

The FRC Commissioners and staff continued to evolve our operations to respond to the changing needs of clients and other external factors impacting our work.

Inability to determine jurisdiction for notices received

Services Australia (SA) Business Hub restrictions

For the first time in over 16 years the FRC has been unable to determine jurisdiction for some notices received during a quarter. In quarter 66 (1/10/2024 – 31/12/2024) the FRC received 7 Magistrates Court notices on 24/12/2024 for one client for which jurisdiction could not be assessed.

Under section 7 of the FRC Act the meaning of a community member states: A person is a community member if –

- (a) the person is a welfare recipient; and
- (b) either
 - (i) the person's usual place of residence is, or was on the commencement of this section, in a welfare reform community area; or
 - (ii) the person has, at any time after the commencement of this section, lived in a welfare reform community area for at least 3 months.

Section 8 of the FRC Act relates to the definition of a welfare recipient.

The FRC determines jurisdiction each time a notice is received for a client through access to the SA Business Hub where a PID is generated, listing address information and welfare payment eligibility.

SA occasionally applies restrictions to customer accounts for reasons relating to security (both for the customer and SA). The FRC was advised by SA that it will no longer be granted access to the records of these customers. The Commission is trying to resolve this matter and to understand the basis upon which the FRC's access has been restricted.

As the FRC is unable to pull a PID for this client, we are unable to assess if the Magistrates Court notices the Commission received are within or not within jurisdiction. The matters are therefore unable to progress to conference.

This has caused the Commission to change its own recording and reporting practices in our CRM database where all notices for a quarter will be reported on the date of verification not the date of receipt. The FRC will now include separate reporting for the number of notices for which it has not been able to assess jurisdiction.



Challenges and outlook

Childrens Court ‘Trigger’ reinstated by the Queensland Community Safety Act 2024

In August 2024, the FRC Act was amended to operationalise the provision of Childrens Court Advice Notices, otherwise known as the Childrens Court, or Youth Justice ‘trigger’.

The FRC has undertaken significant work internally to prepare for the implementation of the Childrens Court ‘trigger’. This included developing and implementing changes to the CRM system and changes to the intake and jurisdiction checking processes undertaken by the Case Management and Monitoring team.

The FRC has also been working with the Queensland Department of Justice, Department of Youth Justice and Victim Support, and DWATSIPM to fully implement the notice requirements, including the provision of parent details, under s43 of the FRC Act. On 24 February 2025 Commissioner Williams used her powers pursuant to section 145 of the FRC Act to issue a Guideline setting out the procedures for the provision of, and receipt of Court Advice Notices by the FRC in circumstances where the person convicted of an offence is a child and is not a first-time offender pursuant to section 43(1)(a)(b) of the FRC Act. A copy of **Guideline 1/25: Receipt of Childrens Court Advice Notices** was sent to the Directors General of the relevant departments and took effect on the date of issue.

In that Guideline the Commission foreshadowed the need to make further requests to prescribed entities (i.e., Department of Justices) for information under section 93 of the FRC Act. In quarter 67 (1 January 2025 to 31 March 2025), the Commission commenced receiving Childrens Court notices after a lengthy absence of over eight years with the Commission last receiving Childrens Court notices in quarter 32 (April-June 2016). From 10 March 2025 to 30 June 2025, the Commission has received a total of 134 Childrens Court notices but has only been able to assess and then verify 125 of these notices as within jurisdiction. The remaining 9 Childrens Court notices could not be assessed for jurisdiction due to a lack of parent information recorded by the Court and the then resultant inability to generate a SA PID for the child record (under 16 and not receiving a welfare payment).

The Commission is undertaking a detailed assessment and considerations process to begin conferencing clients and their families. This process has confirmed the Commission’s preliminary view that further requests for information will be required (such as, for example, sentencing details to understand what interventions are already in place, and whether children are currently in detention and expected date of release), so that the FRC can consider all the relevant information available to make appropriate decisions at conference.

