

CTP Stakeholder Reference Group Process



Citizens Jury on CTP Stakeholder Reference Group Members (from L-R): Jamie Ronald, Peter McCarthy, Mark Blumer, Lisa Holmes, Fiona Tito Wheatland, Madeleine Hibbard, Jake Krausmann, Geoff Atkins, Richard Glenn. Absent: Ian Cameron.

Introduction

The Stakeholder Reference Group was established to support the work of the Compulsory Third Party Insurance Citizens' Jury namely by:

- supporting the Jury in identifying witnesses and important documents/ information,
- sharing with the Jury their expert opinions as well as the views of the organisations they represent, and
- providing feedback to facilitators about the design of the process.

Most importantly the SRG was established to take the Jury's defined objectives for the scheme and develop models that meet those objectives for the Jury to consider and choose from.

More information on the role of the SRG can be found in the Terms of Reference at Attachment A. (All notes from SRG meetings can be found at <https://www.yoursay.act.gov.au/ctp>)

The SRG members worked collaboratively over a total of 11 meetings totalling 34 hours. Their role was of great importance to ensuring that the Jury received a broad range of perspectives and balanced evidence. Working in the industry and associated fields means that they have a unique experience, expertise and knowledge on the scheme. This knowledge was of central importance to both helping the Jury to understand CTP and to the development of models for the Jury to consider.

This paper provides an overview of the work of the SRG; a summary of how it conducted itself and the steps it went through to fulfil its responsibilities.

Membership

Members of the SRG are as follows;

Lisa Holmes	Representative for the CTP Regulator	
Richard Glenn	Deputy Director General, Justice	Justice and Community Safety Directorate
Mark Blumer	Solicitor	Law Society of the ACT
Jamie Ronald	Barrister	ACT Bar Association
Madeleine Hibberd	Manager, Regulatory Policy	ACT CTP insurer – Insurance Australia Group (IAG)
Surayez Rahman (recently replaced by Jake Krausmann)	Executive Manager, ACT CTP (Policy and Regulation Advisor)	ACT CTP insurer – Suncorp
Fiona Tito Wheatland	Consumer representative	Health Care Consumers Association
Professor Ian Cameron	Professor of Rehabilitation Medicine	John Walsh Centre for Rehabilitation Research, University of Sydney
Geoff Atkins	Principal, Finity	Insurance scheme design expert
Peter McCarthy	Executive Director, EY	Actuary

Emma Fletcher & Emily Jenke (co-CEO's of democracyCo) facilitated each meeting (sometimes in attendance and sometimes over the phone) and presented to the group on matters of Jury process.

How the Group worked

There were three phases to the SRG's work.

1. **Pre-Jury** – preparing information to support the work of the Jury
2. **During the first meetings of the Jury**
3. **Model development** – post Jury, using the Jury's preferred objectives for CTP scheme models

Pre-Jury

The SRG met on 3 occasions for a total of 5.5 hours before the CTP Citizens' Jury sat for the first time.

During this time the SRG;

- Were briefed about the overarching strategy and approach for the citizens' jury process.
- Provided a list of witnesses who could provide a range of perspectives and vital expertise to the Jury.
- Provided feedback to democracyCo on methodology and design for the first four days of the Jury's sitting.

During the first meeting of the Jury

The SRG met each day of the Jury sitting to be briefed and to provide feedback to democracyCo about the process.

The SRG members also met with the Jury and briefed them on their respective perspectives on CTP. SRG members spoke to members of the Jury in small groups for a short session (some participated in speed dialogue and some provided presentations). This process was designed to give the Jury an understanding of the key issues they needed to consider in determining what is important in a CTP system.

Model development

The SRG met on 8 occasions for a total of 28.5 hours to develop a range of options for the Jury to consider at its last meeting.

The SRG was tasked with designing several models which meet the objectives set by the Jury.

It is important to note that SRG members interpreted the Jury's report differently in some respects, or more specifically, interpreted the Jury's objectives differently.

Four models were developed by Geoff Atkins from Finity with input from the SRG.

At the first meeting of the SRG after the Jury's report was provided, *"the SRG agreed that as a first step, the scheme design expert member would develop an overview of up to four models that meet both the jury's objectives and the scope set by Government, covering a broad spectrum of possibilities, including different premium levels. Members with strong preferences on a particular model were requested to provide these to the scheme design expert as soon as possible."*¹

At this first meeting the SRG members also, *"discussed the possibility of developing their own model should none of those developed by the scheme design expert represent their preferred approach."*²

The SRG met next on 20 November to consider a report from Geoff Atkins which broadly outlined four possible models.

From here on, the development of the models was an iterative process, where the scheme designer would respond to and change the models based on advice and feedback from the SRG (where appropriate) over successive meetings. 6 meetings occurred where the SRG provided feedback on the models and various changes were made in response. Not all changes requested by the SRG members were made by the scheme designer. This in part reflects that SRG members sometimes had differing views on some of the model elements. The scheme designer sought to ensure that the changes were both practical and workable and that as much as possible that they were in line with the Jury's objectives.

