

Work methods and processes in a drafting environment



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Introduction

In Commonwealth countries, legislative drafting tends to be handled by centralized drafting offices. The main reason for this is that central drafting is generally seen as generating a higher level of consistency and efficiency than situations where drafting is handled by each sponsoring ministry. However, centralizing the drafting of legislation does not automatically produce greater consistency in legislation and greater efficiency in the use of drafting resources. A number of conditions, including the implementation of good work practices and processes, must be met if those results are to take place.

The main purpose of this paper is to discuss work methods and processes, but before embarking on that discussion, it is in my view important to bear in mind some of the building blocks that must guide managers of drafting offices when making decisions regarding the necessary steps to be undertaken in order to establish an efficient and effective drafting office. First, every centralized drafting office has the responsibility of ensuring and maintaining the quality, consistency and integrity of the statute book. Secondly, legislation must be drafted with a view to meeting government expectations, both in terms of its contents and the timing for its completion. Thirdly, legislation must be accessible to all those concerned, both materially and intellectually.

My discussion on work methods and processes will focus on seven broad categories: teamwork approach, work assignment, relations with client or sponsoring ministries, development of a corporate knowledge base, quality control, bilingual (or multilingual) drafting, and drafting tools and other devices/equipment.

1. Teamwork approach

Every step of the legislative drafting process is about teamwork. Not only is it essential for drafters to exchange ideas with colleagues, but as part of their daily work, they work closely with policy developers and other representatives of the sponsoring Ministries. As well, the legislative drafter needs to work closely with central agencies, such as Cabinet, that have a central coordination role to play with respect to the government's legislative agenda. Drafters also work closely with other professionals who may be involved in the preparation of legislation, such as legislative editors, linguists, comparative law experts, as is the case in Canada. Finally, based on Canadian experience where drafting is centralized in the Department of

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Justice, legislative drafters are in constant contact with other legal experts in the Department such as those working for the sponsoring Ministry or lawyers working in specialized advisory legal services (e.g. experts in constitutional law, administrative law, human rights law, criminal law).

Furthermore, when the drafting of primary and subordinate legislation is handled by two separate groups, the drafters of the former should also work closely with the drafters of the subordinate legislation, given the close relationship between primary and subordinate legislation. When a Bill is ready to go to print, drafting services interact with the printing agency. And finally, when the time comes to introduce a Bill in Parliament, drafting services must work closely with officials in Parliament, both before and after introduction of a Bill.

Because legislative drafting involves various experts working together from the beginning to the end of the process, drafting offices should implement sound teamwork approaches and make sure they can maximize some of the positive impacts produced through those approaches on other key aspects in a drafting environment.

1.1 Teaming up drafters strategically

In Canada, the federal drafting office always has at least two drafters working on each file since our co-drafting system calls for both an English-speaking and a French-speaking lawyer to work together in a concerted manner in preparing the two official language versions of each Bill. In addition to ensuring the requirements of official bilingualism are properly attended to by having all Bills drafted by bilingual teams of drafters, the drafting office does its best to have an experienced drafter and a less experienced one paired to work together on any given file, thus allowing the more junior officer to learn from his or her senior colleague through this process. Most Commonwealth drafting offices have various mechanisms in place to ensure the development of skills and expertise through some form of cooperation between senior and junior drafters. Not only is this beneficial for less experienced drafters, but it is also valuable for senior drafters to be able to discuss various issues with their more junior colleagues who often have innovative ideas about the way problems might be handled.

When drafters are members of a team, they must be mindful of the importance of clearly defining the duties of each drafter in order to avoid any kind of misunderstanding and to ensure the best possible cooperation between drafters. Also, junior drafters should get the opportunity to work with different senior drafters over a period of time in order to be exposed to different styles and approaches. Ultimately, the drafting input into any legislative project must speak with one voice.

