

Family Responsibilities Commission

*Report to the Family Responsibilities Board and
the Minister for Local Government and Aboriginal and Torres Strait Islander
Partnerships*

Quarterly Report

No. 5

July - September 2009



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

Executive Summary

The Family Responsibilities Commission commenced operation on 1 July 2008 and is now into its second year of operation. The focus of the first year of operation was the comprehensive establishment of the Commission which included sourcing and fitting out offices, recruitment of staff and the commencement of regular conferencing schedules in the communities of Aurukun, Coen, Hope Vale and Mossman Gorge.

Local Commissioners continue to develop as important authority figures in their respective communities and their ability to make decisions regarding particular courses of action their fellow community members can make to bring about changes to their lives is critical to the success of the Commission. This was highlighted by the presentation ceremony in September where the Local Commissioners were presented with Certificates of Recognition and Commission Badges by the Honourable Desley Boyle, Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships to show appreciation and congratulations for their significant efforts to date. The Commissioners were delighted to be recognised for the important positions they hold in their communities and the substantial work they have been doing since the commencement of the Commission.

In the second year of operation the Commission will concentrate its efforts on further developing the skills of Local Commissioners. Local Commissioners have identified the desire to undertake training in such areas as mediation, advocacy and computer literacy to name a few.

From quarter one to quarter five the number of notifications received has increased by 60 percent reflecting the consolidation of the Commission's operational workload. Tenancy Breach notifications still remain low across the four communities, partly because the tenancy management arrangements in Aurukun were not finalised. The Commission acknowledges that considerable work has been done to finalise tenancy arrangements in Aurukun in quarter five which are expected to be fully operational by quarter six. The low number of tenancy notifications also reflects the significant remedial action Housing and Homelessness Services, Department of Communities, takes prior to notification to the Commission.

School attendance statistics for Aurukun continue to show significant improvement with a 21.5 percent increase in term 3, 2009 as compared against term 3, 2008. Coen and Mossman Gorge showed pleasing increases of 5.5 percent and 2.2 percent respectively, whilst Hope Vale showed a decrease of 6.7 percent against the same periods. This decrease has been attributed to a significant number of cases of swine flu and non-attendance due to the Cairns Show. Hope Vale Shire Council has now fixed the show holiday to be 23 July 2010 in acknowledgement of the problem. The Commission would like to acknowledge the ongoing efforts of the Department of Education and Training and Attendance Case Managers (Cape York Partnerships) to engage with parents and school aged children to ensure attendance.

In quarter five the number of Child Safety notifications received remained constant reflecting the ongoing staff shortages experienced by Child Safety Services. The Commission has been advised that recruitment for four dedicated staff for the welfare reform communities has commenced and is expected to be completed in quarter six. Magistrates Courts notifications for Coen and Hope Vale decreased in quarter five. This may reflect a decrease in the overall level of offending, although longer-term trend data would be required to form a definitive view.

The number of clients subject to Show Cause proceedings remained relatively constant in quarter five. The Commission has not been able to Show Cause as many clients as it would have liked to due to the lack of consistency in services to the clients from service providers.

Conditional Income Management (CIM) orders account for 17.7 percent of the total orders made by the Commission. Community members continue to seek advice from the Commission relating to Voluntary Income Management (VIM) as a means to provide for the priority needs of their families. VIM is not yet available to Aged Pensioners or Carers but the Australian Government advises that this service will be available from 16 November 2009 for these customers.

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Abbreviations:

ACMs	Attendance Case Managers
ACMF	Attendance Case Management Framework
CDEP	Community Development Employment Projects
CIM	Conditional Income Management
CYWR	Cape York Welfare Reform
FRA	Family Responsibilities Agreement
FRC	Family Responsibilities Commission
FIM	Family Income Management
IT	Information Technology
VIM	Voluntary Income Management
WBC	Wellbeing Centre
Also:	Cape York Institute for Policy and Leadership (the Institute)
	Family Responsibilities Commission (the Commission)
	Mr David Glasgow, Family Responsibilities Commissioner (the Commissioner)
	<i>Family Responsibilities Commission Act 2008</i> (the Act)
	Family Responsibilities Commission Registry (the Registry)
	Family Responsibilities Board (the Board)

Family Responsibilities Commission

Cape York Welfare Reforms

Report to 30 September 2009

1. Context

Cape York Welfare Reform (CYWR) envisions a process of moving people from passive welfare dependence to engagement in the real economy. This includes increasing individual responsibility through engagement in labour markets (i.e. real jobs) and private property (i.e. home ownership) and limiting the role of governments (federal, state and local) in people's lives to align with that provided by governments in mainstream Australia.

Welfare Reform is also about social development. The loss of traditional cultural values and practices has adversely impacted on the social development of Cape York communities (Aurukun, Coen, Hope Vale and Mossman Gorge). CYWR aims to rebuild basic social norms that are the fabric of any society - such as sending children to school, abiding by the law, and taking care of one's family or house.

A key plank of CYWR was the establishment of the Family Responsibilities Commission (the Commission). The *Family Responsibilities Commission Act 2008* (the Act) was passed in the Queensland Parliament on 13 March 2008 and sets out the statutory obligations of the relevant Queensland departments to notify the Commission where a parent/carer is not meeting the pre-determined obligations. For example:

- The Department of Education and Training must submit a School Attendance Notice to the Commission if a child is absent for three full, or part, days of a school term without reasonable excuse, or where a child of compulsory school age is not enrolled to attend school.
- The Department of Communities (Child Safety Services) must submit a Child Safety Notification where the Chief Executive becomes aware of an allegation of harm or risk to a child.
- The Magistrates Court must submit a Court Offence Notice if a person is convicted of an offence.
- The Department of Communities (Housing and Homelessness Services), or the provider of public housing, must submit a Tenancy Breach Notice if they believe that the tenant has breached their public housing tenancy agreement.

The Commission receives agency notifications from the departments mentioned above. Once received, a process is followed where it is determined if the person is within the jurisdiction of the Commission. Upon determination of jurisdiction, the matter is then referred to the Local Commissioners for a decision about whether to order the person to attend a conference.

A conference proceeds where the client may be encouraged to enter into a Family Responsibility Agreement (FRA), or an order is made to refer the person to community support services. The matter is then case managed by the Commission for the period of the order/agreement. Where a person does not comply, Show Cause proceedings are initiated and the client is ordered to attend before the Commission to explain reasons for non-compliance and if necessary an order for Conditional Income Management (CIM) may be made.

2. Partners / Service Providers

The Commission has been in operation for a period of 15 months and during that time key relationships have been developed between the Commission staff and service providers in the four CYWR communities.

As a result of attendance at a conference, clients either enter into agreements or are directed to attend relevant community support services such as Wellbeing Centres (WBCs) to address alcohol and/or drug misuse, gambling, parenting or social health related issues, Family Income Management (FIM) to assist with budgeting and meeting priority needs of individuals and families or school Attendance Case Managers (ACMs) to ensure children attend school.

Where a client enters into an agreement or a direction is made, as mentioned above, a case plan is developed. The case plan could include a number of referrals to community support services. Service providers are required to report in writing to the Commission by the fifth day of each month, to advise if the client has engaged with the provider and the progress they are making in their case plans.

As a result of the progress reports received, a client's case is assessed to establish whether they are meeting their obligations under the agreement or direction. Additional information is sought from partner agencies, service providers and local knowledge and recommendations for Show Cause proceedings or reviews are initiated. Increasingly the complexity of client obligations requires greater information sharing and cooperation between the Commission, service providers and associated agencies to ensure clients can realistically meet the requirements of their case plan.

A total of 175 referrals have been made for the quarter 1 July 2009 to 30 September 2009 relating to 103 individuals. Service providers are relied upon to capture the attendance, engagement and progress of clients to assist the Commission in extending further case plan options, personal responsibility actions and if necessary CIM.

As at 30 September 2009, 424 clients were being case managed and required monthly progress reports to be submitted by service providers. This quarter has seen a decline in the commitment of service providers to provide monthly progress reports in a timely manner and the information provided has been sparse and relating to the operational processes of service providers rather than focussing on client engagement and progress. The exception has been the ACM monthly progress reports which are detailed and client focused, assisting the Commissioners in realistic assessments of client commitment and family circumstances. Child Safety Services advise of limitations to policy and procedures preventing release of Child Safety Case Plans and Intervention with Parental Agreements to the Commission. In accordance with section 72(2) of the *Family Responsibilities Act 2008* (the Act), when making a decision the Commission must have regard to any case plan prepared under the *Child Protection Act 1999*. The inability of Child Safety Services to provide this information causes difficulties for the Commissioners to make properly informed decisions and further hampers the Commission's ability to monitor the client's engagement with service providers. The Commission will work with Child Safety Services to ensure it is able to comply with the mandatory provisions of the Act.

The Commission continues to encounter gaps in service delivery, coordination and cooperation between government agencies, service providers and non government organisations in each of the communities. Although not the primary role of the Commission, the Commissioners are increasingly called upon to mediate and broker solutions between the non-functioning bodies. A client may

identify at conference a reason why they are unable to meet case plan requirements or the Commissioners identify secondary referrals are required, only to find the service non-functioning or beyond the access of the community member. Not only does this impact on the case management of the client, increasingly the Commissioners are compelled to address the status quo of inertia and excuse of isolation and lack of resources.

