

Family Responsibilities Commission

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

Quarterly Report

No. 18

October 2012 to December 2012



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

Executive Summary

In quarter 18, the Family Responsibilities Commission (the Commission) ceased conferencing due to the school and Christmas holiday period during which many absences from community occur. The reduced conference sittings impacted on the number of conferences resulting in 417 conferences held for the period, a decrease of 34 from last quarter. Nine Family Responsibility Agreements (FRAs) were entered into, 33 orders were made to attend community support services and 87 Conditional Income Management (CIM) orders were issued. When compared to last quarter this represents an increase of 8 FRAs, a decrease of 17 orders to attend community support services and a decrease of 10 orders for CIM. During the quarter, 865 agency notices were received by the Commission which were within jurisdiction, an increase of 3 from last quarter.

Since the commencement of the Commission, 56 Voluntary Income Management (VIM) agreements have been processed. Community members continue to express their desire to enter into VIM agreements in order to assist with budgeting and ensure funds remain available for purchases.

The Commission case managed 182 clients during the quarter. The Commissioners made 69 referrals relating to 42 clients, a decrease of 34 referrals from last quarter. Further activity during the quarter consisted of 14 Applications to Amend or End Agreements or Orders received, a decrease of 13 from the previous quarter. No Show Cause conferences were held during quarter 18.

The Commission was proud to be represented at the school graduation evenings of the Cape York Australian Aboriginal Academies (CYAAA) in Aurukun, Coen and Hope Vale. In Aurukun, Commissioner Glasgow and the Aurukun Commissioners presented awards on behalf of the Commission to students, including three students from one family who received best school attendance awards. Commissioner Glasgow congratulated mother and family. Deputy Commissioner Curtin and the Hope Vale Commissioners attended the CYAAA ceremony in Hope Vale and presented awards to the Hope Vale students. The Coen Commissioners, assisted by the Local Coordinator enjoyed performances and traditional dance whilst providing awards to the Coen students. The Commission congratulates all students, their families and teachers for their efforts throughout the year.

On 1 November 2012 amendments to the *Family Responsibilities Commission Act 2008* were passed by the Queensland Parliament. These amendments facilitated the extension of the Commission to 1 January 2014.

On 14 December 2012 Commissioner David Glasgow, Deputy Commissioner Rod Curtin and all Local Commissioners were officially reappointed for a term of one year commencing from 1 January 2013. Ms Debbie Best, Director-General, Department of Aboriginal and Torres Strait Islander and Multicultural Affairs was appointed as the Chairperson of the Family Responsibilities Board on 14 December 2012. Mr Finn Pratt and Mr Noel Pearson remain Board members for 2013.

The Commission is advised the long awaited evaluation of the Cape York Welfare Reform trial by the Social Policy Research Centre is close to completion and will be presented to respective Ministers early in 2013. Whilst the Commission is scheduled to cease its operations on 1 January 2014, it is hopeful the findings of the evaluation will inform the development of future Government policy on welfare and Indigenous reform, and will assist to build social responsibility and local authority with sustainable leadership. The Commission supports the priority policies of the Department of Aboriginal, Torres Strait Islander and Multicultural Affairs to, where appropriate, replicate effective and appropriate arrangements and services from the Cape York Welfare Reform Trial for beyond 2013.

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Abbreviations

CIM	Conditional Income Management
CYWR	Cape York Welfare Reform
DETE	Department of Education, Training and Employment
FRA	Family Responsibilities Agreement
FRC	Family Responsibilities Commission
VIM	Voluntary Income Management

Also:

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

Family Responsibilities Commission Cape York Welfare Reforms

Report to 31 December 2012.

1. Activities and Trends

Notices

In quarter 18 the Commission received **1,223 agency notices**¹. Some individuals may have been the subject of more than one agency notice. Of that figure 865 notices (71 percent) were within the Commission's jurisdiction and 358 notices (29 percent) were outside the Commission's jurisdiction.

Within jurisdiction notices comprised of:

243	Magistrates Court notices
516	School Attendance notices
64	Child Safety and Welfare notices
42	Housing Tenancy notices

Of the 358 notices not within the Commission's jurisdiction, there were 293 Magistrates Court notices, 59 School Attendance notices, 3 Child Safety and Welfare notices and 3 Housing Tenancy notices.

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

- **Aurukun's 451** notices constitute **52.2 percent** of the total notices in jurisdiction across the four CYWR trial communities:

125	Magistrates Court notices
280	School Attendance notices
26	Child Safety and Welfare notices
20	Housing Tenancy notices

Thirty-one Magistrates Court notices and 14 School Attendance notices were processed as not within jurisdiction.

- **Coen's 71** notices constitute **8.2 percent** of the total notices in jurisdiction:

8	Magistrates Court notices
37	School Attendance notices
10	Child Safety and Welfare notices
16	Housing Tenancy notices

One Magistrates Court, 18 School Attendance notices and 1 Housing Tenancy notice were processed as not within jurisdiction.

