

Family Responsibilities Commission

*Report to the Family Responsibilities Board and
The Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs*

Quarterly Report

No. 25

July 2014 to September 2014



*Report prepared by the Family Responsibilities Commission under the leadership of
Commissioner David Glasgow*

Executive Summary

During quarter 25, 871 within jurisdiction agency notices were received by the Family Responsibilities Commission (the Commission), an increase of 63 from last quarter. There were 482 conferences held for the same period, representing an increase of 40 from last quarter. Eight Family Responsibility Agreements (FRAs) were entered into, 35 orders were made to attend community support services and 92 Conditional Income Management (CIM) orders were issued. When compared to last quarter, this represents an increase of 5 FRA's, 15 orders to attend community support services and 45 CIM orders.

Since the commencement of the Commission 96 Voluntary Income Management (VIM) agreements have been processed (an increase of one from last quarter). Community members continue to express their desire to enter into VIM agreements in order to assist with budgeting and ensure funds remain available for purchases.

The Commission case-managed 213 clients during the quarter, making 50 referrals relating to 39 clients (an increase of 16 referrals from last quarter). Further activity during the quarter consisted of 21 Applications to Amend or End Agreements or Orders (a decrease of 4 from the previous quarter) and 2 Show Cause conferences (a decrease of 13 from last quarter).

On 7 August 2014, by Minute number 360, His Excellency the Governor approved the appointment of 10 Local Commissioners to the Family Responsibilities Commission. The appointments included eight Local Commissioners appointed to Doomadgee and one Local Commissioner each to Mossman Gorge and Hope Vale. The Commission welcomed the new appointments of Hadlee Gibson to Mossman Gorge, Cheryl Cannon to Hope Vale and Elaine Cairns, Guy Douglous, David Gallagher, Karen Jupiter, Christopher Logan, Eleanor Logan, Kaylene O'Keefe and Isabel Toby to Doomadgee. The Local Commissioners were subjected to rigid recruitment processes prior to appointment, after which each participated in intensive induction and training to prepare them for the important roles they will play in the welfare reform agenda.

The Family Responsibilities Commission Amendment Bill 2014 was introduced into Parliament by the Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs, the Hon. Glen Elmes, on 5 August 2014. The Bill includes a number of suggested amendments to the *Family Responsibilities Commission Act 2008* (the Act) including:

- provision of additional court (Supreme, District and Children's Courts) triggers
- removal of the sunset clause
- amendment to the definition of welfare reform community area to "an area prescribed by regulation as a welfare reform community area".

The Commission views the additional court triggers as a strengthening of its ability to work positively with a broader range of the community. The amended definition of a welfare reform community area will enable communities to exit welfare reform or join welfare reform without requiring amendments to the Act. It is anticipated that the Bill will be reintroduced into Parliament in October 2014.

The Commission has continued its marketing campaign this quarter, conducting information sessions for a diverse audience in the communities of Aurukun, Coen, Hope Vale and Mossman Gorge. Commission staff have also conducted presentations for stakeholders, service providers and welfare partners based in Cairns including Child Safety, Magistrates Court, RAATSIC, CYP, Red Cross, Balkanu, Gungarde Aboriginal Corporation and Mookai Rosie. The Commission's marketing campaign is aimed at increasing the knowledge of strategic partners and agencies whose staff visit or live in a welfare reform community and to enhance holistic service provision through cooperative and collaborative relationships.

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Abbreviations

CIM	Conditional Income Management
CYWR	Cape York Welfare Reform
DATSIMA	Department of Aboriginal, Torres Strait Islander and Multicultural Affairs
DETE	Department of Education, Training and Employment
EFV	Ending Family Violence
FRA	Family Responsibilities Agreement
FRC	Family Responsibilities Commission
VIM	Voluntary Income Management

Also:

Family Responsibilities Commission (the Commission)
Family Responsibilities Commission Act 2008 (the Act)
Family Responsibilities Commission Registry (the Registry)
Family Responsibilities Board (the Board)

Family Responsibilities Commission Cape York Welfare Reforms

Report to 30 September 2014.

1. Activities and Trends

Notices

In quarter 25 the Commission received **1,096 agency notices**¹. Some individuals may have been the subject of more than one agency notice. Of that figure 871 notices (79 percent) were within the Commission's jurisdiction and 225 notices (21 percent) were outside the Commission's jurisdiction.

Within jurisdiction notices comprised of:

237	Magistrates Court notices
516	School Attendance notices
1	School Enrolment notice
108	Child Safety and Welfare notices
9	Housing Tenancy notices

Of the 225 notices not within the Commission's jurisdiction, there were 187 Magistrates Court notices, 26 School Attendance notices, 11 Child Safety and Welfare notices and 1 Housing Tenancy notice.

Details of notices within jurisdiction for each community are set out below:

- **Aurukun's 395** notices constitute **45.4 percent** of the total notices in jurisdiction across the four CYWR trial communities:

100	Magistrates Court notices
253	School Attendance notices
0	School Enrolment notices
41	Child Safety and Welfare notices
1	Housing Tenancy notice

Fifty-six Magistrates Court notices and 11 School Attendance notices were processed as not within jurisdiction.

- **Coen's 67** notices constitute **7.7 percent** of the total notices in jurisdiction:

25	Magistrates Court notices
29	School Attendance notices
1	School Enrolment notice
11	Child Safety and Welfare notices
1	Housing Tenancy notice

Six Magistrates Court notices and 3 School Attendance notices were processed as not within jurisdiction.

¹ Counting rules are that an agency notice is counted on the basis of number of 'clients' on the notice. For example a child safety and welfare notice relating to two parents is counted as two notices.

- **Doomadgee's 9** notices constitute **1.0 percent** of the total notices in jurisdiction:

9 Child Safety and Welfare notices

Nine Child Safety and Welfare notices were processed as not within jurisdiction.

- **Hope Vale's 351** notices constitute **40.3 percent** of the total notices in jurisdiction:

95 Magistrates Court notices
208 School Attendance notices
0 School Enrolment notices
46 Child Safety and Welfare notices
2 Housing Tenancy notices

Twenty-five Magistrates Court notices, 10 School Attendance notices and 2 Child Safety and Welfare notices were processed as not within jurisdiction.

- **Mossman Gorge's 49** notices constitute **5.6 percent** of the total notices in jurisdiction:

17 Magistrates Court notices
26 School Attendance notices
0 School Enrolment notices
1 Child Safety and Welfare notice
5 Housing Tenancy notices

One hundred Magistrates Court notices, 2 School Attendance notices and 1 Housing Tenancy notice were processed as not within jurisdiction.

Since its commencement the Commission has received 18,288 agency notices within its jurisdiction. Total notices increased from 1,006 in quarter 24 to 1,096 in quarter 25. Of those notices in jurisdiction School Attendance and Child Safety and Welfare notices increased, whilst Magistrates Court, School Enrolment and Housing Tenancy notices decreased.

Magistrates Court notices decreased this quarter to 237 from 248 received in the previous quarter. Three out of the four communities experienced an increase in notices this quarter. Coen increased by 22 notices, Hope Vale increased by 12 notices and Mossman Gorge increased by 6 notices, however Aurukun decreased by 51 notices.