The Commission will continue to work with key stakeholders such as the Department of Justice to overcome these barriers and operationalise the Youth Justice trigger as originally intended by the FRC Act.



Submissions

One of the FRC's key strategies to improve engagement through co-design and partnerships, is to provide quality advice to our government and Parliamentary colleagues to inform policy, legislation and service delivery to our community members. Accordingly, the FRC has devoted considerable time and resources over the 2024-25 year to making representations to the Queensland and Australian governments and parliamentary committees on matters that directly affect the FRC and its clients. A summary of these submissions follows.

Inquiry into Elder Abuse

On 10 April 2025, the FRC made a comprehensive submission to the Education, Arts and Communities Committee's Inquiry into Elder Abuse in Queensland. The submission highlights the FRC's unique perspective and role in addressing elder abuse within remote First Nations communities and provides recommendations to improve responses for this vulnerable cohort, including making voluntary income management available to people in other locations across the State.

The submission underscores the importance of a cohesive, culturally sensitive, and community-driven approach to addressing elder abuse, with the FRC positioned as a critical partner in these efforts.

It sets out that the FRC's experience supporting clients in the communities of Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge suggests that elder abuse, in particular, financial elder abuse is common and normalised. The circumstances of remoteness and entrenched disadvantage also make the impacts of this abuse severe. The perpetrators of this abuse are usually family members.

There is a critical lack of education and awareness campaigns and other initiatives that are specifically tailored to the needs and perspectives of older people in remote First Nations communities. However, there are strong protective factors that already exist in FRC communities, and these can be utilised to develop and implement tailored education and awareness campaigns.

There are significant service gaps specifically responding to elder abuse in remote communities. Older people who are the subject of financial elder abuse in FRC communities require intensive and cohesive support. Resources need to be directed to enabling a central support mechanism, such as an Adult Safeguarding Network, in communities that leverages existing infrastructure, including the FRC.

Whilst preventative measures and systemic and programmatic social support for elder abuse are imperative, making voluntary income management available to a broad range of people is a fast and effective way of empowering older people to protect their payments.

The recommendations made in the submission were that the committee:

1. Notes in its final report the learnings of the FRC over 16 years of working in partnership with remote First Nations communities: that while there are significant risk factors for elder abuse and barriers to accessing support, there are also strong protective factors that can be harnessed and grown.



Challenges and outlook

2. Recommends the Queensland State Government funds the development and implementation of evidence based, culturally appropriate elder abuse education, and awareness campaigns:
 - tailored for remote First Nations contexts
 - delivered in-person in communities
 - using existing infrastructure and relationships, including the FRC.
3. Recommends the Queensland State Government directs funds to ensure that culturally appropriate and accessible in-person services to provide financial management tools, but also to help navigate family and community relationships, are available in remote First Nations communities. The Commission supports the establishment of local Adult Safeguarding Networks, as proposed by the Public Advocate.
4. Recognises the unique role of the FRC, as a Queensland public sector entity, and recommends legislative amendments to the FRC Act to enable VIM to operate state-wide, administered by the FRC to empower vulnerable older Queenslanders to self-refer and utilise the benefits of voluntary income management.

On 14 May 2025, the Education, Arts and Communities Committee held a hearing on the Inquiry in Cairns, and the FRC were invited to appear. Local Commissioner Doris Poonkamelya travelled from Aurukun to give evidence to the Inquiry and was supported by Cara Marks, Local Registry Coordinator for Aurukun and Camille Banks, Manager, Compliance and Legal Policy. Commissioner Poonkamelya and Ms Marks have been working closely with older clients and community members, in partnership with the Aurukun Chivaree Aged Care Centre in Aurukun to support those experiencing or at risk of financial abuse.

At the hearing, the FRC highlighted issues of financial abuse, particularly humbugging, that are common in FRC communities, and explained that cost-of-living pressures and internet banking exploitation exacerbate elder abuse. The SmartCard was discussed as a tool to manage income and protect elders from financial exploitation. Commissioner Poonkamelya shared her experience of using the SmartCard to safeguard her pension and manage her finances. Ms Marks discussed the lack of banking infrastructure and digital literacy issues that hinder financial independence for elders.