1.2 Teaming up drafters of primary legislation and subordinate legislation

Because primary and subordinate legislation are so closely linked with one another, the latter fleshing out the broad principles established in the former, where primary and subordinate legislation is drafted by two different groups, appropriate mechanisms should be put in place to ensure the greatest possible consistency between the two sets of legislation. One way to achieve that result and also to save time (no learning curve required) is to have the same team of drafters drafting both the Bill and the ensuing subordinate legislation. Another way is to set up two teams of drafters, one responsible for the drafting of the Bill and the other one in charge of the subordinate legislation, and to make sure the two teams work closely together. At the very minimum, when drafting a Bill that contains provisions for the making of subordinate legislation, the drafters of the Bill should always consult their colleagues who are the experts in preparing subordinate legislation, in order to make sure the enabling provisions contained in the Bill are properly drafted and will not raise legal or policy issues down the road.

1.3 Teaming up with other professionals (e.g. legislative editors)

Legislative drafters need to be supported in their work both linguistically and legally. Drafters are experts in drafting legislation, but this does not mean that they are also, nor can they be expected to be, experts in language issues or in all areas of the law.

Language experts (e.g. legislative editors, linguists) can provide assistance on language aspects, allowing the drafters the opportunity of focusing on what they know best, namely the law and the legal aspects involved in legislative drafting. This is also a way of ensuring that more than one set of eyes (including a *fresh* set of eyes) carefully reviews each legislative text and that such review includes a close verification of technical details such as historical notes, cross-references, spelling and punctuation, as well as syntax and grammar.

On the legal side, drafters should not and cannot be expected to do all the legal research and opinion writing work that may be required for the proper drafting of a particular piece of legislation. They should be able to rely on other colleagues in the Ministry or Department whose responsibility it is to do the necessary research work and to provide legal opinions on various legal matters. This enables the drafters to focus on their work and to effectively specialize in legislative drafting, which is an art and a discipline in itself.

1.4 Integrated approach (teaming up with litigators, policy developers, etc.; multidisciplinary approach)

Legislative drafters are not policy developers and should not be expected to do both the policy formulation and the legislative drafting for a particular government initiative. These two disciplines require different skills and ought to be handled by two sets of specialists. That being said, however, there is no doubt that policy developers and legislative drafters must work closely together in the process of developing a given piece of legislation, and there will always be room for at least some policy work to be done by drafters, such as challenging policy assumptions or fleshing out incomplete policies.

There are cases where the Bill being drafted results from a court decision or deals with issues that have been argued before the courts over the years. In those situations, it may be worthwhile and quite advisable, in fact, for the drafters to work closely with the litigators and other legal counsel who have been associated with these court cases. There may be instances where it may be beneficial to set up a multidisciplinary team consisting of drafters, policy developers, litigators, and legal counsel specialized in various areas of the law, to ensure that all aspects of the file are duly taken into consideration. In urgent cases especially, it may save a significant amount of time to have everyone around the table to discuss various aspects of a file.

1.5 Word of caution

As much as teamwork should be valued and encouraged in drafting legislation, a lot of precious time can be wasted if there is no clear understanding as to who has the final say when no consensus is reached on various aspects of the Bill being drafted. The respective roles should be clarified at the very outset (see item 3.3 below). Generally speaking, there should be no doubt that policy related issues are the domain of the sponsoring Ministry (or Cabinet, when matters discussed may impact material aspects of Cabinet's decision), while drafting matters (e.g. drafting style, drafting techniques, terminology) are the responsibility of the drafter or the leading drafter when there is more than one drafter on the file. Legal issues other than drafting issues should be the responsibility of the ministry in charge of legal matters (e.g. Department of Justice, in Canada). During meetings, discussions should always be led by the drafter or leading drafter in charge of the file.

2. Work assignment

Assigning work to drafters is not just about numbers (i.e. making sure each drafter has his or her fair share of work). By assigning files in a strategic manner, managers can significantly influence and increase the quality of the end product, as well as the volume of work accomplished. Here are a few considerations that managers may want to keep in mind when assigning work among their drafters.