School Attendance notices increased from 477 in quarter 24 to 516 in quarter 25. Three out of the four communities experienced an increase in notices this quarter. Aurukun, Coen and Hope Vale increased by 14 notices, 13 Notices and 12 notices respectively, whilst Mossman Gorge remained unchanged.

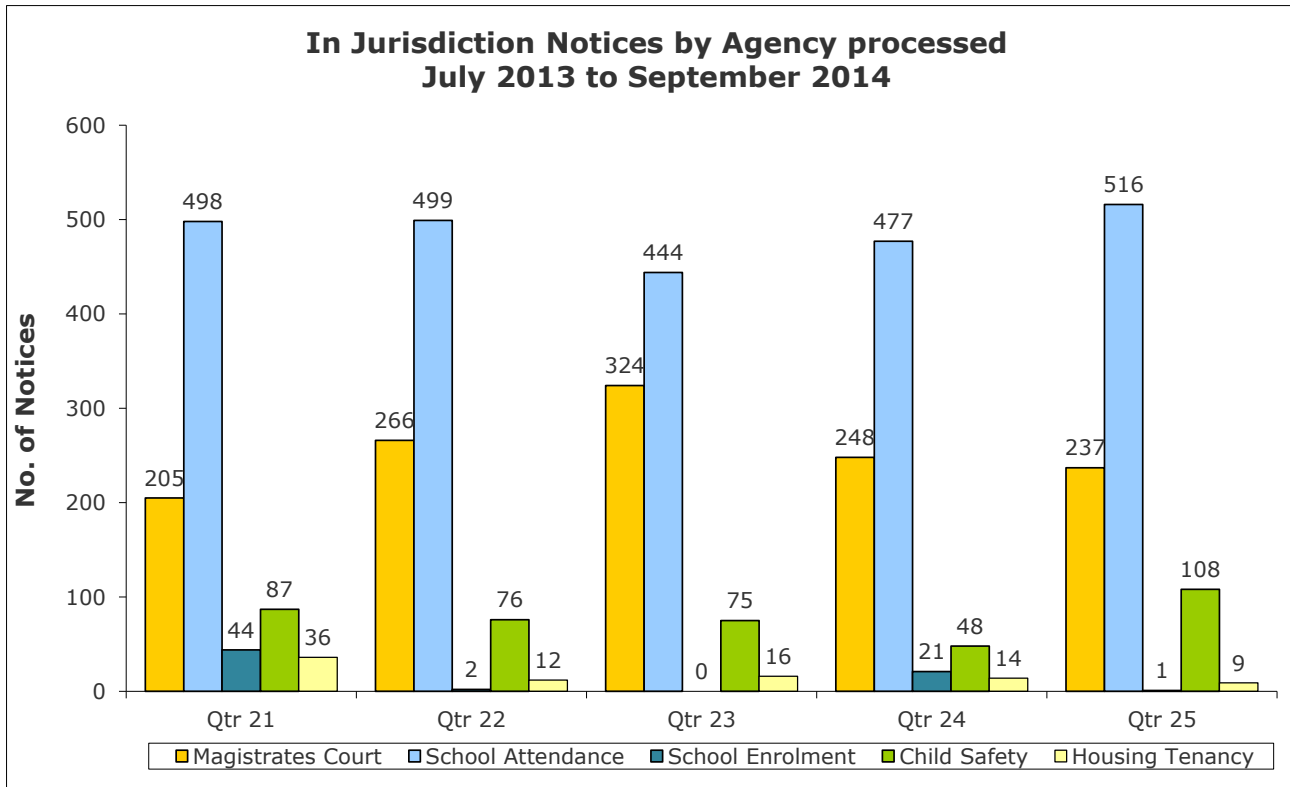
School Enrolment notices decreased from 21 in quarter 24 to 1 in quarter 25. All four communities experienced a decrease in notices this quarter. Aurukun, Coen, Hope Vale and Mossman Gorge decreased by 13, 1, 4 and 2 notices respectively.

Child Safety and Welfare notices increased from 48 in quarter 24 to 108 in quarter 25. The Commission received 9 Child Safety and Welfare notices for Doomadgee for the first time with its inclusion as a welfare reform community area on the 7 August 2014. Further activity for the

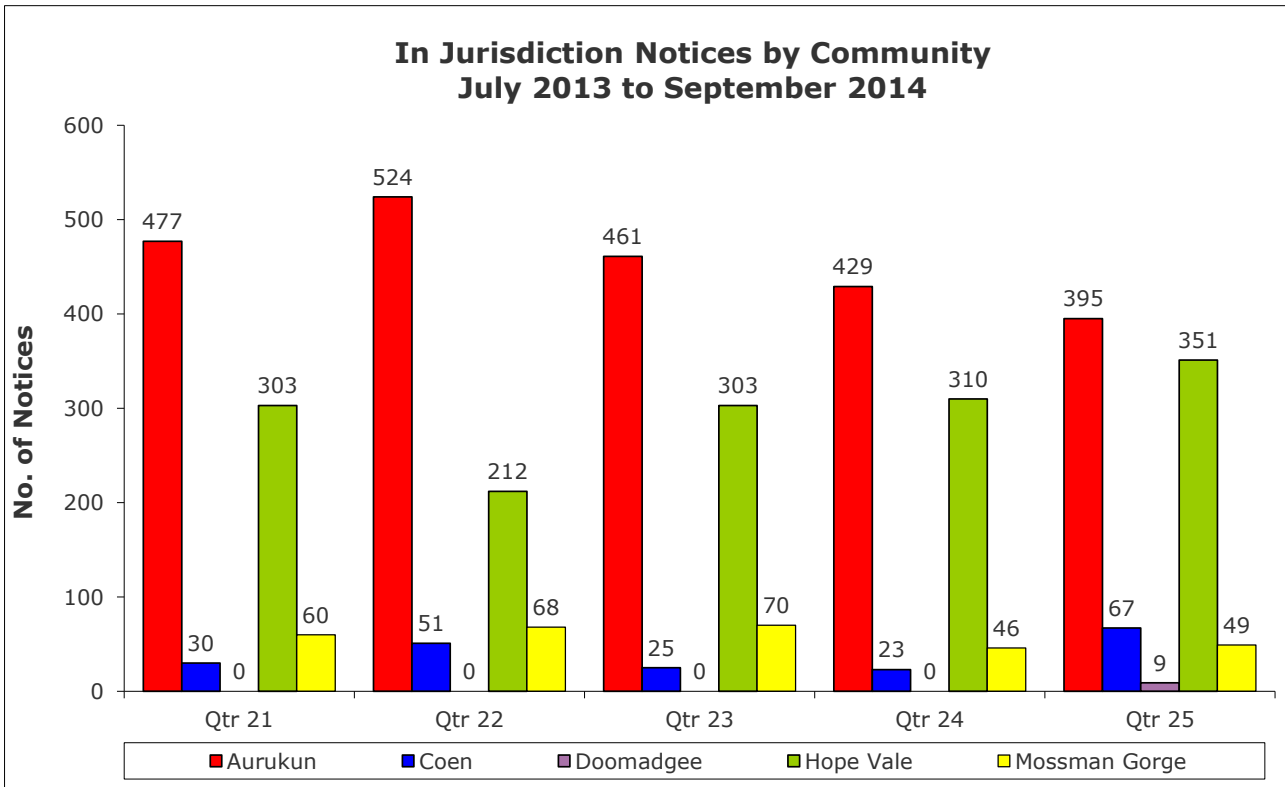
existing communities saw Aurukun, Coen and Hope Vale increase by 19, 9 and 24 notices respectively, whilst Mossman Gorge decreased by 1 notice.

