. *A Deaf spokesperson said ...*

deaf with a lower case 'd'

Use *deaf* if a person really is deaf, generally referring to people who are born deaf but do not use sign language, preferring to use lip reading or other modes of communication. In other cases *person with a hearing impairment* is preferred, referring to people with an acquired hearing loss through old age, sickness, accident, etc.

deaf and dumb

Insulting. *Deaf* is the appropriate term.

defect

Not acceptable. Use *congenital disability*, *blind from birth*, etc.

despite

People with a disability are active in their community because of their abilities, not despite their disability.

disabled

Emphasises the disability not the person. Use *person with a disability*.

disabled toilet/parking space, etc

We all know what is meant, but the toilet or car park is not disabled. It is an inaccurate description.

disadvantaged

Don't use *disadvantaged* to describe a person just because they have a disability. A disability in itself needn't be a disadvantage, although society's response to a person's disability can often be a disadvantage.

E

euphemisms

'Nice' terms such as *intellectually challenged*, *differently abled* or *physically challenged* are a denial of reality and are of limited use.

F

fits

The preferred term is *seizures*.

H

handicap

Don't use *handicap* to describe a disability, though this term can be used to describe the obstacles that restrict an individual's participation, e.g. *handicapped by a lack of accessible transport*.

I

impersonal references

Often people with a disability are referred to collectively as *the disabled*, *the handicapped*, *the mentally retarded*, *the blind*, *the deaf*, or *paraplegics*, *spastics*, *epileptics*, etc. These terms have the effect of depersonalising the description of people and equating the person with the disability.

Do not put the disability first and the person second. Examples: for a paraplegic use *person with paraplegia*; for an epileptic use *a person with epilepsy*; for 'spastic' use *person with cerebral palsy*.

intellectual disability

Terms such as *Mongol*, *retard* or *mentally retarded* are frowned upon. Use *person with an intellectual disability*.

invalid (noun)

An outdated term with negative connotations. Use *person with a disability*.

M

mental illness

Preferred over *mentally disabled*. Alternatively, use the appropriate clinical name, e.g. *person with schizophrenia*. Do not use *insane*, *lunatic*, *mad*, *crazy*, etc.

Mongolism

Use *person with Down syndrome*.

N

normal

This is a statistical term. In order to distinguish from people with a disability it is acceptable to use double negatives such as *non-disabled* or *person without a disability*, or descriptive terms such as *sighted*, *hearing* or *ambulant*.

P

paranoid schizophrenia

This is a specific condition. Such terms should not be used in a non-specific way.

patient

Should only be used when a person is actually receiving medical care or treatment, or is in hospital. At other times use the same word as you would for a person without a disability, e.g. *client*, *consumer*, *customer*, *commuter*, *visitor*, *patron*.

patronising language

Don't describe people as *brave*, *special* or *suffering* just because they have a disability.

people with disabilities

Can imply only people with more than one disability. Use *people with a disability*. While this is the preferred phrase it can be cumbersome and linguistically limiting. Variations can be used such as *Victorian with a disability*, *driver with a disability* or *mother with a disability*.

politically correct

If in doubt, make sure you are politically correct by using terms such as *person with a disability*. Don't use euphemisms like *physically challenged* or *differently abled*.

psychiatric disability

An acceptable term to describe a mental illness. Alternatively, use the appropriate clinical name, e.g. *person with schizophrenia*. Do not use *insane*, *lunatic*, *mad*, *crazy*, etc.

R

retarded

Derogatory, outdated and unacceptable. Instead use *person with an intellectual disability*.

S

spastic

Derogatory, outdated and unacceptable, unless as part of an organisation's name. In most cases *person with cerebral palsy* is the acceptable alternative.

stereotyping

Negative stereotyping can lead to discriminatory treatment of people with a disability. They should be portrayed in a positive manner by presenting them as individuals with a variety of qualities. It does not mean that a person's disability should be hidden, ignored or seen as irrelevant, and it should not be the focus of description except when the topic is disability. Also be careful not to imply that people with disabilities are somehow more heroic, courageous, patient or special than others.

sufferer

Avoid using *sufferer* to indiscriminately describe a person with a disability - individuals don't suffer just because they have a disability. Alternatives include *survivor*, *person who has had ...*, or *person with ...*

T

the blind, the deaf, etc

Avoid using 'the' in this manner as it unconsciously eliminates the person and creates a generalisation based purely on disability.

