

Relative clauses

Relative pronouns (e.g. *who*, *whom*, *whose*, *which*, *that*) provide a convenient means of linking sentences together. For example: *The commercial lawyer efficiently drafted the sales contract, **which** the client read and approved.*

Relative pronouns

Relative pronouns include *who*, *whom*, *whose*, *which* and *that*. Here are some brief notes about their use.

Who or whom?

The correct use of *who* and *whom* is a matter which many non-native and native speakers of English alike have difficulty with. The distinction between them is that *who* acts as the subject of a verb, while *whom* acts as the object of a verb or preposition. This distinction is not particularly important in informal speech but should be observed in legal writing. For example, *whom* should be used in the sentence, „I advised Peter, John and Mary, all of whom are contemplating claims against RemCo Ltd". *Who* should be used in the sentence, „I saw Peter, who is contemplating a claim against RemCo Ltd"

When *who* is used, it should directly follow the name it refers to. If it does not, the meaning of the sentence may become unclear. For example, „I saw Peter, who was one of my clients, and James" instead of „I saw Peter and James, who was one of my clients".

Which or that?

Which or *that* can frequently be used interchangeably. However, there are **two** rules to bear in mind.

When introducing clauses that define or identify something, it is acceptable to use *that* or *which*. For example, „a book which deals with current issues in international trade law" or „a book that deals with current issues in international trade law".

Use *which*, but never *that*, to introduce a clause giving additional information about something (non-defining relative clauses). For example

„The book, **which** costs €30, has sold over five thousand copies"
and **not**

„The book, **that** costs €30, has sold over five thousand copies".

Who, whom, which or that?

Who or *whom* should not be used when referring to things which are not human.

Which or *that* should be used instead. For example

„The company which sold the shares" is correct.

„The company that sold the shares" is also correct.

„The company who sold the shares" is incorrect.

That should be used when referring to things that are not human, and may be used when referring to a person. However, it is usually thought *that* is more impersonal than *who/whom* when used in this way. As a result it is better to say „the client who I saw yesterday" than „the client that I saw yesterday".

Exercises

Link these sentences together using relative clauses. You may also need to adjust the wording and/or word order of the sentences. In some cases you should consider deleting or replacing certain words and phrases.

(1) Here is a contract. There are many typing errors in it.

(2) This is the burning question. Everyone wants to know the answer to it.

(3) Is that Susan Jones? I saw her CV only yesterday.

(4) Please refer to clause 7 of the contract. It deals with certain force majeure situations.

(5) We have an intellectual property expert. Her name is Clare Brewster. She specialises in complex patent infringement cases.

(Forum Legal:English by lawyers for lawyers)