

# **Family Responsibilities Commission**

*Report to the Family Responsibilities Board and  
the Premier of Queensland*

## **Quarterly Report**

**No. 1 and 2**

**2008**

**July - December 2008**



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

## Commissioner's foreword

The Family Responsibilities Commission (the Commission) is an initiative of the partnership of: four Cape York Indigenous communities (Aurukun, Coen, Mossman Gorge and Hope Vale), the Queensland and Australian Governments, and the Cape York Institute for Policy and Leadership (the Institute). It is a major part of the Cape York Welfare Reform (CYWR) initiative and supports the Queensland Government's policy priority of strengthening Indigenous communities.

The Commission was established by the *Family Responsibilities Commission Act 2008* (the Act) which was passed by Parliament on 13 March 2008. It received bipartisan support.

In introducing the Bill to Parliament, Premier Anna Bligh said, "This is a groundbreaking trial, unique in the world. It will be a significant departure from the policies that have been tried in the past. The bill establishes the Family Responsibilities Commission as the driving force in changing local social norms and behaviour. It will directly link improved care for children to welfare and other government payments."

Responding, the Opposition Leader Lawrence Springborg said, "This bill (the Act) will adopt the much-needed recommendations of the Cape York Welfare Reform Project and this legislation is necessary legislation."

Supporting the debate, Minister Lindy Nelson-Carr stated, "It is very pleasing to have bipartisan support for this legislation, which is making history."

The objective of the Commission within the CYWR communities is to: support the restoration of socially responsible standards of behaviour and of local authority, and to help people resume primary responsibility for the wellbeing of their community and of the individuals and families who live there. The Commission also promotes the interests, rights and wellbeing of children and other vulnerable persons living in these communities.

The Commission holds conferences in response to Queensland Government agency notices. The Commission then deals with the concerns the notice has raised, in such a way as to encourage participants to employ socially responsible standards of behaviour.

Following a 12 month community engagement process by the Institute - which was completed in 2007 - the communities of Aurukun, Coen, Mossman Gorge and Hope Vale each agreed to participate in the CYWR trial. The results of the community consultation process, and the policy development, were presented to the Australian Government in mid 2007 in two comprehensive reports entitled "*From Hand Out to Hand Up*". The Queensland Government subsequently committed to welfare reform trials in these communities in December 2007.

The Commission opened its Cairns office on 1 July 2008 and commenced circuits to the four CYWR communities on 12 August 2008, conducting its first sittings in Coen on that day. My report is the first required by the Act and covers the period of operations from 1 July 2008 until 31 December 2008.

I acknowledge and pay tribute to the dedicated and continuous support of the Premier, the many agencies of Queensland and Australian Governments, and the service providers with whom my Local Commissioner colleagues and I, my Registrar and staff work every day. This support is critical to the continuing operation of the Commission. Finally, I acknowledge the Traditional Owners and Elders of these communities who also seek a restoration of socially responsible family and community values.



David Glasgow  
Commissioner  
23 February 2009

## Executive summary

As an integral part of the Welfare Reform trial the Commission's work in the CYWR communities is carefully managed to ensure it compliments the objectives and intent of the program.

The Commission commenced operations on 1 July 2008 and subsequently set up business processes and recruited staff, including contracting five Local Coordinators to manage the Commission's business, one in each community and one based in Cairns. In addition to this the Governor in Council appointed six Local Commissioners from each community (24 in total) to help conduct conferences.

Commission staff liaised with all CYWR service providers to ensure community members have access to the programs and services they are referred to. Where those programs and services are not available the Commissioner is informed.

It is the Commissioner's observation that he and his staff have received good will and cooperation from all agencies and service suppliers. They themselves have shown genuine commitment to the CYWR process, and a determination to ensure appropriate services and programs are delivered to members of communities in an effective and timely manner.

Initially Local Coordinators in Mossman Gorge and Hope Vale were obliged to work from temporary offices, and were without reliable communication and equipment. These Local Coordinators continued to provide the services required of them, working with commitment and dedication.

Though the Commission's office accommodation on each community varies, all are now suitable for its purposes, and are now resourced and fully equipped.

Without exception, Local Commissioners have embarked upon their duties and responsibilities with enthusiasm and common sense. The confidence the community have in the Local Commissioners is steadily building due to the maturity and sensitivity in which they conference those who appear before them.

The Commissioner has held numerous public information sessions in each community to explain the Commission's powers and responsibilities and the purposes for which it was established. When present in a community, and after conferencing, he continues to meet with and be available to any group or individual who wishes to speak with him.

The Commission has been well received in Aurukun, Coen and Mossman Gorge with a number of Community members volunteering to appear before Commissioners, in conference.

In Hope Vale, despite certain initial misgivings by some community members, the Commission is now received respectfully, and has received a formal letter of support from the Hope Vale Shire Council. Its work is recognised as both constructive and supportive of that community's acknowledged need for change.

Over the next six months of its operations the Commission intends to conference, as a priority, those community members who have failed to take advantage of the opportunities given them and to make appropriate changes in relation to accepting their duty to care for, and protect, the children under their care, particularly in relation to school attendance. The Commissioner anticipates that as a result, many more Conditional Income Management (CIM) Orders may be made during this period.

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### **Abbreviations:**

ACMs	Attendance Case Managers
ACMF	Attendance Case Management Framework
ATODS	Alcohol, Tobacco and Other Drugs Services
CDEP	Community Development Employment Projects
CIM	Conditional Income Management
CYWR	Cape York Welfare Reform
DETA	Department of Education, Training and the Arts (Qld)
DPC	Department of the Premier and Cabinet (Qld)
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs (Cmwlth)
FIM	Family Income Management
IT	Information Technology
Also:	
	Cape York Institute for Policy and Leadership (the Institute)
	Family Responsibilities Board (the Board)
	Family Responsibilities Commission (the Commission)
	Mr David Glasgow, Family Responsibilities Commissioner (the Commissioner)

# Family Responsibilities Commission

*Report to 31 December 2008*

## 1. Context

Within this context Cape York Welfare Reform (CYWR) is a process of moving 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 in some of the Cape York communities. The Cape York Welfare Reform trial (Aurukun, Coen, Hope Vale and Mossman Gorge) 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.