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

- **Hope Vale's 265** notices constitute **30.6 percent** of the total notices in jurisdiction:

58	Magistrates Court notices
181	School Attendance notices
25	Child Safety and Welfare notices
1	Housing Tenancy notice

Seven Magistrates Court notices, 27 School Attendance notices and 2 Child Safety and Welfare notices were processed as not within jurisdiction.

- **Mossman Gorge's 78** notices constitute **9.0 percent** of the total notices in jurisdiction:

52	Magistrates Court notices
18	School Attendance notices
3	Child Safety and Welfare notices
5	Housing Tenancy notices

Two hundred and fifty-four Magistrates Court notices, 1 Child Safety and Welfare notice and 2 Housing Tenancy notices were processed as not within jurisdiction.

Since its commencement the Commission has received 12, 396 agency notices within its jurisdiction. Total notices increased from 1206 in quarter 17 to 1223 in quarter 18. Of those notices in jurisdiction, Child Safety and Welfare and Housing Tenancy notices increased, whilst Magistrates Court and School Attendance notices decreased.

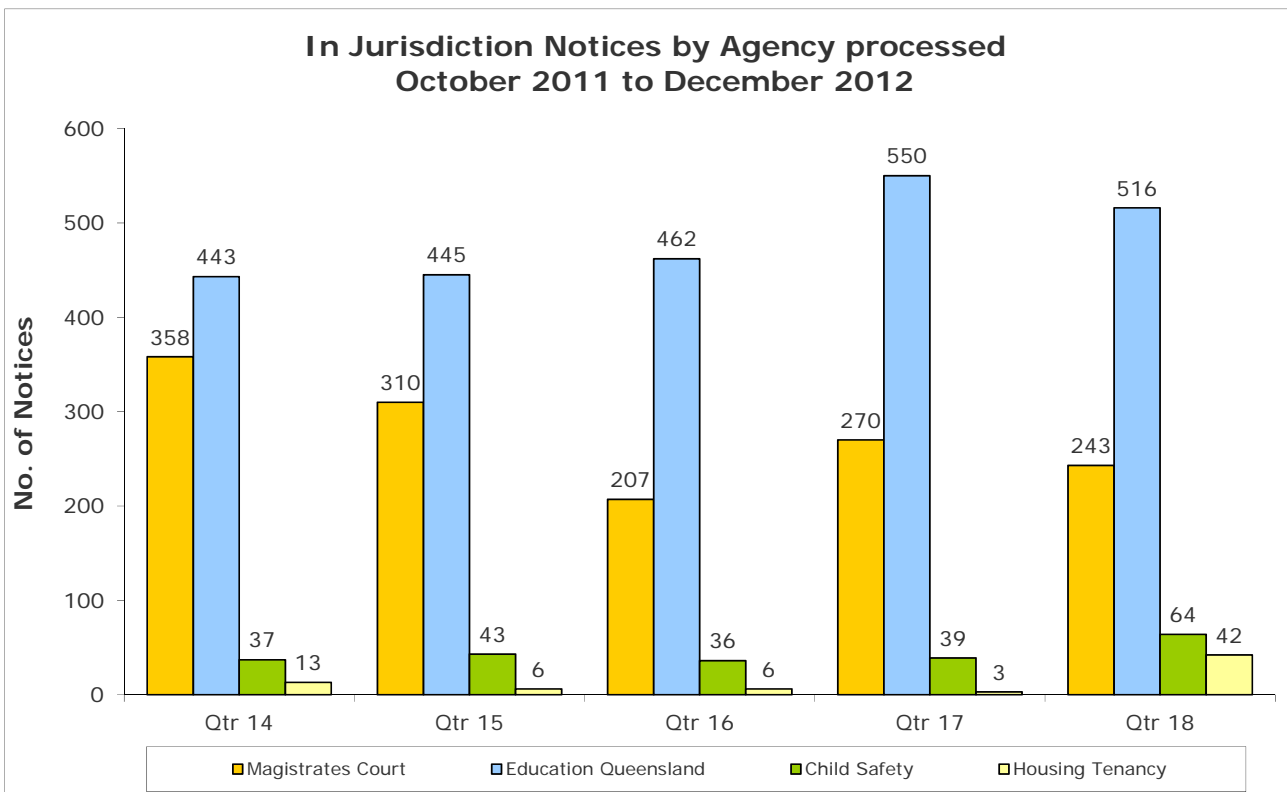
Magistrates Court notices decreased this quarter to 243 from the 270 received in the previous quarter. Aurukun decreased by 3 notices, Coen decreased by 11 notices and Hope Vale decreased by 30 notices. Mossman Gorge increased by 17 notices.

School Attendance notices decreased from 550 in quarter 17 to 516 in quarter 18. Aurukun notices decreased by 22, Hope Vale notices decreased by 10 and Mossman Gorge decreased by 4 notices. Coen increased by 2 notices.

