



Australian Government
Office of Parliamentary Counsel

First Parliamentary Counsel

Our ref: 09/10696
Your ref: 12/10405-04

The Hon. Ms Nicola Roxon MP
Attorney-General
Parliament House
CANBERRA ACT 2600

Dear Attorney,

OPC Statement of Intent for 2012-2013

1 Thank you for your letter setting out your Statement of Expectations for the Office of Parliamentary Counsel for 2012-13. I appreciate you setting out the actions that you would like OPC to take.

2 Below I have set out OPC's Statement of Intent for the year.

General

3 OPC will continue to operate in a way which promotes collaboration and demonstrates accountability and transparency. In doing this, I will undertake to do the things that you have set out in your Statement of Expectations.

Incorporation of OLDP's functions into OPC

4 As you note, on 1 October 2012, the role of OPC was expanded to include the functions and staff of the Office of Legislative Drafting and Publishing.

5 As part of this we have been working to harmonise a range of processes with a particular emphasis on consistency in the drafting of primary and subordinate legislation.

6 For example, at the moment we have reissued the Drafting Directions (the guidance to drafters) so that they will apply to primary and subordinate legislation. We are also finalising work to get instrument drafters to use OPC's IT system. A part of this will be for the format of Regulations to become the same as for Bills and Acts.

7 We will continue work in other areas to achieve uniformity across the Office.

8 We will also maintain free on-line public access to Commonwealth laws through ComLaw and manage the Federal Register of Legislative Instruments. An important aspect of this will be working with other agencies to manage the sunseting of legislative instruments.

9 We will ensure that fees are set appropriately having regard to the matters set out in your Statement of Expectations.

Clearer, up-to-date and accessible laws

10 I agree with your observations that laws that are clear and easy to understand, and that are accessible, are an essential part of an accessible justice system.

11 In your letter you set out your expectation that OPC will continue to promote the Clearer Laws initiatives in its day to day work. I can assure you that OPC will continue to do this through the matters that you have set out in your letter as well as through looking for other approaches to achieve the objectives of the initiatives.

High quality responsive drafting services and ongoing workforce planning to achieve this

12 As you note OPC has worked for many years to ensure that it produces high quality, timely legislative drafting that meets the Government's needs for clear and accessible legislation. OPC is also very responsive to Government priorities.

13 OPC has invested substantial resources in building an office consisting of a pool of highly skilled drafters to ensure that we can continue to deliver this.

14 OPC will continue to give a high priority to workforce planning and to the recruitment, training and retention of our staff to ensure that we can continue to meet the Government's legislative drafting needs into the future.

15 Over the past decade OPC has done a substantial amount of workforce planning. I believe that we are now in a strong position with a stable workforce of drafters at various levels of experience. This places us in a good long term position.

16 A factor that has become more important in recent years is the number of staff taking maternity leave. A large proportion of our drafters are female and aged between mid-20s and early 40s. In recent years, a sizeable number of them have had children. Generally, they have then taken at least a year of leave. For example, in one year we had 5 drafters (out of about 30) on maternity related leave. We expect that this trend will continue. We are therefore factoring the likely absences in to our estimates of the number of drafters who will be available in particular years.

17 One initiative that OPC has undertaken to assist staff to return to work after having had a baby, is maintaining accreditation as a breastfeeding friendly workplace.

18 A fundamental part of our workforce planning is to retain talented staff. To do this, OPC needs to be a place that people want to work. Staff morale is a measure of this.

19 OPC has outstanding levels of staff morale. This has been shown in the last two surveys of staff that have been done using the APSC State of the Service staff survey.

20 The results for OPC are consistently much better than the average for the APS.

21 The transfer of a large number of staff from OLDP will require careful management to ensure that the successful culture of OPC is maintained and adopted throughout the organisation.

Close liaison with the Attorney-General's Department

22 We have also been working more closely with the Department on matters related to legislation being prepared for the Department. In particular, I have continued liaison meetings with the area that has overall responsibility for the Department's legislative program. I have also had very constructive discussions with senior Departmental staff about areas for improvement.

23 I look forward to maintaining and increasing this contact over the next year.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Quiggin', with a stylized flourish at the end.

Peter Quiggin PSM
First Parliamentary Counsel
5 October 2012