

PRECOGNITIONS

... for anyone who hasn't done one before.

A precognition is a paper setting out your evidence. In most other jurisdictions it's called a statement.

1 Planning your message

Before you start your formal document, make some informal notes:

What? - the key message you want to get across

Ways you might do that

Who are you speaking to and how you'll engage them?

How you could get their attention and get them interested in your statement?

What you want to happen and why?

Why you think that?

Your priority points

Less critical points – do you need them or will they weaken your key points with 'anything I can think of' ?

Who/what will benefit from your position?

What evidence you need to support it?

When you have that, you can start to plan how you'll set it out in your statement.

2 Heading and reference number

Cases have lots of documents. You want yours to be easy and quick to identify.

So a heading might look like this

“PRECOGNITION

by

JULIUS MACNAB [address]

In the appeal by XY against a decision of AB refusing planning permission for a development of CD at EF location,

OR

In the Public Examination of an application by XY for consent for [AB development] at [EF location]

Reference number:1234567890

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It’s easy and simple, but it doesn’t leave the reader in any doubt what he is looking at.

3 Layout and format

There is no set format. Good formatting can help your audience read your statement more easily. That’s what you want.

Use a clear font and stick to one.

Optimal point size depends on the font you choose - preferably 10 - 12 pt.

Space your lines at least 1.15. This is easier to read than single spacing.

Allow a line between paragraphs.

Allow decent margins – use the ‘normal’ margins default setting. Longer lines slow reading speeds.

Left justified text is easier to read.

Number the pages at the top centre or top right. Never at the bottom of the page.

Number the paragraphs, either serially or using outline: 2.1, 2.2, 2.3, etc

Be sparing in the use of bullet points, and abbreviations and acronyms

If you mention a document, put the reference in brackets and in bold so the reader can find it, e.g. **[CD 4.2, page 18]**.

Try to avoid footnotes. They can disrupt the flow of reading.

The less visual clutter, the better. Try to make your points using clear language, rather than text formatting. This also gives the impression of confidence and clarity.

If necessary, for emphasis use *italics* if it's part of the narrative, and **bold** if it's a summarising sentence. Avoid underlining and colour changes.

If it's worth saying, don't put it in brackets. They have the effect of demoting the importance of whatever they contain.

4 Style

This is your statement, so use the first person singular. Say "In my opinion/my view is ..."

Don't say "It is considered..." Writing in the third person lacks clarity and withholds information. The reader won't know who considered it.

Don't be too formal or too conversational. Use short sentences, but avoid sounding staccato. The rule of thumb is one idea per sentence. Don't use subordinate clauses. Use paragraphs, and don't make any paragraph longer than 3 inches. A wall of text is usually impenetrable.

Avoid gratuitous modifiers and superlatives. This can give the impression that you lack confidence in your statements. "*Wholly* exceptional" is a redundant usage, while "exceptional" is fine. "*Strongly* object..." or "*strongly* support" may be how you feel, but just using "object" or "support" is more measured and therefore more effective.

5 Content

It is likely that you will be asked to read this precognition out loud when you give evidence, so write it as you would say it.

Before you write anything, organise your evidence chronologically. Narrative is almost always best and easiest for the reader to follow.

Start with a brief summary of the scope of your evidence and the evidence itself. If it's short, put the summary in a text box.

Next, say who you are and why you are appearing.

Then explain what qualifications you have to give the evidence you are going to give. That doesn't just mean degrees and diplomas. A resident for several years with local knowledge may be a more relevant qualification than a string of post-nominal letters.

In the main text, explain the facts, and then explain any technical issue. Imagine you are explaining the matter to a non-technical friend.

If you offer an opinion, then first be sure of how you arrived at that opinion and be prepared to explain how you did so. Are you qualified and sufficiently well-informed to give that opinion?

And finally, write a conclusion and a requested outcome. e.g. *"I submit that for these reasons the appeal should be refused."*

6 Rehearsal

Read it out loud at home. To an audience, if you have one. Otherwise to yourself, in front of a mirror.

Revise any points that you think need rephrasing to aid delivery. Repeat until you're comfortable with the way it sounds.