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Using inexperienced legislative drafters

As a former friend and colleague of Sir George Engle's, I warmly support his criticism of the farming out of legislative drafting work to inexperienced persons (letters, 27 February 1996).

When I joined the Parliamentary Counsel Office in 1953 I was told that it took ten years of full-time on-the-job experience to make an accomplished draftsman. My working life in the Office fully confirmed this.

It is surprisingly difficult to couch even simple ideas in language suited to serve as statute law. The efficient legislative drafter needs to have wide knowledge and experience of law, language and composition. Other qualities, such as high intelligence, imagination and vision, are also required.

It is an obvious mistake to disregard these requirements and use inexperienced outsiders. When the cost of doing so is as exorbitant as Sir George demonstrates, the action is something the National Audit Office may wish to examine.

Of course the explanation may be that the Treasury were looking for a different style of drafting, perhaps of the so-called 'plain English' variety. That is even more difficult to achieve.¹

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¹ *The Times*, 5 March 1996.