Commissioner Poonkamelya explained that gambling, particularly internet-based gambling, is a significant issue in communities like Aurukun. The FRC emphasised the need for better financial support, education, and awareness programs tailored to First Nations communities. Addressing systemic issues like addiction and poverty among perpetrators of abuse was also recommended.

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (DFVOLA Bill)

The FRC has concerns regarding the proposed introduction of Police Protection Directions (PPDs) under the DFVOLA Bill. On 30 May 2025, the Commission made a submission to the Education, Arts and Communities Committee, highlighting the potential impact of PPDs on the Commission's ability to fulfil its role in supporting victim-survivors and addressing domestic and family violence (DFV) in culturally appropriate ways.

Challenges and outlook



The submission's key points included:

1. Impact on FRC operations:

- PPDs, being distinct from court-ordered protection orders, would not trigger court advice notices to the FRC under section 43(1) of the FRC Act. This would significantly reduce the FRC's visibility of DFV matters and limit opportunities for early intervention, culturally safe conferencing, and referrals to support services.
- The FRC emphasised that its model, which involves Local Commissioners and community-based approaches, is critical for addressing DFV in remote First Nations communities.
- In 2023-24, the FRC received 221 court advice notices for DFV orders, held 210 related conferences, and made 142 referrals to support services. A shift to PPDs could significantly reduce these activities, undermining the FRC's ability to intervene early and provide culturally appropriate support.

2. Concerns for First Nations Communities:

- The Commission also gave the view that PPDs may exacerbate the overrepresentation of First Nations people in the criminal justice system due to limited understanding of PPD conditions and lack of access to legal or financial support.
- The severity and normalisation of DFV in remote communities make it challenging to identify those most in need of protection, potentially reducing the effectiveness of PPDs.

The FRC's recommendations to the committee were to:

1. Amend section 43(1) of the FRC Act to ensure the FRC is notified of all PPDs issued within its jurisdiction.
2. Carefully consider the broader impacts of PPDs on victim-survivor support, early intervention, and the overrepresentation of First Nations people in incarceration.

On 3 June 2025, the FRC were again invited to expand on the submission at a hearing on the Inquiry into the DFVOLA Bill in Cairns. Deputy Commissioner Curtin, and Camille Banks, Manager, Compliance and Legal Policy, gave evidence at the hearing. Deputy Commissioner Curtin highlighted that the introduction of PPDs, as currently proposed, would hinder its ability to intervene early in domestic and family violence cases. The lack of recognition of PPDs as agency notices under the FRC Act limits the FRC's jurisdiction and ability to act effectively.

The FRC recommended amending section 43(1)(a) of the FRC Act to classify PPDs as agency notices. This change would enable the FRC to provide culturally appropriate support, facilitate community engagement, and address underlying issues such as addiction, trauma, and violence. Deputy Commissioner Curtin reiterated the concern that the current form of the bill could exacerbate the over-representation of First Nations people in the criminal justice system. He emphasised the importance of culturally sensitive interventions and the role of Local Commissioners in supporting victim-survivors and addressing the root causes of violence.

The FRC concluded by urging the committee to carefully consider its recommendations to ensure the proposed legislation supports effective intervention and reduces harm within communities.



Challenges and outlook

Response to Questions on Notice following the Education, Arts and Communities Committee visit to Hope Vale on 25 February 2025

The following response to the questions on notice from the committee was provided on 28 March 2025 by Commissioner Tammy Williams prior to the public hearing on Monday 28 April 2025 between the FRC and the committee.

Question 1:

The barriers preventing qualified tradespersons within the communities under your remit from being employed by QBuild on construction of government employee housing.

Response:

i. Instability of policy settings and program longevity is a barrier to achieving sustainable employment in remote communities.