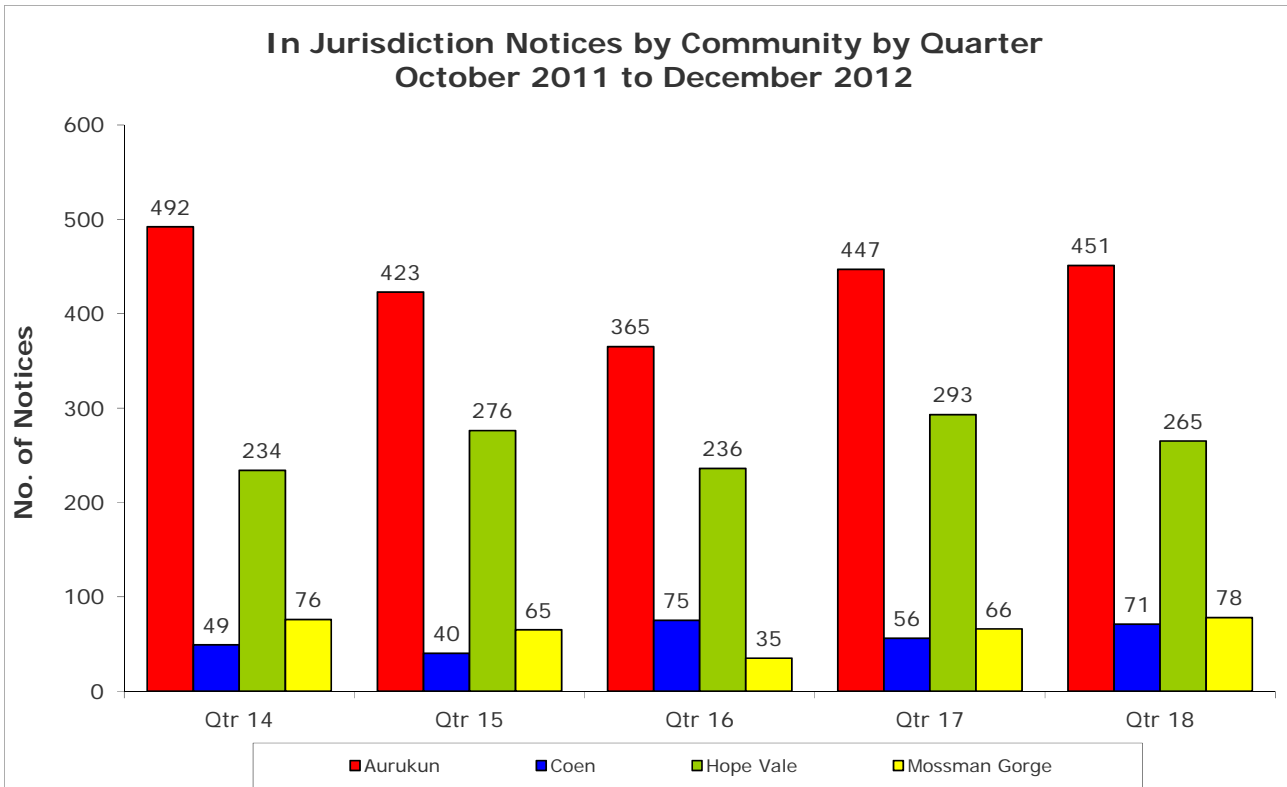
Child Safety and Welfare notices increased from 39 in quarter 17 to 64 in quarter 18. Aurukun, Coen, and Hope Vale increased by 9 notices, 8 notices and 11 notices respectively whilst Mossman Gorge decreased by 3 notices.

Housing Tenancy notices increased to 42 from the 3 received in the previous quarter. All communities experienced an increase in notices for the quarter. Aurukun notices increase by 20, Coen notices increased by 16, Hope Vale notices increased by 1 and Mossman Gorge notices increased by 2.

The Commission receives school attendance data from the Department of Education, Training and Employment (DETE). The release of relevant data relating to quarter 18 was not available at the time of writing this report, however, the available data provided by DETE is published on the Commission's web page at <http://www.frcq.org.au>.