The CYWR is based on the view that in order to engage individuals in the real economy, and in order for there to be social development in communities, four things must occur: rebuilding of norms, reform of incentives, normalisation of housing, and a retreat of government from the domain of individual responsibility. The CYWR therefore aims to:

- restore positive social norms,
- re-establish local Indigenous authority,
- support community and individual engagement in the real economy,
- progress from welfare housing to home ownership.

In recognising the significant dysfunction and high level of government dependency, the CYWR was proposed by the Cape York Institute for Policy and Leadership (the Institute). Both the Institute and Australian Government requested the Queensland Government establish a Commission to assist with the restoration of norms, and to remind community members of their prime responsibility to protect, nurture and educate their children and those in their care. As well as the establishment of the Commission, a range of enhanced support services have been and are being rolled out in the four CYWR communities. These services, such as enhanced parenting services, services to address gambling, and Wellbeing Centres to provide counselling and support for people affected by and trying to address, drug and alcohol, gambling and/ or violent behaviour.

The Australian Government enacted changes to its social security legislation to enable the proposed Commission to work with Centrelink on the income management components of the trial. Subsequently, the Queensland Parliament passed legislation in March 2008 establishing the Commission with the objective of helping to rebuild social norms in the four CYWR communities of Aurukun, Coen, Hope Vale and Mossman Gorge by:

- appointing respected Elders to positions of responsibility, thereby rebuilding local authority,
- articulating original Indigenous community values of respect and responsibility,
- sending a consistent message about the expected behaviour of individuals, families and households,
- determining appropriate actions to address the dysfunctional behaviour of people in the community,
- where appropriate, referring individuals to community support services to assist them to address their behaviours,
- where appropriate, direct the person's income to be managed by Centrelink to pay for the priority needs of their family.

Specifically, community members have four obligations:

- ensuring their children attend school,
- keeping their children safe from harm and neglect,
- not committing offences punishable in the Magistrates Courts and in particular drug, alcohol and family violence offences,
- complying with their obligations under tenancy agreements.

The *Family Responsibilities Act 2008* sets out the statutory obligations of the relevant Queensland departments to notify the Commission where a parent/carer is not meeting the above obligations. For example:

- The Department of Education, Training and the Arts (DETA) 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 Child Safety 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 Housing, or provider of public housing, must submit a Tenancy Breach Notice if they are satisfied that the tenant has breached their public housing tenancy agreement.

## 2. Partners / service providers

The success of the Commission depends heavily on the role of partners in government and in the community.

### **Enabling processes**

In meeting the objectives of both the welfare reforms and the Act, personal information about welfare recipients has to be provided to the Commission by Australian Government agencies.

Initially, to support the broad role of the Commission, the Australian Government's Minister for Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) issued a Legislative Instrument recognising the Commission as the "Queensland Commission" for the purposes of the *Social Security (Administration) Act 1999* (Cmwlth).

The Secretaries of FaHCSIA and the Department of Education, Employment and Workplace Relations also issued public interest certificates authorising disclosure of protected information to the Commission. This protected information concerns the names and addresses of welfare recipients living in the welfare reform communities. The Commission uses this information to determine whether a person who is the subject of an agency notice, is within their jurisdiction. FaHCSIA also provides similar information to the Commission about Community Development Employment Projects (CDEP) participants in each of the four CYWR communities. As CDEP wages are not welfare payments and cannot be income managed under social security legislation, from 1 November 2008, persons earning CDEP wages have to agree to comply with the directions of the Commission to continue to be eligible to participate in CDEP. All current CDEP participants in the communities have since signed acknowledgement forms stating they understand they must comply with the directions of the Commission, as a condition of participating in CDEP. FaHCSIA and Centrelink have worked closely with the Commission to ensure that appropriate privacy protocols are in place concerning the use of protected information.

### **Referral processes**

For referrals to be made at conferences, appropriate community support services need to be in existence, and the Commission needs to understand the current operational status and effectiveness of those services. Referral processes have therefore been developed and are reviewed on an on-going basis. If operational issues are identified, they are resolved at a local level between the Local Coordinator and the manager of the relevant service. However, broader policy issues are dealt with by the Commission's Registrar and the management of the service provider.

The Australian Government has worked closely with the Commission to establish the policies and procedures associated with referrals to services such as Family Income Management (FIM), Wellbeing Centres and Income Management, including liaising closely on the drafting of notices concerning Income Management. Officers have visited the Commission to provide training to Commission Registry staff. FaHCSIA and Centrelink staff regularly liaise with the Commission to resolve implementation issues associated with Income Management and other service referrals. A high degree of cooperation and good-will exists across all agencies.

To ensure the ongoing viability of the referral process, the Commission maintains strong relationships with all community support service providers. The Registrar is actively involved in many stakeholder groups such as the CYWR Education Stream Committee, Cairns Youth Services Group and the Regional Managers Coordination Network. The Commission's Stakeholders Group will be convened in early 2009 with representation from each of the stakeholders, service providers, and notifying agencies that work with the Commission. This group will operate as a committee of peers that will monitor and resolve issues relating to the interaction of the Commission with partners.

### 3. Business operations

#### Operational

Part 3 of the Act required the creation of a Registry to manage the administrative functions of the Commission. The Registry is based in Cairns, and has a staffing level of nine personnel which includes the Registrar, Executive Officer, Principal Case Manager and several administrative staff.