2.1 Workload generally

Drafters are subject to very hectic schedules. Therefore files must be assigned in a manner that allows the work to be spread out equitably among the group. Drafters cannot constantly draft under the pressure of tight deadlines. But other criteria should also be taken into consideration in assigning drafting files. For instance, managers should make sure their drafters get to work with a wide range of colleagues and can learn from each other. As mentioned above, more experienced drafters should be matched with less experienced ones. Some colleagues are quicker drafters than others and should therefore be considered for urgent files, provided that the same people do not always end up getting all the urgent files.

It would appear that most drafting offices across the Commonwealth pay attention to individuals' personal areas of interest in assigning files and actually invite drafters to let management know if they are interested in drafting a particular piece of legislation. A drafter is likely to do a better job if he or she is asked to draft a Bill on a subject matter that is of particular interest to them. Also, even if drafting offices do not generally tend to support specialization among their drafters (see discussion on specialization below), in most drafting offices there will be individuals who, either because of past experiences or personal interest, have developed a greater expertise than most of their colleagues in particular areas of the law. Managers would be ill-advised not to take advantage of the expertise developed by individuals in particular areas of the law when assigning files relating to those same areas. Experience should of course be factored in when assigning files. A more experienced drafter can cope more effectively with emergency situations, difficult clients or complex files.

2.2 Specialization (generalist vs. specialist approach)

Legislative drafting is in itself a form of specialization. Professional legislative drafters (i.e. those who exclusively draft legislative texts) are indeed specialists. That being said, most drafting offices do not tend to encourage drafters to specialize even further by developing a special expertise for the drafting of legislation in particular areas of the law, with the possible exception of complex and technical legislation such as tax law writing.

Why would a drafting office opt for a generalist approach as opposed to a specialist approach, and vice versa? In my experience, it is better to avoid ultra-specialization. Because the legislative workload and priorities are generally quite unpredictable and anything but stable, managers need to be able to move files around in order to meet the government's legislative agenda. In order to have that flexibility, managers must be able to count on drafters who are comfortable at drafting just about any kind of legislation and working for just about any sponsoring ministry. This is only possible if drafters are generalists and are not so specialized in particular areas of the law that any other area of the law where legislation is required would almost be totally foreign to them.

That being said, a certain level of specialization may not be a bad thing. For instance, in some drafting offices, the same drafters tend to draft most of the criminal law legislation, but they also draft other types of legislation and are indeed quite comfortable in drafting legislation in just about any other area of the law.

They may be a prime choice for the drafting of a criminal law Bill, but they would also be available to draft all sorts of other Bills. This allows for better quality legislation in the area of criminal law while still supporting the organization's need for flexibility to deal with all kinds of emergencies and a wide range of other types of legislation.

The same could probably be said of the advantages and disadvantages of having a portfolio approach. Some drafting offices have teams of drafters primarily responsible for the drafting of legislation administered by a particular ministry or a limited group of Ministries. This approach obviously has a number of advantages, including the fact that the legislation of those Ministries gets drafted by drafters who have a particular expertise in the various areas falling within the jurisdiction of the Ministries concerned. The downside, however, would be to have a situation where the drafters draft for those Ministries exclusively and know very little about the areas of the law that other ministries are responsible for, in which case management would have relatively little flexibility to move files around according to government priority changes. A portfolio approach that would still allow drafters to draft legislation in areas falling under other portfolios would likely be a sounder approach as it would allow for all drafters to build a broader drafting expertise.

2.3 Large files (several teams)

The drafting of large Bills (e.g. several hundred pages) requires time and concentration, but sometimes, for political or other reasons, those large files become urgent and need to be ready for tabling in Parliament in a very short timeframe. A good way to deal with that kind of situation is to create several teams of drafters to work on various parts of the Bill, with one team or one senior drafter being put in charge of the whole file and coordinating all aspects of the file in order to ensure consistency and compliance with deadlines.