Housing Tenancy notices decreased to 9 from 14 received in the previous quarter. Aurukun and Hope Vale decreased by 3 notices each, Coen increased by 1 notice and Mossman Gorge remained unchanged.

The Commission receives school attendance data from the Department of Education, Training and Employment (DETE). The release of relevant data relating to quarter 25 was not available at the time of writing this report, however, the available data provided by DETE is published on the Commission’s web page at <http://www.frcq.org.au> when available.

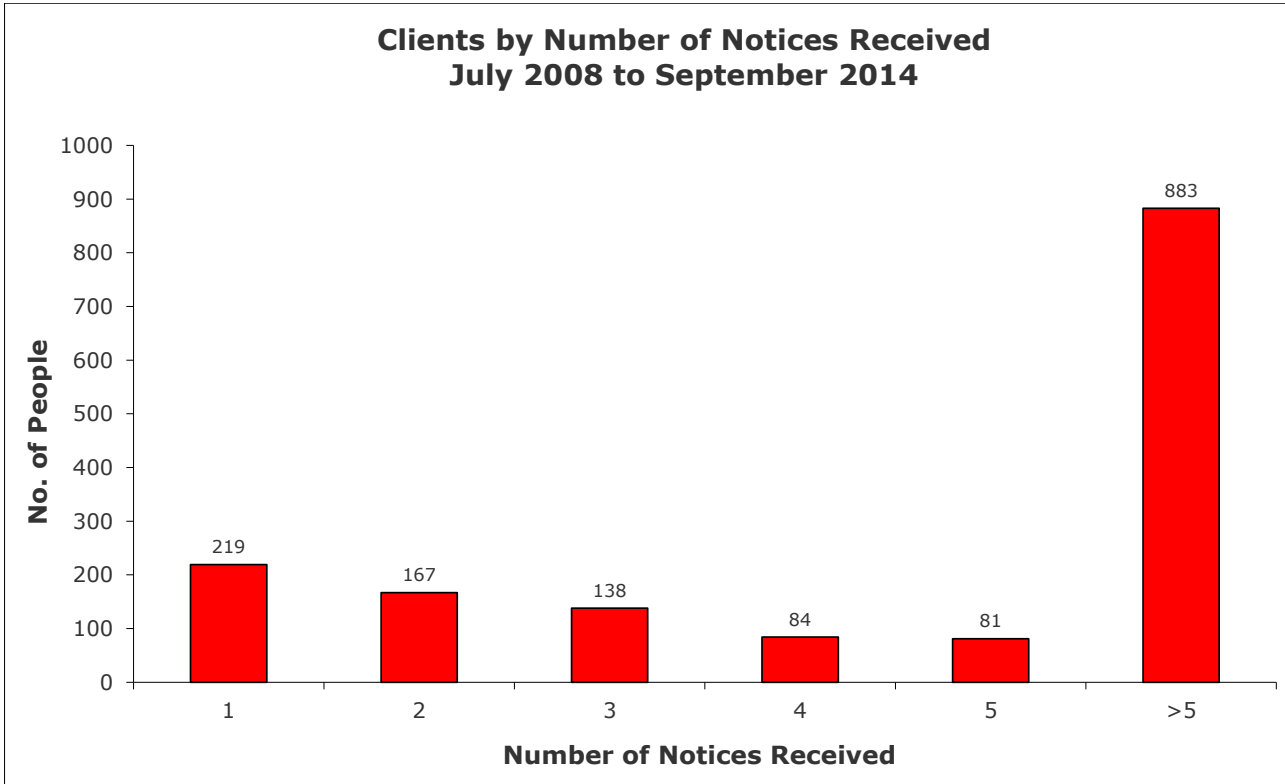


Graph 1: In jurisdiction notices by type and quarter 1 July 2013 to 30 September 2014.



Graph 2: In jurisdiction notices by community and quarter 1 July 2013 to 30 September 2014.

Since commencement in July 2008, 86.1 percent of clients have received more than one notice with 56.2 percent of clients receiving more than five notices. Frequently this illustrates multiple child school absences for the one family or multiple Magistrates Court notices relating to one incident. Conversely, 13.9 percent of clients have received only one notice.



Graph 3: FRC clients by number of notices 1 July 2008 to 30 September 2014.

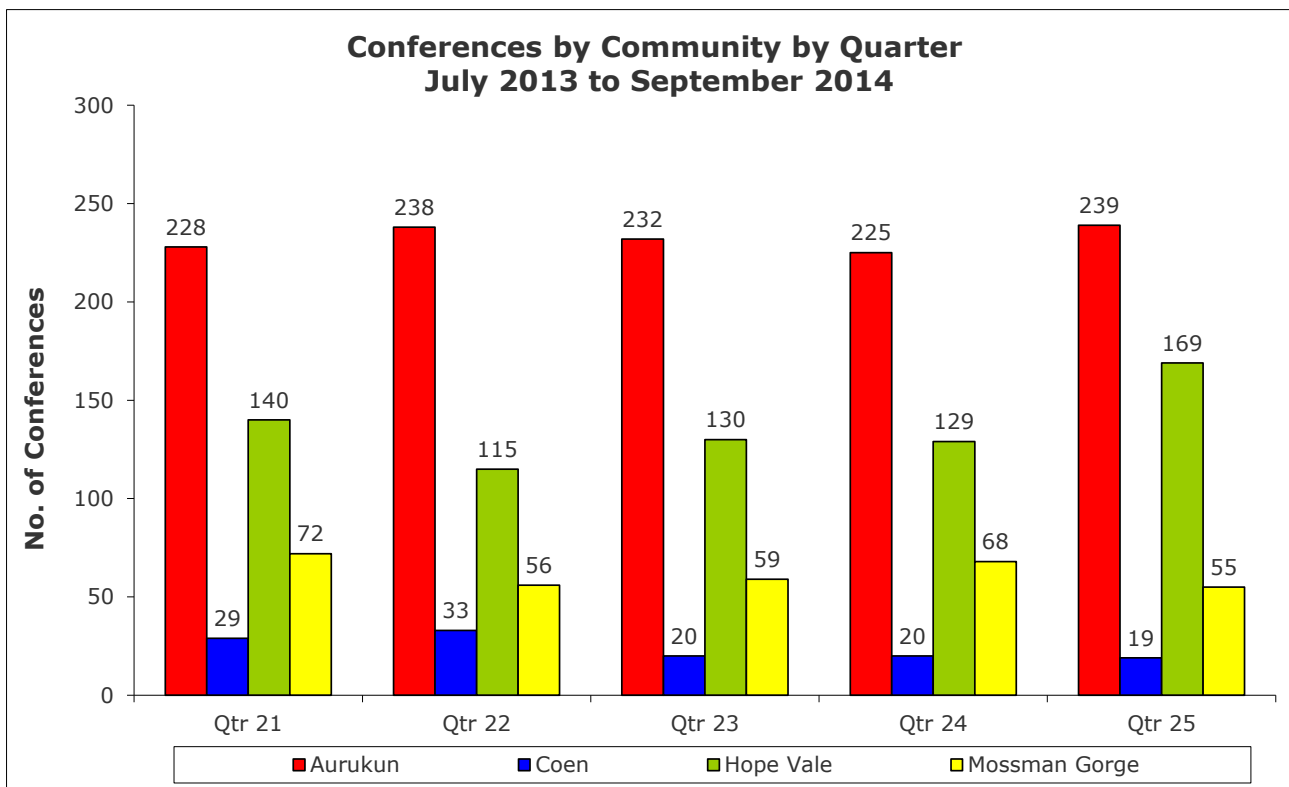
(Note: Counting rules stipulate that where multiple charges are received each charge is counted as an individual notice or each child’s absence is counted as one notice – i.e. if three children from the one family were absent, that was counted as three notices).