Whilst the Registrar and Executive Officer commenced duties prior to 1 July 2008, the balance of the staff did not commence duties until 1 July 2008 (or after in some cases).

The Commission is further supported by a Local Coordinator who resides in each of the communities. Where possible, a local person was employed for their knowledge of their community, this also enhances the effectiveness of the trial. To enable the Commission to conduct conferences in the communities, a pool of Local Commissioners has been established in each of the CYWR communities.

Staff development and training is an on-going focus of the Registrar. During late September 2008, all Commission staff received induction training including human resources and financial training.

It has been necessary to put in place robust information technology (IT) systems to support the effective and efficient operation of the Commission both in Cairns and the remote communities. However, there have been significant logistical difficulties including addressing the security and privacy requirements set by Commonwealth partners and notifying agencies, and problems with the speed of the system.

#### Financial

The budgeted inflow of funds consists of a Commonwealth Grant of \$3.5 million over three years and \$9.032 million from the Queensland State Government until the expiry of the Act on 31 December 2011. These funds will be supplemented by interest on the Commission's investments and its operational bank account.

The Commission since its inception has faced continual challenges of managing its budget to effectively service its remote locations. There have been numerous challenges associated with staff accommodation, office accommodation, transport, communications and logistics.

#### Income:

- In the period to the 31 December 2008 the Commission received \$3.5 M in funding from the Commonwealth, and \$2.0 M in funding from the Queensland Government. These funds were supplemented by \$0.99 M in Bank interest.

#### Expenditure:

- The Commission has expended a total of \$1.779 M in funding from 1 July to 31 December 2008. This figure includes an amount of \$0.396 M in accrued expenses which relate to the 2007/08 Financial Year. A balance of \$0.318 M in outstanding commitments was current as at 31 December 2008.
- Total expenses for the period 1 July 2008 to 31 December 2008 were \$1.702 M which equates to 46.3 per cent of the Commission's Annual Budget for the 2008/09 financial year (Table 1).
- The Commission's surplus as at 31 December 2008 totals \$135,813.58 or 3.7 per cent of its annual budget.

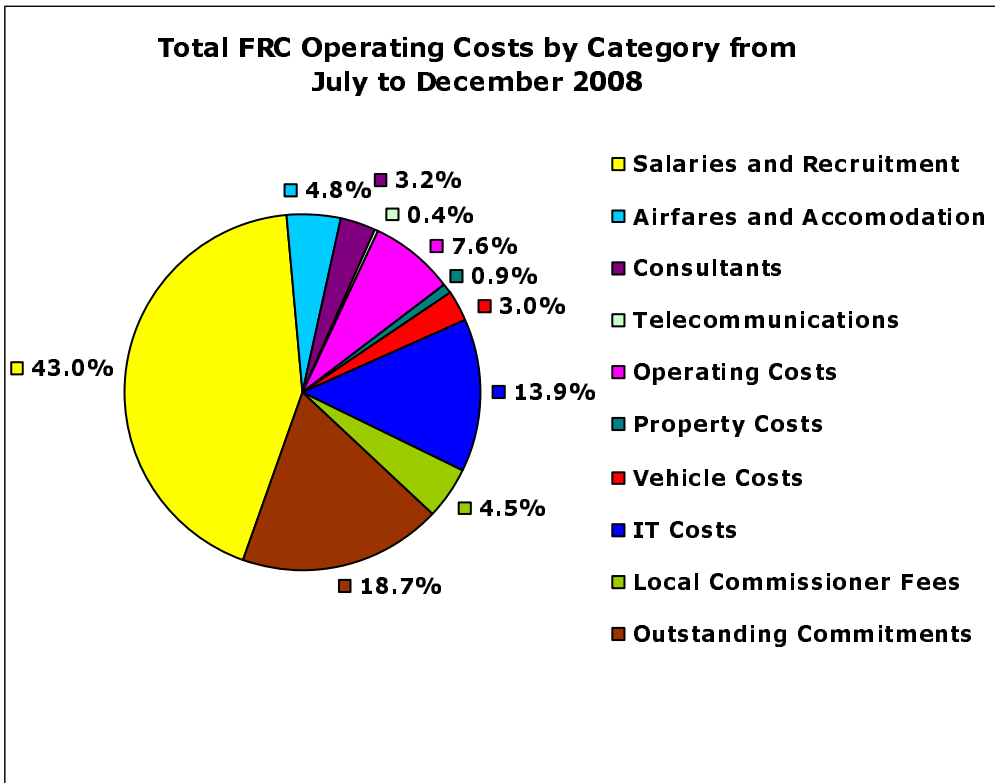


Salaries, recruitment costs and IT costs represent 57 per cent of total expenditure. This reflects the challenges encountered in establishing the Commission within this timeframe and location. Expenditure during the period was as follows:

<b>Expenditure 1 July to 31 December 2008</b>	<b>\$</b>
Salaries and recruitment	730,916.00
Airfares and accommodation	81,535.05
Consultants	55,298.40
Telecommunications	7,573.21
Operating costs	129,864.29
Property costs	15,201.89
Vehicle costs	50,243.84
IT costs	235,803.59
Local Commissioner fees	76,419.70
Outstanding commitments	318,830.45
<b>Total expenditure</b>	<b>1,701,686.42</b>