The Commission led a Service Providers Workshop in Cairns on 25 September 2009 as part of the Commission's efforts to address the lack of cohesive direction in CYWR communities across multiple agencies. The Commission is not able to individually case manage clients and relies on service providers to actively engage with and provide the necessary services to clients of the Commission. Service Providers need to find a way forward and develop a comprehensive, client focussed case management framework. Senior representatives of the CYWR partners, notifying agencies and service providers came together at this workshop to address the progress of the various CYWR initiatives with a particular focus on the provision of service to clients of the Commission. A key message delivered was to remind attendees of the timeframe of the trial and the imperative to enact cohesive and comprehensive service provisions.

Commissioners and Registry representatives have presented joint information sessions with CYWR representatives to service providers and agency representatives in CYWR communities to reinforce the role of the Commission and the need for service providers to act in the best interests of the clients. Although this has been time consuming and taken resources from conference sittings the need to address individuals working in CYWR communities has been necessary.

At the Commissions training week in September, Commissioners voiced significant concerns regarding service providers and the lack of cultural appropriateness and perceived arrogance when entering CYWR communities. Commissioners expressed their disappointment at the lack of respect that many service providers show when in their communities and the "one size fits all" approach to working in Indigenous communities commonly displayed by large agencies. The Commissioners are compiling 'cultural and community protocol' and 'community knowledge' factsheets for service providers. Additionally, Commissioners advise that service providers should request introductory meetings when entering CYWR communities.

The Commission will continue to work with service providers and notifying agencies throughout the life of trial to ensure best practice in the delivery of services to clients of the Commission.

3. Business Operations

Operational

In meeting obligations under Part 3 of the Act, the Registry commenced operation on 1 July 2008 with a central Registry office established in Cairns and a local Registry office operating in each of the four CYWR communities.

The Registry is managed by the Registrar, with a further eight Cairns based administrative staff who provide corporate and operational support to the Commissioner and Local Commissioners. The Commission has a Local Coordinator residing in each of the four CYWR communities.

Staff development and training remains a strong focus for the Commission. A comprehensive merit based selection process was carried out in this quarter to fill, on a more permanent basis, several administrative positions within the Cairns Registry.

Work continued on the development of a new Client Relationship Management database. It is expected that the new database will be implemented in quarter six.

Considerable review of the Commission's procedure manual has been undertaken given the learnings that have taken place relating to administrative processes. It is expected to be released in quarter six.

Remote staff and Cairns registry staff were recalled in the last week of the quarter to meet with Local Commissioners to receive cultural awareness training specific to the four welfare reform communities, training on updated administrative processes and to look back on the previous year and the year ahead.

Financial

The budgeted inflow of funds for the 2009-10 Financial Year consists of \$1.0M from a Commonwealth Government grant of \$3.5M and \$2.5M from \$9.4M allocated under administered funds through the Department of Communities by the Queensland Government until the expiry of the Act on 31 December 2011. These funds will be supplemented by interest on the Commissions investments and its operational bank account.

Since its inception, the Commission has faced continual challenges in managing its budget to effectively service these remote locations. There continues to be challenges associated with staff and office accommodation, transport, communications and logistics.

Income:

- The income received by the Commission for the period 1 July 2009 to 30 September 2009 totalled \$2.439M. This includes Queensland Government funding of \$1.25M for the half year to 31 December 2009, Australian Government funding of \$0.5M for the half year to 31 December 2009, carried forward surplus funds from 2007-08 and 2008-09 of \$0.665M and \$0.0223M in interest. \$0.1M funding was also due from the CYWR Service Procurement Fund and from the Commission's enterprise bargaining funds allocation directly allocated to offset the salary and on-costs for the Principal Case Manager's position and the anticipated enterprise bargaining agreement. These funds were invoiced in October 2009.

Expenditure:

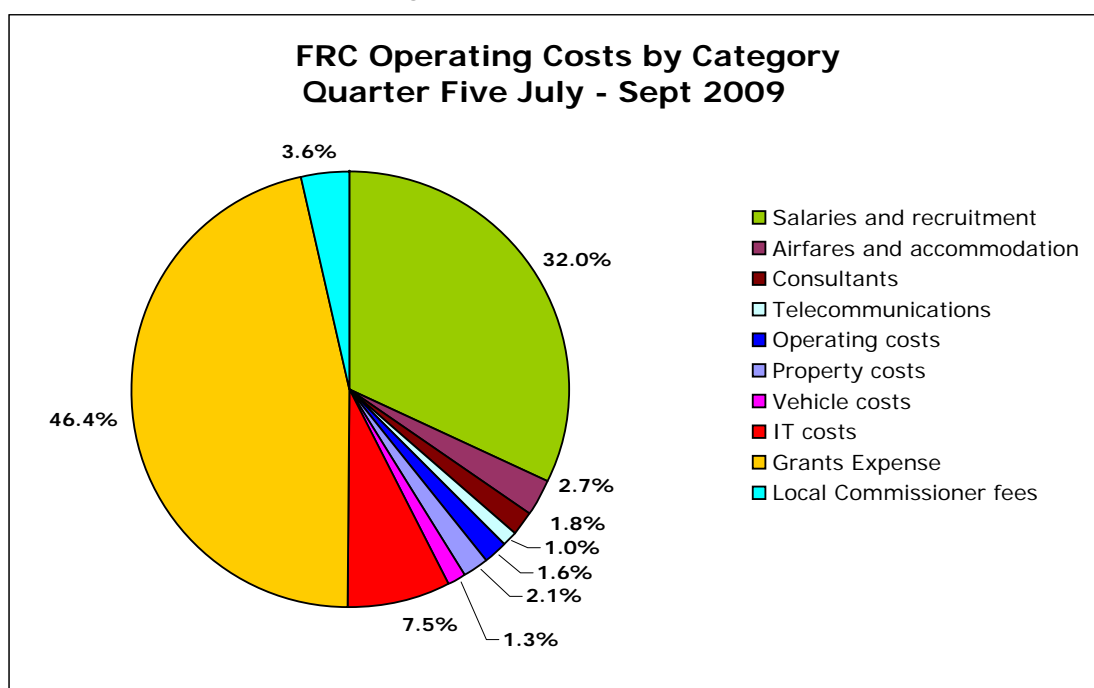
- The estimated expenditure for the period 1 July 2009 to 30 September 2009 was \$1.2495M (Table 1).
- This expenditure includes a one off grant contribution for the construction of staff/visitor accommodation by the Aurukun Shire Council of \$0.5643M.
- The balance of funds available for operating expenditure by the Commission for the period to 31 December 2009 is approximately \$1.189M.

Grant expense (46.4 percent), salaries and recruitment costs (32 percent) and Information Technology (IT) costs (7.5 percent) represent 85.9 percent of total expenditure in the quarter. This reflects the release of grant funding delayed from 2008-09 and ongoing staffing and IT development. Expenditure during the period was as follows:

Expenditure 1 July 2009 to 30 Sept 2009	Amount
Salaries and recruitment	400,063.11
Airfares and accommodation	33,657.05
Consultants	22,922.28
Telecommunications	11,885.84
Operating costs	20,203.44
Property costs	26,407.57
Vehicle costs	16,627.05
IT costs	93,723.49
Grants Expense	580,295.50
Local Commissioner fees	43,735.00
Total expenditure	\$1,249,520.33

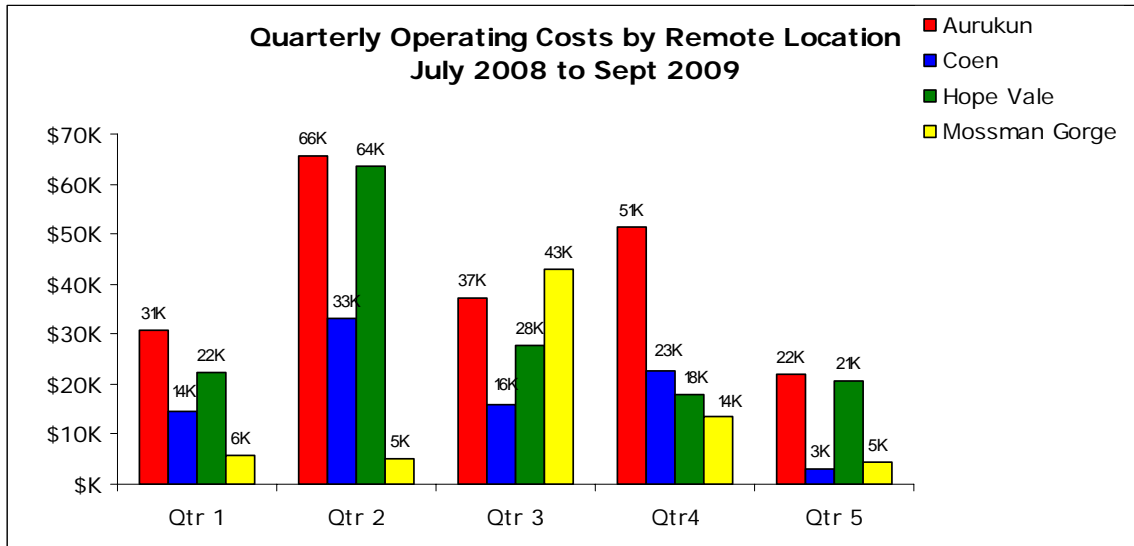
Table 1: Unaudited expenditure 1 July 2009 to 30 September 2009