Conferences

Four hundred and eighty-two conferences² were held across the four communities in quarter 25 resulting in 8 FRA's being entered into, 35 orders made to attend community support services and 92 CIM orders as well as no further action, rescheduling and scheduling to return for review with compliance. Fifteen new clients were conferenced during the quarter. Details of conferencing activity in each community for quarter 25 are as follows:

- 239 conferences were held in Aurukun
- 19 conferences were held in Coen
- 169 conferences were held in Hope Vale
- 55 conferences were held in Mossman Gorge.

Conferences increased from 442 in quarter 24 to 482 in quarter 25.

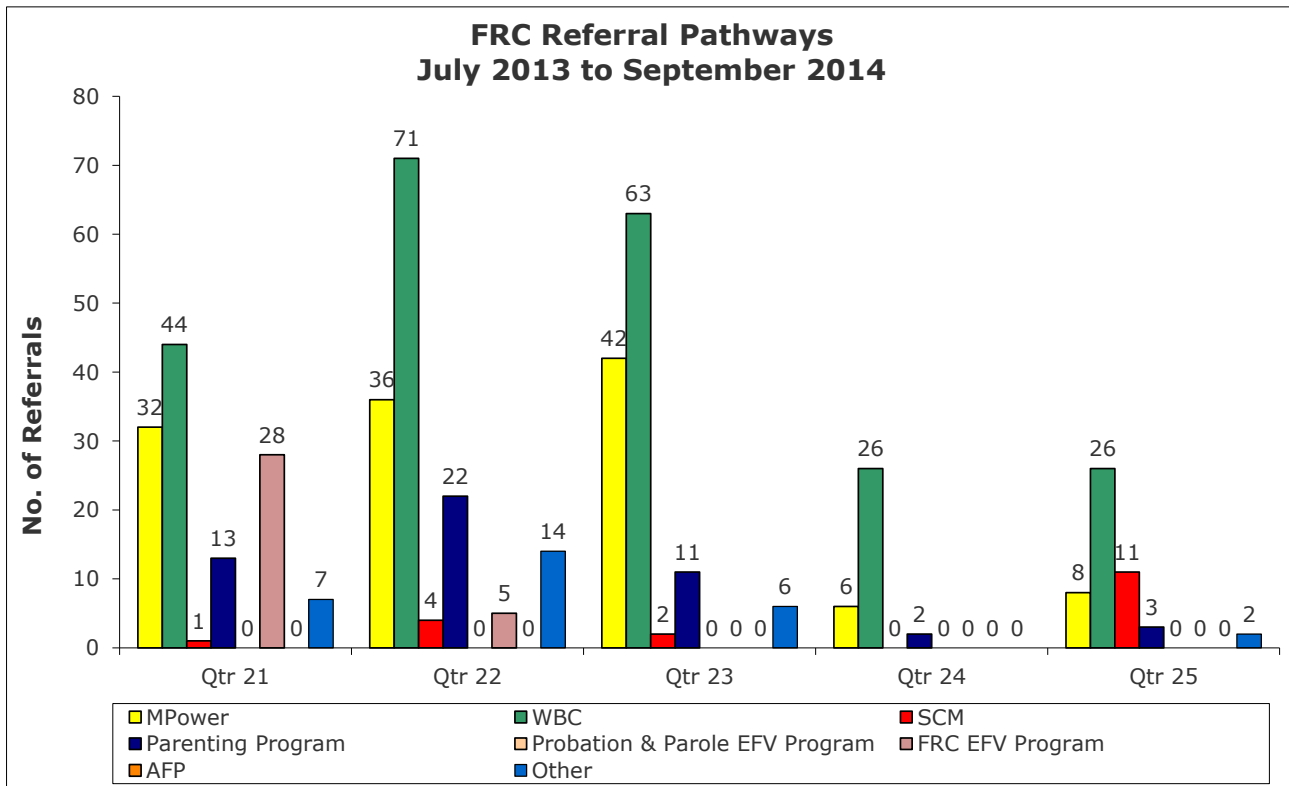


Graph 4: Conferences by community and quarter 1 July 2013 to 30 September 2014.

² The number of conferences held relates to the number of conferences listed, which includes where a client was served with a Notice to Attend Conference and subsequently failed to attend.

Referrals

Referrals to service providers increased from 34 in quarter 24 to 50 in quarter 25, relating to 39 clients. Since commencement the Commission has referred 834 clients to service providers resulting in approximately 52.8 percent of clients on 12 month service referral plans. Referrals in the communities during the quarter were as follows: Aurukun increased by 17; Coen remained unchanged; Hope Vale decreased by 9; and Mossman Gorge increased by 8.



Graph 5: Referral pathways by referral type and quarter 1 July 2013 to 30 September 2014³.

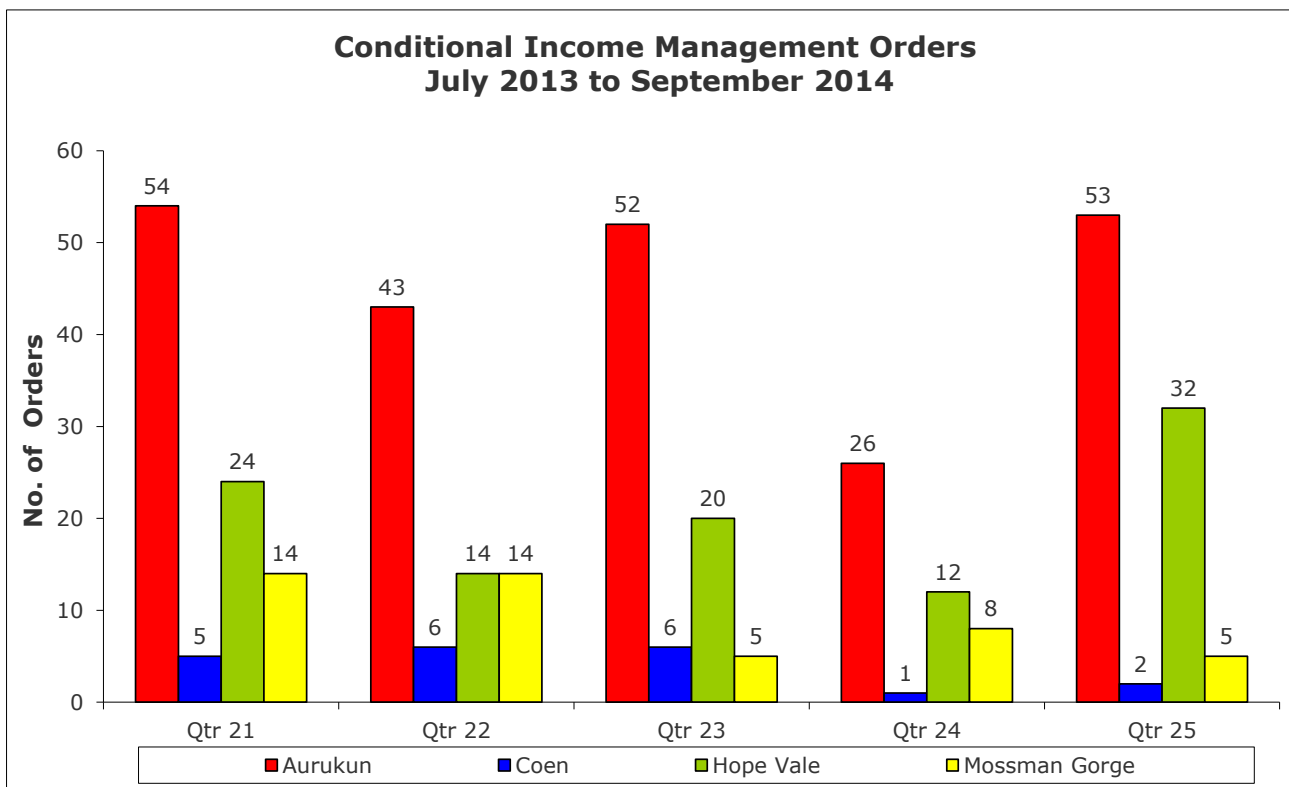
³ EFVP referrals converted to FRC from Probation and Parole for the period 1 March 2013 to 31 December 2013.