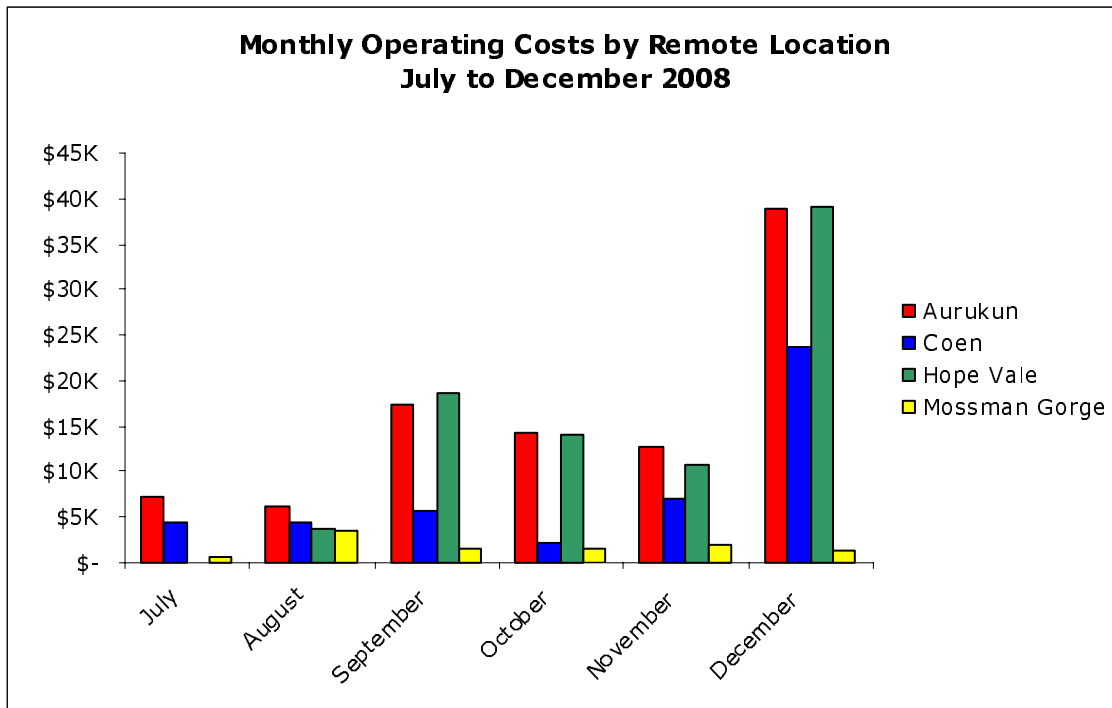
**Table 1:** Expenditure

The Commission’s total operating costs in categories by percentage of total expenditure is represented below:



**Graph 1:** Operating costs

Regional operational expenditure is categorised below by location per month. These figures exclude Local Coordinator's salary costs, which are incorporated in the Commission's global operating costs. It does include Local Commissioner's fees, totalling \$76,419.70.



**Graph 2:** Operating costs by remote location

(Note: The increased costs for Aurukun, Coen and Hope Vale in December 2008 reflect the provisioning of these remote offices with office equipment, furniture and vehicles. 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 July 2008 reflect the inclusion of the 2007/08 accrued expenses. The spike in expenses in October is due to the settlement of accrued expenses transferred from the previous financial year. Much of this expenditure relates to costs incurred by the Department of the Premier and Cabinet (DPC) in establishing the Commission.



**Graph 3:** Operating costs, Cairns

## 4. Activities / achievements

### 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 (families and individuals) 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.

To meet these objectives, policies and procedures have been developed that allow such conferences to be convened, and then referrals made to support services.

Upon receipt of an agency notice, Commission staff must compare the notification against both Centrelink and CDEP data to establish whether the Commission has jurisdiction. A fortnightly meeting is held with the Local Commissioners and the Local Coordinator of the relevant community to establish the priority of matters that are to be conferenced, and to schedule the matters for the next conferences.

When the Commission sits in a community, it does so as panel of three persons – the Commissioner and two Local Commissioners – who sit as a panel of equals. One of the major achievements of the Commission is the influence it has had in rebuilding local Indigenous authority. For example, in all conferences held since November 2008, the Chair was a Local Commissioner. The Local Commissioners, who are respected leaders in their communities, help assess each case individually and conduct proceedings with people in both English and local languages – Wik at Aurukun, Ampithamu at Coen, Kuku Yimithirr at Hope Vale and Kuku Yalanji at Mossman Gorge. The sizable contribution being made by the Local Commissioners is a positive achievement - their skill in dealing with members of their community, their common sense and understanding of family history together with their determination to succeed in making their communities better places to live, has been an inspiration to all.

The client is served with a "Notice to Attend Conference" at least seven days prior to the conference date. If the client does not attend the Commission is obligated, under the Act, to reschedule the conference.

### Case management

Once the conference has been convened, and depending on the outcome of the conference, the client is then case managed by the Principal Case Manager. The Local Coordinators provide each relevant service provider with a copy of the referral advice and the service provider must report on a monthly basis the results of the client's compliance with their agreement or order (for the duration of the matter).

The Commission introduces families to the service providers operating in each community and, in the process, aims to assist with strengthening the role of family. In some cases Local Commissioners have directed family members to attend support services and/or directed that welfare payments be conditionally managed so that payments are spent in the most responsible way on priority needs.

The Principal Case Manager monitors the reports from service providers and where appropriate, makes recommendations to the Registrar and Commissioner for 'Show Cause' notices to be issued. If the Commissioner determines that proceedings to show cause are to be commenced, the client is then served with a Show Cause notice. The matter is then brought to conference again where the original order/agreement is confirmed and the client either commits to re-engaging or a Conditional Income Management (CIM) Order is made.

## Conditional Income Management (CIM)

Where a client fails to attend a second conference, or upon the decision of the Commissioners, a CIM order can be made for either 60 or 75 per cent of the person's welfare payment, in line with the Commission's current practices. This will then be managed by Centrelink for up to 12 months. A notice is issued to Centrelink, who subsequently hold an interview with the client to determine the priority needs, Centrelink then activate the CIM regime.

Up to 31 December 2008 26 CIM orders were issued by the Commission. Of that number, 19 are currently being managed by Centrelink. The remaining seven CIM orders relate to CDEP participants – the orders may be activated if the client becomes a welfare recipient after being removed as a CDEP participant.