In the end no SRG members put forward their own model as members were able to 'live with' at least one model designed by Geoff Atkins with SRG input.

It is important to note that:

- Not all members of the SRG agreed that all models met the Jury's objectives.
- Not all SRG members supported all models.

¹ Notes from SRG meeting 7 November, 2017

² Notes from SRG meeting 7 November, 2017

When four models had been designed / scoped sufficiently, independent actuary, Peter McCarthy from Ernst and Young (EY) commenced costing the models. During this process, Peter provided a detailed briefing to the SRG about the approach he would be taking and the assumptions underpinning the costings process.

The initial indicative costings of the models resulted in a process of refinement of the models by the scheme designer in discussion with the SRG. Final discussions of the models and briefing on the costings occurred in the meeting on 7 March 2018. The model report and the costings report which have been released reflect the position of Finity (model report) and EY (costings report) at the conclusion of the SRG process.

Attachment A

Compulsory Third Party Insurance Stakeholder Reference Group (SRG) Terms of Reference

The Stakeholder Reference Group is an important part of the Compulsory Third Party Insurance Jury's deliberations.

The time and effort from members and their organisations is greatly valued and appreciated.

Purpose and roles

The Stakeholder Reference Group (SRG) will have the following six core responsibilities:

1. Model development – working with a scheme design expert and an actuary to develop models which meet the 'brief' as developed by Jury Part 1.
2. Identifying witnesses – support facilitators in determining witnesses to 'brief' the Jury.
3. Appear as witnesses – where appropriate / required members may appear as witnesses (either together or separately) to the Jury.
4. Evidence - Provide advice to the facilitators about important reports / documentation that could be of interest or importance to the Jury's deliberations.
5. Providing advice - facilitators may choose to seek the SRG's advice on how witnesses present to the Jury in the context of the overall agenda.
6. Building understanding and awareness of the Jury process in the wider community.

Members will provide their organisation's perspective on the Citizens' Jury witness and speaker identification process, and share information about past, current and emerging issues.

The facilitator, democracyCo, will convene and administer the SRG.

Protocols

As with the Citizens' Jury itself, the SRG is a deliberative process involving individuals and groups who have a high level of interest and stake in the CTP scheme with a range of viewpoints and perspectives.

To ensure that the SRG is productive and achieves its purpose as described above, the SRG will work in line with the following protocols and principles:

Transparency and openness -

Notes reflecting a high-level summary will be published (once SRG has approved) and will be available for SRG members to distribute to their members.

Where timely and appropriate, SRG members may consult with their own networks regarding the position they put to the Jury (on their members behalf). This may include;

- In preparation for the speed dialogue or other speaking opportunities to the Jury as they arise, or
- In developing feedback to provide to the SRG on appropriate models that meet the Jury’s brief.

The Citizens’ Jury process benefits from wide promotion and public dialogue, debate and constructive commentary. It is expected that members will want to discuss and debate the issues surrounding CTP schemes in the media and this practice is encouraged by the group.

Having said this, the sharing by SRG members of information with the media and with their own networks will be done respectfully.

Sensitive information and data from other schemes may not be able to be shared with the SRG.

Respect

SRG members will be respectful of both the work of the SRG and the work of the Jury. This will include;

- Ensuring that statements made to the media or on social media be made clearly in terms of it being the view of the individual or their organisation rather than that of the SRG.
- Valuing and being respectful of the work of the Jury, their role and any requests the Jury make to the SRG about the process by which they would like the models communicated back to them and or their work in general.
- Being cooperative and collegiate;
- The facilitator will run each SRG workshop in a collaborative workshop style, members will respect others’ opinions, be open and honest, participate fully, willingly share experience and expertise and importantly ‘share the air’.

Workshop Style

SRG meetings are not formally run– they are facilitated by democracyCo and run in a conversational dialogue style. The SRG will work on a consensus model for all decisions.

Membership

Lisa Holmes	Representative for the CTP Regulator	
Richard Glenn	Deputy Director General, Justice	Justice and Community Safety Directorate
Mark Blumer	Solicitor	Law Society of the ACT
Jamie Ronald	Barrister	ACT Bar Association
Madeleine Hibberd	Manager, Regulatory Policy	ACT CTP insurer – Insurance Australia Group (IAG)
Surayez Rahman	Executive Manager, ACT CTP	ACT CTP insurer - Suncorp
Fiona Tito Wheatland	Consumer representative	Health Care Consumers Association

Professor Ian Cameron	Professor of Rehabilitation Medicine	John Walsh Centre for Rehabilitation Research, University of Sydney
Geoff Atkins	Principal, Finity	Insurance scheme design expert
Peter McCarthy	Executive Director, EY	Actuary

Meeting Dates and Location

13 September 2017, Canberra

3 November 2017, Canberra

Further meetings to be confirmed