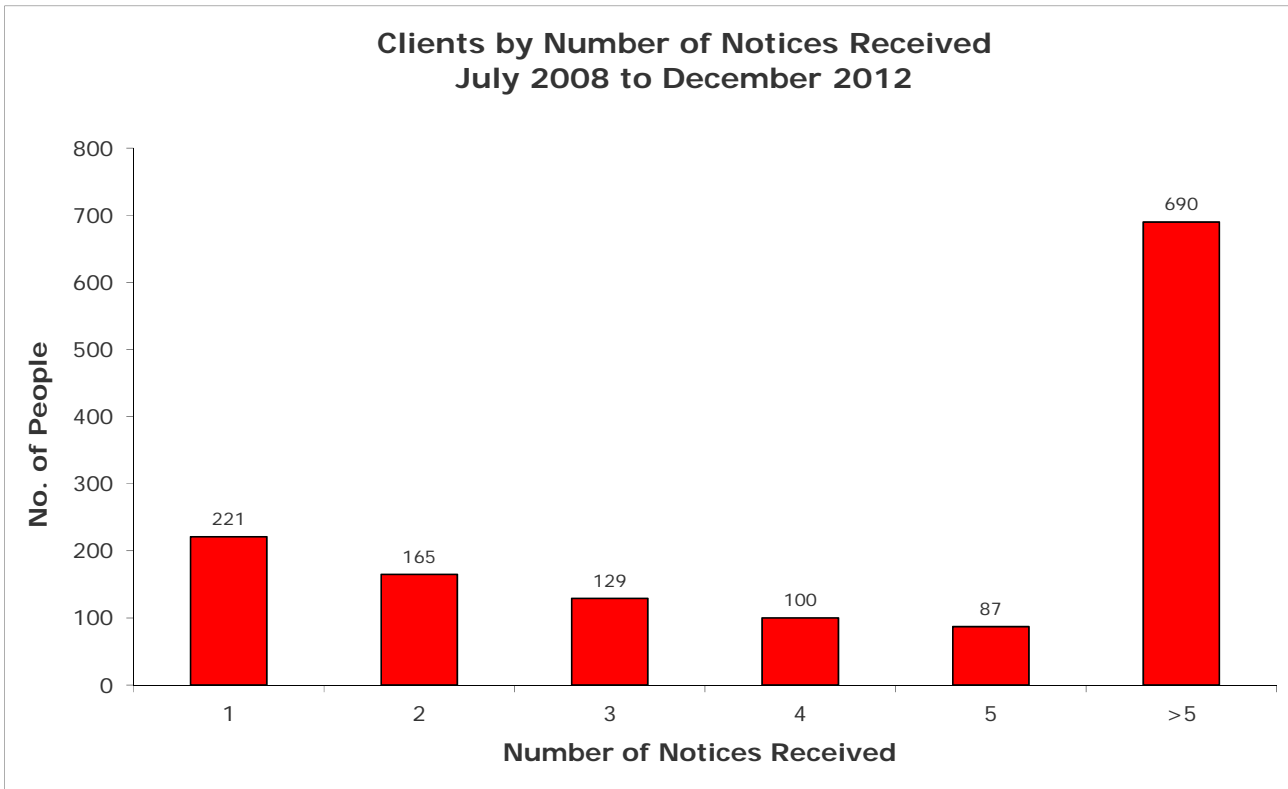


Graph 1: In jurisdiction notices by type and quarter 1 October 2011 to 31 December 2012.



Graph 2: In jurisdiction notices by community and quarter 1 October 2011 to 31 December 2012.

Since commencement in July 2008, 84.1 percent of clients have received more than one notice with 49.6 percent of clients receiving more than five notices. Frequently this illustrates multiple child school absences for the one family or multiple Magistrates Court notices relating to one incident. Conversely, 15.9 percent of clients have received only one notice.



Graph 3: FRC clients by number of notices 1 July 2008 to 31 December 2012.