The Commission's total quarter five 2009-10 operating costs by categories and by percentage of total expenditure is represented in the graph below:



Graph 1: Total FRC Operating costs 1 July 2009 to 30 September 2009

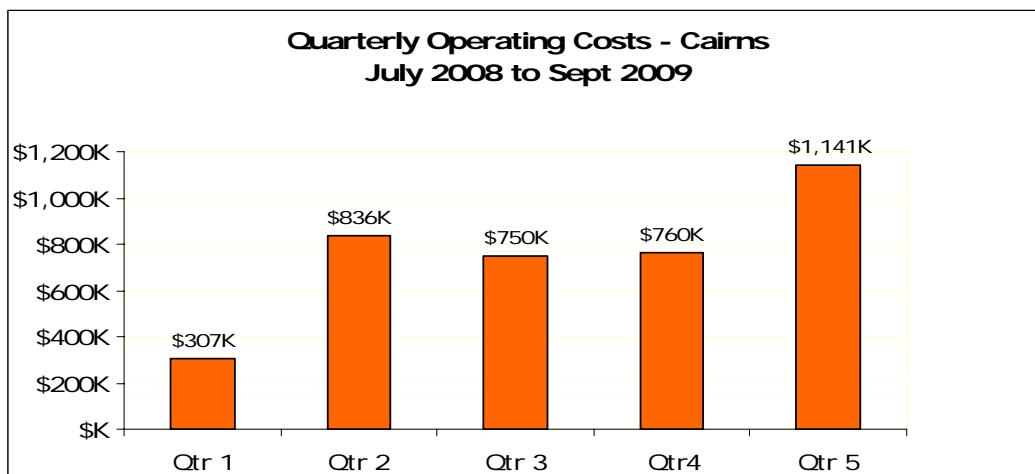
Regional operational expenditure is categorised below by location per quarter. These figures exclude Local Coordinator's salary costs, which are incorporated in the Commission's global operating costs. These figures include Local Commissioner's fees for the quarter five, totalling \$43,735.00.



Graph 2: Operating costs by remote location 1 July 2008 to 30 September 2009

(Note: The increased costs for Aurukun, Coen and Hope Vale in Quarter 2 reflect the provisioning of these remote offices with office equipment, furniture and vehicles. In quarter three, the Mossman Gorge office refurbishment costs are recorded. The operational costs attributed to the Aurukun and Hope Vale offices reflect the higher number of conferences held in these communities when compared with number of conferences held in Coen and Mossman Gorge).

Cairns office operational costs (below) in quarter five reflects the inclusion of grant funding for remote staff accommodation in Aurukun provided to the Aurukun Shire Council under a Deed of Grant Funding agreement between the Australian Government and the State of Queensland acting through the Department of Public Works. These funds were committed under a joint Memorandum of Understanding between the Queensland Department of Public Works, the Department of Communities and the Commission. The spike in expenses in quarter two is due to the settlement of accrued expenses transferred from the previous financial year. The quarter three expenditure includes accrued IT acquisitions and ongoing IT service costs for the period from July 2008 to February 2009. Much of this expenditure relates to costs incurred by the Department of the Premier and Cabinet in establishing the Commission.



Graph 3: Quarterly operating costs, Cairns 1 July 2008 to 30 Sept 2009

4. Activities / Achievements

Intake and Assessment Phase

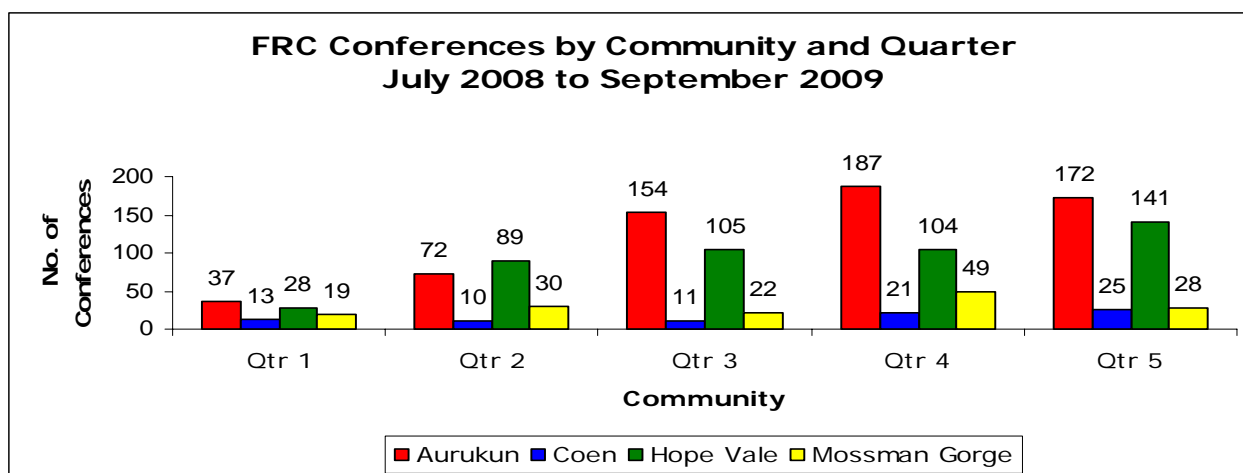
The Commission became operational on 1 July 2008 and commenced conferencing on 12 August 2008. In quarter five the Commission received 1113 agency notifications, some of which related to more than one person. Of that figure 679 notifications (61 percent) were within Commission's jurisdiction and 434 notifications (39 percent) received were outside the Commission's jurisdiction and therefore could not be dealt with.

During the intake phase notifications are assessed to establish whether the persons mentioned are within the jurisdiction of the Commission in accordance with the Act. Section 49 of the Act provides that the Commission can deal with an agency notification relating to a community member. Section 7 of the Act defines a community member as being a person who is a welfare recipient and who also lives in one of the four CYWR communities or has lived there for a period of three months.

Conferences

The objective of the Commission, as set out in the Act, is primarily to hold conferences with community members and accordingly to encourage clients (individuals and families) to engage in socially responsible standards of behaviour whilst promoting the interests, rights and wellbeing of children and other vulnerable persons living in the CYWR communities.

In quarter five a total of 366 conferences have been held which resulted in 71 FRA being entered into and 39 directions made to attend community support services.



Graph 4: Conference by community and quarter July 2008 to 30 September 2009

Case Management

Up to 30 September 2009, 424 clients were being case managed. The availability and quality of services in the communities has been slowly standardising as WBC, ACM and FIM services review internal operations but the month of September has seen a drop in consistent servicing and quality client assessment in the communities. Clients facing significant barriers such as addiction, cycle of violence and homelessness may lack the capacity to comply with all aspects of a case plan and these personal details may not be revealed in the first contact with the Commission. Clients cases are reviewed on a regular basis to ensure not only that the client is meeting their obligations but also to ensure that the services required are available to the client. The Commission advises that many clients are not receiving the appropriate level of service and commitment from providers.

Referral Type	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 5	TOTAL
FIM	15	38	61	27	49	190
WBC	27	51	132	66	87	363
ACM	7	6	24	55	22	114
Parenting Program	8	3	4	1	2	18
Other	17	31	24	19	15	106
TOTAL	74	129	245	168	175	791

Table 2: Referral services by quarter as at 30 September 2009

Improved relations and understanding of the role of the Commission with Centrelink remote servicing, Queensland Corrective Services, Magistrates Courts, State Penalties Enforcement Registry, Child Safety Services, Disability Services and Queensland Health in communities has improved client referrals and assistance. Although the primary focus of conferences is to discuss the notifications relating to the client, rarely is this the sole outcome of a conference as clients often require specialised assistance in navigating the multiple commitments of agencies such as obtaining birth certificates and payment of fines.

Show Cause investigations into non-compliance with service provider referrals should be increasing as time progresses and clients have the opportunity to engage in programs. Show Cause assessments primarily draw upon the service providers monthly progress reports and requested summary reports at the initial investigation stage. The poor quality of reports from service providers has impacted on the number of Show Cause hearings. The Commission's ability to initiate Show Cause proceedings is further hampered by inadequate engagement, closed service centres, inappropriate cultural expectations of Australian and Queensland Government funded service providers as advised by Local Commissioners and clients.

It should be noted that of the 424 clients case managed, this includes clients on voluntary case management plans, clients with Child Safety Services plans (when available) which are reviewed and managed by Child Safety Services, clients incarcerated, out of community and in hospital and complying with probation orders and those complying with their case plan, hence not all clients are investigated for Show Cause proceedings.