Cape York Welfare Reform ('CYWR' or 'Welfare Reform') was established in 2008 as a tri-partite arrangement between the Cape York Institute for Policy and Leadership, the Queensland Government and the Australian Government. The objective was to support a positive change in social norms and community behaviours in response to chronic levels of passive welfare, social dysfunction and economic exclusion.¹

The reform proposed 'pathways for Indigenous people to participate in economic activity in and beyond the communities... and [was] designed with an emphasis on partnership, capacity building, local authority and service enhancement.'² A key feature of the welfare reforms was the creation of the Family Responsibilities Commission (the 'FRC' or 'Commission'), an independent statutory authority established by the *Family Responsibilities Commission Act 2008* (FRC Act). The Explanatory Notes to the FRC Act describe the underlying policy rationale for the reforms and the Commission as:

*'a range of policy, program and service reforms and practical on-the-ground initiatives to help reduce dependency and dysfunction and provide pathways to participation in the real economy including ... interventions in employment [and], enterprise...'*³

However, those early interventions or government economic development initiatives intended to be delivered as part of the tri-partite reforms have waned over the years or key components were arguably not delivered.⁴ The Cape York Institute for Policy and Leadership, a partner of the Queensland and Australian Governments to the reforms makes the following assessment.⁵

"The design of [Cape York Welfare Reform] CYWR emphasised economic development and employment including through reforms to the Community Development Employment Program ('CDEP', which was the employment services program at the time), 'Lighthouse Projects' in each community, increasing 'Local Jobs for Local People', as well as activating 'Orbiting' so that people could take up employment opportunity elsewhere. Largely, however, the essential welfare to work dimensions were not delivered."

1. Family Responsibilities Commission 2023-24 Annual Report, page 10

2. *Family Responsibilities Commission Act 2008* Explanatory Note, page 3

3. Ibid

4. Cape York Institute: *Overcoming Entrenched Disadvantage by Building Family Responsibility*, July 2022, page 20

5. Ibid

Challenges and outlook



This is contrasted with the National Agreement on 'Closing the Gap' reform, where it is acknowledged, a generational approach to policy intent and commitment is needed, if there is to be any hope of achieving targets or desired outcomes. The FRC, instead, has operated since its inception, with limitations, in so far as it does not have a full suite of employment and training referral pathways and complementary wellbeing services to support the continuum of behavioural change of community members, as originally intended in the CYWR's program logic. This gap has stymied progress towards real improvements being made to the life outcomes of FRC client's and their families.

The FRC notes the Premier's Charter Letter, dated 8 November 2024, addressed to the Honourable Fiona Simpson MP, Minister for Women and Women's Economic Security, Aboriginal and Torres Strait Islander Partnerships and Multicultural Affairs. Of relevance is the Premier's direction to 'form an Economic Security team to drive positive outcomes for Queenslanders across all economic portfolios.' As a Queensland public sector entity, the FRC remains committed to working as part of a whole-of-government strategy and welcomes the opportunity to 'work closely with other agencies to improve health, educational and employment outcomes'⁶ to overcome the entrenched and generational disadvantage of community members in Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge.

ii. Limited visibility and accessibility to employment pathways.

The FRC notes QBuild is a business area within the Department of Housing and Public Works. QBuild is described on the department's website as 'the Queensland Government's trusted builder' and 'plays a vital role in supporting our state's \$59 billion building and construction sector.'⁷ The website explains QBuild is currently seeking qualified tradespeople to 'help deliver a massive pipeline of works for Queensland with a variety of career options at QBuild across 20 offices, 35 depots and 3 Rapid Accommodation and Apprenticeship Centres located throughout the state.' Doomadgee is the only location, out of the five communities the FRC operates in, listed as having a QBuild facility (a depot). See QBuild regional map for details.⁸

A recent search of the 'Visit QBuild Careers' page showed no current vacancies or apprenticeships.⁹ The department's website also states QBuild partners with Registered Training Organisations, yet the location of those entities could not be found on the webpage.

