



National Environmental Law Association (NELA)

Climate Change Working Group Terms of Reference

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1. Climate Change Working Group Terms of Reference

(a) Scope and purpose

The purpose of the Climate Change Working Group is to provide interested, active, and engaged members of NELA an opportunity to contribute and assist NELA in its goal to promote neutral debate and greater understanding on the relationship between climate change and law, specifically through:

- Research and collation of information;
- Building knowledge and expertise from the research and information;
- Collating and sharing the research, information, knowledge, and expertise with other NELA members and appropriate NELA portfolio members;
- Assisting appropriate NELA portfolio members in transforming the information into educational and law reform resources that can be easily understood by decision makers; and
- Discussing and debating the major issues relating to climate change and the law.

The Climate Change Working Group has autonomy to explore multiple avenues relating to climate change and the law including (but not limited to):

- Case studies relating to climate change impact;
- Duty of care relating to climate change impact;
- Australian legislation, policies, and case law relating to climate change and its impact; International commentary, policies, cases, and law relating to climate change and its impact;
- Scientific data, reports, studies, and articles relating to climate change and its impact, preferably peer reviewed.

The Climate Change Working Group must be mindful that the scope of the information obtained should align with NELA's constitution and purpose of advancing environmental law in multiple domains. NELA as an organisation remains politically neutral. The information obtained should be objective, and not influenced towards a particular group, sector, or organisation.

(b) Constitution of Working Group

The Climate Change Working Group is to be constituted by the below:

- 1) Chair:
 - a. The Chair is to have a term of one (1) calendar year.
 - b. The Chair is to be elected by the Working Group members, subject to the approval of the MPP Portfolio and the National Memberships Officer.
 - c. The Chair is to possess either expertise or knowledge in climate change or the law relating to climate change, and/or experience in leadership or law and have suitable qualifications or experience to chair the Working Group.
 - d. The Chair is responsible for administering the work of the Working Group and being the primary point of contact for the relevant NELA Portfolios.
- 2) Deputy Chair
 - a. The Deputy Chair is to have a term of one (1) calendar year.
 - b. The Deputy Chair is to be elected by the Working Group members, subject to the approval of the MPP Portfolio and the National Memberships Officer.

- c. The Deputy Chair is responsible for assisting the Chair in the administration of the Working Groups and liaison with relevant NELA Portfolios.
- 3) Up to 11 members (including Chair and Deputy Chair)
 - a. Members may join the Working Group subject to the approval of the Chair, in consultation with the MPP Portfolio and National Memberships Officer.
 - b. Members may withdraw from the Working Group by notifying the Chair.
 - c. The Chair or Deputy Chair may determine to remove a member from the Working Group following a period of inactivity for three (3) months.

The Working Group should ideally be organised to include a mix of more experienced and junior professionals to create learning and mentoring opportunities within the Working Group.

When selecting members to join the Working Group, officers should be conscious of encouraging diversity within the group as this is one of NELA's core values, and importantly this will bring unique viewpoints from various backgrounds to the group.

Once the Working Group has been established, each participant will be notified. Written permission to share contact details is to be obtained from each participant.

(c) Functions of Working Group

The Working Group is to:

- 1) Develop at least three (3) submissions, articles, or video/audio presentations per financial year; and
- 2) Meet at least once (1) per two months to discuss new developments in the relevant area of environmental law and opportunities for reform.

(d) Operation of Working Group

- 1) Members of the Working Group may shape how the Working Group is to operate.
- 2) Law reform submissions may be prepared via the below process:
 - a. Kick-off meeting - to discuss scope of submission and delegation of tasks, over videoconference or in-person;
 - b. Preparation of individual sections;
 - c. Consolidation and synthesis of individual sections;
 - d. Editorial process;
 - e. Finalisation of law reform submission; and
 - f. Submission of law reform submission to Chair and MPP and P&S Portfolio for approval, noting that final approval lies with the NELA Board.

Working Group members are encouraged to be actively involved and to share and lead any new projects and initiatives pertaining to the activities of the Working Group, subject to consultation with the relevant NELA portfolio/s.