However, this multi-team approach will not work very well and will likely only create a real bottleneck on the client's side unless the sponsoring Ministry also establishes corresponding teams that can instruct each one of the drafting teams put in place to deal with this extraordinary emergency situation.

2.4 Prioritization of files

Whether or not a government establishes a legislative calendar with its priorities well spelled out, government priorities are bound to change. Circumstances (political, economic, social) change over the lifespan of a legislative calendar and this will necessarily mean that drafting services will have to adjust to the government's changing needs and priorities. Priority-setting or priority-shifting related issues should always be dealt with by a central agency (e.g. Cabinet, Prime Minister's Office) that will be able to let drafters know what the government's new priorities are and, accordingly, which Bills should now retain the drafters' attention on a priority basis. It should not be the responsibility of the drafters or even their managers, let alone individual Ministries, to decide what the government's priorities are at any given time.

2.5 Empowerment

By its very nature, an effective legislative drafting process requires quick decision-making. Once they have a few years of experience, drafters should be empowered to make decisions on their own files, subject of course to normal quality control mechanisms discussed below. As well, the instructing officers representing the sponsoring ministries and interacting with the drafters on an almost daily basis should also be selected for their authority to make decisions or because of their easy access to decision makers. The approval structure in place in some drafting offices may be too heavy and may have to be revisited in order to ensure its efficiency and to ensure a greater level of empowerment for legislative drafters.

3. Relations with *client* or sponsoring ministries

One must never lose sight of the fact that, in the end, legislation must not only be workable, be legally sound and meet Cabinet's expectations, but it must also support sponsoring ministries in achieving their policy objectives. Therefore, sponsoring ministries must be at the heart of the legislative drafting process. Their views must always be closely considered and taken into account. Drafters must make sure the sponsoring ministries are happy with the end product and are not simply dictated what the law should be.

3.1 General approach

Legislative drafting should in all cases be a client oriented service. Sponsoring ministries must be kept informed of the progress of their Bills at all times, must be consulted at every stage of the drafting process, and must be told about problems encountered in the drafting process and be part of the problem-solving process. Drafters are not there to tell the client ministries what should be in their Bills, but to listen to what the client ministries wish to achieve with their Bills, as approved by Cabinet, and to turn these desires and policy objectives into a workable and legally sound piece of legislation.

3.2 Policy role of the legislative drafter

As discussed above, drafters are not the policy experts. Policy development is the sponsoring organization's domain. But the drafters should never hesitate to raise questions with client officials in order to make sure they have a good understanding of the policy that is about to be translated into legislation, and to make sure all aspects of the policy have been thought through. When the policy appears to be incomplete for the purposes of having a workable Bill drafted, it is part of the drafter's role to raise all necessary questions and to make suggestions to fill the apparent policy gaps. Drafters are not as close to the working out of the policy as the sponsoring ministry is, and so they can approach a Bill with a fresh and independent eye. They should not take things for granted and should be prepared to question ideas. That being said, it is not enough, however, for the drafters to challenge bad ideas. Their capacity to contribute fresh and constructive ideas is even more important.

3.3 Clarifying respective roles

Good working relations between drafting services and client ministries are premised on a clear definition of their respective roles and responsibilities in the legislative drafting process. Preparing a short document describing respective roles and responsibilities will go a long way in avoiding potential confusion and misunderstanding. Every Ministry should receive a copy of the document when it is completed and should also be provided with a copy every time a drafting file is opened for that Ministry. It might be advisable to discuss the document briefly at the beginning of the first meeting held on any particular legislative file, as a reminder.

3.4 Relations with central agencies

It should always be clear that drafters take their marching orders from Cabinet or some other central agency (e.g. the Prime Minister's Office). They should never be at the mercy of particular sponsoring ministries. This is particularly important in the context of changing government priorities, as discussed above.

3.5 Drafting instructions (not in the form of a Bill)

As a general rule, drafters should work on the basis of drafting instructions and not on the basis of a document that is already in the form of a Bill. These instructions should be contained in the Cabinet decision authorizing the drafting of a Bill. Drafting services ought to be consulted by officials preparing

Cabinet memorandums that envisage the preparation of legislation and be given an opportunity to provide advice on the drafting instructions to be included in the memorandums and eventually in the Cabinet decisions.