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

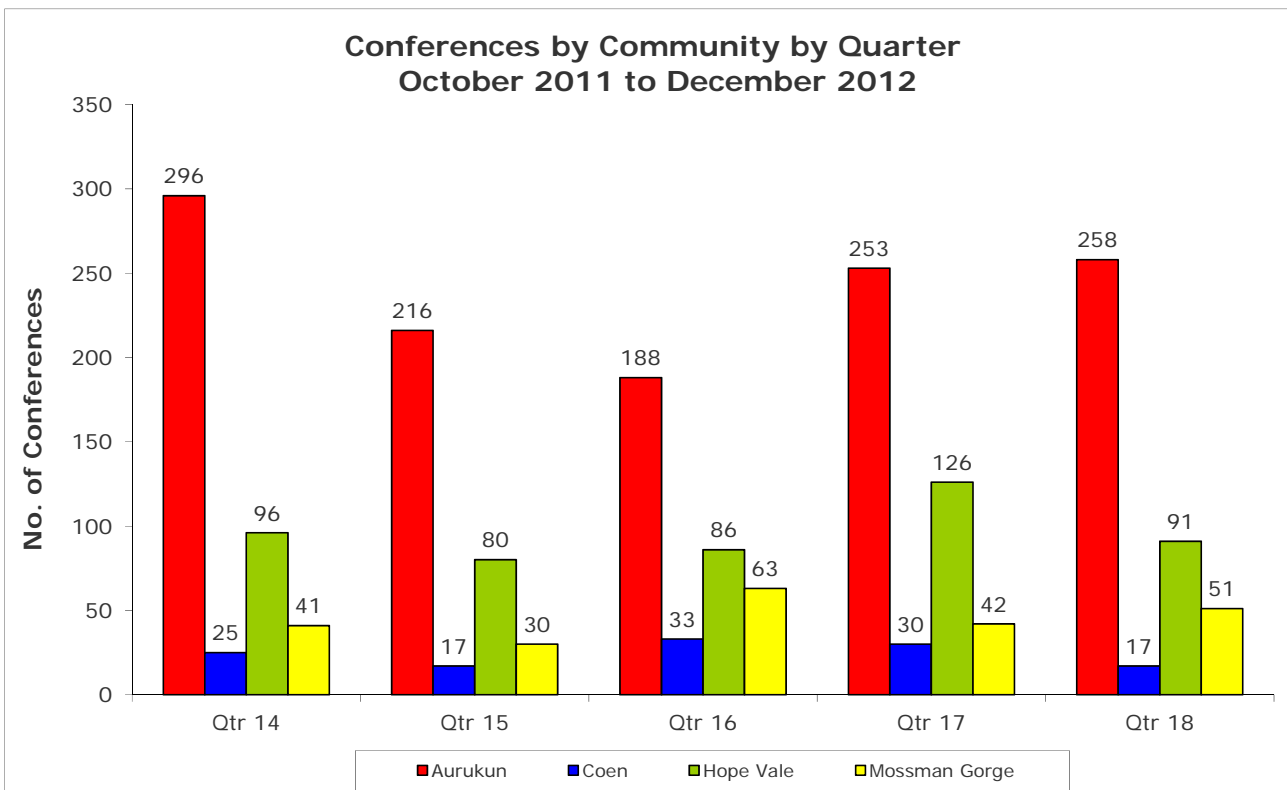
Conferences

Four hundred and seventeen conferences² were held across the four communities in quarter 18 resulting in 9 FRA’s being entered into, 33 orders made to attend community support services and 87 CIM orders as well as no further action, rescheduling and scheduling to return for review with compliance. Thirty-one new clients were conferenced during the quarter. Details of conferencing activity in each community for quarter 18 are as follows:

- 258 conferences were held in Aurukun
- 17 conferences were held in Coen
- 91 conferences were held in Hope Vale
- 51 conferences were held in Mossman Gorge.

Conferences decreased from 451 in quarter 17 to 417 in quarter 18.

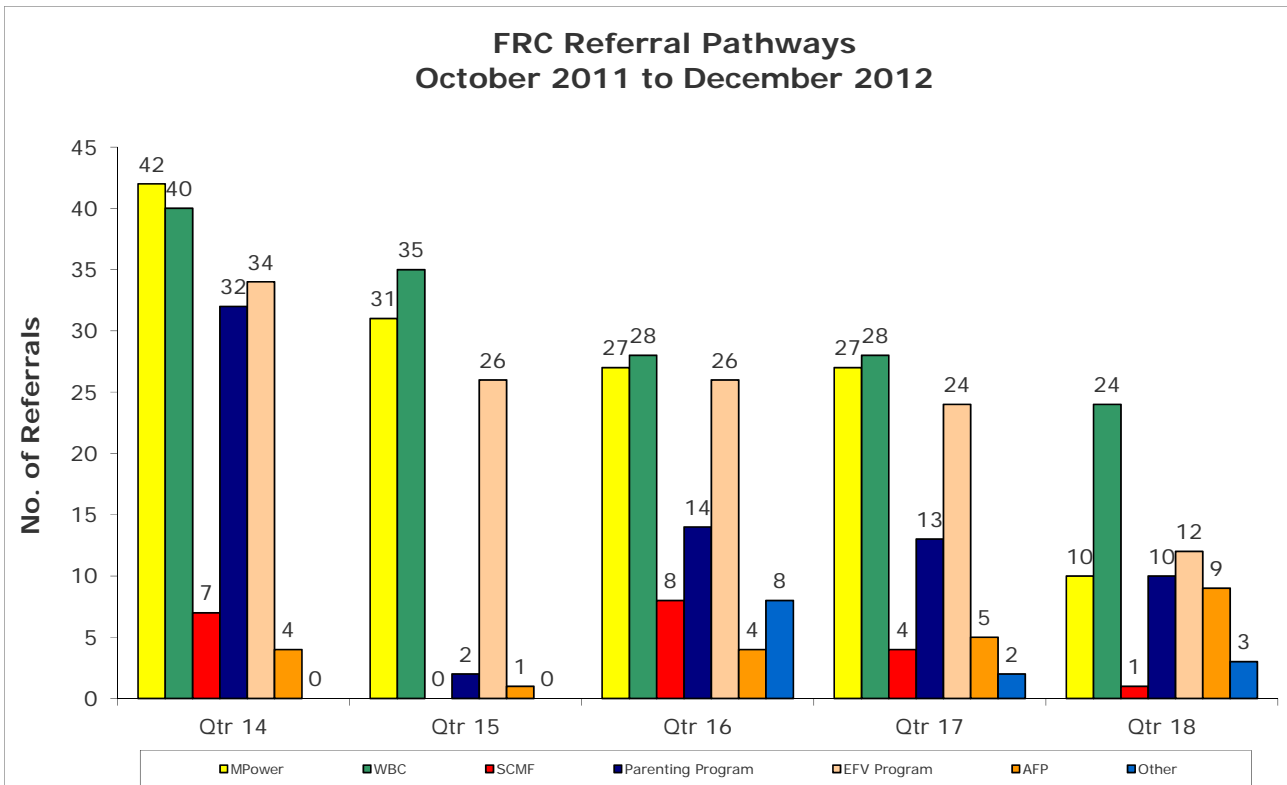
² The number of conferences held relates to the number of conferences listed, which includes where a client was served with a Notice to Attend Conference and subsequently failed to attend.