The FRC does not believe information about QBuild's career opportunities is widely known in the five welfare reform communities within the Commission's jurisdiction. Accessibility issues may also arise if dissemination of this information, or the application process itself, is limited to online.

The Department of Housing and Public Works has already identified the need to establish career pathways for community members, albeit in regional areas. It is unknown whether the strategy extends to remote communities. One of the department's goals in its Diversity, Equity and Inclusion Plan is to advance opportunities for career development for diversity groups and regions, enabling career pathways and progression, regardless of background, occupational group or workplace location.

6. Premier's Charter Letter to Minister Simpson

7. <https://www.housing.qld.gov.au/about/department/business-areas/public-works/qbuild/about-qbuild>

8. https://www.housing.qld.gov.au/_data/assets/pdf_file/0024/64329/qbuild-regional-map.pdf

9. When the link to the listed jobs is clicked the following message is displayed: "Sorry, the requested job cannot be displayed as it has most likely closed or been removed."



Challenges and outlook

A focus area for achieving this goal is to undertake actions throughout 2024-26 across three phases. This will require mapping of 'potential career pathways to improve opportunities for regional career progression through a deep dive into regional experiences relating to job progression, and for the department to 'consult and engage stakeholders to address inequities.' The FRC would be pleased to provide feedback and identify other community-based entities suitable to join the department's stakeholder group.

Question 2

The role of the FRC in supporting people, and their families after release from correctional custody and return to the community, and any limitations in the scope of the FRC's responsibilities to adequately support the reintegration process.

Response:

- i. The FRC can better support young people released from detention, and their families if legislative amendments are made to permit information exchange.**

Section 93 of the FRC Act allows the Commissioner to ask a prescribed entity¹⁰ for relevant information¹¹ in the entity's possession or control. Currently, the list of prescribed entities in section 90 of the FRC Act includes the department responsible for **adult corrective services**, but **not for youth corrective services**. Including a new prescribed entity to encompass youth corrective services in section 90 of the FRC Act would allow the FRC to request information from youth corrective services such as details of release dates, supervision orders, and programs or interventions the young person has completed in detention.

The ability to request this information, where appropriate, would serve to improve outcomes for young people and their families by enabling the FRC to work collaboratively with youth corrective services following a young person's release back into their community. This will provide opportunity for appropriate and effective early intervention and rehabilitation programs to be put in place, using referrals to community-based service providers, as part of a holistic and multi-disciplinary approach to support the young person, and their family (if appropriate). The FRC can then provide ongoing case management to clients and their family for up to a period of 12 months (at a time), with the aim of reducing recidivism.

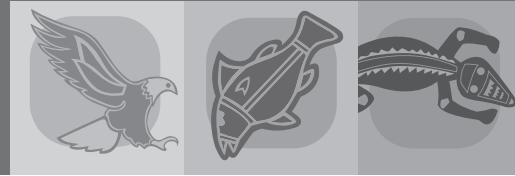
- ii. There is an opportunity for a stronger formal partnership with Queensland Corrective Services (QCS) to support prisoner reintegration into the community.**

In May 2022, the FRC undertook an operational analysis and made a submission to the former DTATSIPCA. Community concerns about rates of re-offending and disruption caused by people returning from custody, and the need for coordinated case management approaches for these individuals, were raised. Consequently, the FRC identified the need for a partnership with QCS to be formalised, which would enable Local Commissioners to conference a client upon their return to the community at the first available opportunity. Unfortunately, the department did not, at the time, act upon the Commission's advice. The FRC nonetheless continues to see merit in this proposal and briefly sets out its reasoning on the following page.