During quarter five 10 Show Cause hearings have been completed in Aurukun, Coen and Hope Vale (see Table 3). These matters resulted in:

- 7 CIM orders
- 2 No further actions
- 1 client placed on a case plan

Community	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 5	TOTAL
Aurukun	0	0	2	9	9	20
Coen	0	0	1	6	0	7
Hope Vale	0	0	0	3	1	4
Mossman Gorge	0	0	0	0	0	0
TOTAL	0	0	3	18	10	31

Table 3: Show Cause Notice by quarter as at 30 September 2009

Proportionally, as the number of clients grows the number of applications to Amend or End an agreement or order grow. Most applications to end or amend agreements or orders relate to CIM. Only one client has requested an exit from a service provider. The Commission noted that a number of applications were lodged during local shows or other times when clients thought they would need extra funds. These applications were dismissed and instead the clients were referred to Centrelink to re-examine their budget allocations, and vary where necessary, as part of the budgeting education that occurs within the income management regime. Centrelink continues to provide information to community and clients on the conditions of CIM.

During quarter five, a total of 22 applications to Amend or End a FRA or Order were received (see Table 4). The matters received resulted in:

- 2 Applications refused.
- 6 Clients ordered to attend support services before any further consideration.
- 8 Clients failed to appear, thus the applications were dismissed.
- 2 VIM orders revoked.
- 1 CIM Order reduced to 60%.
- 1 CIM order extended for a further 12 months.
- 2 Clients not conferenced as previous applications received within 3 months.

Community	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 5	TOTAL
Aurukun	0	0	2	7	8	17
Coen	0	0	0	0	0	0
Hope Vale	0	0	5	2	9	16
Mossman Gorge	0	0	1	3	5	9
TOTAL	0	0	8	12	22	42

Table 4: Applications to Amend or End Family Responsibilities Agreements or Orders as at 30 September 2009.

Conditional Income Management

Forty-one Conditional Income Management (CIM) orders were made in quarter five with a total of 130 CIM orders made to 30 September 2009 (see Tables 5 and 6). CIM orders are made where the client either failed to attend two scheduled conferences, or where a client is not complying with case plan requirements and/or continuing to receive additional notifications. Recently the Commissioners have requested six and 10 month reviews of current CIM clients to discuss future options or new case plans with these clients. A number of clients have indicated a desire to continue with CIM for an extended period under a new case plan and/or decrease the percentage managed from 75 to 60 percent.

Local Coordinators and Commissioners report continued enquires by Commission clients and community members to apply for VIM. Most enquiries indicate VIM is a feasible antidote to family and social pressure to hand over cash for non-essential items and contraband. There are currently three clients/community members who have successfully applied for VIM and one withdrawn application, as the person was earning CDEP wages which cannot be income managed.

VIM is currently not available to community members on an Aged Pension and Carers Payment (Category R under the *Social Security Administration Act 1999*). The Australian Government has advised that VIM for the aged pension and carers payments will be available from 16 November 2009 in Cape York. Centrelink is commencing training of Centrelink staff, as well as information sessions for FIM and Commission staff from the week beginning 9 November 2009.

Conditional Income Management (CIM) Individuals	TOTAL
Currently CIM	80
Currently with Centrelink to be CIM	4
CIM period Expired	10
Currently waiting on client to be removed from CDEP	1
CIM Order revoked	10
Currently no receiving any benefits and not being CIM	23
Currently in prison and not being CIM	1
Cannot be CIM as currently receiving an age pension	1
TOTAL CIM ORDERS	130

Table 5: Clients Conditional Income Managed as at 30 September 2009

Community	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Quarter 5	TOTAL
Aurukun	0	6	10	19	18	53
Coen	1	0	0	0	1	2
Hope Vale	0	7	18	8	13	46
Mossman Gorge	1	11	4	4	9	29
TOTAL	2	24	32	31	41	130

Table 6: Quarterly Conditionally Income Managed clients as at 30 September 2009

Notifications

For the period 1 July 2009 to 30 September 2009, the Commission received a total of **1113** agency notifications¹ of which 679 or 61 percent agency notifications were within jurisdiction. Of the 679 notifications that were within the Commission's jurisdiction, this comprises:

- 316 School Attendance notifications
- 314 Magistrates Courts notifications
- 47 Child Safety notifications
- 2 Housing Tenancy notifications

Of the 434 or 39 percent of agency notifications not within the Commission's jurisdiction, there were 353 Magistrates Courts notifications, 63 School Attendance notifications, 13 Child Safety notifications and 5 Housing notifications.

Details for each community are as follows:

- **Aurukun** notifications comprise **61 percent** of the total notifications in jurisdiction across the four CYWR communities:
 - 204 School Attendance notifications
 - 183 Magistrates Courts notifications

¹ Counting rules are that an agency notification is counted on the basis of number of "clients" on the notification, for example: a child safety notification relating to two parents is counted as two notifications.

- 30 Child Safety notifications

39 Magistrates Courts notifications, 21 School Attendance notifications and 9 Child Safety notifications were processed as not within jurisdiction.

172 conferences have been held in Aurukun this quarter.²

- **Coen** notifications comprise **6 percent** of the total notices in jurisdiction:
 - 19 School Attendance notifications
 - 12 Magistrates Court notifications
 - 10 Child Safety notifications

21 Magistrates Courts notifications, 8 School Attendance notifications and 3 Housing Tenancy notifications were processed as not within jurisdiction.

25 Conferences have been held in Coen this quarter.³

- **Hope Vale** notifications comprise **24 percent** of the total notifications in jurisdiction:
 - 87 Magistrates Courts notifications
 - 65 School Attendance notifications
 - 7 Child Safety notifications
 - 1 Housing Tenancy notifications.

123 Magistrates Courts notifications, 34 School Attendance notifications, 4 Child Safety notifications and 2 Housing Tenancy notifications were processed as not within jurisdiction.

141 conferences have been held in Hope Vale this quarter.⁴

- **Mossman Gorge** comprises **9 percent** of the total notifications in jurisdiction:
 - 32 Magistrates Courts notifications
 - 28 School Attendance notifications
 - 1 Housing Tenancy notifications.

170 Magistrates Courts notifications were processed as not within jurisdiction.

28 Conferences have been held in Mossman Gorge this quarter.⁵

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.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

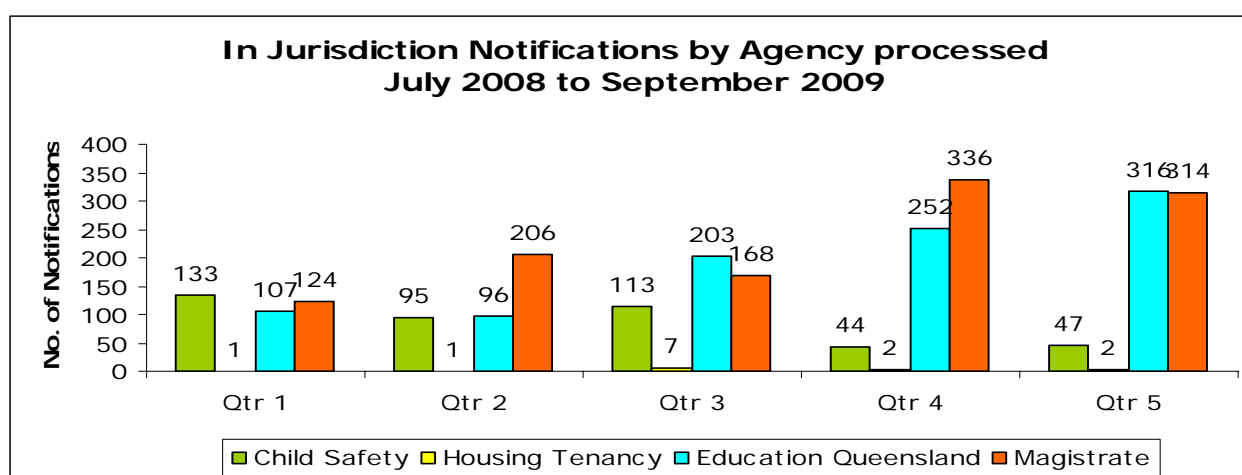
5. Data Summary and Trends

In quarter five the receipt of School Attendance notifications for Aurukun rose by 20 percent from the previous quarter. School Attendance notifications for Hope Vale (comprising Hope Vale State School and Cooktown State High School) have remained constant with increases also seen in both Coen and Mossman Gorge. This increase in notifications provides evidence that schools are conscious of and reporting absences for the Commission to act upon.