Conditional Income Management

Ninety-two CIM orders were made in quarter 25, an increase of 45 from quarter 24. Since the commencement of the Commission 1,462 CIM orders inclusive of original orders, extensions and amendments have been made relating to 655 clients. During the quarter Aurukun, Coen and Hope Vale increased by 27, 1 and 20 CIM orders respectively. Mossman Gorge decreased by 3.

As at 30 September 2014, 41.4 percent of the Commission's clients have been subject to a CIM order over the past six years. As at 30 September 2014 there were 222 clients subject to a CIM order which equates to 14.0 percent of clients on a CIM order at a point in time. Commissioners continue to negotiate with clients to achieve desirable outcomes or to demonstrate motivation and commitment to make appropriate life choices. Demonstrated positive steps toward taking responsibility provide the Commissioners with sufficient reason to consider revoking CIM orders when requested by the client.

Since the commencement of the Commission in 2008, 96 VIM agreements have been processed relating to 78 clients. Those clients that request a VIM agreement use income management as a savings and budget tool, often for a specified period and to deter family members from accessing their income.



Graph 6: Conditional Income Management orders by community and quarter 1 July 2013 to 30 September 2014.

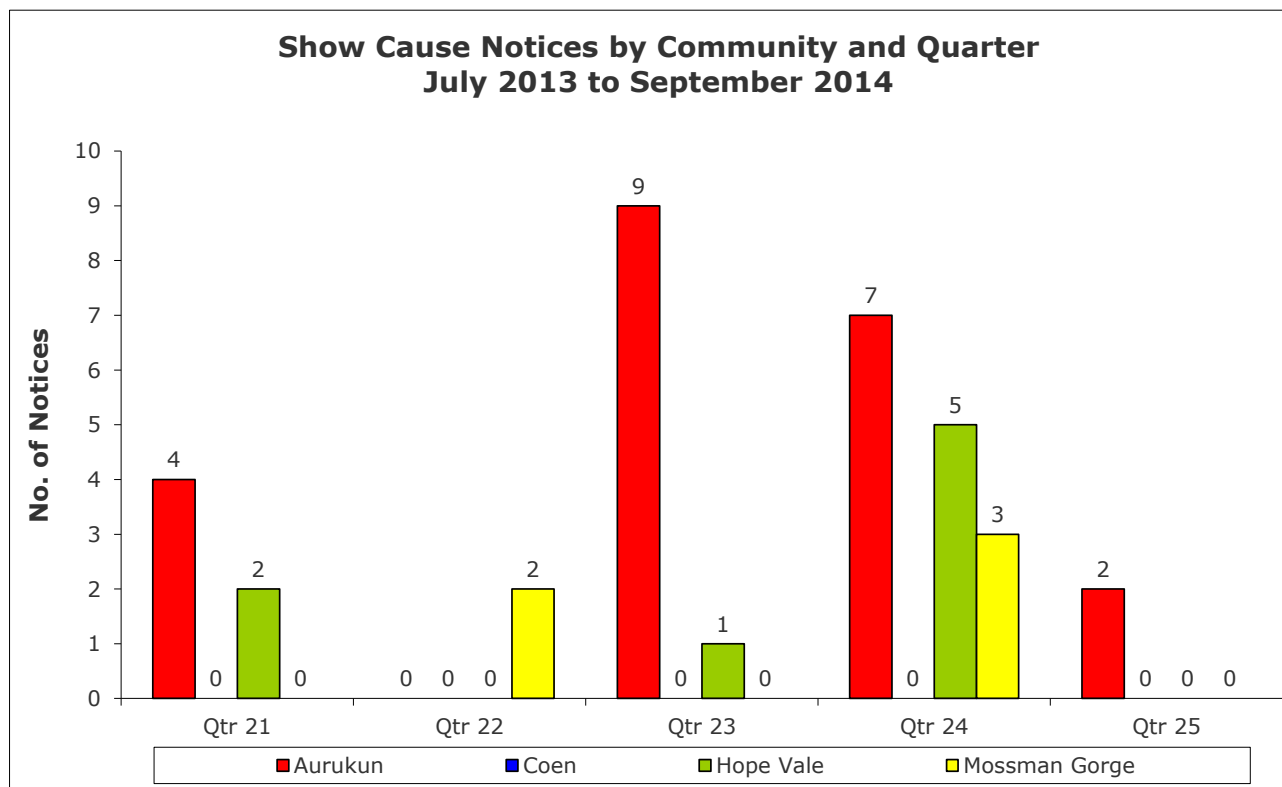
Case Management

As at 30 September 2014, 213 clients were being case managed, a decrease from 219 in quarter 24. Aurukun and Hope Vale increased by 2 and 4 respectively, whilst Coen and Mossman Gorge decreased by 5 and 7 respectively.

Show Cause Notices

During quarter 25, 2 Show Cause hearing was held, a decrease of 13 from quarter 24. This matter resulted in:

2 Show Cause Notices pending client completing actions directed by the Commission.



Graph 7: Show Cause Notices by community and quarter 1 July 2013 to 30 September 2014.

