

COAG Standing Council on Police and Emergency Management

Terms of Reference

COAG Standing Councils are established to:

- a) achieve COAG’s strategic themes by pursuing and monitoring priority issues of national significance which require sustained, collaborative effort; and
- b) address key areas of shared Commonwealth, State and Territory responsibility and funding.

The Standing Council will pursue the following COAG strategic themes as its major focus areas:

1. A Sustainable and Liveable Australia
2. Closing the Gap for Indigenous Australians.

Chair	[To be determined at the first meeting of the Council] (NB: the predecessor Ministerial Councils had differing chairing arrangements)
Membership	Commonwealth, State, Territory and New Zealand Ministers with responsibility for police and emergency management matters, and the Australian Local Government Association.
Scope of Standing Council	<p>The purpose of the Council is to promote a coordinated national response to law enforcement and emergency management issues. The Council looks to develop a shared framework for cooperation and a basis for strategic directions for the policing and emergency services of Australia and New Zealand. The Council also strives to encourage and share best practice across jurisdictions in police policy and operations, and in emergency management.</p> <p>The Council has particular responsibilities for:</p> <ul style="list-style-type: none"> • law enforcement issues such as police powers, criminal offences and the sharing of intelligence; • advancement of the professionalism of policing; • national leadership on emergency management (all hazards) and disaster resilience, including national policies and priorities; and • consideration of an annual Serious and Organised Crime Threat Assessment presented by the Chair of the Australian Crime Commission Board. <p>The Council will work closely with the Standing Council on Law and Justice to ensure coordination of joint priorities, most notably in the areas of organised crime and cyber crime.</p>

COAG Standing Council on Police and Emergency Management Terms of Reference

Priority Issues of National Significance¹	<p>The Council's priority issues are:</p> <ol style="list-style-type: none"> 1. Progressing the National Response to Organised Crime, including illicit drugs; 2. Progressing a national response to cyber crime; 3. Improving cross-jurisdictional law enforcement cooperation and planning, including law enforcement systems; 4. Coordinating national initiatives to address alcohol, public safety and serious crime, including alcohol-fuelled violence, road safety and child protection; 5. Increasing the resilience of individuals and communities to the impacts of disasters by undertaking and supporting initiatives that are designed to encourage all sectors of the Australian community to take responsibility for mitigating the effects of disasters, including implementation of the National Strategy for Disaster Resilience; and 6. Consideration of recommendations of national interest from significant commissions of inquiry into natural disasters, including inquiries into the recent floods in Queensland and Victoria and bushfires in Western Australia. <p>Note: Priorities 1 and 2 also appear as priorities for the Standing Council on Law and Justice. The project plans will specify the different roles of the two Councils.</p>
Cross-Cutting Issues	<p>In pursuing its priority issues of national significance, the Council will take into account the cross-cutting issues of Indigenous disadvantage, access to services, gender equality, and inclusion for persons with disability, as well as the specific needs of regional Australia.</p>
Legislative and Governance Responsibilities	<p>Responsibilities under the following instruments:</p> <ul style="list-style-type: none"> • <i>Australian Crime Commission Act 2002.</i> <p>Responsibilities for the following bodies:</p> <ul style="list-style-type: none"> • Australia New Zealand Policing Advisory Agency; • Australian Institute of Police Management (AIPM); • CrimTrac; and • National Crime Statistics Unit. <p>The Council commits that by July 2016, specific references to the former Ministerial Council in the above governing instruments will be changed to refer instead to the 'Ministers responsible for [.....]'.</p>

¹ Priority issues of national significance are reform-focused and warrant oversight by Ministers and by COAG. They will change over time and do not necessarily encompass all aspects of the work of the Council.