V

vegetables

What you cook and eat - not to be used to describe people who are comatose, unconscious or in a coma.

victim

Some people are victims of war, crime, accident or exploitative wages. It is inappropriate to describe people as victims of a particular illness, disease or disability. *Victim* and *sufferer* dehumanise the person and emphasise powerlessness. For example, do not use *victim of AIDS* or *AIDS sufferer*, use *people who are HIV positive*, *a person who has AIDS*, etc.

visual impairment

Implies a person who is unattractive to look at! Use *vision impairment* or *sight impairment*.

APPENDIX 2 - COMMON MEDICAL TERMS, CONDITIONS AND ILLNESSES

Disease names should be lower case (except for proper nouns, e.g. *Alzheimer's disease*, or acronyms, e.g. *AIDS*). Consider these examples.

A

achondroplasia
adenoma
AIDS
alcoholic hepatitis
alopecia
Alzheimer's disease
amblyopia
amoebiasis, or amebiasis
anaemia
aneurdu
anosmia
anotia
anthrax
appendicitis
apraxia
argyria
arthritis
aseptic meningitis
asthenia
atherosclerosis
athetosis
atrophy

B

bacterial meningitis
bipolar disorder
botulism
bronchitis
brucellosis

C

calculi
campylobacter infection
cancer
candidiasis
cerebral palsy

chalazion
chancroid
chavira
cherubism
chickenpox
chlamydia
chlamydia trachomatis
cholera
chordoma
chorea
chronic fatigue syndrome
circadian rhythm sleep disorder
coccidioidomycosis
colitis
common cold
condyloma
congestive heart disease
coronary heart disease
cowpox
cystitis

D

dengue
depression
diabetes mellitus
diphtheria
Down syndrome

E

ebola
emphysema
encephalitis

F

foodborne illness

G

gangrene
genital herpes
gonorrhoea

H

hepatitis A
hepatitis B
hepatitis C
hepatitis D
hepatitis E
Huntington's disease
hypermetropia
hypothermia
hypothyroid

I

influenza
iritis
iron-deficiency anemia
irritable bowel syndrome

K

kwashiorkor

L

lead poisoning
legionnaire's disease
leishmaniasis
leprosy
leptospirosis
leukaemia
listeriosis
loiasis
lupus erythematosus
lyme disease
lymphogranuloma venereum
lymphoma

M

malaria
Marburg fever
measles
melioidosis

Ménière's disease
meningitis
migraine
multiple sclerosis, or MS
mumps
muscular dystrophy
myasthenia gravis
myelitis
myeloma
myoclonus
myopia
myxedema

N

neoplasm

O

osteoarthritis
osteoporosis

P

paratyphoid fever
Parkinson's disease
pelvic inflammatory disease
periodontal disease
peritonitis
pertussis (whooping cough)
phenylketonuria, or PKN
polio, or poliomyelitis
porphyria
progeria
prostatitis
psittacosis
psoriasis
pulmonary embolism

Q

Q fever

R

rabies
repetitive strain injury, or RSI
rheumatic fever
rheumatic heart
rheumatism
rheumatoid arthritis
rickets
Ross River fever
rubella

S

saberi
salmonellosis
SARS
sciatica
scleroderma
scrapie
scurvy
sepsis
shigellosis
shingles
sickle-cell anemia
siderosis
silicosis
smallpox
Stevens-Johnson syndrome
strabismus
strep throat
streptococcal infection
swine flu
synovitis
syphilis

T

taeniasis
Tay-Sachs disease
teratoma
tetanus

thalassaemia
thrush
thymoma
tinnitus
toxic shock syndrome
trichinosis
trichomoniasis
trisomy
tuberculosis
tularemia
tungiasis
type A diabetes
typhoid, or typhoid fever
typhus

U

ulcerative colitis
uremia
urethritis
urticaria
uveitis

V

varicella
vasovagal syncope
viral fever
vitiligo
Von Hippel-Lindau disease

W

Warkany syndrome
warts
whooping cough (pertussis)

Y

yellow fever