When working from instructions that are prepared in the form of a Bill, drafters waste precious time deconstructing this draft Bill in order to properly understand its underlying policy and to make sure the policy is complete and workable, and then to reconstruct the Bill according to accepted drafting standards.

3.6 Preparing guidelines for the preparation of drafting instructions

In order to ensure consistency in the way drafting instructions are prepared across government, it would be advisable for drafting offices to prepare guidelines that can be used by those responsible for the preparation of the drafting instructions across government.

3.7 Drafting meetings

Finding out what the sponsoring ministry actually wants is essential, and this cannot possibly be done merely by reading the drafting instructions prepared by the ministries, unless the Bill to be drafted is extremely simple and straightforward, which would be rather exceptional. The best way to understand the sponsoring ministry's policy objectives is through meetings. The drafting process should always start with a preliminary meeting where respective roles are discussed and a general discussion is held on the sponsoring ministry's intentions, as approved by Cabinet. Background information would also be provided to drafters during that preliminary meeting. This meeting should be followed by as many meetings as may be required to make sure both the drafters and the client officials are satisfied that the Bill, as drafted, properly reflects the sponsoring ministry's and Cabinet's intention.

3.8 Exchanging drafts (drafting shuttle)

After the first meeting with the sponsoring ministry officials, a first draft of the Bill should be prepared and circulated to the sponsoring ministry for their comments. Then another meeting should be held to discuss the first draft. Depending on the nature and complexity of the Bill, there may be as many as twenty or thirty drafts prepared before everyone agrees on a final draft. There may be a need to have as many meetings, although in most cases many of the changes suggested can be discussed over the telephone.

4. Development of a corporate knowledge base

A number of work methods and processes are directly or indirectly aimed at developing a solid corporate knowledge base in order to increase the collective knowledge and information available to all members of a legislative drafting office. Formal training is the most obvious way to develop the group's collective knowledge base, but there are numerous methods besides formal training to assist an organization in that respect. Here are but a few of the methods that can be used to that end.

4.1 Regular staff meetings

The simplest and most effective way of developing a solid knowledge base within the group is to hold meetings on a regular basis and to consider the meetings as a priority for everyone. Members of a drafting office ought to meet regularly to share information, to discuss problems, to identify solutions together, to discover innovative ways of dealing with new emerging problems, to share ideas on best practices, and, generally speaking, to make sure the group drafts in a consistent manner. A lot of that information sharing can be done by exchanging emails or through some other vehicle supported by information technology (IT),

and drafters should be strongly encouraged to use that device for information sharing purposes. However, IT cannot totally replace meetings. Solutions identified during meetings could then be incorporated into a legislation desk book.

4.2 Informal meetings

Managers in drafting offices should strongly encourage the emergence of an information sharing culture within their groups. Informal exchanges (e.g. meetings around a cup of coffee/tea) are an excellent way of sharing information and keeping everyone aware of what is happening within the group.

4.3 Mentoring

A mentoring system allows newcomers and less experienced drafters to have regular access to a more senior drafter who can answer their questions, provide advice and guide them in their daily work as legislative drafters. Every time a new officer is hired, one of the more senior drafters should be identified as his or her mentor, responsible for providing guidance and assistance to this new officer for a fixed period of time (at least one year). This would be a way of facilitating the new officer's full integration in the group and making sure newcomers are exposed to a wealth of information and brought up to speed in a timely manner.

5. Quality control

Because legislation is often drafted in difficult circumstances (e.g. emergencies, political pressures, unreasonable timeframes), it is of the utmost importance for any drafting office to have in place appropriate mechanisms to ensure its legislation meets the highest quality standards possible. There are a number of ways to ensure greater control over the quality of legislative products. Here are a few suggestions in that respect.

