



THE CASE OF

Comic Contracts

USER-FRIENDLY CONTRACTS

March 2022

Key facts and figures



Year of establishment

2017



Scope of service

Topics on which contracts are offered:

- Employment Contracts
- Outgrower Agreements
- Photographic Consents
- Medical Research Consents
- Financial Services Provider Agreement
- Funeral Insurance
- Renters Insurance
- General Insurance
- Grant Agreement
- School Contract
- License Contract
- Non-disclosure agreement

Target audience

- Marginalised / illiterate / vulnerable people
- General public

Type of service:

- Simplify, easify
- Illustration and Design
- Translation
- Communication
 - Print
 - Digital
- Posters



Geographical scope

Worldwide

- Africa (South Africa, Zambia, Kenya, Tanzania, Ghana, Côte d'Ivoire, Tunisia)
- Australia
- Europe (UK, Netherlands)
- South America (Brazil, Asia, Thailand)



Legal entity

Private Limited company, registered in South Africa



Type of justice problems addressed

Employment and business



Relationship with the government

Independent of the government



Number of affiliated staff members

Inourced: 1 permanent, and 2 part time.

Outsourced: 3 illustrators, 3 designers.



Number of contracts sold or number of clients that have purchased contracts

**±110 contracts sold to ±30+ clients
17,000 people so far who have signed the contract.**



Citizen satisfaction

Strong anecdotal evidence of satisfaction, no formal surveys



Costs of designing a contract

**Average €8000 per contract template
Range between €2500 and €15000**



Average time required to redesign a contract

2 months, including client feedback times.



Annual Budget

± €100,000

Initial Vision

Robert de Rooy, the founder of Comic Contracts, was working as a legal advisor to an agricultural company in South Africa when he became interested in improving contracts. While doing research on contracts, he came across literature that suggested the use of pictures and visuals to support textual information, such that the latter is held binding and the former only plays a supporting role. Robert thought that a contract that has a lot of textual information, excludes a large number of people in South Africa, given that many people are not literate or work as migrants so they are not familiar with the local language. They may not understand the rights and duties mentioned in their employment contracts. On the other hand, images are understood by everyone, they are universal.

Although the government of South Africa had tried to address this problem by requiring plain language explanations to be provided along with contract terms, the needs for those who were not literate still not met. With this thought, Robert started off by creating a contract for domestic workers and also on the topic of loan agreements. These efforts culminated in a full-fledged employment contract in the form of a comic for the agricultural company where Robert worked as a legal advisor. This comic contract illustrated essential elements of a contract for farm workers such as working hours, wages, leave policy and other terms of employment with the help of visuals. His venture of comic contracts led him to set up the company Creative Contract in South Africa.

According to Robert, different kinds of people can benefit from comic contracts. He says,

“The main target audience of Comic Contracts is the vulnerable, marginalised and illiterate people. There are also those who do not speak local languages or the language of the country or region where they work, or

those who can read only with enough time and support, or those that can read but feel intimidated by the walls of legal text and jargon. Even literate people benefit from reading information that is presented in a way that is visually appealing, easy to understand and easy to remember”.

So far, Robert has developed comic employment contracts for fisheries, domestic workers, agricultural workers, schools, and financial services. He has also drafted other legal documents such as licenses, grants, consents and basic insurance forms in the form of a comic.

Process of product development

In the beginning, Robert set up his own team of illustrators, cartoonists and artists, to illustrate contractual terms in the form of a drawing or visual. Because this process took a lot of time and effort, he eventually employed a professional studio that had experienced writers, illustrators and designers. This collaboration proved fruitful as the team brought an understanding of the illustration process, attention to detail and accuracy which was essential when illustrating legal concepts.

Prior to the involvement of the illustrators, Robert has to draft a script of the visual contract, review the text, clarify it, and describe in broad terms what must be illustrated. Thereafter, the illustrators do a rough sketch of the contract terms and prepare a basic design lay-out. Then, Robert reviews this contract with the client. After getting approval from the client on the sketch of the contract, the team would do the fine line drawings of the sketches, add colour and improve the design lay-out. Again, he would review these with the client, after which the team added the finishing touches, adding shading, logos, details, etc, and then do translations of the headings, and any text.

User-testing

Testing the contracts on intended users has been a challenging task. Robert and his team tries to reach out to end-users of the contract such as employees of the company and get their feedback. But since his client companies are located in different countries, the end users of the contract could not always be reached. Restrictions on movement brought about by the Covid-19 pandemic have exacerbated this problem. At times, the team has tried to resolve this bottleneck via intermediaries who interact with the end-users and request their feedback, but this approach has been difficult to replicate given that Robert and his team are based in South Africa and essentially work remotely.

Integration of legal and design thinking

Robert brings in the legal expertise and his team of illustrators bring expertise from graphic design. He explains to the illustrators how he visualises a certain legal concept. The illustrators then draw the idea on paper. They also give feedback to Robert when required after which Robert improvises on the nature of the visualisations. All in all, it is an iterative process. One of the challenges at this stage is communicating needs and requirements in a multidisciplinary team of lawyers and illustrators.

Submission Problem

Robert works with companies who are primarily responsible for providing the contract to the other party as a result of which the company can determine the design of the contract. For example, fishing and agricultural companies can independently decide on the nature of the employment contract that they want to offer

to their employees. Moreover, the visual contract is accompanied by a voice-over that explains the content of the contract orally, to mitigate any challenges that a visual contract might pose. Thus, the companies do not experience a submission problem where the other party is unwilling to accept this particular form of contract.