Graph 4: Conferences by community and quarter 1 October 2011 to 31 December 2012.

Referrals

Referrals to service providers decreased from 103 in quarter 17 to 69 in quarter 18, relating to 42 clients. Since commencement the Commission has referred 714 clients to service providers resulting in approximately 50.9 percent of clients on 12 month service referral plans. Referrals in the communities during the quarter were as follows: Aurukun decreased by 22; Coen decreased by 14; Hope Vale decreased by 19; and Mossman Gorge increased by 21.



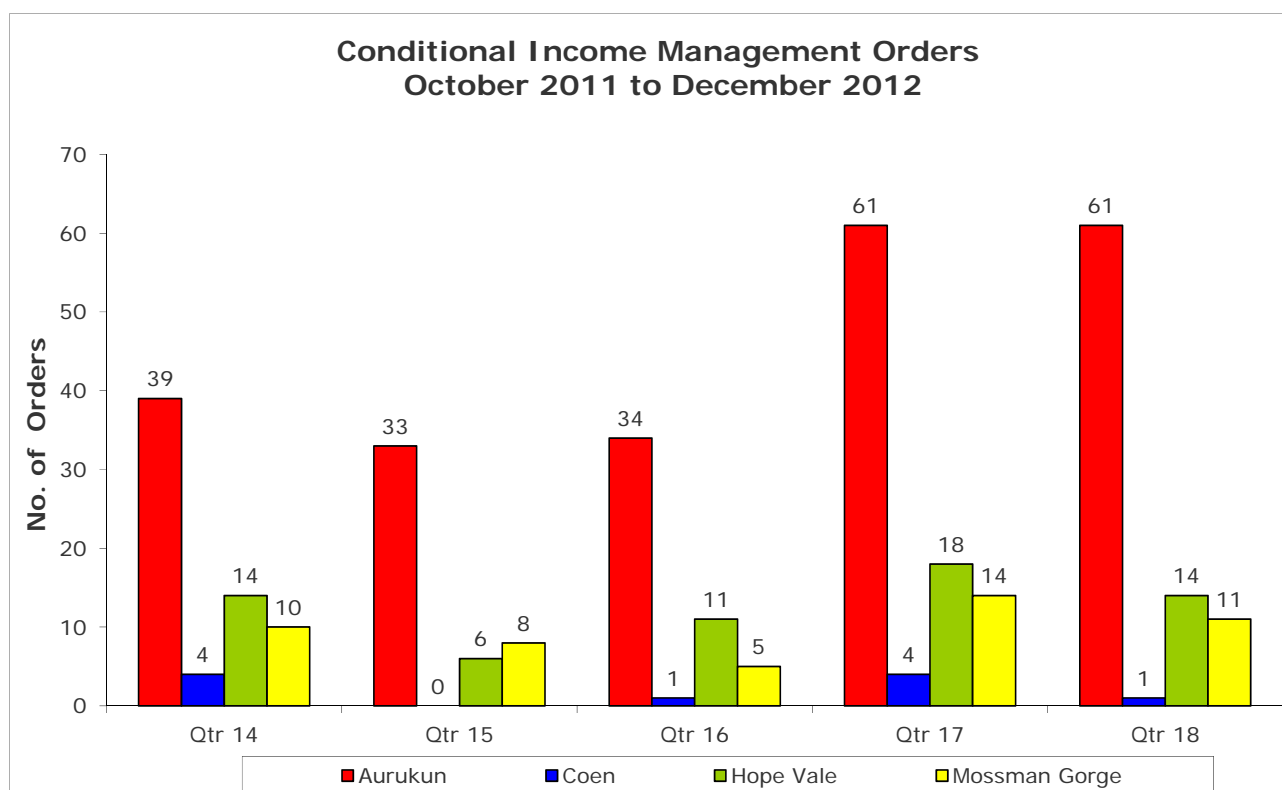
Graph 5: Referral Pathways by Referral Type and Quarter 1 October 2011 to 31 December 2012.

Conditional Income Management

Eighty-seven CIM orders were made in quarter 18, a decrease of 10 from quarter 17. Since the commencement of the Commission 946 CIM orders inclusive of original orders, extensions and amendments have been made relating to 525 clients. During the quarter a decrease was experienced in three out of the four communities with Aurukun remaining unchanged. Coen, Hope Vale and Mossman Gorge decreased by 3 CIM orders, 4 CIM orders and 3 CIM orders respectively.

As at 31 December 2012, 37.4 percent of the Commission's clients have been subject to a CIM order over the past four and a half years. As at 31 December 2012 there were 229 clients subject to a CIM order which equates to 16.3 percent of clients and 13.7 percent of the CYWR trial population³ on a CIM order at a point in time. Commissioners continue to negotiate with clients to achieve desirable outcomes or to demonstrate motivation and commitment to make appropriate life choices. Demonstrated positive steps toward taking responsibility provide the Commissioners with sufficient reason to consider revoking CIM orders when requested by the client.