5.1 Drafting standards

Consistency in legislative drafting is extremely important. Quality legislation simply cannot exist without consistency. To that end, every drafting office should establish drafting standards, and these standards should be established collectively through discussions and participation by everyone, rather than dictated by management. Once established, these standards should be incorporated into the group's legislation desk book for ease of reference and should be updated, as needed, over the years.

5.2 Mainly the responsibility of drafters

The main responsibility for ensuring high quality legislation lies in the hands of the drafters themselves. They are the guardians of the statute book. They are the experts. They have (or should have...) the last word when it comes to drafting techniques, terminology, structure of a Bill, etc. Of course, as discussed above, they ought to be assisted by other professionals, such as legislative editors, in ensuring the quality of their legislative product, but they are ultimately responsible for the quality of the Bills they draft.

5.3 Role of the sponsoring ministries

Sponsoring ministries also have a key role to play in ensuring that the Bills meet their needs and properly carry out their policy objectives, as approved by Cabinet. To that end, they will benefit from the drafters' assistance, but they should not strictly rely on the drafters to ensure that the legislation being drafted will achieve its goals and is of good quality.

5.4 Objective review of all Bills

Even if drafters use a teamwork approach to draft a Bill and therefore more than one drafter gets to see each Bill, having in place a review mechanism that allows for an objective review of the Bill by other colleagues who have had nothing to do with the actual drafting of the Bill can be very useful. Of course, legislative editors play that role to a large extent, but they are generally not legally trained (which indeed is one of their advantages...). It is therefore important that an objective review of all Bills drafted be carried out by other legally trained colleagues. This can be done through a review committee (which can be an interesting training ground for less experienced drafters) or simply by one or more other colleagues (not necessarily more senior) who have been tasked to do this on an ad hoc basis or otherwise (review officers).

6. Bilingual (or multilingual) drafting

Many countries draft their legislation in more than one official language. Canada, with its two official languages (English and French), is of course one of those countries. It may therefore be useful to briefly discuss a few methods that are available and have been tried out in terms of dealing with bilingual or even multilingual requirements.

6.1 Co-drafting method

Canada's co-drafting method is quite appropriate when there are two official languages in place with equal legal status, as it does ensure equal treatment for both official versions of the laws. This method entails the participation of two drafters on each Bill, one representing each official language. In Canada, one of the drafters is an English-speaking lawyer, usually trained in the common law system, and the other drafter is a French-speaking drafter, usually trained in the civil law system. The two drafters work closely together in devising the scheme of the Bill and they each draft the language version of the Bill for which they are responsible. Because each drafter is bilingual, he or she can, and is encouraged and expected to, comment on the other language version.

For practical reasons, one of the drafters is the leading drafter. This leadership role is exercised by English-speaking drafters and French-speaking drafters on an equal basis. Normally, the leading drafter produces a first draft in his or her mother tongue and discusses it with the other drafter. The latter then prepares a first draft in his or her mother tongue, based on the legislative scheme agreed to by the two drafters and on the first draft prepared by the other colleague, as well as the discussions held on that draft between the two drafters. There is therefore no translation involved in producing the two language versions of Canada's federal legislation. The sponsoring ministries are expected to instruct and comment on both language versions.

This method, in our view, has proven to be the best way of ensuring equal treatment and the same level of quality for both language versions. Furthermore, each file is handled by two drafters and we like to think that two heads are better than one... This approach would of course be rather cumbersome in a country where legislation has to be drafted in more than two official languages.

6.2 Bilingual drafting by a single drafter

In some very rare instances, some drafters are sufficiently fluent in both languages in which a Bill has to be prepared to actually handle both versions quite effectively. In Canada, we tried this method at the federal level in the late 70s and quickly came to the conclusion that drafters can generally produce good quality legislation only in their own mother tongue. The versions produced by the drafter in his or her second

language were generally not up to standards, at least not up to the high standards expected for the legislation of a country. We would therefore not encourage other jurisdictions to consider this as a worthwhile option.