## Brokering service solutions

The Commission takes a proactive approach to addressing the issues that arise around its ability to refer to appropriate services in each community. One of the achievements of the Commission is the positive relations its staff in Cairns and in the four CYWR communities have made with stakeholder agencies in government and in the communities.

- The Commissioner issued *Guideline No. 1 – School Attendance Guidelines* to provide guidance to agencies and service providers as to the expectations around school attendance and how to deal with such issues as grief and bereavement, illness and other matters that require absence from school. This guideline is being further expanded to take into account the results of consultations undertaken by Cape York Partnerships around acceptable leave for funerals.
- Strategies to deal with low school attendance during such events as the Cairns show and other community events are currently being dealt with via a collaborative approach between DETA and the Commission. Policies on these issues will be released in the early part of 2009.
- It was identified that not all data relevant to the July to December 2008 period was being received by the Commission, relating to all relevant offences heard by the Magistrates Court. It was established that due to the Courts data entry processes, Commission data was being submitted too early which resulted in the incorrect number of notifications being received. Remedial action in January 2009 was taken by the Department of Justice and Attorney-General resulting in a significant increase in the number of notifications relating to Aurukun. The revised figures are included in this report.
- The Commission has funded a \$500 bursary to schools in the four CYWR communities. This bursary will be an on-going donation throughout the life of the project. Due to differing views over its implementation, the manner in which it is to be delivered is under review.

## Notices

Up to 31 December 2008, the Commission has received **754** agency notifications<sup>1</sup> relating to 437 community members within the Commission's jurisdiction. This comprises:

- 202 School Attendance notices,
- 223 Child Safety notices,
- 327 Magistrates Courts notices,
- 2 Housing Tenancy notices.

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<sup>1</sup> 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 2 notifications.

As well as the 754 notifications within the Commission's jurisdiction, 450 Magistrates Courts, School Attendance and Child Safety notices were processed as not within jurisdiction.<sup>2</sup>

Details for each community are as follows:

- **Aurukun** notices comprise approximately **50 per cent** of the total notices:
  - 85 School Attendance notices,
  - 125 Child Safety notices,
  - 170 Magistrates Courts notices.

81 Magistrates Courts notices, nine Child Safety notices and one school attendance notice were processed as not within jurisdiction.

**109 conferences** have been held in Aurukun.<sup>3</sup>

- **Hope Vale** comprises **35 per cent** of the total notices:
  - 98 School Attendance notices,
  - 55 Child Safety notices,
  - 1 Housing Tenancy notice,
  - 106 Magistrates Courts notices.

40 Magistrates Courts notices, seven Child Safety notices and four school attendance notices were processed as not within jurisdiction.

**111 conferences** have been held in Hope Vale.<sup>3</sup>

- **Coen** comprises **8 per cent** of the total notices:
  - 9 School Attendance notices,
  - 28 Child Safety notices,
  - 1 Housing Tenancy notice,
  - 22 Magistrates Courts notices.

10 Magistrates Courts notices and two Child Safety notices were processed as not within jurisdiction.

**23 Conferences** have been held in Coen.<sup>3</sup>

- **Mossman Gorge** comprises **7 per cent** of the total notices:
  - 10 School Attendance notices,
  - 15 Child Safety notices,
  - 29 Magistrates Court notices.

295 Magistrates Courts notices processed as not within jurisdiction.

**49 Conferences** have been held in Mossman Gorge.<sup>3</sup>

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<sup>2</sup> 426 of the 450 notices processed as "not within jurisdiction" are Magistrates Courts notifications. The Magistrates Court boundaries and their data collection system prevent the identification of Commission clients who reside within the Commission's gazetted areas of jurisdiction.

<sup>3</sup> 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.

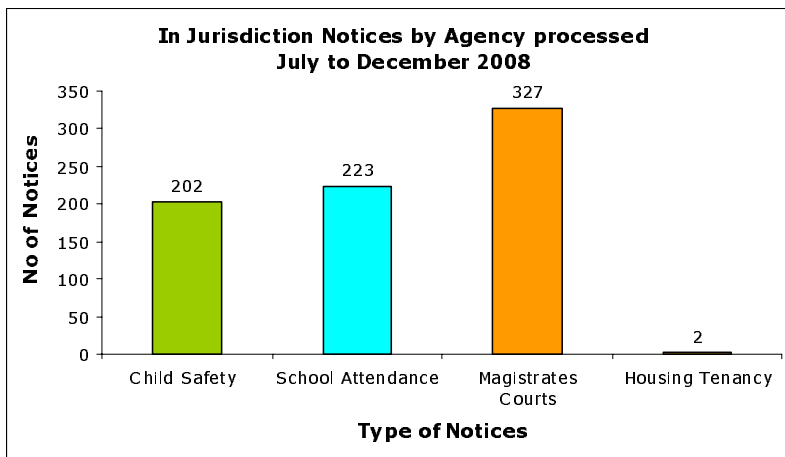
## Case Study

A Child Safety Notification relating to domestic violence, which included weapons was received. At that time, the Department of Child Safety had not removed any children from the home as the legislative threshold had not been met. The Commission conferenced this matter to discuss the issues being experienced by the family. The day before the conference was held the department removed the child from the home.

