|  |  |
| --- | --- |
| **LDO Crest** | **LEGISLATIVE DRAFTING OFFICE**  ***Turning policies into Jersey law*** |

**JOB DESCRIPTION**

**DEPARTMENT STATES GREFFE AND LEGISLATIVE DRAFTING OFFICE**

**JOB TITLE LEGISLATIVE DRAFTER**

**REPORTS TO PRINCIPAL LEGISLATIVE DRAFTER**

# Who are we?

We are a team of lawyers, aided by our administrative support, who specialise in the preparation of Laws for enactment by the States and the King in Council, Regulations to be made by the States and Orders to be made by Ministers. We also prepare amendments to legislation on behalf Ministers, Scrutiny Panels and individual States Members.

In addition, we aim to ensure that the laws of Jersey as displayed on [www.jerseylaw.je/laws](http://www.jerseylaw.je/laws) are available for access by everyone in a form that is as accurate and up to date as possible.

The Legislative Drafting Office is part of the States Greffe. See:

<https://www.gov.je/Government/NonexecLegal/StatesGreffe/Pages/index.aspx>

# What do we do?

* We prepare draft legislation that gives legal effect to the policy of the Minister or other promoter of it;
* And we do so in a way that is:
* sufficiently unambiguous as to leave no room for construction other than that intended by the promoter; and
* sufficiently clear as to be readily understood by the users of the legislation.

# How do we do it?

We are lawyers trained in the specialism of legislative drafting. It takes a number of years to become proficient in the art of turning policies into law. We work closely with policy officers across Government who tell us what they want any new legislation to contain, which could cover a diverse range of subject matters. It is our job to assist them in developing these drafting instructions and to test the effectiveness and legal soundness of the proposals. We also provide a confidential drafting service to Scrutiny Panels and individual members who wish to challenge or improve proposed Government legislation by making changes to it.

# Our values

We are a team of professionals who pride ourselves on maintaining in our work high standards of integrity, quality and independence. The core values of the States of Jersey are integral to how we achieve our goals. As applicable to the LDO they are:

* **We are respectful**: We aim to treat all those we come across in our work with respect and co‑operate with them as appropriate in all our dealings. We care about our colleagues as individuals and respect their positions and responsibilities in the workplace. We also respect their opinions even when we disagree with them.
* **We are better together**: We share knowledge and expertise, valuing the benefits of working collaboratively with colleagues across many departments and disciplines to help maintain the highest standards in drafting legislation for Jersey.
* **We are always improving**: We look for ways of improving our expertise for the benefit of Jersey, whether it be modernising or simplifying our style of drafting or upgrading the technology that supports what we do. We look outwards to the practices and systems that evolve in drafting offices in other Commonwealth jurisdictions and take opportunities to learn from and share ideas with them.
* **We are customer focused**: We are passionate about using our expertise to produce legislation that benefits the people of Jersey. We never forget that our purpose is to respond to the needs of those who instruct us, and, through them, the wider public. We aim to meet their needs as efficiently and effectively as we can.
* **We deliver**: We are proud of working for Jersey and are passionate about delivering high-quality draft legislation as quickly as is consistent with the high degree of accuracy our work demands.

# JOB PURPOSE

To draft legislation, both principal and subordinate, for enactment by the States of Jersey.

# PRINCIPAL ACCOUNTABILITIES

* 1. To liaise and work as a team with departmental officers to implement the strategic policies of the States by –
     1. preparing legislation (both principal and subordinate) which states clearly and unambiguously the purposes which the promoting Minister wishes to achieve and which avoids all possible misunderstanding, even by those who wish to be excluded from the effects of the legislation;
     2. ensuring that departmental officers appreciate as far as possible all the legal and practical consequences of the legislation which is being drafted;
     3. attending meetings to discuss and explain drafts as expressions of Ministerial policy and undertaking any necessary revisions to give effect to alterations of policy.
  2. To undertake peer review of drafts produced by other Legislative Drafters and to liaise with them on their projects where appropriate.
  3. To liaise and consult with the Law Officers’ Department on unresolved legal issues arising from the legislation, and on ECHR compliance and penalty provisions.
  4. To undertake such other duties as may be allocated by the Principal Legislative Drafter.

# KNOWLEDGE AND SKILL

The successful candidate must be qualified as an advocate, barrister or solicitor in a Commonwealth jurisdiction or the Republic of Ireland with a minimum of 5 years’ experience (or very exceptionally 4 years) in legislative drafting, preferably of primary legislation. The candidate must demonstrate a thorough understanding of the principles of legislative drafting and an ability to draft legislation that gives effect to the intended policy in clear terms.

There is a particular need for a drafter in the areas of financial services and financial crime and, if the second post is needed for 2024, in the areas of roads and traffic. However, we are looking for the best overall drafting skillset.

For further information please contact Lucy Marsh-Smith, Principal Legislative Drafter, on [L.MarshSmith@gov.je](mailto:L.MarshSmith@gov.je) or +44 7700 840792

Legislative Drafting Office

November 2022