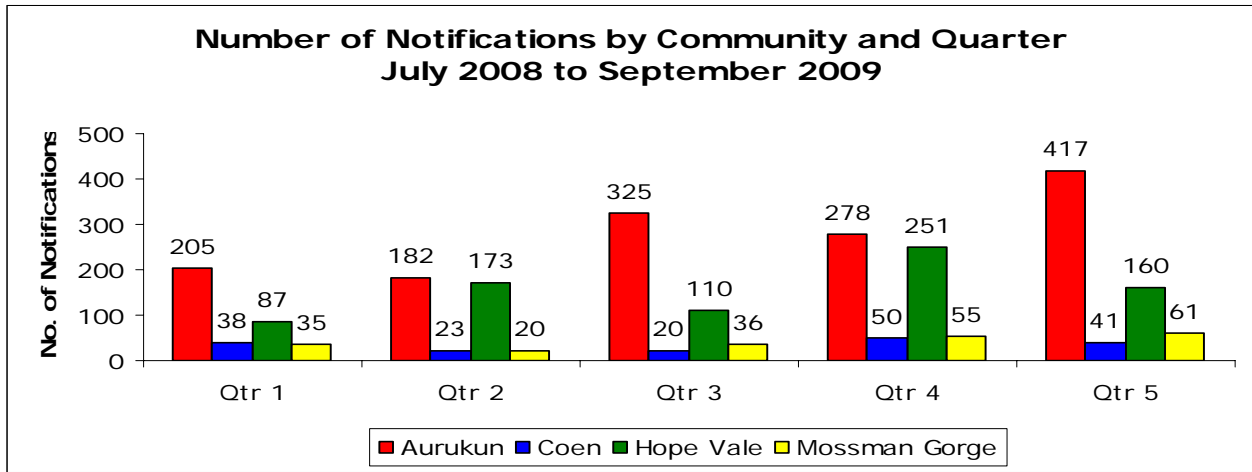
In Aurukun school attendance rose significantly from 44.5 percent in term 3 2008 to 66 percent in term 3 2009. Increases in attendance were also recorded in Coen (5.5 percent) and Mossman Gorge (2.2 percent). However a decrease of 6.7 percent was recorded in Hope Vale which has been attributed to significant number of swine flu cases and non-attendance due to the Cairns Show. Submission of notifications from schools outside the CYWR communities, both independent and government, remains low. Over the next six months the Commission will work actively to engage the school administrations but the complexity of boarding school arrangements limits the accessibility of information.

No discernable changes to the submission of Child Safety Services notifications was recorded in quarter five as against quarter four which is consistent with the on-going staff shortages experienced by Child Safety Services. Child Safety Services have advised the Commission that the recruitment of four dedicated officers for the CYWR communities has commenced and expect an increase in notifications in the next quarter due to the increase in resources and personnel for the CYWR trial.

Magistrates Court notifications continue to trend towards alcohol and driving related offences in both Aurukun and Hope Vale. Aurukun Commissioners advise violence related charges continue to fall and the ability of the police to allocate resources to drug, alcohol and motor vehicle offences reflects the nature of the notifications received. Mossman Magistrates Court notifications trend towards public nuisance and low level offences relating to alcohol trending towards the younger males of the community. Coen and Hope Vale Magistrates Court notifications have also decreased from the previous quarter.

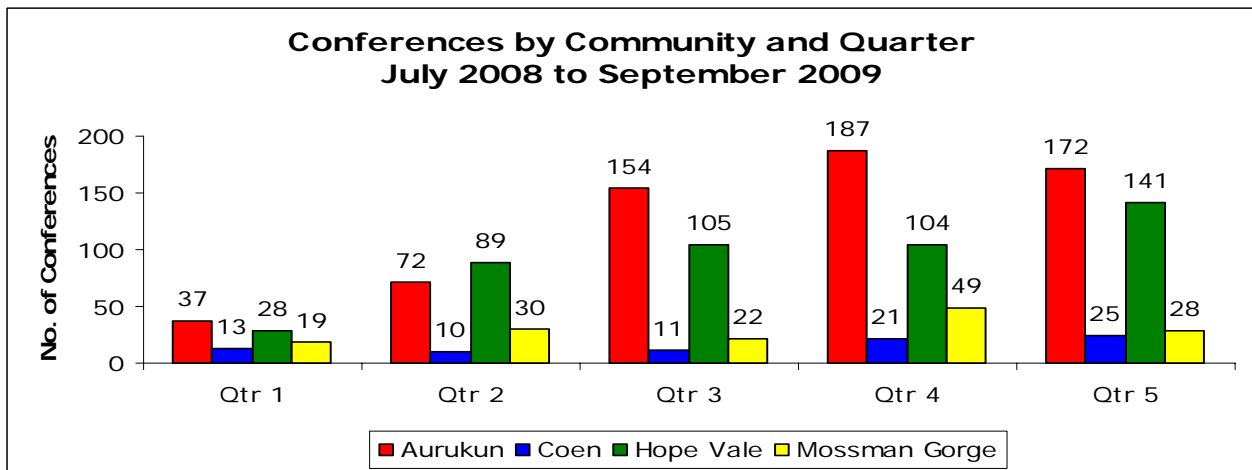


Graph 5: Notices by agency processed 1 July 2008 to 30 September 2009



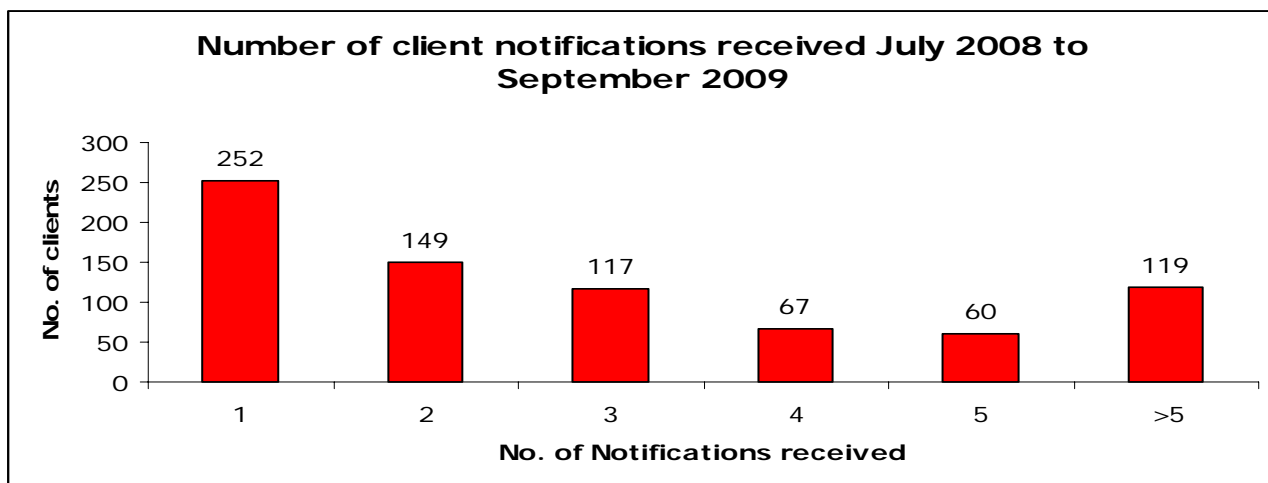
Graph 6: Notifications by community and quarter 1 July 2008 to 30 September 2009

Aurukun and Coen conference numbers remained constant from the previous quarter and Hope Vale experienced a 26 percent increase in conferences from the previous quarter. Although more clients were dealt with in Hope Vale, due to unforeseen circumstances three sittings did not have quorum of Commissioners hence clients entered into Voluntary Family Responsibility Agreements and Case Plans. A decrease in conferences in Mossman Gorge from the previous quarter from 49 to 28 is attributed to decreased sitting days in community, change of sitting days and clients with complex cases which reduced the number of conferences that could be scheduled.



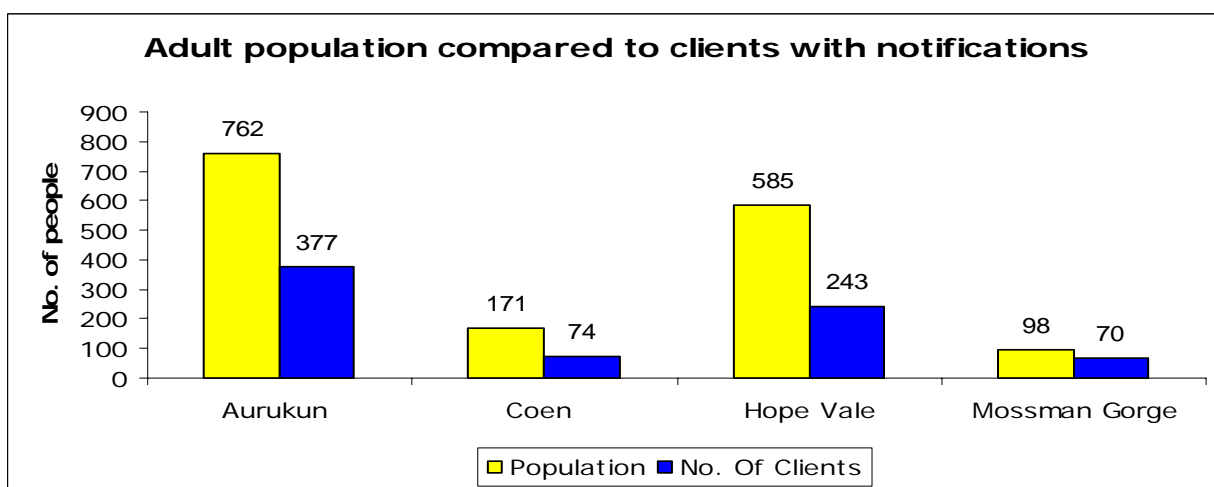
Graph 7: Conference by community and quarter 1 July 2008 to 30 September 2009

Sixteen percent of FRC clients have received more than five notifications since 1 July 2008. In many instances this illustrates the multiple child absences for the one family or multiple Magistrates Court notices relating to one incident. A small number of clients are regularly receiving notifications and are subsequently subjected to CIM orders. To date 33 percent of clients have received only one notification.