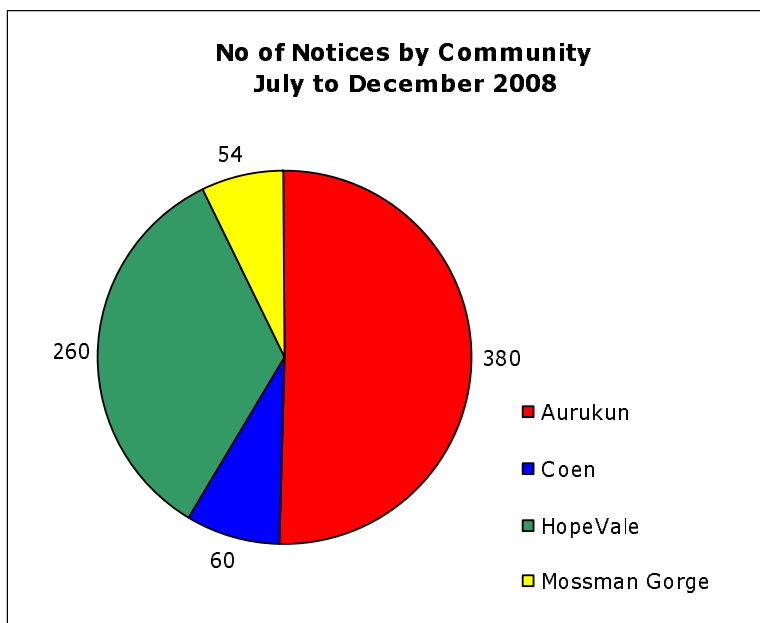
The family were distressed by the removal of the child and extremely angry at the Department of Child Safety. During the conference, the Commissioners were able to calm the family and explain the necessity for the department to remove the child. As a result the family agreed to attend a parenting program and the Wellbeing Centre to receive counselling for domestic violence and anger management and to comply with the Department of Child Safety's expectations and any re-unification plan developed by them.

As a result of the above, the child was subsequently re-unified with the family, and all participants in the agreements brokered by the Commission are attending services and complying.

