

LEGISLATIVE DRAFTING SERVICES — PRIVATE MEMBERS' BILLS

**936. Hon RICK MAZZA to the Leader of the House representing the Attorney General:**

I refer to President Doust's statement in the Legislative Council on 14 August 2018 and Speaker Watson's statement in the Legislative Assembly on 9 October 2018 regarding the drafting of private members' bills.

- (1) For how long has the Parliamentary Counsel's Office been unable to provide assistance in drafting new private members' bills?
- (2) When does the government anticipate current drafting pressures will be alleviated?
- (3) How many private members' bills is the Parliamentary Counsel's Office currently drafting?
- (4) Who is responsible for the resource limitations on the Parliamentary Counsel's Office?
- (5) Does the Parliamentary Counsel's Office require more staff to meet the workload; and, if so, what measures are being taken to increase resources?

**Hon SUE ELLERY replied:**

I thank the honourable member for some notice of the question.

- (1) The current pressure on the Parliamentary Counsel's Office's resources means that PCO is unable to assist with private members' bills when the drafting work would be extensive. However, it is still able to provide assistance to private members for the drafting of relatively uncomplicated private members' bills and amendments to bills currently before the Parliament. Since April 2017, PCO has suffered from a significant loss of drafting capacity for a variety of reasons outside the office's control and not as a result of budget repair or savings measures imposed by the government. PCO has successfully recruited a number of new drafters, but most have no prior drafting experience. It takes many years for newly hired drafters to be fully trained. This has meant that a significant training and supervision overhead has fallen on the small number of remaining senior drafters who are also extremely busy drafting the government's most complex and urgent legislation. Because of this, the current number of new recruits is considered to be the maximum number that PCO can take on at this time. Experienced drafters are a scarce resource across the English-speaking world. Extensive attempts to recruit or second experienced drafters from other jurisdictions have so far resulted in the recruitment of only one experienced drafter, who will start work at PCO in November 2018. PCO continues to engage four retired PCO drafters on contract to provide drafting services. These drafters are available only part-time and in one case only for a specific project. The government has also made extra funding available to PCO to engage experienced interstate legislative drafters on contract to supplement PCO's drafting resources. Three contract drafters are currently engaged. None of these drafters can contribute to the training and supervision of more junior drafters because of their limited availability or because, in the case of the interstate drafters, they work remotely. Most of the drafting resources available to PCO are fully engaged with meeting the government's requirements for legislation—both bills and subsidiary legislation—and training and supervising the newly recruited staff.
- (2) Please refer to (1).
- (3) The PCO is currently drafting three private members' bills.
- (4)–(5) Please refer to (1).