



GOVERNMENT OF
WESTERN AUSTRALIA

Department of
Justice

Aboriginal Justice Advisory Committee

Terms of Reference

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1 Aboriginal Justice Advisory Committee (AJAC)

The AJAC is established to meet the aim of;

- Strengthening the understanding, cooperation and relationship between the Department of Justice (Department) and Aboriginal people.
- Providing advice on discrete focus areas nominated by the Department.
- Receiving input from Aboriginal people with knowledge and experience regarding Aboriginal justice issues, and on matters affecting Aboriginal people and the justice system.
- Providing advice to the Department with a view towards implementing lasting positive systemic changes within the focus areas.

These Terms of Reference (TOR) set out the governance model for the AJAC.

2 Governing Body

The AJAC reports to the Director General.

3 Membership

The AJAC will be chaired by the Director General, Department of Justice. The Director, Aboriginal Justice Transformation (Strategic Reform) will provide Secretariat support to the AJAC. All other members of the Committee will comprise of Aboriginal people from across Western Australia.

- Director General, Department of Justice (Chair);
- Director, Justice Transformation (Secretariat);
- Member Great Southern;
- Member South West;
- Member Metropolitan North;
- Member Metropolitan South;
- Member Midwest / Gascoyne;
- Member Goldfields;
- Member Ngaanyatjarra Lands;
- Member Pilbara;
- Member East Kimberley; and
- Member West Kimberley.

4 Key Roles and Responsibilities

The key roles and responsibilities of the AJAC will be the following:

- Provide advice to the Department on focus areas nominated by the Department.
- Provide advice and recommendations to the Department on Aboriginal justice matters relevant to the focus areas.
- To promote a greater understanding within the justice system of the history, culture, customs and needs of Aboriginal people.

To promote a greater understanding and appreciation of the experience of Aboriginal people in the Western Australian justice system.

5 Terms of Appointment

Expressions of interest to join the AJAC will be called for every two (2) years after establishment of the inaugural AJAC. To ensure continuity of AJAC business the appointment process will be staggered. Members may have their appointment renewed prior to its expiration with the possibility of extension via approval from the chair, however the second term shall not exceed a further two (2) years.

Membership on the AJAC shall not exceed two terms or for a period of not more than four (4) years in total, following which further re-appointment will not be considered.

- The Director General and the Director, Aboriginal Justice Transformation, together with selected senior Aboriginal public servants will convene after Applications to express interest are received and make recommendations on membership to the Attorney General for decision.
- The AJAC will consist of no more than twelve (12) members including the Chair and the Director, Aboriginal Justice Transformation.
- Members of the AJAC may resign by doing so in writing to the Chair.

A person may be terminated as a member of the AJAC at the discretion of the Chair on the basis that the member:

- Has failed to attend regular meetings.
- Has breached the Code of Conduct.
- Has failed to undertake reasonable requests of the Chair in the performance of their role.
- It is no longer in the public interest for the person to remain a member of the AJAC.

The AJAC members will not be permitted to have a proxy or alternate members attend meetings when an AJAC member is unable to attend.

Specific invitees may attend at the invitation of the Chair, to contribute subject-matter expertise.

6 Frequency

AJAC will meet on a quarterly basis per calendar year and from time to time as required for special occasions.

7 Reporting

For each meeting, the agenda will include standing agenda items. The Director General may report to the Attorney General and the Minister for Corrective Services on the activities of the AJAC.

8 Administrative Arrangements

8.1 Secretariat

The AJAC will be supported by the Aboriginal Inclusion Team led by the Director, Aboriginal Justice Transformation. Additional resources may be allocated as determined by the Chair, from time to time. The Aboriginal Inclusion team will

- provide secretariat support to the AJAC.
- provide members with an agenda and papers no less than one week prior to a meeting taking place.

take minutes during meetings and distribute to members no later than two weeks following a meeting.

8.2 Quorum

A quorum is reached if 51% of committee members are present. Any matters requiring decision will be decided by the majority of votes of members present. For out of session decisions, a quorum is reached if 51% of committee members submit a vote by email. Any matters requiring out of session decision will be decided by the majority of votes from those received by email.

8.3 Acting Chair

Where the Chair is unavailable during meeting sessions, the Secretariat will sit as the Acting Chair.

8.4 Travel Expenditures and Remuneration

- All members (other than those who are members of the public service) will be paid a meeting fee by the Department.
- Members will not accept or demand any fee, reward, gratuity or gift of any other kind than the meeting fees and relevant travel costs applicable to the AJAC meetings.
- Accommodation, meals, travel and reasonable incidentals incurred in relation to attendance of the AJAC meetings and other official AJAC engagements will be reimbursed at public service rates or booked and paid for directly by the Department.
- Members using their own motor vehicles in relation to attendance at the AJAC meetings and other official AJAC engagements are entitled to claim an allowance at public service rates.
- Meals and refreshments will be provided by the Department during the course of the AJAC meetings.

AJAC members will not necessarily cause extra expense for the Department through inappropriate conduct.

9 Communication Protocol

- Public comment includes comment made in circumstances where it is reasonable to expect that the comment may reach the wider community. This may include comments made on the internet in any social media platforms, in speeches, on the radio, or in the press.
- Members are not authorised to make public comments concerning the AJAC or the Department. This is the role of the Ministers or the Director General.
- Members who receive requests or queries from the media are to advise the Chair of the request who will then discuss the request with the Ministers and/or the Director General before any decision is made about a public comment.
- Members can relay, to the community, anything raised in the AJAC meeting, except if the matter is confidential, as directed by the Chair.

Members will be mindful of the Code of Conduct when discussing AJAC business in the community.

10 Obligations of AJAC Members and persons assisting the AJAC

All members of the AJAC will comply with the AJAC's Terms of Reference and declare any conflict of interest at the commencement of each meeting.

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