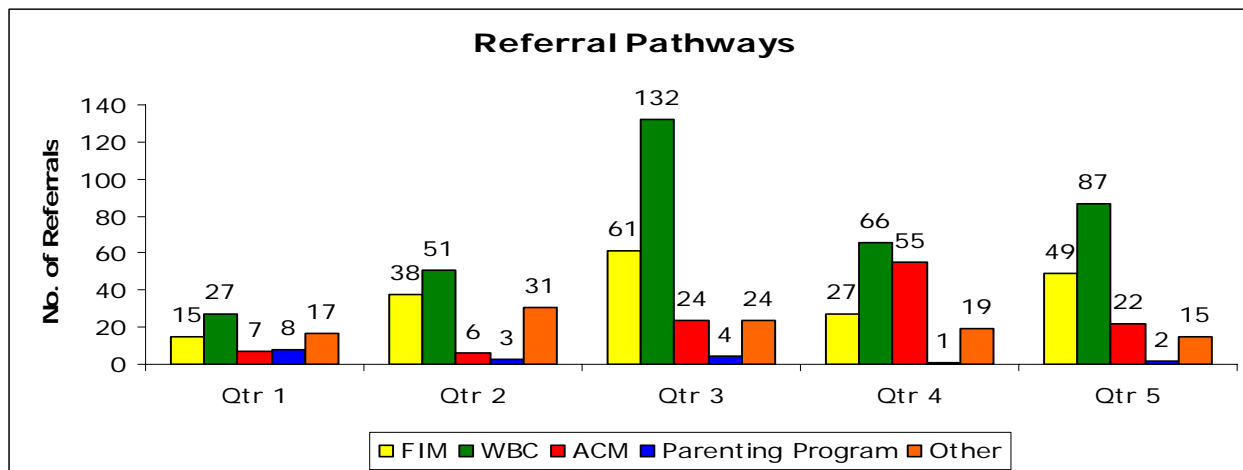
Graph 8: Clients by number of notifications 1 July 2008 to 30 September 2009

(Note: Counting rules stipulate that where multiple charges are received each charge is counted as an individual notification or each child’s absence is counted as one notification for example if three children from the one family were absent, that is counted as three notifications.)



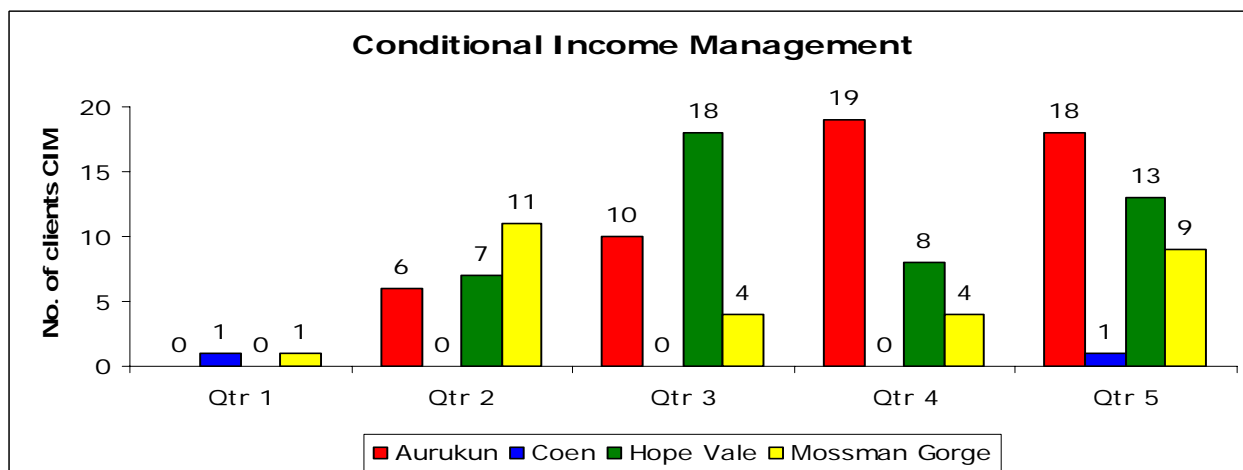
Graph 9: Number of clients who have received notifications up until 30 September 2009 in comparison to population figures of adults (17 years and over) provided from ABS preliminary 2008 ERP Figures.

Referrals to WBC and FIM services as expected increased in quarter five as the providers advised the service centres are fully functional and appropriately resourced. The Wellbeing Centres in all communities are completed and fully staffed although clients advise they are often turned away from the Centres due to staff training or closed doors. FIM continues to encounter negative feedback in Hope Vale, with clients refusing to attend FIM as per their referrals. Aurukun FIM has reported the inability to service clients due to Bendigo Bank account difficulties preventing bank accounts being opened.



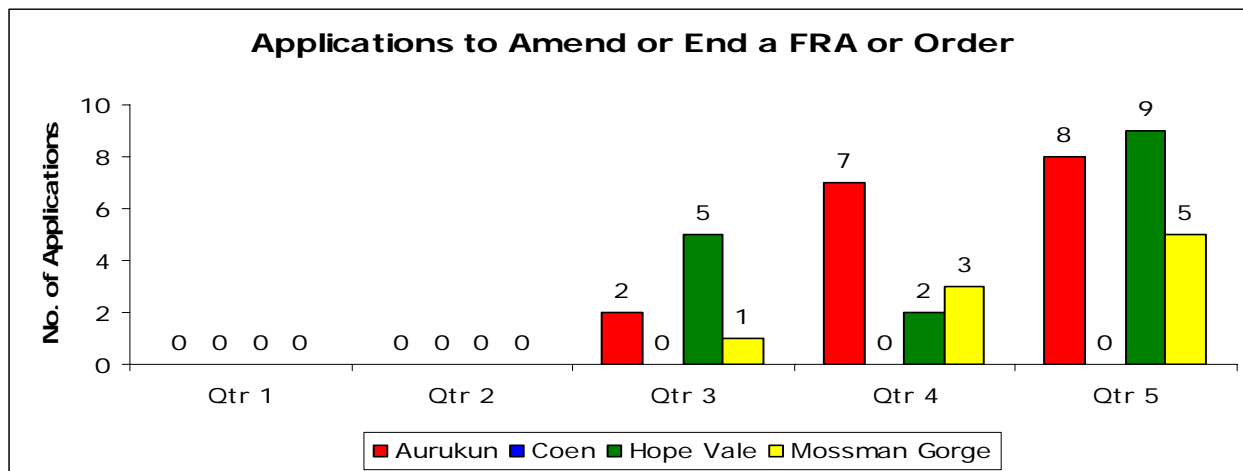
Graph 10: Referral Pathways 1 July 2008 to 30 September 2009

As client intake grows, non-attendance and case management contribute to increasing numbers of clients being Conditionally Income Managed (CIM). The Commissioners report clients are increasingly asking to be CIMed as part of their Family Responsibilities Agreement and Case Plan. In general, CIM is increasing in acceptance in the communities.



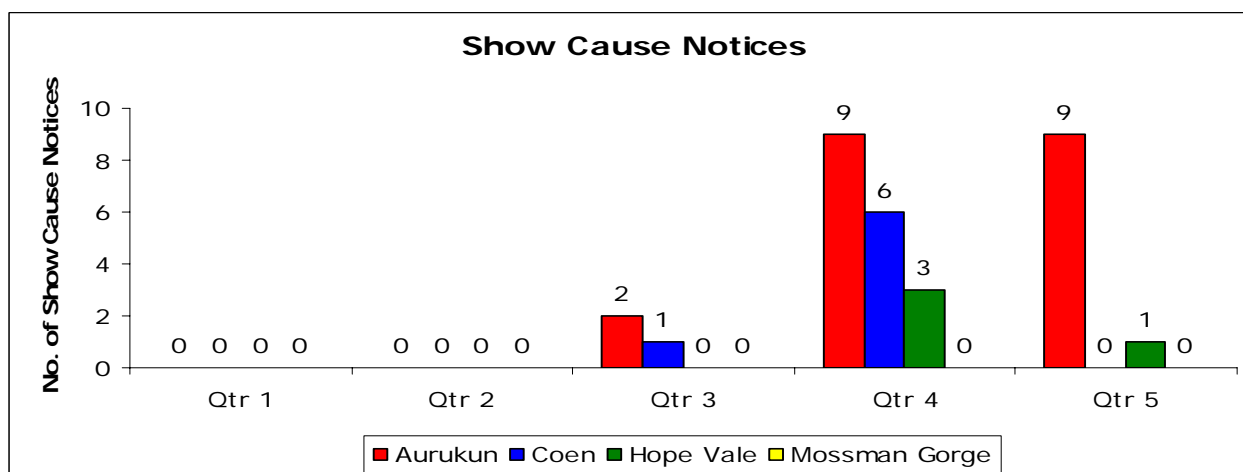
Graph 11: Conditional Income Management 1 July 2008 to 30 September 2009

The majority of applications to end or amend agreements or orders relate to previous orders made for CIM due to non-attendance at the conference. The Commissioners use this opportunity to engage the client and enact case plans with service referrals to complement or replace the CIM order.