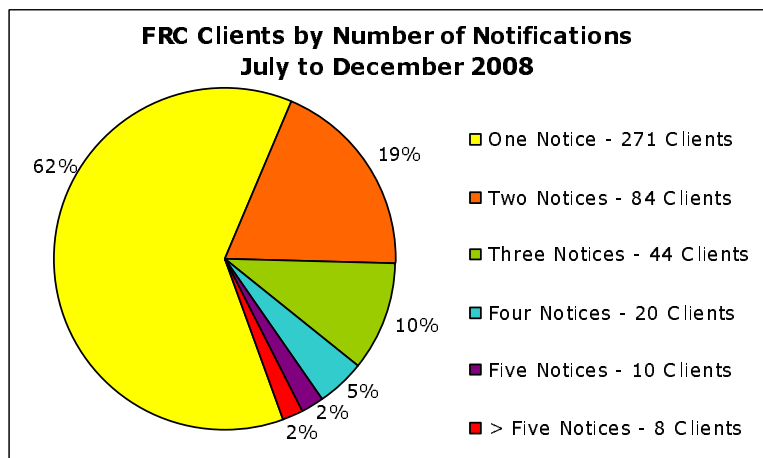
## 5. Data summary and trends



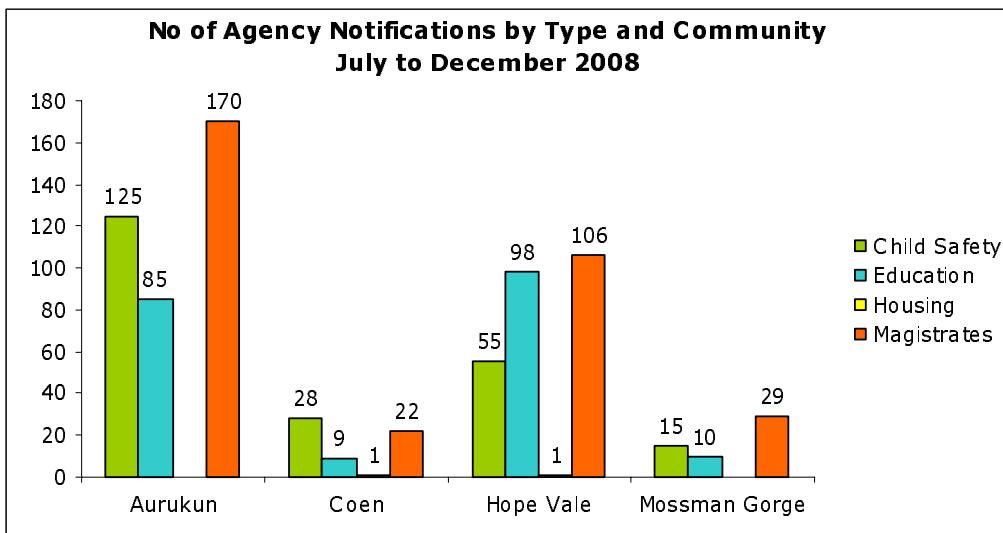
**Graph 4:** Notices by agency



**Graph 5:** Notices by community

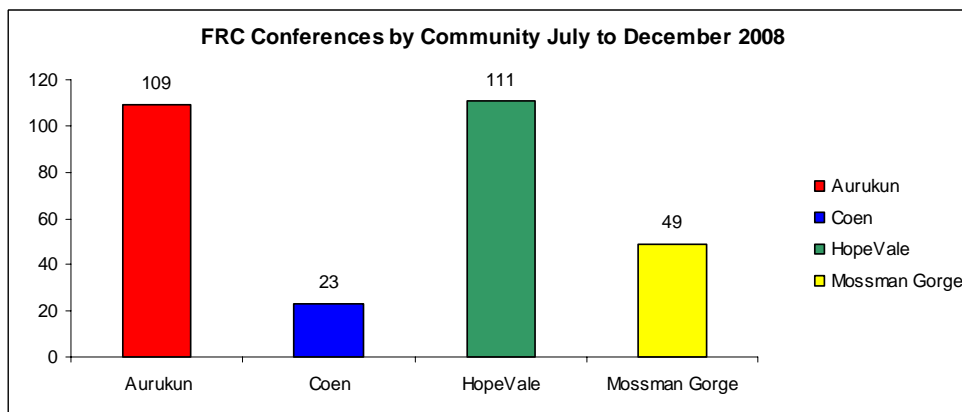


**Graph 6:** Clients by number of notifications

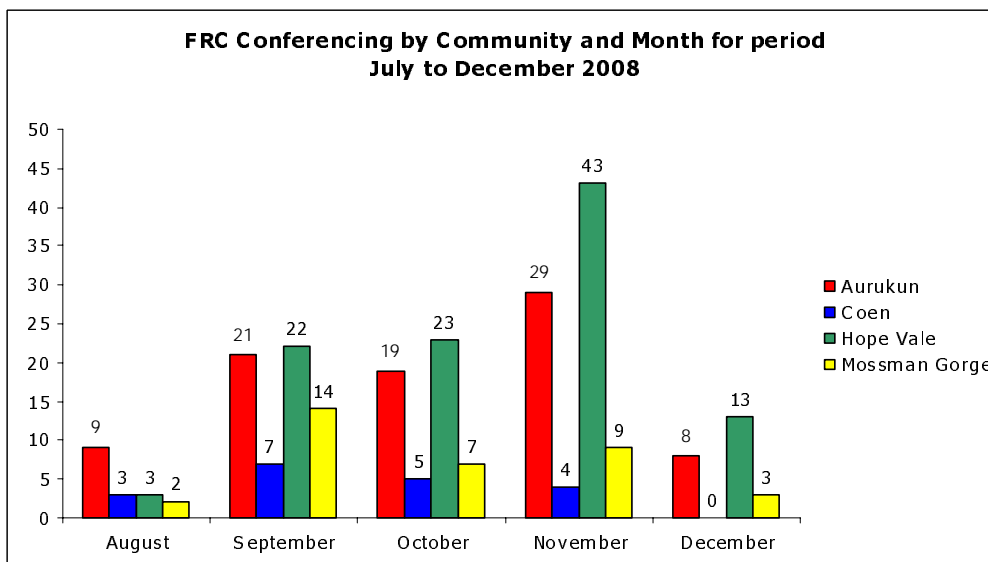


**Graph 7:** Notifications by type and community

NB: School Attendance Case Managers (ACMs) have not been in place in Aurukun during this period which may contribute to an understatement of school attendance notifications for the period



**Graph 8:** Conferences by community



**Graph 9:** Conferences by community and month



## 6. Observations / future direction

### Observations

The creation of the Commission has been an extremely challenging and complex exercise. The interdependent relationships between the Commission, both the State and Australian Governments and the Institute, require a high degree of good will and cooperation between all parties. These relationships have, from the Commission's perspective, been exceptionally positive with all staff working well together with the sole aim of meeting the objectives of the CYWR trial.

As is the case with the implementation of all new trials, a number of issues have been identified throughout the first six months of operation that will require ongoing attention to enable the Commission to further meet its objectives.

For example, difficulties with school attendance in Aurukun were hindered by the fact that no school Attendance Case Managers (ACM's) were able to be engaged in Aurukun until November 2008. Therefore the Commission could not refer clients to ACM's to re-engage the children into schooling. The positions have now been filled, but this is reflective of the challenges in remote communities.

At this stage it is too early to comment on the impacts of the CYWR trial and the Commission in these communities. The positive role that Local Commissioners play has been a highlight, along with the cooperation and commitment of the many agencies and community groups that are active in the four CYWR communities.

### Future direction

- In the first quarter of 2009 Commission staff will focus on streamlining the relationship between FIM, the Commission, and Centrelink. FIM is reviewing their staff to client ratio for Commission referrals, as these clients often need a high level of education and support, which has training and recruitment implications for FIM.
- Revised procedures will also be implemented between the Commission, FaHCSIA and Centrelink concerning information exchanges regarding CDEP participants. During 2008, a number of Income Management Notices were not actionable because the person was a CDEP participant and not receiving a relevant welfare payment.
- A full review of compliance with agreements has been conducted by Commissioner Glasgow with a view to issuing, where appropriate, show cause notices to non-compliant clients.
- Managing complex information flows across multiple agencies is an ongoing challenge. Another priority will be to improve service provision for those clients assisted by multiple agencies, whilst respecting the privacy of clients. In early 2009, the Australian Government will convene workshops in Cairns and the four communities to improve joined up service provision.
- Matters relating to teasing and bullying in Hope Vale will be addressed in 2009 with the appointment of a designated teacher and a 'Curriculum Support Officer'.
- A significant challenge for 2009 will be resolving the IT issues and finding solutions that enable the Commission to effectively operate whilst meeting security and budgetary constraints.
- In the early part of 2009 the Registrar and Commission staff will focus on consolidating processes, thereby moving from the implementation phase into the operational phase.

## 7. Appendices

### APPENDIX A

**Commission Calendar 1 July 2008 To 31 December 2008.  
Sittings Of Family Responsibilities Commission**

Week commencing	Commissioner	Coen	Aurukun	Hope Vale	Mossman Gorge	Office Cairns
07/07/08	DRG					All Week
14/07/08	DRG					All Week
21/07/08	DRG					All Week
28/07/08	DRG					All Week
04/08/07	DRG					All Week
11/08/08	DRG	12	13,14			11,15
18/08/08	DRG			19,20	21	18, 22
25/08/08	DRG	26	27, 28			25,29
01/09/08	DRG			2,3	4	1, 5
08/09/08	DRG	9	10,11			8,12
15/09/08	DRG			16, 17	18	15, 19
22/09/08	DRG	23	24, 25			22,26
29/09/08	DRG					Training Week
06/10/08	DRG			7, 8	9	6, 10
13/10/08	DRG	14	15, 16			13,17
20/10/08	DRG			21, 22	23	20, 24
27/10/08	DRG					Parliament
03/11/08	DRG			4,5	6	3, 7
10/11/08	DRG	11	12, 13			10,14
17/11/08	DRG			18, 19	20	17, 21
24/11/08	DRG	25	26, 27			24,28
01/12/08	DRG			2, 3	4	1, 5
08/12/08	DRG	9	10, 11			8,12
15/12/08	DRG			16, 17	18	15, 19
22/12/08	DRG					All Week
29/12/08	DRG					Office Closed