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	<p>Note that the Inter-Governmental Committee for the Australian Crime Commission will continue to meet to discharge its legislative and governance obligations under the <i>Australian Crime Commission Act 2002</i>, until such time as specific references to this former Ministerial Council are changed.</p>
<p>National Agreements, National Partnerships and Inter-governmental Agreements</p>	<p>Responsibilities under the Natural Disaster Resilience National Partnership Agreement.</p>
<p>Operations</p>	<p>COAG considers that, as a general rule, Councils would not require more than two face to face meetings a year.</p> <p>Meetings of Councils and officials will utilise the TelePresence network as much as possible to meet and to transact business, to minimise environmental impacts and meeting and travel costs.</p> <p>Other operational arrangements are to be made by the Ministerial Council and do not require COAG endorsement.</p>
<p>Decision-Making</p>	<p>Councils will make decisions on the basis of consensus wherever possible, unless specific voting rules are included in relevant governing instrument(s).</p> <p>Where necessary, the principle of one vote per jurisdiction would apply.</p>
<p>Reporting</p>	<p>The Council will provide COAG with an annual status report, due 31 July, on:</p> <ul style="list-style-type: none"> • the progress/completion of its priority issues against agreed milestones; • the contribution made towards meeting the Closing the Gap targets; • any additional priorities that it believes should be addressed and submitted for COAG consideration; • key outputs or achievements from other inter-jurisdictional activities; and • decisions taken as a result of its legislative or governance responsibilities and changes made to legislation or agreements. <p>The Council will also provide a draft work plan for the following financial year annually by 31 May.</p>

COAG Standing Council on Police and Emergency Management

Terms of Reference

Inaugural Membership

Chairing of this Standing Council is to be determined.

Jurisdiction	Minister/s	Role
Commonwealth	The Hon Robert McClelland, Attorney-General	Member
	The Hon Brendan O'Connor, Minister for Home Affairs	Member
New South Wales	The Hon Michael Gallacher, Minister for Police and Emergency Services	Member
Victoria	The Hon Peter Ryan, Minister for Police and Emergency Services	Member
Queensland	The Hon Neil Roberts, Minister for Police, Corrective and Emergency Services	Member
Western Australia	The Hon Rob Johnson, Minister for Police and Emergency Services	Member
South Australia	The Hon Kevin Foley, Minister for Police; Minister for Emergency Services	Member
Tasmania	Mr David O'Byrne, Minister for Police and Emergency Management	Member
Australian Capital Territory	Mr Simon Corbell, Attorney General; Minister for Police and Emergency Services	Member
Northern Territory	The Hon Paul Henderson, Chief Minister; Minister for Police, Fire and Emergency Services	Member
Australian Local Government Association	Mayor Bob Abbott, Sunshine Coast Regional Council, Queensland	Member
New Zealand	The Hon Judith Collins, Minister of Police OR The Hon Craig Foss, Minister for Civil Defence	Member

* Where more than one member has been nominated, there will be one vote per jurisdiction.

COAG Standing Council on Law and Justice

Terms of Reference

COAG Standing Councils are established to:

- a) achieve COAG's strategic themes by pursuing and monitoring priority issues of national significance which require sustained, collaborative effort; and
- b) address key areas of shared Commonwealth, State and Territory responsibility and funding.

The Standing Council will pursue the following COAG strategic themes as its major focus areas:

1. A National Economy driven by our Competitive Advantages
2. A Sustainable and Liveable Australia
3. Closing the Gap for Indigenous Australians.

Chair	Chair rotates for every meeting of the Council between all members, with the Chair holding that position until the next meeting of the Council.
Membership	Commonwealth, State, Territory and New Zealand Attorneys-General.
Scope of Standing Council	<p>The Council provides a forum for members to discuss and progress matters of mutual interest relating to law and justice, including legal policy and service provision.</p> <p>The Council will focus on initiatives of high-level, strategic and national significance that require horizontal and vertical cooperation between jurisdictions to address problems and create significant benefits for the community.</p> <p>The broad themes that the work of the Council will cover are:</p> <ul style="list-style-type: none"> • Criminal justice; • Indigenous justice; • Access to justice; • Social justice and the protection of rights; • Applying the rule of law in evolving circumstances; and • Minimising regulatory burdens through the harmonisation of laws. <p>The Council is also responsible for oversight of the National Classification Scheme, a cooperative arrangement under which the Classification Board classifies films, computer games and certain publications.</p> <p>The Council will work closely with the Standing Council on Police and Emergency Management to ensure coordination of joint priorities, most notably in the areas of organised crime and cyber crime, and with the Standing Council on Community, Housing and Disability Services.</p>

