**Interim Working Group**

**for Australia’s OGP National Action Plan**

**3:00pm – 5:00pm, Monday 5 September 2016**

**Department of the Prime Minister and Cabinet**

**One National Circuit, Barton**

**MINUTES**

**Attendance list:**

* Dr Steven Kennedy (co-chair)
* Ms Fiona McLeod (co-chair)
* Mr Stein Helgeby
* Mr Iain Anderson
* Ms Meghan Quinn
* Mr Timothy Pilgrim (via telephone)
* Ms Anne Lyons (via telephone)
* Ms Elizabeth Tydd (via telephone)
* Dr Ken Coghill
* Ms Maree Adshead
* Mr Peter Timmins
* Mr Mark Zirnsak
* Ms Katherine Szuminska
* Mr Luke Yeaman
* Ms Helen Owens
* Mr Ryan Black
* Ms Kayelle Drinkwater

**Apologies:** None

1. **Welcome and introductions**

The co-chairs welcomed members to the first meeting of the Interim Working Group and invited introductions.

The co-chairs noted that Ms McLeod, as the civil society co-chair, would lead discussion on substantive items on the agenda (including around identifying commitments).

The co-chairs noted that they expected frank discussions between members, and members would be encouraged to relay conversations and consult broadly with their networks.

Members discussed the role of the Group to facilitate broader engagement and consultation. It was noted that civil society members would act in their capacity as private individuals, but bring the knowledge and experience from their connections with the wider public and civil society organisations.

1. **Update on Australia’s process to join the OGP**

Dr Kennedy provided an update on Australia’s process to join the Open Government Partnership (OGP) to date, including consultation undertaken by PM&C between December 2015 and April 2016. He noted the break in consultation on the National Action Plan due to the Federal election and the commencement of the caretaker conventions.

Dr Kennedy outlined next steps for the Group to help finalise Australia’s first National Action Plan which is due to be submitted to the OGP by 1 November 2016, including:

* identifying the grand challenges and high priority commitments to be explored for potential inclusion in the National Action Plan;
* co-drafting the text of the draft National Action Plan, including the commitments; and
* facilitating broader consultation and public comment on the commitments and the draft National Action Plan.

Dr Kennedy noted that this is Australia’s first National Action Plan, and will be used as a foundation for ongoing consultation and to identify further commitments to improve government transparency and openness over time. It was also noted that the final decision on the content of the National Action Plan will rest with the Australian Government.

1. **Terms of Reference**

Members discussed the draft Terms of Reference and suggested amendments to the criteria outlined in Clause 2b to:

* include the language used by the OGP and the Independent Reporting Mechanism regarding the level of ambition and transformational impact of commitments;
* capture the OGP requirement for measurable outcomes, or ‘SMART’ (Specific, Measurable, Actionable, Relevant and Time-bound) commitments; and
* consider the need for the commitment in Australia or to support Australia’s leadership in the region.

Members also discussed the proposed decision-making process in Clause 8, with a suggestion that a majority of government and a majority of civil society members should be required to make decisions, rather than a 75% majority of all members. Members also discussed the need to record dissenting opinions.

***Action: the secretariat will circulate updated Terms of Reference and seek endorsement from members out-of-session.***

1. **Australia’s first National Action Plan**
   1. **Grand challenges and themes**

Members discussed the need for the National Action Plan to cover a broad range of open government issues, and not be limited to the two grand challenges previously selected (‘Improving Public Services’ and ‘More Effectively Managing Public Resources’).

Members agreed that the selection of grand challenges should be considered at a later stage, with the initial focus being on developing ambitious commitments.

* 1. **Identification of high priority commitments**

Members agreed to focus discussion on the list of potential commitments identified in the agenda paper, and were also invited to identify other ideas, including from the summary of suggested commitments previously put forward by stakeholders.

Members agreed the National Action Plan could usefully include commitments already made by the Government, where this would provide a means to maintain momentum and specify tangible milestones.

Members agreed to further explore the list of potential commitments identified in Agenda Paper 4 in more detail at future meetings. Several items were opened for a brief initial discussion:

* Dr Kennedy (PM&C) led a discussion on a potential commitment regarding Australia’s membership to the **Extractive Industries Transparency Initiative** (EITI). Members agreed this commitment could include specific milestones around joining and complying with   
  the EITI.
* Ms Quinn (Treasury) led a discussion on a potential commitment to explore options for a **beneficial ownership register for companies**. Civil society members indicated a preference for a firm commitment to establish a register. It was noted that there are implementation and timing issues that require further discussion.
* Ms Owens (PM&C) led a discussion on potential **public data** commitments, including:
* building public data infrastructure to improve accessibility and discoverability of data;
* identifying and releasing high-value datasets;
* using data to foster innovation and economic growth; and
* working with civil society to progress the social licence on data sharing.
* Members also discussed issues around data quality, discoverability, usability, demand, engagement, skills and capability, use cases, integrity and sustainability. Members raised the need for government to provide certainty to businesses and the not-for-profit sector on the ongoing availability of data. Members also discussed the availability and use of data for transparency and accountability purposes.

Civil society members raised a number of other potential commitments for further discussion by the Interim Working Group:

* Dr Coghill outlined a proposal for enhancement of the ‘national integrity system’, including matters such as an upgrade of the Australian Commission for Law Enforcement Integrity into an Australian Integrity Commission, bringing the regulation of political campaign funding up to international better practice, and supporting integrity reforms by the Houses of Parliament. Members agreed to further discuss the feasibility and details of this proposal at the next meeting.
* Mr Timmins outlined a proposal on reviewing and reforming access to information laws and practice. Members agreed to further discuss the feasibility and details of this proposal at the next meeting.

Members agreed the secretariat would publish the list of potential commitments the Interim Working Group agreed to further discuss for public comment.

***Action: the secretariat will publish the list of potential commitments on the OGP Australia blog for public comment.***

* 1. **Structure of the National Action Plan**

Due to time constraints, this item was not considered.

1. **Consultation and engagement**

Members agreed the secretariat would seek views from the Group on their preferred approach to broader consultation and public engagement out-of-session.

***Action: the secretariat will seek views and comments from members out-of-session.***

1. **Other business**

Members discussed the need for continued face-to-face meetings, and video-conferencing facilities. Members also discussed the possibility of longer meetings.

Due to time constraints, other items were deferred to the next meeting.