1. PURPOSE

These Terms of Reference set out the role, membership and administrative arrangements of the Stolen Generations Advisory Committee (‘the Committee’). The Advisory Committee will provide advice and guidance to the Premier and to the Minister of Aboriginal Affairs on issues relevant to the Stolen Generations.

2. ROLE

The Stolen Generations Advisory Committee will provide a forum to ensure that survivors of the Stolen Generations have greater input into the decisions that affect them. The role of the Committee is to:

- Provide strategic advice to the Premier and Minister for Aboriginal Affairs on any matter related to the Stolen Generations.
- Monitor and report on the implementation of the Government’s response to the General Purpose Standing Committee No. 3 report into reparations for the Stolen Generations Unfinished Business.
- As requested by Aboriginal Affairs, to review policy issues related to the implementation of the Stolen Generations Reparations Scheme.

The Minister for Aboriginal Affairs will also continue to work with individual Stolen Generations Organisations outside of the Committee process on issues and decisions relating to the work of each individual organisation.

3. PRINCIPLES

The Committee will operate using a trauma informed approach, and the operation of the committee will be guided by the following principles:

- **Trust** – the operations and decisions of the Committee will be conducted with transparency and with the goal of building and maintaining trust among Committee members.
- **Choice and Self-determination** – Committee members will play a meaningful role in decision-making, and be given input and choice on the operation and outcomes of the Committee.
• **Collaboration and partnership:** The Committee will operate in a true partnership between representatives from the Stolen Generations and Government Officials.

• **Empowerment** – the individual Committee members’ strengths will be recognised, built on, and validated. Committee members will respect and value the expertise that comes from the lived experience of survivors of the Stolen Generations.

• **Effective listening and communication** – Under the guidance of the Stolen Generation members, Committee meetings will be conducted in a manner as flexible and informal as possible to facilitate open communication and to support the unique healing needs of survivors.

### 4. MEMBERSHIP

The Committee is comprised of representatives of the 4 Stolen Generation Organisations in NSW, as well as representatives from Government Departments with responsibility in implementing key areas of the Government’s response to the Unfinished Business report.

<table>
<thead>
<tr>
<th>Stolen Generation Organisations representatives</th>
<th>No. of reps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kinchela Boys Home</td>
<td>2</td>
</tr>
<tr>
<td>ACT/NSW Stolen Generations Council</td>
<td>2</td>
</tr>
<tr>
<td>Cootamundra Girls Home</td>
<td>2</td>
</tr>
<tr>
<td>Children of Bomaderry Aboriginal Children’s Home</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>8</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Government Representative – <em>ex officio members</em></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal Affairs, Department of Education</td>
<td>1</td>
</tr>
<tr>
<td>Department of Family and Community Services (including Aboriginal Housing Office)</td>
<td>2</td>
</tr>
<tr>
<td>Department of Justice</td>
<td>1</td>
</tr>
<tr>
<td>Department or Premier and Cabinet</td>
<td>1</td>
</tr>
<tr>
<td>Ministry of Health</td>
<td>1</td>
</tr>
<tr>
<td>Commonwealth Representative (to attend as required)</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>7</strong></td>
</tr>
</tbody>
</table>

| **Overall total**                                                                | **15**      |

Members will be appointed by the Minister for Aboriginal Affairs in accordance with the procedures outlined in the Premier’s Department’s Guidelines for NSW Board and Committee Members: Appointments and Remuneration.
The Stolen Generation Organisations will endeavor to have nominated Advisory Committee representatives who are themselves Stolen Generations survivors and who best represent the membership of the organisation. As representatives of their organisations’, members will ensure that the views presented at the Advisory Committee meeting represent the viewpoints of their membership and their Board.

During the operation of the Advisory Committee it may be identified that additional representatives need to be sought to ensure that Stolen Generations survivors are best represented. In these circumstances, this may be done via Advisory Committee agreement and by agreement of the Chair.

5. APPOINTMENT PERIOD

Appointments will initially be for 2 years, unless otherwise determined by the Minister for Aboriginal Affairs.

After 2 years the Advisory Committee’s Terms of Reference will be reviewed.

6. CHAIR OF COMMITTEE

The Head of Aboriginal Affairs will be the Interim Chair of the Committee until an Independent Chair is appointed. If the Chair is unavailable for a meeting, the Chair may nominate a replacement Chair.

The Chair may also engage an appropriately skilled and experienced independent Aboriginal facilitator to support discussions at the meeting.

The Committee may also decide under flexible arrangements to rotate the duties of the chair for meetings.

The role of the Chair is to:

- Facilitate orderly and constructive discussions between members on matters within the Committee’s Terms of Reference.
- Assist members to work together as a group by facilitating discussion;
- Ensure all members have equal opportunity to contribute ideas, opinions and concerns;
- Maintain a positive and constructive atmosphere at meetings by encouraging courtesy, respect and openness.
- Ensure that any action required is appropriately assigned.

7. MEETINGS

The Committee will meet once every three months, or as required.
8. ADDITIONAL MEETING ATTENDEES

Stolen Generations Organisations may choose to have their coordinator/support person observe the meeting. This person will be required to sign a confidentiality agreement, and will not participate in the meeting discussion.

Government officials will also ensure that the relevant subject matter experts from within their Departments will attend the Advisory Committee meetings as required, to ensure that the Stolen Generations Organisations representatives can discuss issues or concerns with them directly.

9. DECISION MAKING

Committee decisions will be made according to the following principles:

- Stolen Generation members of the Committee will have a direct voice in matters under consideration by the committee.
- Any advice provided by the Committee will reflect agreed discussion outcomes and any dissenting views.

10. PROTOCOLS

General meeting protocols for the operation of the Advisory Committee are as follows:

- Members represent their organisations membership base, however there is an expectation that members will provide advice on broader issues.
- Every member has the right to be heard.
- Members will accept that fellow members may hold different views and they may need to agree to disagree on some matters.
- Committee members should seek to attend for the full meeting (where possible), and participate constructively in discussions.
- Stolen Generations Organisations representatives may wish to have private discussions between organisations during the meeting, and may request that the Government Officials leave the meeting room as required.
- Each member agrees to show respect for every other member in the forum.
- Members will not make public statements on behalf of the Committee without endorsement.
- Strict confidentiality arrangements will be applied to Committee business as required including any matters that are Cabinet in Confidence.
11. REPORTING

The Committee will provide an implementation report to the NSW Parliament in 2018 on the progress of the NSW Government response to *Unfinished Business*. This report will also consider the progress of the commitments made in the NSW Government Response to the *Bringing Them Home* report in 1999.

In addition, the Committee may produce ad hoc reports as is deemed necessary by the Committee membership.

12. SECRETARIAT

Aboriginal Affairs NSW will provide secretariat services to the Committee.

Minutes of Committee meetings, decisions made and action taken on those decisions will be recorded and kept.

13. PAYMENT TO COMMITTEE MEMBERS

Members shall receive sitting fees at the rate specified in the Classification and Remuneration Framework for NSW Government Boards and Committees – Policy and Guidelines. Out-of-pocket expenses shall also be payable.