**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, DPC
- Mr Noel Pearson       Director, the Institute
- Dr Jeff Harmer         Secretary, FaHCSIA

**Glossary of terms****ATODS - Alcohol Tobacco and Other Drugs Services:**

ATODS, a division of Queensland Health, was the service provider in the communities on an outreach or fly in/fly out basis prior to the implementation of the CYWR trial. The referrals made to ATODS by the Commission occurred during the transition period from ATODS to the Wellbeing Centres. The ATODS service has since been replaced with the Wellbeing Centres, which are full time and community based.

**Wellbeing Centre:**

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, 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 Wellbeing Centre is staffed with a co-ordinator, counsellor and one or more community support workers. Staff will also be supported by a part-time medical practitioner and senior Indigenous health worker, along with team leaders.

New infrastructure has been built to support the Wellbeing Centres in each community. In Aurukun and Coen the Centres and staff housing are complete. In Mossman Gorge the new Wellbeing Centre is due for completion in February, and in Hope Vale the staff housing is due for completion by March with the Centre by end May 2009. In the meantime Wellbeing Centre services are being delivered through the health clinics in Hope Vale and Mossman Gorge.

**FIM – Family Income Management:**

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 from the expenditure of Family Payments.

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:**

The 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 per cent attendance and to build and sustain it as a "social norm".

Under the ACMF, ACM's 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. ACM's 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 per cent attendance. They also work with schools to limit disruptions and maximise student core learning time, and work with the wider community to help them develop strategies to support the 100 per cent attendance expectation.

**Statistical information**

For the period 1 July 2008 – 31 December 2008

**Table 1. Agency notifications**

Type of Notice	Individual's with FRC trigger notifications		Individual has been subject to FRC triggers before	
	No of individuals	No of notices	No of individuals	No of notices
School Attendance	155	202	46	68
Child Safety	104	223	44	98
Tenancy	2	2	1	0
Magistrates Court	176	327	75	151
<b>Total</b>	<b>437</b>	<b>754</b>	<b>166</b>	<b>317</b>

**Table 2. Family Responsibilities Commission (FRC) conferences and outcomes**

	Individual's first FRC trigger notification	
	No of individuals	No of notices
No action	59	188
Warning	4	6
Referral to services/agreement	82	75
Direction to services/order	36	51
Compulsory Income Notices to Centrelink	26 <sup>4</sup>	39

**Table 3. Case management**

Case management options	No. of individuals
Total number of clients being case managed	110
Total number of clients on agreements	82
Total number of client referrals to service agencies	222
Total number of clients on Voluntary Agreements	2
Total number of clients on Decisions/Orders	26
Total number of clients being Conditionally Income Managed	19 <sup>4</sup>

**Table 4. Referral pathways (not including CIM)**

Case management options	No. of individuals
FIM	50
Wellbeing Centre	49
ATODS	18

<sup>4</sup> 19 of the 26 Income Management Notices issued are currently being managed by Centrelink and 7 are CDEP participants under consideration by the Australian Government for removal from CDEP.

## Cape York Welfare Reform and the Family Responsibilities Commission

The Australian and State Governments have committed to the CYWR trial to restore social norms in the four Indigenous communities of Aurukun, Coen, Hope Vale and Mossman Gorge, all of who agreed to participate in the trial.

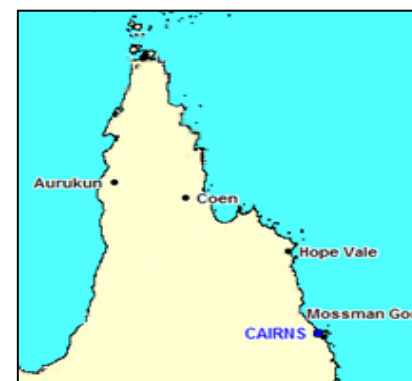
The necessary legislation has been passed by the Queensland and Australian Parliaments to introduce most elements of the framework, and \$100 million has been earmarked for the reforms. The trial will run until 1 January 2012. The communities are:

### Aurukun

Aurukun is on the western coast of Cape York and is approximately 900 kilometers northwest of Cairns, and about 200 kilometers south of Weipa. The community had an estimated resident population of about 1,160 people at 30 June 2007.

### 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 270 people at 30 June 2006.



### Hope Vale

Hope Vale is situated on the Cape York Peninsula and is 46 kilometers northwest of Cooktown. The estimated resident population of Hope Vale was about 840 people at 30 June 2007.

### Mossman Gorge

Mossman Gorge is a small Aboriginal community 75 kilometers north of Cairns, 4 kilometers from Mossman (the nearest town), and approximately 25 kilometers 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 160 people at 30 June 2006.

For more information on the communities, view the Quarterly Reports at: [www.indigenous.qld.gov.au](http://www.indigenous.qld.gov.au)

### Role of the Commission:

Any person who is a welfare recipient living in one of the four CYWR communities and has committed a 'trigger' event (see next page), 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.

**Trigger events are:**

- 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 it may choose to meet with the person at a conference to discuss the matters that have led to the notification. Conferences are held in an informal setting to ensure the best outcome. The person will be encouraged to come to an agreement with the Commission about an appropriate response to the issue that has led to their referral. If the person 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,
- issue a **warning** to the person about the behaviour that is expected of them,
- suggest or require the person's **attendance** at community support services,
- recommend the person get **financial advice** from Family Income Management,
- require that the person's income be managed by Centrelink for a period of between three to 12 months.

# How the Commission process works