Since the commencement of the Commission in 2008, 56 VIM agreements have been processed relating to 49 clients. Those clients that request a VIM agreement use income management as a savings and budget tool, often for a specified period and to deter family members from accessing their income.



Graph 6: Conditional Income Management orders by Community and Quarter 1 October 2011 to 31 December 2012.

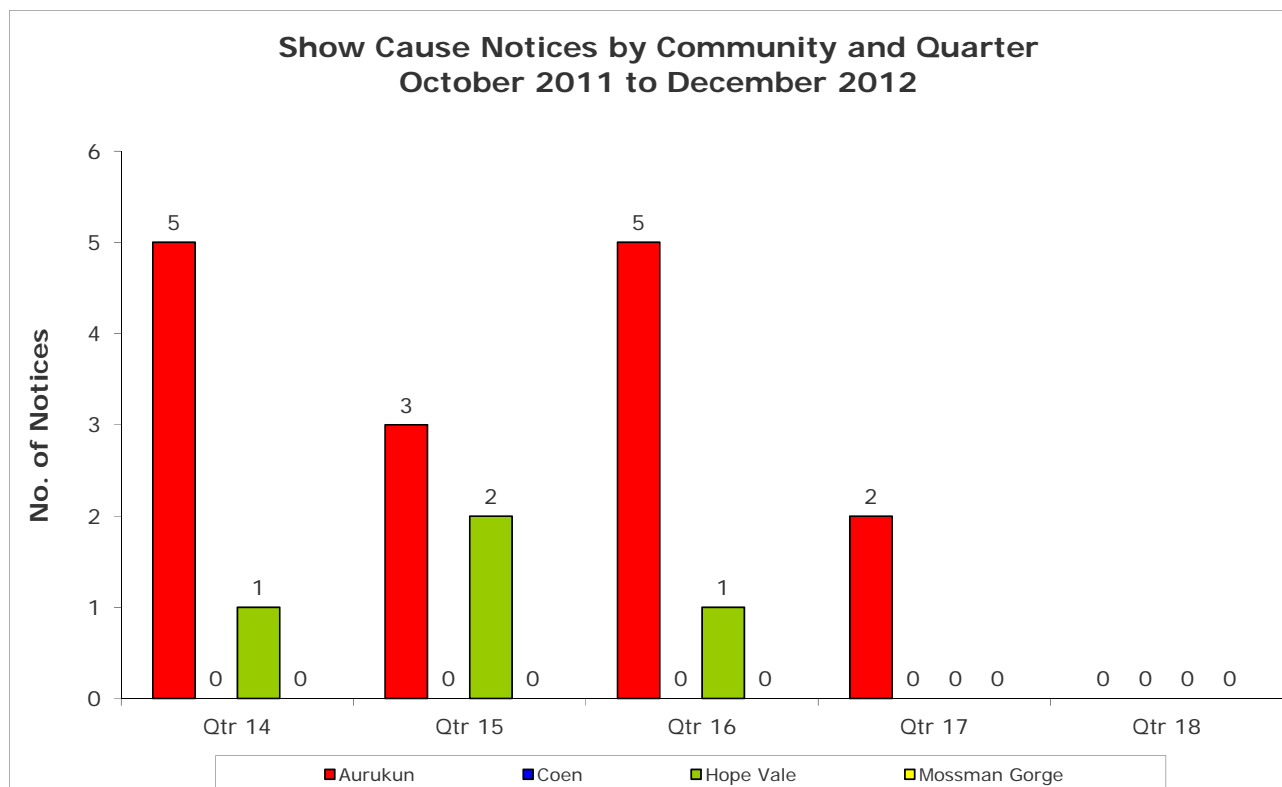
Case Management

As at 31 December 2012, 182 clients were being case managed, a decrease from 193 in quarter 17. Since the last quarter the number of clients being case managed in Aurukun, Coen and Mossman Gorge has decreased by 8, 1 and 2 respectively, while Hope Vale remained unchanged.

³ Total ABS Estimated Resident Population as at 30 June 2010 for adults aged 17 years and over in Aurukun, Coen, Hope Vale and Mossman Gorge is 1,669 as supplied by the Office of Economic Statistical Research.

Show Cause Notices

During quarter 18, no Show Cause hearings were held.



Graph 7: Show Cause Notices by community and quarter 1 October 2011 to 31 December 2012.