10. Prescribed entity is defined in s90 of the FRC Act.

11. Relevant information is defined in s91 of the FRC Act.

Challenges and outlook



The FRC, pursuant to section 43 of the FRC Act, already receives agency notification from the Courts when an adult community member is convicted of an offence. The Act also permits information sharing between the FRC and QCS.¹² In practice, however, the provision of this information by the Courts and QCS to the FRC is not provided in a coordinated manner. For example, while the FRC receives a notice from the Court for adults within days of conviction,¹³ the FRC is not always aware of sentencing and release details, or the details of programs undertaken while in custody. This can make it difficult for the FRC to schedule timely conference hearings following the prisoner's release, or coordinate case management in a meaningful and holistic way with community-based service providers, and other government agencies that complement the programs undertaken whilst in custody.

Previously Local Commissioners had visited Lotus Glen Correctional Centre near Mareeba, where many (but not all) men from Cape York are imprisoned. While COVID-19 disrupted prison visits over a long period, the FRC would like to embed these visits as a regular practice, as part of a strengthened partnership with QCS. Such visits provide the opportunity for Local Commissioners to talk to members of the FRC communities about kinship connections, and shared community values and expectations of personal responsibility, and to begin the process of reintegration even during the incarceration period. The FRC believes this foundational engagement is a necessary precursor for an impactful conference with Local Commissioners upon the prisoners' return to their community and increase the chances of a successful reintegration.

Local Registry Coordinator staffing shortage

Quarter 65 (1 July 2024 – 30 September 2024) and 66 (1 October 2024 to 31 December 2024) presented a very challenging time for the Commission with an unprecedented Local Registry Coordinator staffing shortage for Coen, Hope Vale and Mossman Gorge. This resulted in fewer conferences held and CE activities undertaken.

Policy Review project

The FRC is committed to building and maintaining robust and integrated corporate governance that will assure stakeholders that the FRC is pursuing its objectives and fulfilling its responsibilities with due diligence and accountability.

The Policy Review project was identified as a major project for the Commission's Compliance and Legal Policy team during the 2024-25 financial year. The project involves the review, update and development of the entire suite of the FRC's operational (Human Resources and Corporate) policies for relevance, currency and overall compliance with Queensland Government's legislative/regulative requirements and best practice.

12. Sections 92 and 93.

13. Section 43.



Challenges and outlook

In addition to ensuring robust corporate governance, the review is focused on establishing the FRC's legislative compliance and discharging its obligations under new requirements in the *Public Records Act 2023*, *Public Sector Act 2022*, *Information Privacy and Other Legislation Amendment Act 2023*, and the *Child Safe Organisations Act 2024*.

A policy development framework has been established, outlining the project methodology and incorporating a policy hierarchy and map that illustrates the relationships between policies, procedures and supporting documents. The team is progressing its work program in a series of prioritised tranches determined by urgency of upcoming legislative changes and operational requirements. The first tranche of policies is currently undergoing review and development with active consultation involving key internal and external stakeholders to ensure alignment with organisational needs and compliance obligations.

The FRC is participating in a trial of the Queensland Government's AI chatbot, QChat, offered to public authorities. QChat has so far been successful in generating efficiencies in the Policy Review project. As part of the QChat trial, the FRC is undertaking a Foundational AI Risk Assessment, and developing guidance for staff in the use of Generative AI for work purposes.

Increased statutory compliance requirements

As a Queensland public sector entity, the FRC is obligated to ensure compliance with Queensland Government legislation. As one of the smallest public sector entities, the FRC faces a considerable legislative burden, commensurate with central agencies. Recent legislative amendments have significantly increased the compliance and governance obligations placed on the Commission.

To support these enhanced requirements, the FRC was awarded a grant of \$595,000 from DWATSIPM. This funding will assist the Commission in meeting its legislative compliance obligations and supporting general administration. Key initiatives include work required to fulfil its responsibilities as a child safe entity and reporting under the *Child Safe Organisations Act 2024*, including training for staff and Local Commissioners.

The grant, provided as a one-off payment during the 2024-25 financial year, is available for use over the subsequent two financial years (2025-26 and 2026-27).

The Commission extends its gratitude to DWATSIPM for their generous support and for providing this critical funding to enable the FRC to meet its compliance and governance responsibilities effectively.