

## TERMS OF REFERENCE

### For the Fisheries Research and Development Corporation (FRDC) Indigenous<sup>1</sup> Reference Group (IRG) as at January 2013

#### BACKGROUND TO FRDC

The FRDC is a statutory authority within the portfolio of the federal Minister for Agriculture, Fisheries and Forestry, jointly funded by the Australian Government and the fishing industry. It is responsible to its stakeholders to;

- plan, invest in, and manage fisheries research, development and extension (RD&E) throughout Australia; and
- facilitate the dissemination, adoption and commercialisation of RD&E results.

The FRDC does not conduct RD&E itself but engages research providers through project agreements.

#### Stakeholders

Stakeholders in the FRDC are the fishing and seafood industry; the federal, state and territory governments; and the people of Australia.

#### The FRDC's vision

A vibrant Australian fishing and aquaculture industry, adopting world-class research to achieve prosperity, and to wisely use the natural resources on which it depends.

#### The FRDC's mission

The FRDC's mission is to maximise economic, environmental and social benefits for its stakeholders through effective investment and partnership in research, development and extension.

#### INDIGENOUS REFERENCE GROUP (IRG) - BACKGROUND

An Interim Indigenous Reference Group (IIRG) was established by FRDC in 2010, to provide expertise-based advice on a range of matters dealing with aspects of Australia's Aboriginal and Torres Strait Islanders fishing and seafood industry focused RD&E. The group's purpose was to provide advice to improve FRDC's investment in fishing and aquaculture priorities for Australia's indigenous people. Meetings were held remotely via teleconferences.

FRDC recognised that benefits could occur from a face to face meeting of the IIRG, along with other individuals with expertise in the field of indigenous RD&E. To achieve that a forum was held in March 2011 in Cairns, which brought together over 30 people who had expertise in the field of RD&E, with a focus on indigenous participation. The forum (Cairns Forum 2011) was supported through an FRDC project<sup>2</sup>.

At the Cairns Forum 2011, six indigenous people were nominated to form FRDC's Indigenous Reference Group (IRG), with clear direction that the group needed to build on the outcomes of the forum (including the Eleven Key Principles for Aboriginal and Torres Strait Islanders' RD&E in the fishing and seafood industry developed at the forum), be resourced financially, and have executive support.

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<sup>1</sup> For the purpose of the ToR the term indigenous relates to Torres Strait Islanders and Australian Aboriginal people

<sup>2</sup> FRDC project 2010/401 'Shaping advice for Indigenous fishing and aquaculture RD&E within the national strategy'

In June 2011, the FRDC Board approved a new project<sup>3</sup> to resource the IRG for a period of 15 months to support a mechanism to provide advice on how FRDC's indigenous RD&E investment in the fishing and seafood industry could be more directed strategically and effectively. This group developed a futures plan based on the Cairns Forum 2011 outcomes. This included developing the 11 Key Principles into a draft document that outlined context to the principles and RD&E outputs. From that document the IRG developed 'Five RD&E Priorities for indigenous Involvement in the Fishing and Seafood Industry'. These documents were a valuable tool and provided general guidance for those people and organisations who have a role in indigenous focused RD&E.

To assess if the documents developed by the IRG adequately expressed the voice of the attendees at the Cairn Forum 2011, the FRDC, in conjunction with DAFF, agreed to resource a follow up forum in Cairns in November 2012. This was incorporated into a further FRDC project<sup>4</sup> supporting the work of the IRG for a further three years. At the Cairns Forum 2012, which brought together 25 indigenous people from across Australia (including most of those who attended the Cairns Forum 2011) plus a number of non indigenous participants from across the RD&E field, the work of the IRG was endorsed and the Principles and RD&E documents were unanimously supported by the indigenous participants as a sound basis for indigenous focused RD&E. In addition, membership of the IRG was reviewed by the forum's indigenous participants, nominating eight members plus two associate members.

Within their resources, the IRG were requested to build on the outcomes of the Cairns Forum 2011 and 2012, with a view to increasing acknowledgment and adoption of the 11 Principles and the RD&E Priorities throughout the fishing and seafood industry, fisheries agencies, research providers and the general community.

The IRG members have been appointed until November 2015 and operate under this ToR. Prior to the expiry of this term, FRDC will re-evaluate its investment in the IRG and the FRDC Indigenous Research Coordination Program.

## Scope

The scope of the IRG is primarily to ensure that fishing and seafood industry focused RD&E delivers improved economic, environmental and social benefits to Australia's indigenous people. The IRG is expertise based, advisory in nature, and makes recommendations to FRDC on strategic issues relevant to indigenous RD&E in the fishing and seafood industry.