COAG Standing Council on Law and Justice

Terms of Reference

Priority Issues of National Significance²	<p>The Council's priority issues are:</p> <ol style="list-style-type: none"> 1. Implementation of the National Organised Crime Response Plan; 2. Progressing a national response to combat cyber crime; 3. Pursuing significant justice microeconomic reform initiatives, including personal property securities and legal professional reform; 4. Continuing reform and oversight of the National Classification Scheme; 5. Promoting stronger interactions between the family law, child welfare and child violence systems; 6. Harnessing the benefits of technology to improve access to justice; and 7. Progressing measures to reduce Indigenous disadvantage. <p>Note: Priorities 1 and 2 also appear as priorities for the Standing Council on Police and Emergency Management. The project plans will specify the different roles of the two Councils.</p>
Cross-Cutting Issues	<p>In pursuing its priority issues of national significance, the Council will take into account the cross-cutting issues of Indigenous disadvantage, gender equality, and access to services for vulnerable persons. It will also consider the cross-cutting issue of microeconomic reform.</p>
Legislative and Governance Responsibilities	<p>Responsibilities under the following instruments:</p> <ul style="list-style-type: none"> • Personal Property Securities Law Agreement 2008 • Defamation Intergovernmental Agreement 2005 • Agreement concerning the Establishment of the National Criminal Courts Statistics Unit 2003 • Professional Standards Agreement 2005 • National Legal Profession Memorandum of Understanding 2004 • National Coroners Information System Licence Agreements 2001 (as novated). <p>The Council commits that by July 2016, specific references to the former Ministerial Council in the above governing instruments will be changed to refer instead to the 'Ministers responsible for [.....]'.</p>
National Agreements, National Partnerships and Intergovernmental Agreements	<p>Responsibilities under the following:</p> <ul style="list-style-type: none"> • National Partnership Agreement on Legal Assistance Services; • Intergovernmental Agreement on cooperative legislative scheme for censorship in Australia 1995.

² Priority issues of national significance are reform-focused and warrant oversight by Ministers and by COAG. They will change over time and do not necessarily encompass all aspects of the work of the Council.

COAG Standing Council on Law and Justice

Terms of Reference

Operations	<p>COAG considers that, as a general rule, Councils would not require more than two face to face meetings a year.</p> <p>Meetings of Councils and officials will utilise the TelePresence network as much as possible to meet and to transact business, to minimise environmental impacts and meeting and travel costs.</p> <p>Other operational arrangements are to be made by the Ministerial Council and do not require COAG endorsement.</p>
Decision-Making	<p>Councils will make decisions on the basis of consensus wherever possible, unless specific voting rules are included in relevant governing instrument(s).</p> <p>Where necessary, the principle of one vote per jurisdiction would apply.</p>
Reporting	<p>The Council will provide COAG with an annual status report, due 31 July, on:</p> <ul style="list-style-type: none"> • the progress/completion of its priority issues against agreed milestones; • the contribution made towards meeting the Closing the Gap targets; • any additional priorities that it believes should be addressed and submitted for COAG consideration; • key outputs or achievements from other inter-jurisdictional activities; and • decisions taken as a result of its legislative or governance responsibilities and changes made to legislation or agreements. <p>The Council will also provide a draft work plan for the following financial year annually by 31 May.</p>

COAG Standing Council on Law and Justice

Terms of Reference

Inaugural Membership

Jurisdiction	Minister/s	Role
Commonwealth	The Hon Robert McClelland, Attorney-General	Member
New South Wales	The Hon Greg Smith, Attorney General; Minister for Justice	Member
Victoria	The Hon Robert Clark, Attorney-General	Member
Queensland	The Hon Paul Lucas, Deputy Premier; Attorney-General; Minister for Local Government and Special Minister of State	Member
Western Australia	The Hon Christian Porter, Attorney General	Member
	The Hon Terry Redman, Minister for Corrective Services	
South Australia	The Hon John Rau, Attorney-General; Minister for Justice	Member
Tasmania	Mr Brian Wightman, Attorney-General; Minister for Justice	Member
Australian Capital Territory	Mr Simon Corbell, Attorney General	Member
Northern Territory	The Hon Delia Lawrie, Treasurer; Minister for Justice and Attorney-General	Member
New Zealand	The Hon Simon Power, Minister of Justice	Rotating Chair

* Where more than one member has been nominated, there will be one vote per jurisdiction.