Graph 12: Applications to Amend or End FRA or Order 1 July 2008 to 30 September 2009

Many Show Cause notices were not moved past initial investigation due to concerns as to the accuracy of information provided from service providers and statements from clients that they have not been welcomed by service providers when they presented at the service centres. The lack of information received from service providers in the form of monthly progress reports and requested reports plus information from the communities regarding the inactivity or unavailability of service providers, resulted in fewer clients being moved through the Show Cause process than the Commission envisaged. The Commission is taking a proactive approach through the service provider’s workshop, feedback on reports, meetings, visiting service centres and raising the issue with relevant bodies to improve the quality of service provider assessment, engagement and reporting in all communities and for all clients and community members.



Graph 13: Show Cause Notices 1 July 2008 to 30 September 2009

6. Observations / Future Direction

Observations

As the Commission continues its operations we continue to see the growth of the Local Commissioners in each community. The Local Commissioners were presented with Certificates of Recognition and Commission Badges by the Honourable Desley Boyle, Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships. The Commissioners were delighted to be recognised for their significant efforts to date.

In this quarter the Local Commissioners continued their participation with agencies and raising awareness of issues affecting their community including:

- Coen Commissioners, Local Coordinator and Justice Group working together with two voluntary clients to self place at Silver Plains Outstation and implement voluntary income management and case plans.
- Mossman Gorge Commissioners, Police and CYWR Local Program Office staff establishing a support group and networks for those community members living in Dry Houses. The community is addressing the drinking in public places, youth drugs and drinking (young men's and young women's group).
- Mossman Gorge community working together to address bullying on the school bus and at the school bus stop.
- Hope Vale Commissioners actively campaigning for schooling improvement; attending morning parades and participating in school activities.
- Aurukun Commissioners addressing liquor licensing representatives.
- Commissioners hosting visitors to communities including Tony Abbot, Australian Government representatives and Government Champions.
- Child Safety Services recruiting four FRC dedicated positions
- Recall training week held in Cairns where Local Commissioners raised a number of issues:
 - Respect when entering community of culture and custom;
 - Not being regarded respectfully by agencies and government officials (tokenism);
 - Need to develop young leaders and to be less judgemental of history (i.e. criminal when considering those for future leadership);
 - The need to continue with Alcohol Management Plans with regular reviews of the conditions;
 - Evaluators met the Local Commissioners and explained their plans to visit each community;
 - Emphasis on schooling at all levels – QUALITY should be equal across the State.

Challenges

- Due to other commitments some of the Local Commissioners are not in a position to take up this responsibility. The Commission is currently awaiting approval for a number of applications received for new Commissioners to be appointed.
- It has been noted that as the profile of Commissioners grows so does the demand for their input. It is difficult for them to manage the ongoing expectation of agencies and visitors to communities that they will be available to attend meetings with little or no notice.
- The Commission has experienced changes in staffing in Hope Vale and the Cairns Registry which is challenging due to the small size of the organisation. However, this has not impacted the Commission's ability to hold conferences in each community.

- An analysis of the intake of notifications has identified that whilst case management is increasing, as expected, we are yet to see a decrease in new clients.
- The Commission continues to meet significant reporting obligations (both statutory and other) despite the difficulties due to the small size of the organisation.
- The Commission currently has an existing database which records its pre-conferencing and conferencing activities. This current database is insufficient to meet the requirements of the Commissions post conferencing statistical record keeping which are currently maintained through a number of Excel spreadsheets. These spreadsheets are becoming large, unwieldy and require migration to a client database which will record all stages of the Commissions interactions with its clients. Significant works have taken place to create and develop a new Client Relationship Management system for the Commission which is expected to be implemented by November 2009.

Future Direction

- Voluntary income Management (VIM) is currently not available to community members on an Aged Pension and Carers Payment (Category R under the *Social Security Administration Act 1999*). The Australian Government has advised that VIM for the aged pension and carers payments will be available from 16 November 2009 in Cape York. Centrelink is commencing training of Centrelink staff, as well as information sessions for FIM and FRC staff from the week beginning 9 November 2009.
- Commissioner Glasgow and the Registrar have commenced drafting of 2010 calendar. Due to the intensity of the conferencing calendar, consideration is being given to conferencing for a period of four weeks followed by one week's grace period to consolidate the outcomes of conferences held, prepare for upcoming conferences and effectively case manage Commission clients.
- The Commission will develop a training calendar for the Local Commissioners to undertake training in areas such as mediation, advocacy, computer literacy and other identified courses over the next six months.
- Local Commissioners will develop factsheets for their respective communities so that service providers and visitors are made aware of the protocols appropriate for entering and remaining in their respective communities.
- The Commission will finalise the development of its website (www.frcq.org.au) and invite welfare reform partners and service providers to provide useful and informative links for community members and interested parties to refer to.
- In the coming months the Commission will invite welfare reform service providers to:
 - meet with Commission staff to gain understanding of the administrative and statutory obligations the Commission must abide by to ensure compliance with the Act.
 - Present information sessions on operations, client services and future directions for to Commissioners and staff in Cairns.

7. Appendices

APPENDIX A



SITTING CALENDAR FAMILY RESPONSIBILITIES COMMISSION 1 January 2009 to 31 December 2009



WEEK COMMENCING	Commissioner	COEN Mon/Tues	AURUKUN Wed/Thurs or Tues/Wed/Thurs	MOSSMAN GORGE Mon	HOPE VALE Tues/Wed	OFFICE CAIRNS
5 JANUARY	DRG	-	-	-	-	All week
12 JANUARY	DRG	-	-	-	-	All week
19 JANUARY	DRG	-	-	-	-	All week
26 JANUARY	DRG	-	27,28,29	-	-	26,30
2 FEBRUARY	DRG	-	-	2	3,4	5,6
9 FEBRUARY	DRG	9,10	11,12	-	-	13
16 FEBRUARY	DRG	-	-	16	17,18	19,20
23 FEBRUARY	DRG	-	24,25,26	-	-	23,27
2 MARCH	DRG	-	-	2	3,4	5,6
9 MARCH	DRG	9,10	11,12	-	-	13
16 MARCH	DRG	-	-	16	17,18	19,20
23 MARCH	DRG	-	24,25,26	-	-	23,27
30 MARCH	DRG	-	-	30 March	31 March and 1 April	30 March and 3 April
6 APRIL	DRG	6,7	8,9	-	-	
13 APRIL	DRG	-	-	-	-	Training Week
20 APRIL	DRG	-	21,22,23	20	-	23,24
27 APRIL	DRG	-	-	-	28,29	1 May
4 MAY	DRG	-	-	-	6	4,5
11 MAY	DRG	11	12,13	-	-	14,15
18 MAY	DRG	-	-	18	19,20	21,22
25 MAY	DRG	-	27,28	-	-	25th BOARD BRISBANE
1 JUNE	WC	-	-	1	2,3	4,5
8 JUNE	WC	-	9,10,11	-	-	8,12
15 JUNE	WC	-	-	15	16,17	18,19
22 JUNE	WC	22,23	23,24,25	-	-	26

SITTING CALENDAR FAMILY RESPONSIBILITIES COMMISSION

1 January 2009 to 31 December 2009

WEEK COMMENCING	Commissioner	COEN Mon/Tues	AURUKUN Wed/Thurs or Tues/Wed/Thurs	MOSSMAN GORGE Mon	HOPE VALE Tues/Wed	OFFICE CAIRNS
29 JUNE	WC	-	-	29	30 th & 1 July	2,3
6 JULY	WC	-	-	-	-	Training week
13 JULY	DRG	-	-	-	14,15	13,16
20 JULY	DRG	-	-	-	-	ESTIMATES BRISBANE
27 JULY	DRG	27,28	28,29, 30	-	-	31
3 AUGUST	DRG	-	-	3	4,5	6,7
10 AUGUST	DRG	-	-	-	-	All Week
17 AUGUST	DRG	-	-	Thurs 20	18,19	17 Brisbane Board, 21
24 AUGUST	DRG	24,25	26,27	-	-	28
31 AUGUST	DRG	-	-	31 August	1,2 Sept	3,4 Sept
7 SEPTEMBER	DRG	-	7, 8, 9, 10	-	-	11
14 SEPTEMBER	DRG	-	-	Thurs 17	15,16	17,18
21 SEPTEMBER	DRG	21,22	23,24	-	-	25
28 SEPTEMBER	DRG	-	-	-	-	Training Week
5 OCTOBER	DRG	-	-	Thurs 8	6,7	5, 9
12 OCTOBER	DRG	-	13,14,15	-	-	16
19 OCTOBER	DRG	-	-	Thurs 22	20,21	19,23
26 OCTOBER	DRG	26	27,28,29	-	-	30
2 NOVEMBER	DRG	-	-	Thurs 5	3,4	2, 6
9 NOVEMBER	DRG	-	10,11,12	-	-	13 Brisbane Parliamentary Committee
16 NOVEMBER	DRG	-	-	Thurs 19	17,18	16 Brisbane Board, 20
23 NOVEMBER	DRG	23,24	24,25,26	-	-	23,27
30 NOVEMBER	DRG	-	-	Mon 30 Nov	1,2 Dec	3, 4 Alice Springs
7 DECEMBER	DRG	7,8	8,9,10	-	-	11
14 DECEMBER	DRG	-	-	Thurs 17	15,16	14,18
21 DECEMBER	DRG	-	-	-	-	All Week

Governance

Part 12 of the *Family Responsibilities Commission Act 2008* 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 and each member must be present at each meeting. The Board's membership consists of:

- Mr Ken Smith Director-General, Department of the Premier and Cabinet
- Mr Noel Pearson Director, Cape York Institute for Policy and Leadership
- Dr Jeff Harmer Secretary, Department of Families, Housing, Community Services and Indigenous Affairs

Glossary of Terms**Wellbeing Centre (WBC):**

These centres are currently operated by the Royal Flying Doctor Service and are the primary referral agency for the Commission. The Wellbeing Centres provide:

- a holistic, systemic and community-based approach to treating drug and alcohol addiction and related mental health co-morbidities, including family violence and gambling;
- clinical assessments, formal and informal counselling, support for individuals and their families, and support for community-driven activities that build community capacity;
- support for restoring social norms and empowering individuals to take responsibility for making positive choices about their health and wellbeing.