The IRG will assist FRDC by;

- providing a forum for the discussion of strategic and policy matters relevant to indigenous Australians involvement in fishing and seafood related RD&E
- providing advice to ensure FRDC's RD&E investments are better aligned with indigenous Australians' strategic needs
- identifying or developing activities that will advance indigenous Australians' involvement in the fishing and seafood industry

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<sup>3</sup> FRDC Project 2010/405 'Facilitation of the FRDC Indigenous Reference Group to Progress RD&E Outcomes'.

<sup>4</sup> FRDC Project 2012/405 Facilitation of the FRDC Indigenous Research Coordination Program to progress RD&E outcomes (Phase 2)'.

- advising on, and assisting in, the dissemination and adoption of FRDC's activities
- assisting FRDC to provide advice and protocols to applicants, to add value to their RD&E proposals to better address indigenous needs
- providing advice and making recommendations to FRDC with respect to research strategy priorities and advice on relevant research proposals.
- providing assistance and input into the coordination and communication of identified key indigenous RD&E needs to agencies and the research community, and R&D outcomes to fishers, managers and the broader community.

Specific tasks include;

- determining an annual meeting schedule and work program
- developing a terms of reference for the group, including processes under which the IRG will operate
- building communication channels within the IRG, to forum participants, industry and the wider community
- providing advice and input to FRDC (including funding applications), the National RD&E process, other FRDC program areas, and assistance with the scholarship selection
- providing advice on how best to increase efficiency/synergies in addressing agencies' and researchers' needs relating to indigenous engagement and priorities
- providing assistance to increase capacity of indigenous and non-indigenous stakeholders to be involved in, and undertake, relevant RD&E projects that progress management arrangements incorporating Traditional Management Practices and Knowledge
- building the credibility of the IRG to help synthesise national indigenous fishing and seafood related RD&E, to identify and encourage funding from other sources beyond FRDC
- if required, provide advice on a process for getting the Cairns forum group back together to review the IRG outcomes and processes.

### **IRG meeting schedule**

The IRG will hold;

- at least two face to face meetings and at least two teleconferences each Calendar year aligned with FRDC calls for applications.

### **Quorum at IRG meetings**

A quorum will consist of two thirds of the IRG members (i.e. 6 members). This includes participation via telephone.

### **IRG appointments and arrangements**

Appointments as members to the IRG;

- Bryan Denny

- Denise Lovett
- Dennis Ah-Kee
- Loralee Wright
- Petris Torres
- Robert 'Bo' Carne
- Stan Lui
- Stephan Schnierer.

Associate members to the IRG are;

- Jason Wilson
- Michael Gilby.

FRDC representative to the IRG;

- Jo Ruscoe.

The term of appointment is to November 2015. If requested, by IRG members, formal letters of appointment will be made by FRDC.

IRG members may resign before their term of appointment has expired by forwarding a signed notice of resignation to the Executive Director - FRDC.

A member who does not attend two successive meetings without submitting an apology and contributing to agenda items (this may be by email, telephone, through another member or the EO), will have that position reviewed by the IRG to determine if the position should be declared vacant and a new appointment made.

IRG vacancies, if filled, will be through an agreed process developed by the IRG and FRDC<sup>5</sup>. In selecting any replacement, diversity in geographic location, gender and age would be considered.

The IRG may seek to appoint a Chair for each meeting, including teleconferences;

- from amongst its members
- or consider an outside person to undertake the role.

Meeting outcomes and actions will be recorded by the Executive Officer for confirmation by members. Consensus based decisions will be noted, as will members' alternative views if consensus cannot be reached on specific matters.

## **Remuneration**

Members and Associate Members of the IRG are not remunerated and sitting fees are not paid.

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<sup>5</sup> An agreed selection process is attached as Appendix to the ToR

The FRDC will provide travel, accommodation and associated expenses (meals, taxis etc.) associated with face to face meetings.

### **Duties and responsibilities of members**

IRG members are;

- to make the necessary commitment of time to ensure that they are across matters which are the subject of consideration by the IRG
- required to respond when matters are referred to them for their comment or input outside meetings (by email or phone), even if it is 'no comment', within the reasonable timeline provided in the request
- required to attend all IRG meetings
- to treat other members with respect and courtesy, and seek to develop consensus driven outcomes and decision making processes
- to behave with honesty, integrity, care and diligence, and act in the best interests of Australian Aboriginal and Torres Strait Islanders as a whole, rather than as an advocate for any particular organisation, interest group or regional concern
- to avoid pursuing personal agendas or self-interest and not to seek to gain a benefit or advantage or make improper use of inside information
- to contribute to discussion in an objective and impartial manner
- to observe confidentiality and exercise tact and discretion when dealing with sensitive issues or issues that may be research or commercial in confidence
- if possible, attend or provide input to meetings outside the IRG meeting schedule to further extend the outputs developed by the IRG (e.g. FRAB, RD&E Forums etc).

