

Legislative Drafter interview questions

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What to expect

Legislative drafter interviews focus on your drafting process, legal analysis, and ability to work with policy stakeholders. You may be asked to complete a written drafting exercise or a timed legal problem before the panel interview.

- **Process:** Questions about how you approach drafting tasks from start to finish, including research, consultation and review.
- **Technical:** Questions testing your knowledge of statutory interpretation, constitutional law and drafting conventions.
- **Scenario:** Hypothetical situations that assess your judgement under pressure, such as late changes or conflicting instructions.
- **Behavioural:** Past experience questions using STAR, focusing on teamwork, stakeholder management and problem solving.
- **Client-facing:** Questions about how you advise and communicate with policy departments and other non-legal stakeholders.

Typically, a written exercise or drafting test comes first, either before or on the same day as a panel interview. The panel usually includes a senior legislative drafter and a policy or HR representative. It may be a single session or two rounds, with the second round focusing on more complex scenarios and cultural fit.

1. Walk me through your process for drafting a bill from receiving policy instructions to finalising the text.

Why they ask

This is a core process question to see how you structure your work and whether you follow a rigorous method.

How to structure your answer

A walk-through structure: start with instructions, then research, issue identification, consultation, drafting, review, and finalisation. Be specific about each step.

Example answer

"First, I review the policy instructions to understand the objectives and the problem the legislation is meant to solve. I then research existing law, including relevant statutes and case law, to identify any constitutional or consistency issues. Next, I consult with the policy department to clarify ambiguities and understand practical implications. I prepare an initial draft, often using precedents and drafting conventions, and then circulate it for comment. After incorporating feedback, I review the draft against the instructions and legal requirements, and once satisfied, I finalise the text for approval."

2. How do you ensure a legislative instrument is constitutionally valid and consistent with existing law?

Why they ask

This tests your technical legal knowledge and your method for risk assessment.

How to structure your answer

Explain your method step by step: identify heads of power, check for implied limits, review relevant case law, consider consistency with other legislation, and consult experts where needed.

Example answer

"I start by identifying the constitutional head of power that supports the instrument. I then check for any implied freedoms or limitations that might apply, such as the implied freedom of political communication. I review relevant High Court decisions and any existing legislation on the same topic to avoid inconsistency. If there is any doubt, I consult with constitutional law experts within my office or the relevant department. I also document my reasoning so that the advice is clear for decision makers."

3. Tell me about a time when you had to advise a policy department that their proposed approach was legally problematic.

Why they ask

A behavioural question to assess your communication skills and ability to handle pushback.

How to structure your answer

Use STAR: describe the situation, the task, the action you took, and the result. Focus on how you explained the issue and offered alternatives.

Example answer

"A policy department wanted to include a provision that would have retrospectively imposed obligations, which raised serious constitutional and rule of law concerns. I arranged a meeting with the policy lead to explain the issues in plain language, outlining the risks of invalidity and potential challenges. I suggested a prospective approach with transitional arrangements instead. After some discussion, they agreed, and the revised provision was included without further issue. The department later asked me to run a training session on retrospective legislation."

4. Imagine you are drafting regulations under tight time pressure, and a stakeholder raises a late concern about a provision. How do you handle it?

Why they ask

A scenario question to see how you prioritise and manage competing demands while maintaining legal rigour.

How to structure your answer

A judgement-under-pressure structure: assess the concern quickly, determine its validity, consider the impact on the deadline, consult with senior drafters, and communicate a decision clearly.

Example answer

"I would first ask the stakeholder to explain the concern and provide any specific legal basis. If the concern is valid, I would assess whether a minor amendment can address it without delaying the broader instrument. If it is a significant issue, I would escalate to the senior drafter and the policy area to decide whether to proceed or delay. Throughout, I would keep the stakeholder informed and document the decision. In one instance, I identified a drafting error in a late submission and managed to fix it within the same day by working with the policy team to confirm the intended meaning."

5. How do you balance plain language drafting with legal precision and the need for certainty?

Why they ask

This tests your drafting philosophy and understanding of the audience.

How to structure your answer

A technical/judgement structure: acknowledge the tension, explain your approach to prioritising, and give examples of how you achieve both.

Example answer

"Plain language is important for accessibility, but legal precision must come first because legislation needs to be interpreted consistently by courts. I try to use clear sentence structures and avoid unnecessary jargon, but I do not sacrifice accuracy for simplicity. I test drafts with non-legal

colleagues to see if they understand the intent, and I use definitions and consistent terminology to reduce ambiguity. If there is a conflict, I prioritise precision and explain why in the drafting notes."

6. Describe a situation where you had to review and amend existing legislation to fix an inconsistency. What was your approach?

Why they ask

A behavioural question focused on your analytical skills and attention to detail.

How to structure your answer

Use STAR, highlighting the research, the identification of the inconsistency, consultation, and the outcome.

Example answer

"I was asked to review an act that had not been updated for several years. I compared it with newer legislation in related areas and found that a definition conflicted with another act, creating confusion for regulators. I prepared a briefing note outlining the inconsistency and proposed an amendment. I consulted with the relevant policy department and the affected regulator to confirm the practical impact. The amendment was included in a minor statute law revision bill and passed without debate. The regulator reported that the change removed a common source of queries."