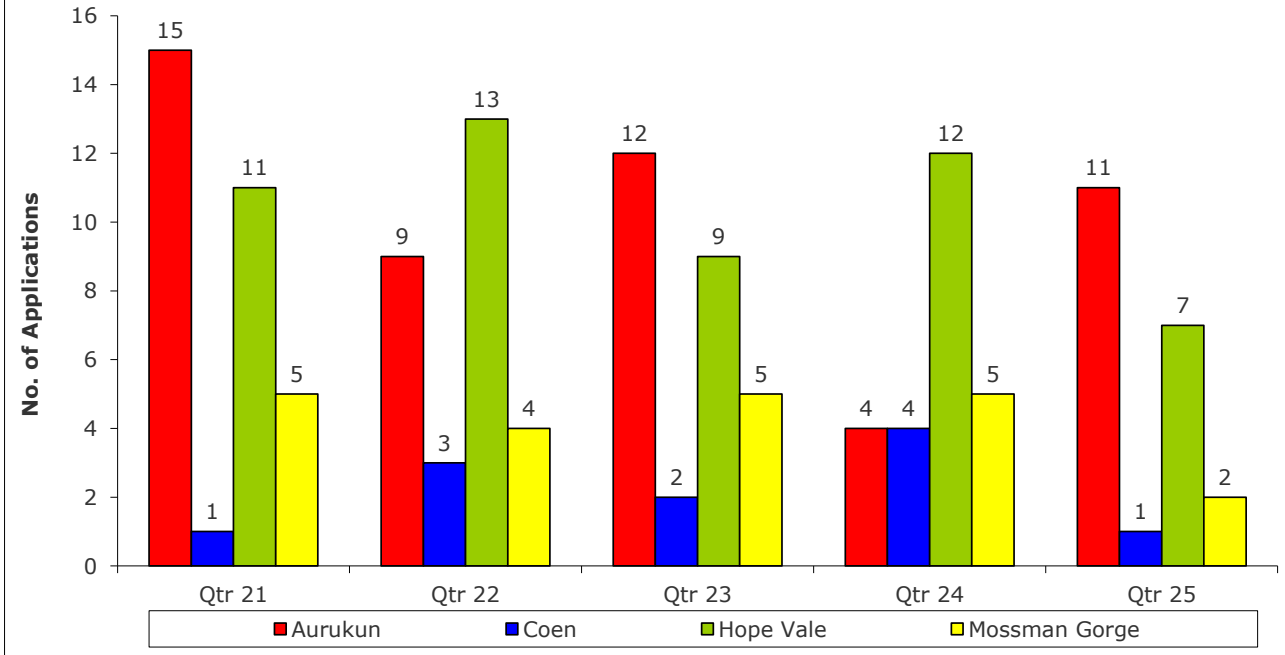
Applications to Amend or End Agreements or Orders

Twenty-one Applications to Amend or End a Family Responsibilities Agreement or Order were received in quarter 25, a decrease of 4 from quarter 24. Outcomes of the 21 applications received are as follows:

- 5 applications granted and Income Management agreements and orders revoked
- 1 application granted and Income Management order and case plan revoked
- 4 applications dismissed
- 1 CIM order percentage reduced from 90 to 75 percent for 12 months and rescheduled for next quarter
- 1 application rescheduled for next quarter
- 9 applications received at the end of the quarter, decision pending

The Commission continues to encourage clients to participate in the Amend or End process. Commissioners report increasing client confidence to question decisions and the reasons behind decisions, both for decisions delivered by the Commission and decisions delivered by external agencies and bodies.

Number of Applications to Amend or End FRA or Order July 2013 to September 2014



Graph 8: Applications to Amend or End FRA or Order by community and quarter 1 July 2013 to 30 September 2014.

2. Future Direction and Challenges

On 7 August 2014 Doomadgee was prescribed by regulation as a welfare reform community area allowing the Family Responsibilities Commission to operate within the Doomadgee community. The decision to add Doomadgee by regulation was made following an extensive consultation process involving the Commission and DATSIMA over a period of eight months. Consults included meeting with the Doomadgee Aboriginal Shire Council, government and non-government agencies, community groups, key individuals and family groups, as well as door knocking all available residences to advise of the Commission's potential entry into Doomadgee. The outcome of consultations was an overwhelming level of support and recognition that the Commission was needed in Doomadgee to address child safety concerns and high levels of school absenteeism.

During and following the consultation process a number of community members stepped forward and volunteered to become Local Commissioners. Eight Local Commissioners were subsequently appointed. These Local Commissioners have undergone extensive induction training in preparation for commencement of Commission operations in Doomadgee on 4 November 2014. All have shown support of welfare reform and in particular the doctrines of the FRC.

The Commission anticipates a large number of notices in relation to school absences, non-enrolments and child safety in the initial stages of its work in Doomadgee. Income management will not commence until both the Queensland and Australian Governments agree upon its implementation. Whilst the Commission does not consider it ideal to commence operating without the ability to income manage where considered appropriate, it believes that clients will at least be afforded the opportunity to be initially conferenced and reminded of their personal and communal responsibilities.

3. Financial Operations

Governance

Part 12 of the Act provides for the establishment of the Family Responsibilities Board (the Board).

The Board has a mandate to give advice and make recommendations to the Minister about the operation of the Commission and similarly to give advice and make recommendations to the Commissioner about the performance of the Commission's functions.

The Board must meet at least every three months. The meeting may be held by using any technology available which will allow for efficient and effective communication, however, the Board members must meet in person at least once a year. A quorum for the Board is comprised of two members. The Board's membership consists of:

- Mr James Purtill Director-General, Department of Aboriginal and Torres Strait Island and Multicultural Affairs
- Mr Noel Pearson Director, Cape York Institute for Policy and Leadership
- Ms Liza Carroll Associate Secretary – Indigenous Affairs, Department of the Prime Minister and Cabinet.

Operational

In meeting obligations under Part 3 of the Act, the Family Responsibilities Commission Registry (the Registry) commenced operations on 1 July 2008 with a central Registry office established in Cairns and local Registry offices operating in each of the four CYWR communities.

The Registry, managed by the Registrar, provides corporate and operational support to the Commissioner, the Local Commissioners and the Local Coordinators.

Financial

The total funding budget for the 2014-15 fiscal year is \$3.4 million (excluding Doomadgee), \$1.8 million from the Australian Government and \$1.6 million from the Queensland Government.

Income:

- Income accrued by the Commission for the period 1 July 2014 to 30 September 2014 totalled \$1,042,341. This income consisted of:
 - \$400,00 Queensland Government funding
 - \$102,980 Queensland Government reimbursement for Doomadgee 2014/15
 - \$81,372 Queensland Government reimbursement for Doomadgee 2013/14
 - \$450,000 Australian Government funding
 - \$5,784 interest received
 - \$2,205 received in sundry income.

The balance of available funds in the bank as at 30 September 2014 is \$605,376.