### **Conflicts of interest**

IRG members are expected to declare any conflict of interest to the Executive Director - FRDC at the first meeting, and at any time such conflict may arise while a sitting member. A form to be completed by all IRG members, regarding conflict of interest, is attached as an Appendix to the ToR (Assurance Regarding Conflict of Interest).

If conflict situations arise in meetings, members are to advise other members and either seek to excuse themselves or they may be requested by the other members to not participate in discussions around the relevant issue(s). These decisions are to be minuted.

### **Public comment**

As community members, IRG members and associate members have the right to make public comment and to enter into public debate on political and social issues, however there are some circumstances in which public comment is inappropriate, such as if there is an implication that the public comment, although made in a private capacity, is in some way an official comment of the FRDC or the IRG.

## **Associate members to the IRG**

Associate members to the IRG are encouraged to attend IRG meetings/teleconferences, especially in a capacity building role. Assistance to attend meetings however cannot be guaranteed under this project's funding.

The level of Associate members' input to meetings will be determined by the Chair, in consultation with IRG members.

## **Observers**

Observers are generally welcome to attend IRG meetings, especially in a capacity building role for Aboriginal and Torres Strait Islander people. Observers must seek agreement from IRG members to attend meetings. Attendance of observers at IRG meetings will be by consensus of members through email confirmation prior to meetings.

Attendance by observers is to be on the basis that their presence does not inhibit or disrupt members from freely contributing to discussions and making recommendations.

Observers must follow directions made by IRG members through the Chair.

Where possible and appropriate, observers from local areas will be encouraged to attend IRG meetings.

## **Guests**

Guests may be invited to provide additional advice and expertise which may be required for a particular meeting, or to observe the proceedings, of the IRG.

Guests who request to attend an IRG meeting and who are included in the agenda are to provide an agenda paper prior to the meeting (including when they are involved in teleconference meetings with the IRG).

Attendance by guests is to be on the basis that their presence does not inhibit or disrupt members from freely contributing to discussions and making recommendations.

Guests must follow directions made by IRG members through the Chair.

## **Executive Officer**

Through FRDC project 2010/405, Chris Calogeras has been appointed as facilitator of the IRG to provide necessary secretariat services to ensure the ongoing operation of the IRG. The facilitator takes on an Executive Officer role and is generally responsible for;

- facilitating discussions between members and the FRDC to address issues relating to Indigenous focused RD&E in the fishing and seafood industry
- making arrangements (including booking venues and catering) for face to face and teleconference meetings of the IRG
- preparing and circulating meeting notices, agendas and agenda papers to members
- ensuring a summary of each IRG meeting is supplied to members and FRDC within 14 working days of an IRG meeting

- undertaking other reasonable out of session tasks in line with the terms of reference of the IRG and with the consensus of the whole group.

The nominated EO is;

Mr Chris Calogeras

38 Lake Ridge Ct

Lake Macdonald Qld 4563

Tel: 0401692601

Email: calogeras@iinet.net.au

## **Appendix 1: Selection Process for Replacement IRG Members (Phase 2)**

If there is a vacancy on the IRG the following process is to be followed;

1. If appropriate, in the view of the IRG Members, noting the need for diversity and geographic input, one of the Associate Members will be offered the vacancy for the balance of the term of appointment.
2. If this arrangement is not suitable, the departing member will nominate a replacement or potential replacements. After due diligence the IRG can recommend an appointment for the balance of the term of appointment.
3. If there is no replacement identified, or recommended, the IRG members will, by consensus, nominate a replacement to the IRG for the balance of the term of appointment.
4. If no replacement is identified by the IRG, the participants of the Cairns Forum 2012 will be requested to nominate suitable replacement(s). After due diligence the IRG can recommend an appointment for the balance of the term.
5. If no replacement is identified through the Cairns Forum participants, an Expression of Interest (EOI) process can be undertaken through a range of networks. Nominations will be assessed by the IRG, and after due diligence the IRG can recommend an appointment for the balance of the term.

**Appendix 2: Assurance Regarding Conflict of Interest**

I, ..... do hereby give my assurance that I am not aware of any matters which could give rise to a conflict of interest between my responsibilities if appointed to the Indigenous Reference Group (IRG) and my personal, business or financial interests, or which could otherwise cause embarrassment to either myself , or to the Fisheries Research and Development Corporation (FRDC), or to the Government.

I agree that where potential conflict may arise, I will declare the interest prior to discussion on the issue being declared.

Signed: .....

Printed Name: .....

Date this ..... day of ..... 2012 at .....