Role of enabling environment in the growth of the company

The regulatory authorities in South Africa — the primary market for Robert's Comic Contracts — have not posed any barriers to the growth of Robert's business. Through his network, the idea of comic contracts has gained traction in other markets. Aurecon, an engineering consulting firm based in Australia, now offers employment contracts to its employees in Australia, New Zealand and Philippines in the form of a comic strip [1]. The Chief Justice of Australia, Robert French AC has spoken in support of comic contracts. He holds them as legally enforceable for as long as they can be interpreted and are meaningful [2].

Since the comic contracts depart from the way the formal justice system has traditionally designed contracts, Robert initially had concerns about whether they will be held legally enforceable. So he consulted several lawyers in South Africa to test their validity and legal enforceability. He ensured that the contracts abide by general legal principles or the rules and regulations of a certain jurisdiction. If requested by the clients, Robert and his team also provide a contract explainer to explain the visuals used in the contract.

Marketing strategy of the company

Although Robert de Rooy has not invested resources in paid marketing methods, he has participated in several conferences on the topic of innovating contracting methods and improving business relationships. He has collaborated with several academics from all over the world and co authored research papers to promote the idea of comic contracts. The awards that comic contracts received from HiiL's Justice Accelerator and World Commerce Contracting for being innovative also helped in attracting attention in the business world. Lastly, many of the customers of Creative Contracts come to know about it via word of mouth.

Financial strategy of the company

Robert and his team have found financial support for employment contracts in the form of large corporations who purchase the contracts for their employees. HiiL's Justice Accelerator has also provided a grant to the company in the past. However, provider and clients. This is because although people are willing to adopt new ideas such as comic contracts, they want to see a proof of concept prior to purchasing it or investing in it as. People hesitate in adopting the idea of comic contracts, because its a new concept and departs from the way contracts are traditionally drafted, In that regard, comic contracts are still trying to gain a foothold in the contracting industry.

Secondly, attracting funds from investors has been difficult because investors are interested in funding a predefined template of a business model, which Creative

Contracts does not fit into. Furthermore, investors want to understand the outcomes or impact that the contracts provide to contracting parties. To some extent, Creative Contracts has collected anecdotal evidence of the impact comic contracts have on farm workers, but to measure these outcomes systematically is a challenge unless the client company is interested in measuring impact of the contracts.

Process of scaling the business

Creative Contract's main value proposition is making contracts easy for the users to understand. The problem is that the users are the marginalised and vulnerable, and they are not the paying client. So although there are definitely very compelling value propositions for the paying clients, these are not immediately commercially viable. So comic contracts struggled in attracting customers.

In order to decrease the handling costs for the client company, Robert de Rooy developed a digital comic contract. This reduced the printing and distribution cost for the client company and made the contracting process faster and more efficient than before. End users can sign the contract online and then it can be printed. Given that the end users are low-skilled and illiterate people the digital contract is accompanied by a voice over. For companies that employ a large number of people, such as fisheries and agricultural companies, digital employment contracts can save a lot of time.

Lessons learnt

Lessons that can be taken from the experience of setting up Comic Contracts are:

- During the ideation phase, lack of adequate funding posed a challenge in kick starting the venture. Although the founder invested own funds into the venture, to fully operationalise the concept and to enlist support of artists and illustrators, the founder felt the need for donor or investor support.
- Some client businesses are embracing visual contracts but despite the growing support for the legal validity of this concept, the majority of businesses still prefer using traditional contracts. So a mindset change among the business community is necessary for the demand of comic contracts to increase.
- The demand for visual contracts will also benefit from a mindset shift in the legal profession. Although comic contracts are held to be legally enforceable, a large section of the legal profession is still sceptical about this idea. This is evident from the fact that very few lawyers offer comic contracts to their clients.
- One of the challenges in scaling and funding comic contracts is the lack of investor support. Despite being legally enforceable and commercially viable, the concept of comic contracts has not found many takers in the investor community because investors seek business models that fit a predefined template, which Creative Contracts, the business entity that provides comic contracts, does not fit into.
- Investors also want to see the outcomes or impact of contracts for both parties to the contract. But as described before, measuring outcomes for a third party provider such as Creative Contracts is difficult.

Critical Success Factors

Factors that played a critical role in the success of Comic Contracts are:

- Critical to scaling comic contracts was also the financial support that Robert de Rooy was able to garner through the agricultural company he worked for. With their support, Robert could flesh out the idea of comic contracts in a full-fledged manner. The agricultural company saw value in comic contracts because the employees were not literate and would benefit from a visual contract. In other words, approaching a stakeholder who benefitted from immediate gains helped comic contracts in scaling.
- Comic contracts, like the concept itself, did not follow the traditional path to gaining recognition or achieving scale. Instead of paid marketing, it was academic and business conferences that helped them in gaining visibility. Similarly, it gained customers via word of mouth publicity and not via paid advertising.
- By digitising the contracting process, Robert de Rooy was able to reduce the amount of effort and time to be invested in the contracting processes.

Sources

[1] Aurecon (2020). [Aurecon rolls out visual employment contracts in the Phillipines.](#)

[2] Giancaspro, MA. 2020. Picture-Perfect or Potentially Perilous? Assessing the Validity of 'Comic Contracts'. *The Comics Grid: Journal of Comics Scholarship*, 10(1): 7, pp. 1-27.

This case has been developed by Robert de Rooy with suggestions from the HiiL team.

To learn more, read the [policy brief on User-Friendly Contracts](#) or visit www.hiil.org and dashboard.hiil.org.