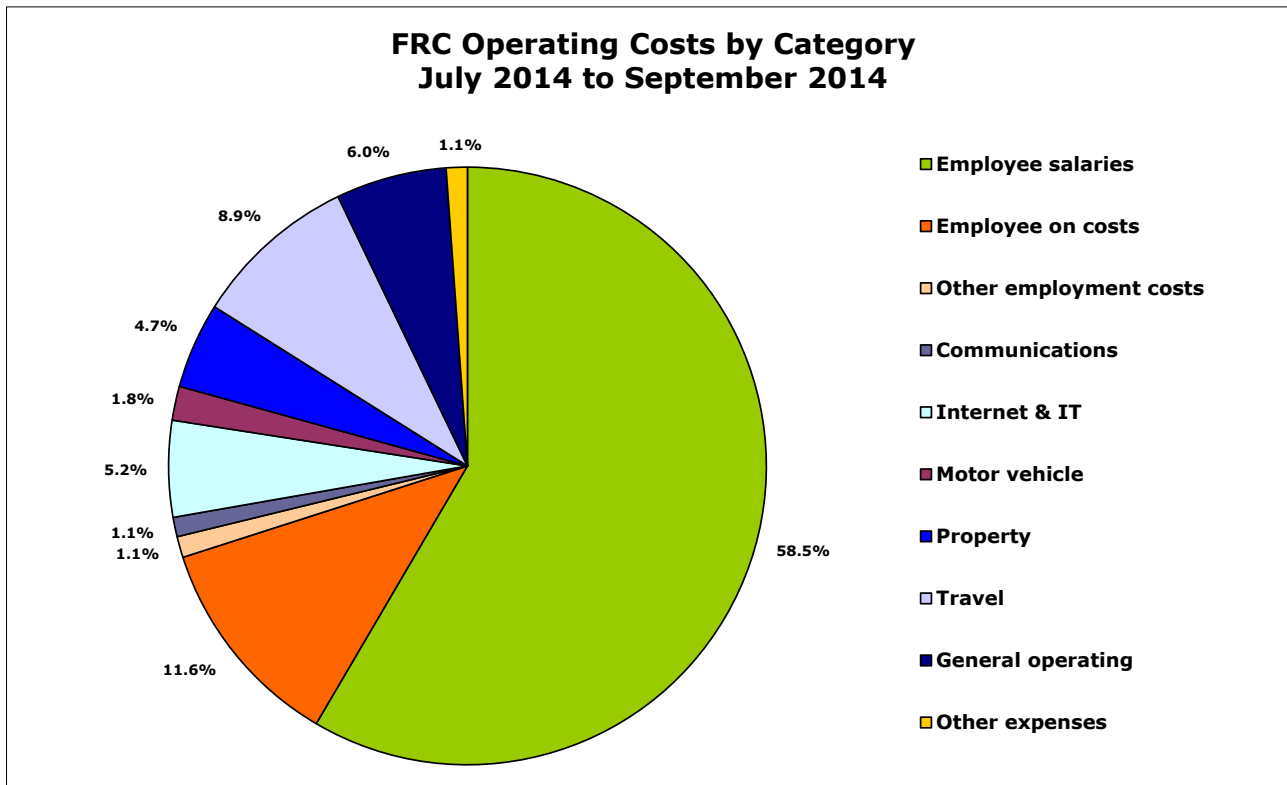
Expenditure:

- Expenditure for the period 1 July 2014 to 30 September 2014 was \$1,021,536. This total represents 23 percent of the projected annual expenditure of \$4,462,801.

1 July 2014 to 30 September 2014	Expenditure Qtr 25	1 July 2014 to 30 September 2014	Expenditure Qtr 25
Employee salaries	\$597,003	Motor vehicle	\$18,751
Employee on costs	\$118,622	Property	\$47,469
Other employment costs	\$11,697	Travel	\$91,220
Communications	\$10,708	General operating	\$61,225
Internet & IT	\$53,221	Other expenses	\$11,620
		Total	\$1,021,536

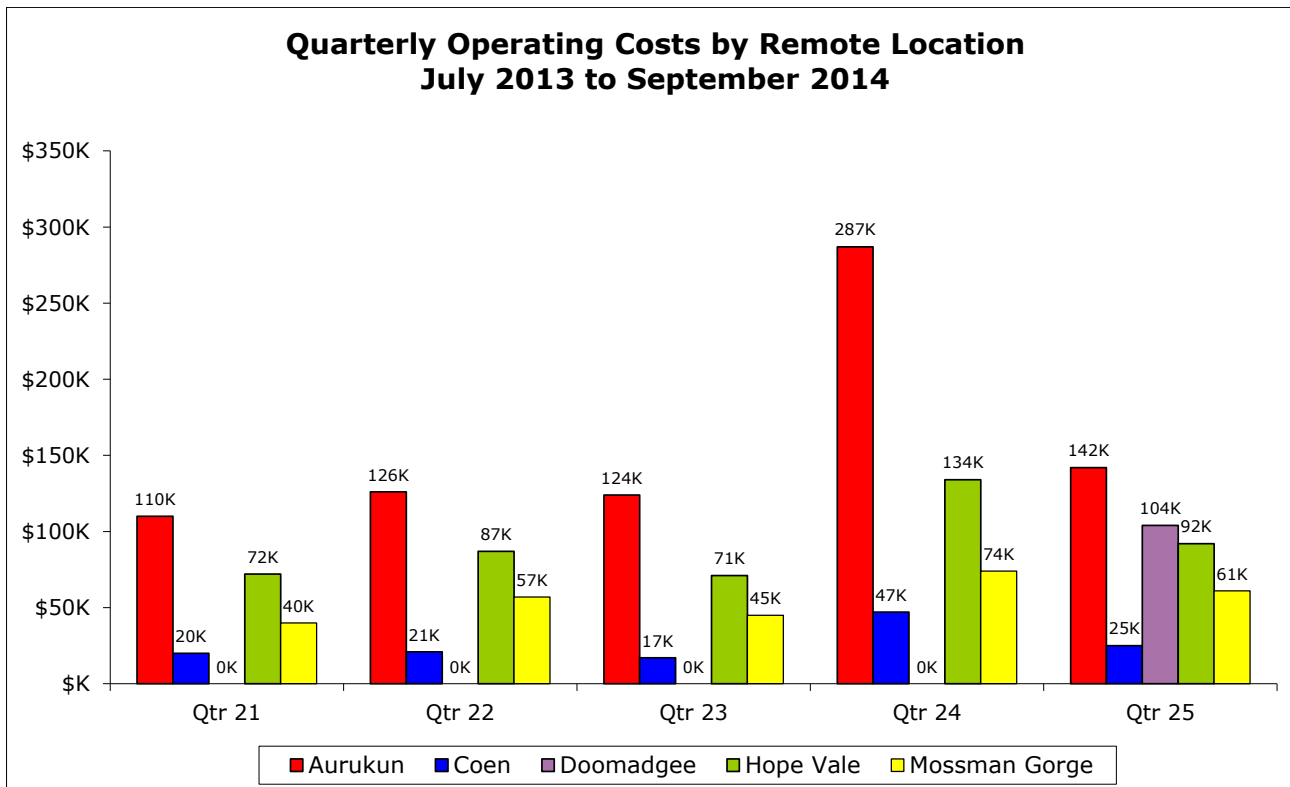
Table 1: Unaudited expenditure in quarter 25.

Quarter 25 disbursement of expenditure by category and percentage of total expenditure.