Each WBC is staffed with clinical counsellors and one or more community support workers. Staff are also supported by part-time medical practitioners, mental health nurses and psychiatrists, team leaders and a service development manager.

New buildings have been completed to support the WBC in each community. Services are fully operational at the time of the report.

Family Income Management (FIM):

Family Income Management (FIM) is a voluntary, confidential and free service that is specifically designed to meet the particular needs of Indigenous individuals and families, and provide them with the education, information and ongoing support needed to manage their own money.

FIM provides support and assistance including referrals and access to financial institutions, products and services. It also provides general information, education and ongoing support to individuals and families about improving the outcomes for children.

FIM operates in Aurukun, Coen, Hope Vale and Mossman Gorge and has been operating in a number of Cape York communities since 2001.

Attendance Case Management Framework (ACMF):

The Attendance Case Management Framework (ACMF) was developed by the Every Child is Special Unit to support student attendance. The ACMF uses Professor Herbert C Kelman's behavioural change model which identifies three stages leading to behavioural change: compliance, identification, and internalisation. ACMF works with students, parents, schools and the broader community to set the expectation of 100 percent attendance and to build and sustain it as a "social norm".

Under the ACMF, Attendance Case Managers (ACMs) aim to follow up every absence, on the day, to work with families to resolve the reason behind a child's unexplained absence or lateness and to develop strategies to avoid reoccurrences. ACMs also refer parents to support services like FIM or alcohol addiction support as required. Such quick response reduces the incidence of parents being called before the Commission on student attendance-related issues.

ACMs use positive reinforcement to publicly and privately acknowledge 100 percent attendance.

Cape York Welfare Reform

The Cape York Welfare Reforms are a partnership between four Cape York communities, the Australian Government and the Cape York Institute for Policy and Leadership. The Cape York Welfare Reforms aim to address passive dependence on welfare and rebuild social norms in the communities.

The Cape York Welfare Reform communities are:

Aurukun

Aurukun is on the western coast of Cape York and is approximately 900 kilometres northwest of Cairns, and about 200 kilometres south of Weipa. The community had an estimated resident population of 1196 people at 30 June 2008.

Coen

The township of Coen is about halfway between Cairns and the tip of Cape York. It is not a discrete Aboriginal community and is part of Cook Shire. The community had an estimated resident population of about 246 people at 30 June 2008.



Hope Vale

Hope Vale is situated on the Cape York Peninsula and is 46 kilometres northwest of Cooktown. The estimated resident population of Hope Vale was about 826 people at 30 June 2008.

Mossman Gorge

Mossman Gorge is a small Aboriginal community 75 kilometres north of Cairns, 4 kilometres from Mossman (the nearest town), and approximately 25 kilometres by road from Port Douglas. It is not a discrete Aboriginal community and is part of the Cairns Regional Council area. The community had an estimated resident population of about 143 people at 30 June 2008.

For more information on the communities and population compositions view:

www.indigenous.qld.gov.au and www.statistics@oesr.qld.gov.au/qld-regional-profiles

Role of the Commission:

Any person who is a welfare recipient living in one of the four CYWR communities and has not met pre-determined obligations can be referred to the Commission. A person is a welfare recipient if the person, or their partner, receives certain welfare payments including; Newstart, Parenting Payments, Youth Allowance, ABSTUDY, age and service pensions or carer payments. A person is also a 'welfare recipient' if he/she is participating in CDEP.

The Commission receives agency notifications from a range of government departments, authorities and the Magistrates Courts if:

- the person's child is absent from school three times in a school term, without reasonable excuse,
- the person has a child of school age who is not enrolled in school without lawful excuse,
- the person is the subject of a child safety report,
- the person is convicted of an offence in the Magistrates Court,

- the person breaches his or her tenancy agreement – for example, by using the premises for an illegal purpose, causes a nuisance or fails to remedy rent arrears.

What does the Commission do?

When the Commission receives a referral after assessing if the person is within the Commission's jurisdiction, Local Commissioners will determine if the person is required to attend a conference. Conferences are held in an informal setting and the matters that lead to the submission of the agency notification are discussed to ensure the best outcome for the client. The client is encouraged to come to an agreement with the Commission about an appropriate response to the issue that has led to their referral. If the client is unwilling to agree on a course of action, the Commission may order a certain course of action.

The Commission may:

- decide that **no action** is necessary
- reprimand the person
- recommend that the person attend an appropriate community support service
- direct the person to attend an appropriate community support service under a case plan for not more than a year
- order that the person's income be managed by Centrelink for a period of between three to 12 months

Family Responsibilities Commission Processes:

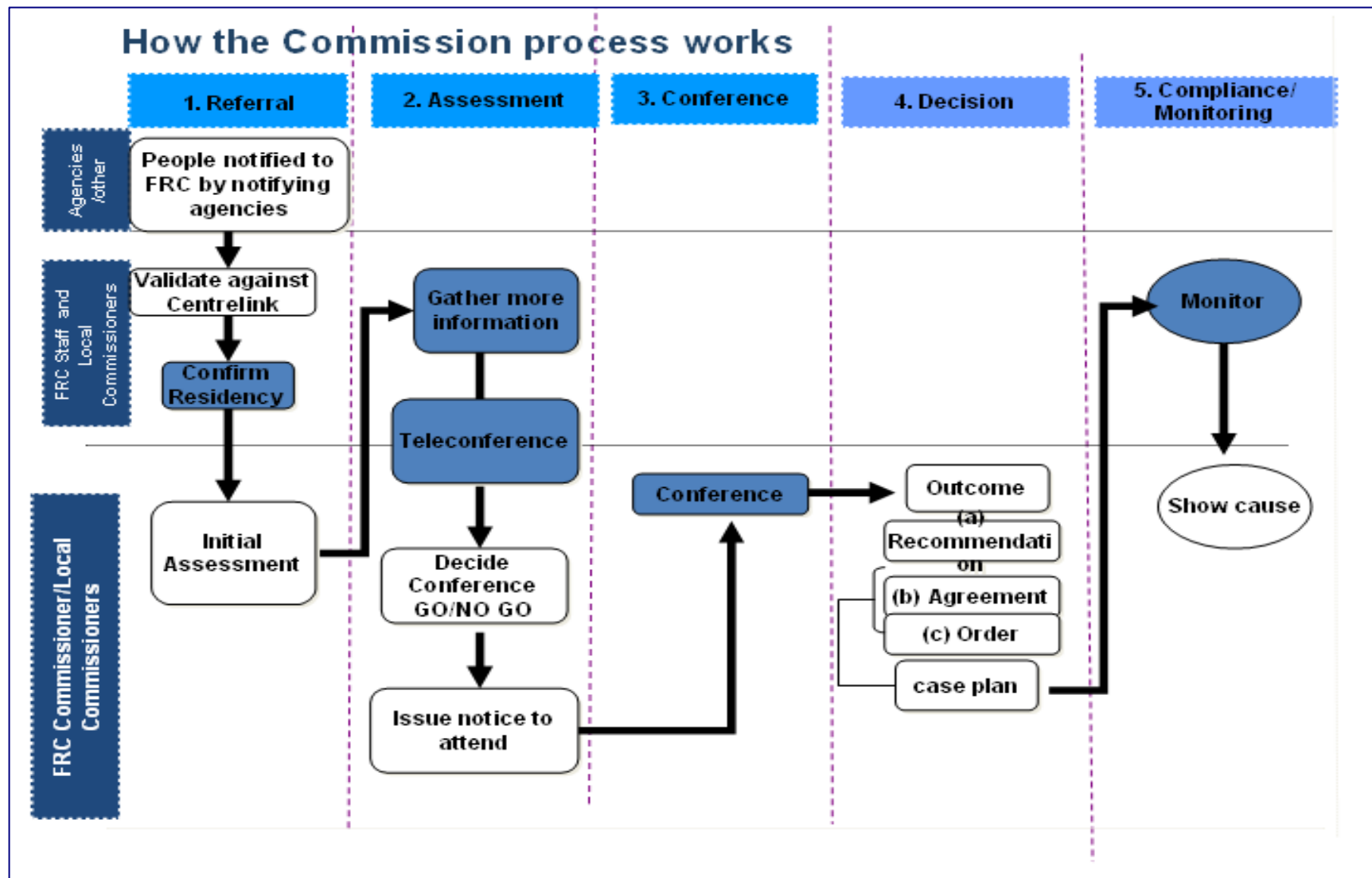


Table 7: Commission processes