



Terms of Reference

Senior Advisory Group

Context

1. The Government is committed to a process of co-design to determine options to improve local and regional decision-making and a national voice.
2. This approach reflects the Government's commitment to working in partnership with Indigenous Australians, and their longstanding desire to have a greater involvement in the issues that affect them.
3. The co-design process to determine options for a voice will have two separate co-design groups, one to focus on local and regional decision-making (Local & Regional Group) and the other to look at options for a national voice (National Group).
4. A Senior Advisory Group will provide advice and support across the co-design process for a voice and act as a forum for the Minister for Indigenous Australians (the Minister) to test ideas and build consensus.

Purpose

5. The Senior Advisory Group is commissioned to work with the Minister to provide overarching guidance and advice to the co-design groups on local and regional decision-making and for a national voice.
6. The Senior Advisory Group will support the Minister and Australian Government, and the co-design groups as needed. The Senior Advisory Group will continue to meet throughout both the design and consultation stages of the co-design process.

Scope

7. The Senior Advisory Group will:
 - a) Provide a forum to work in partnership with the Minister, including overseeing the direction of the co-design process.
 - b) Advise the Minister on the process for co-design of local, regional and national elements of a voice, including on membership for the respective co-design groups.
 - c) Provide input and advice at key points to support the National and Local & Regional Groups develop options, as well as guide the overall process throughout.
 - d) Review options developed by the National and Local & Regional Co-Design Groups and provide advice, recommendations and support to the Minister.



- e) In line with the media protocol and code of conduct, support the Minister in public messaging and engagement with other key stakeholders on the co-design process.
8. The Minister will be responsible for leading ongoing engagement with state and territory governments, as well as cross-party Parliamentarians groups and Government colleagues as required. Senior Advisory Group members may be asked to assist these discussions as required.

Activities

9. The Senior Advisory Group will:
- a) Help guide the co-design groups throughout the process, as needed and provide advice as options are considered and developed.
 - b) Review options put forward by the co-design groups throughout the development stage and provide advice and support to the Minister in the consideration of what should proceed to broader consultation.
 - c) Provide advice to the Minister and National and Local & Regional Co-Design Groups on how to approach engagement in the consultation stage.
 - d) Consider feedback received throughout the consultation stage, as well as ongoing feedback and submissions received throughout the co-design process ahead of finalising recommendations to the Minister.
 - e) Following the finalisation of the consultation stage, provide advice to the Minister on the outcome and potential next steps.
 - f) Provide an interim report to the Minister at the end of the development stage with advice to the Minister about what options should proceed to consultation, and a final report following the refinement of options by the co-design groups after consultation.
 - g) In line with the media protocol and code of conduct, support the Government on public messaging to update the broader community on the co-design process.
 - h) Meet with the co-design groups and the Minister at key points throughout the process.

Timeframes

10. November 2019 – support commencement of co-design process, and provide advice to and help guide co-design groups as needed throughout both processes (ongoing).
11. By November 2020 – review local and regional decision-making/national voices options put forward for testing, and provide advice and support to the Minister, ahead of Government's consideration.
12. From late 2020 – help guide the consultation and engagement process to test options for local and regional decision-making and a national voice.
13. Following consultation – review the final report with options and models refined following consultation and engagement, and provide advice to the Minister.



Membership

14. The Minister will invite individuals to participate in the Senior Advisory Group. The Senior Advisory Group is responsible for determining how they conduct discussions. The Senior Advisory Group will include two co-chairs, Professor Tom Calma AO and Professor Dr Marcia Langton AO. The co-chairs will chair meetings and ensure work progresses out of session as required. They will also lead engagement with the Minister. The co-chairs will also brief the Government or their representatives at key points throughout the co-design process, as required.
15. The Senior Advisory Group will have a majority of Indigenous Australians who have a spread of skills and experience, and those with extensive experience and ability to work strategically across the co-design process. Consideration will also be given to achieving a balance of: gender; representation across jurisdictions; and the urban, regional and remote spectrum, as much as possible.
16. The Senior Advisory Group will comprise around 20 members as determined by the Minister.
17. Deliberations of the Senior Advisory Group, discussions with the Minister, any sub-groups and external experts will be confidential. Liaising outside the group to discuss potential options should have prior agreement from the Senior Advisory Group co-chairs. Public comment about the group's deliberations and discussions will be subject to a media protocol and code of conduct.

Secretariat

18. All secretariat, logistical and administrative support will be provided by the National Indigenous Australians Agency. This will include planning, logistics, travel arrangements and meeting support.
19. Deliberations of the Senior Advisory Group, including discussions with the Minister, any sub-groups, and external experts, will be confidential, and subject to the co-chairs' code-of-conduct confidentiality arrangements.

Out of scope

20. The following matters are out of scope for the Senior Advisory Group:
 - a) Final decision on which options progress to testing.
 - b) Making recommendations as a Group through this co-design process on constitutional recognition, including determining the referendum question or when a referendum should be held.
 - c) Making recommendations as a Group through this co-design process on the establishment of a Makarrata Commission (as called for by the Uluru Statement from the Heart), agreement making, treaty and truth-telling.
 - d) Overall budget, deliverables and associated timing and the overarching timeframe for the co-design process.