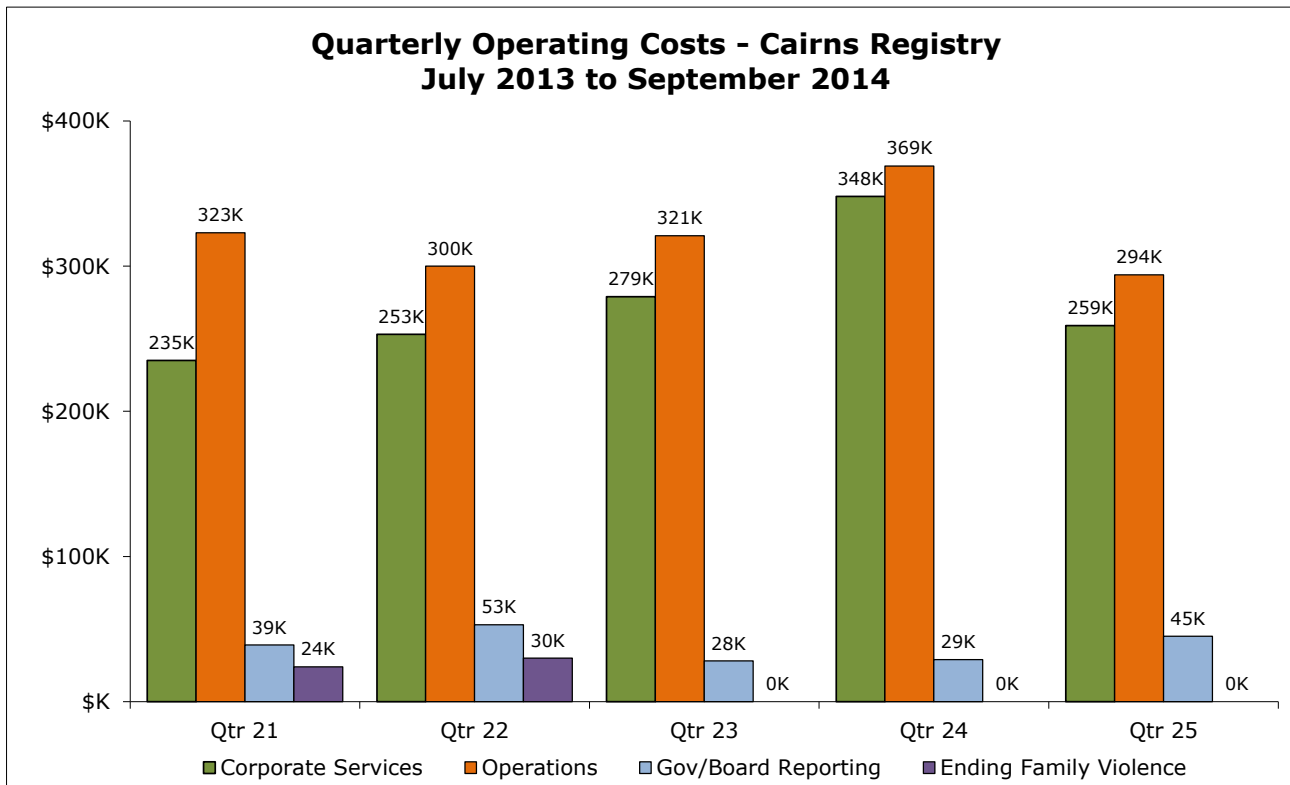
Graph 9: FRC operating costs 1 July 2014 to 30 September 2014.

Regional operational expenditure by location and quarter.



Graph 10: Operating costs by remote location 1 July 2013 to 30 September 2014.

Cairns Registry expenditure for quarter 25 compared to the previous five quarters.



Graph 11: Quarterly operating costs Cairns 1 July 2013 to 30 September 2014.

APPENDIX A



**SITTING CALENDAR 2014
FAMILY RESPONSIBILITIES COMMISSION
1 January 2014 to 31 December 2014**



Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	Other
30 December			Public Holiday			30, 31 Office closed for Xmas 1 New Year's Day
6 January						Cooktown Circuit
13 January						
20 January						21 ASC Meeting Aurukun Cape B & Coen Cape A Circuit
27 January	Public Holiday	28	29	30		27 Australia Day
3 February		4 4	5			Cooktown Circuit
10 February	10	11	12	13		
17 February		18 18	19			18 FR Board Meeting, 18 ASC Meeting Aurukun Cape B Circuit
24 February		25	26	27		
3 March		4 4	5			Cooktown Circuit
10 March		11	12	13		Aurukun Cape B & Coen Cape A Circuit
17 March		18 18	19			18 ASC Meeting
24 March	24	25	26	27		
31 March		1 1	2			Cooktown Circuit
7 April						
14 April					Public Holiday	15 ASC Meeting, 18 Good Friday Aurukun Cape B Circuit
21 April	Public Holiday	22	23	24	Public Holiday	21 Easter Monday, 25 ANZAC Day
28 April		29 29	30			
5 May						Commissioner Week Cooktown Circuit
12 May	12	13	14	15		
19 May		20 20	21			20 ASC Meeting, 20 FR Board Meeting Aurukun Cape B & Coen Cape A Circuit
26 May		27	28	29		
2 June		3 3	4			Cooktown Circuit

SITTING CALENDAR 2014
FAMILY RESPONSIBILITIES COMMISSION
1 January 2014 to 31 December 2014

Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	Other
9 June	Public Holiday	10	11	12		9 Queen's Birthday
16 June		17 17	18			17 ASC Meeting Aurukun Cape B Circuit
23 June	23	24	25	26		
30 June						Cooktown Circuit
7 July						
14 July		15	16	17	Public Holiday	15 – 17 Estimates, 15 ASC Meeting 18 Cairns Show Day Aurukun Cape B & Coen Cape A Circuit
21 July		22 22	23			21 Mossman Show
28 July		29	30	31		
4 August	Public Holiday	5 5	6			5 FR Board Meeting 4 Aurukun Day Cooktown Circuit
11 August	11	12	13	14		
18 August		19 19	20			19 ASC Meeting Aurukun Cape B Circuit
25 August		26	27	28		
1 September		2 2	3			Cooktown Circuit
8 September	8	9	10	11		
15 September		16 16	17			16 ASC Meeting Aurukun Cape B & Coen Cape A Circuit
22 September						
29 September						
6 October	Public Holiday	7 7	8 8			6 Labour Day Cooktown Circuit
13 October	13	14	15	16		Aurukun Cape B Circuit
20 October		21 21	22			21 ASC Meeting
27 October		28	29	30		
3 November		4 4	5			Cooktown Circuit
10 November	10	11	12	13		

SITTING CALENDAR 2014
FAMILY RESPONSIBILITIES COMMISSION
1 January 2014 to 31 December 2014

Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	Other
17 November		18 18	19			18 FR Board Meeting, 18 ASC Meeting Aurukun Cape B & Coen Cape A Circuit
24 November		25	26	27		
1 December		2 2	3			Cooktown Circuit
8 December	⊘	9	10	11		Aurukun Cape B Circuit
15 December						
22 December				Public Holiday	Public Holiday	25 Christmas Day 26 Boxing Day
29 December				Public Holiday		29, 30, 31 Office closed for Xmas, 1 New Year's Day

LEGEND

	Office Days
	Public Holidays
	Aurukun Sitting
	Coen Sitting
	Hope Vale Sitting
	Mossman Gorge Sitting
ASC	Aurukun Shire Council Meeting
⊘	Cancelled Conference

OFFICE	CONTACT NAME	Phone	Mobile	Facsimile
Cairns - Registrar	Mr Rob White	4057 3871	0407 768 705	4041 0974
Cairns – Executive Officer (Management)	Mr Mitchell Holmes	4057 3875	0429 495 353	4041 0974
Cairns – Client Manager	Ms Amy Barden	4057 3874	0419 647 948	4041 0974
Aurukun Local Coordinator	Ms Dellis Gledhill	4060 6185	0428 985 106	4060 6094
Coen Local Coordinator	Ms Sandi Rye	4060 1037	0417 798 392	4041 0974
Hope Vale Local Coordinator	Mr Ray Lennox	4060 9153	0408 482 026	4060 9137
Mossman Gorge Local Coordinator	Ms Sandi Rye	4098 1908	0417 798 392	4098 3594