6.3 Drafting/translation approach

Generally speaking, jurisdictions that produce bilingual legislation use a variety of different translation models. In essence, with different variations, they use two models. The first one consists in preparing a translation in isolation and almost after the fact, once the draft Bill has been completed in the other language. This method is not very satisfactory as the translators generally have no access to the drafters or to Cabinet materials or other relevant materials. They essentially produce a translation based on the draft they received in the other language.

The second model is much more satisfactory as it allows the translators to work along with the drafters and be associated with the drafting process. They also have access to all relevant documentation, including Cabinet materials. They may also be invited to attend some of the drafting meetings.

7. Drafting tools and other devices/equipment

This paper is not meant to discuss in great detail the various tools or other devices or equipment that can assist legislative drafters in their daily work. But because they are closely associated with work methods and the effectiveness of a drafting office, it might be useful to mention a few of them.

7.1 Standards and precedents (legislation desk book)

As discussed above, establishing standards and precedents is necessary in order to ensure consistency in legislative drafting. They should normally be incorporated into a legislation desk book that each drafter should consult on a regular basis.

7.2 Issuing drafting notes

It is sometimes advisable for management to issue drafting notes to all drafters. Ideally, these notes would be the result of group discussions and would eventually be incorporated into the group's legislation desk book. Drafting notes would deal with various drafting issues as they arise and would alert drafters to new problems and possible solutions to address those problems.

7.3 Legislation desk book

Having a legislation desk book at the disposal of each drafter is particularly helpful, especially when a good number of the drafters have relatively little experience in legislative drafting. As a bare minimum, a good desk book should normally contain drafting standards, legislative precedents, and various guidelines to assist drafters in their daily work. A desk book should be seen as a good tool that incorporates and communicates the group's collective wisdom.

7.4 Computer-assisted drafting

Computer-assisted legislative drafting can make the whole process much more efficient, especially when the drafters themselves use the computer to draft their Bills. If the drafters still prepare their drafts by hand and then rely on their support staff to input the data on computer, very little is gained by computerizing an office environment. But, the pace of the drafting process is significantly enhanced when legislative drafters input their data themselves and can access various documents including legislative precedents via their local area network, documents that they can then directly incorporate into their drafts.

In Canada (federal level), the drafting office even has computer-equipped drafting rooms where legislation can be drafted on site, with client Ministry officials present and witnessing legislative drafting in the making. This technique has its downsides of course, but it is extremely useful in the case of urgent legislation, in particular.

7.5 Local area network

Local area networks linking all computer stations and allowing all drafters to share information, ask questions, and access numerous documents deposited on a common server, greatly facilitate the application of common standards and the dissemination of information on the drafting of legislation.

7.6 Legislation databases

The development of legislation databases is particularly helpful for drafting offices. It enhances the group's research capability, allows for greater consistency in the drafting of legislation, and facilitates access to provisions that need to be amended, to precedents, etc. Of course it also facilitates the consolidation, revision and publication of legislation.

7.8 Separate offices for drafters

It may sound awfully trite to say this, but because legislative drafting requires a lot of concentration, legislative drafters should all have separate offices. It is extremely difficult to be productive when one is continually interrupted by conversations, people walking around, surrounding noise and the other varied sounds that go towards making a work environment. This may sound very obvious for most developed countries, but it is still an unattainable dream in most developing countries.

CONCLUSION

In a legislative drafting environment, as in any other type of professional environment, establishing appropriate work methods and processes is sometimes just as important as having properly trained employees or hiring people with the right skills and qualifications. The implementation of work methods is generally much less costly than formal training and can actually have an impact on the development of people's skills and abilities, as well as on the number of people required to do the job properly. There is no doubt that appropriate work methods and processes can have a positive and significant impact on the volume and quality of work accomplished, the dissemination of knowledge among colleagues and capacity building generally within a drafting office.

It is worth noting that many of the suggestions discussed in this paper can be implemented at little or no extra cost.