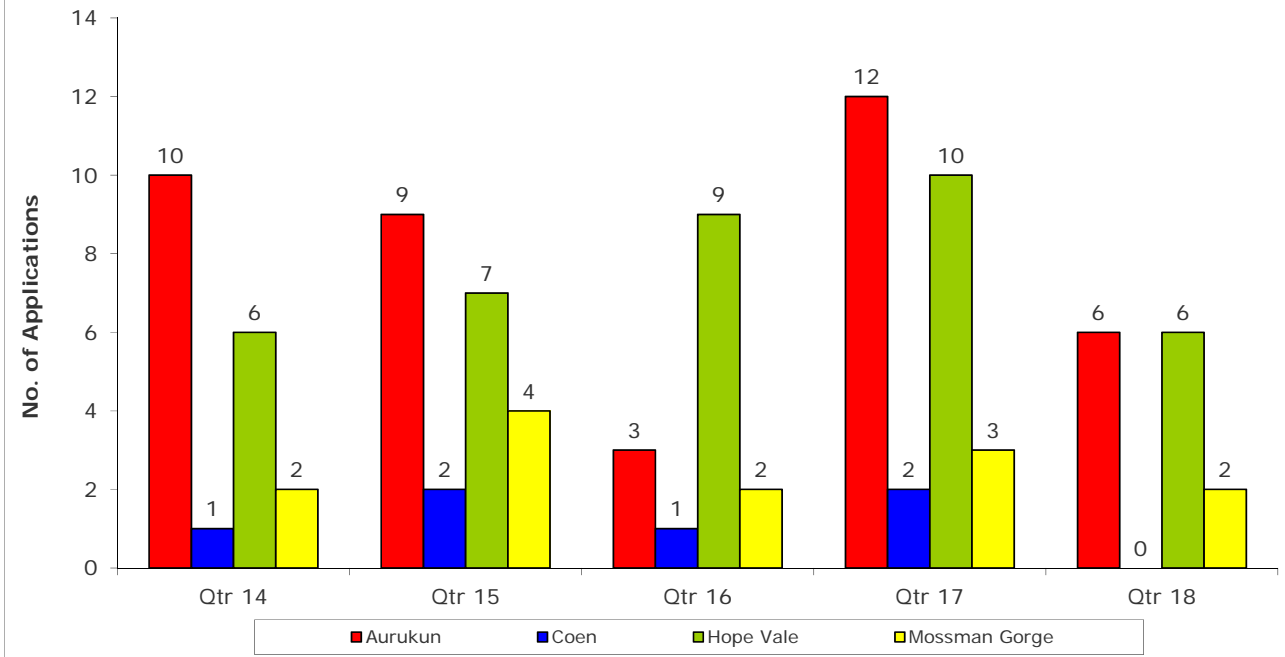
Applications to Amend or End Agreements or Orders

Fourteen Applications to Amend or End a Family Responsibilities Agreement or Order were received in quarter 18, a decrease of 13 from quarter 17. Outcomes of the 14 applications received are as follows:

- 5 Applications granted and Income Management agreements and orders revoked
- 5 Applications dismissed
- 2 Conditional Income Management orders reduced from 75 percent to 60 percent
- 1 Application received at the end of the quarter, decision pending
- 1 Application rescheduled.

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

Number of Applications to Amend or End FRA or Order October 2011 to December 2012



Graph 8: Applications to Amend or End FRA or Order by community and quarter 1 October 2011 to 31 December 2012.

2. Future Direction and Challenges

Future Direction

On 1 November 2012, the Queensland Parliament passed amendments to the *Family Responsibilities Commission Act 2008* providing for the extension of the Commission to 1 January 2014.

Following the further extension of the Commission Her Excellency the Governor, acting under the provisions of the *Family Responsibilities Commission Act 2008*, approved the reappointment of Commissioner David Glasgow, Deputy Commissioner Rod Curtin and all Local Commissioners for a period of one year commencing 1 January 2013. Her Excellency the Governor also appointed Ms Debbie Best, Director-General, Department of Aboriginal and Torres Strait Islander and Multicultural Affairs as the Chairperson of the Family Responsibilities Board. Mr Finn Pratt and Mr Noel Pearson remain Board members for 2013.

The Cape York Welfare Reform Trial evaluation is now due for release in early 2013. The Commission has already commenced planning for the closure of the Commission in order to ensure sufficient resourcing for the closure. Whilst the late release of the evaluation may restrict the time available to implement recommendations or improvements, the Commission is hopeful that any assessed successes of the Commission will inform future policy development. The Commission welcomes the identified Queensland Government policy priority to, "Where appropriate replicate effective and appropriate services for beyond 2013". The Commission also encourages all Governments to consider the depth, wealth of knowledge and strength of leadership of the Local Commissioners and the role they are capable of fulfilling in each community once the Commission ceases.

With the impending closure of the Commission on 1 January 2014, the Commission will continue to seek direction on the timeline for the ceasing of conferencing. The ceasing of conferencing will impact upon future workflows such as the ordering of new case plans and Income Management.

3. Financial Operations

Governance

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

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

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

- Ms Debbie Best Director-General, Department of Aboriginal and Torres Strait Island and Multicultural Affairs
- Mr Noel Pearson Director, Cape York Institute for Policy and Leadership
- Mr Finn Pratt Secretary, Department of Families, Housing, Community Services and Indigenous Affairs.

Operational

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

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

Financial

The total funding budget for the 2012-13 fiscal year is \$3.3 million, \$1.5 million from the Australian Government and \$1.8 million from the Queensland Government.

Income:

- Income received by the Commission for the period 1 October 2012 to 31 December 2012 totalled \$9,145. This income consisted of:
 - \$8,215 received in interest
 - \$930 received in sundry revenue.

The balance of available funds in the bank as at 31 December 2012 is \$1.093 million.

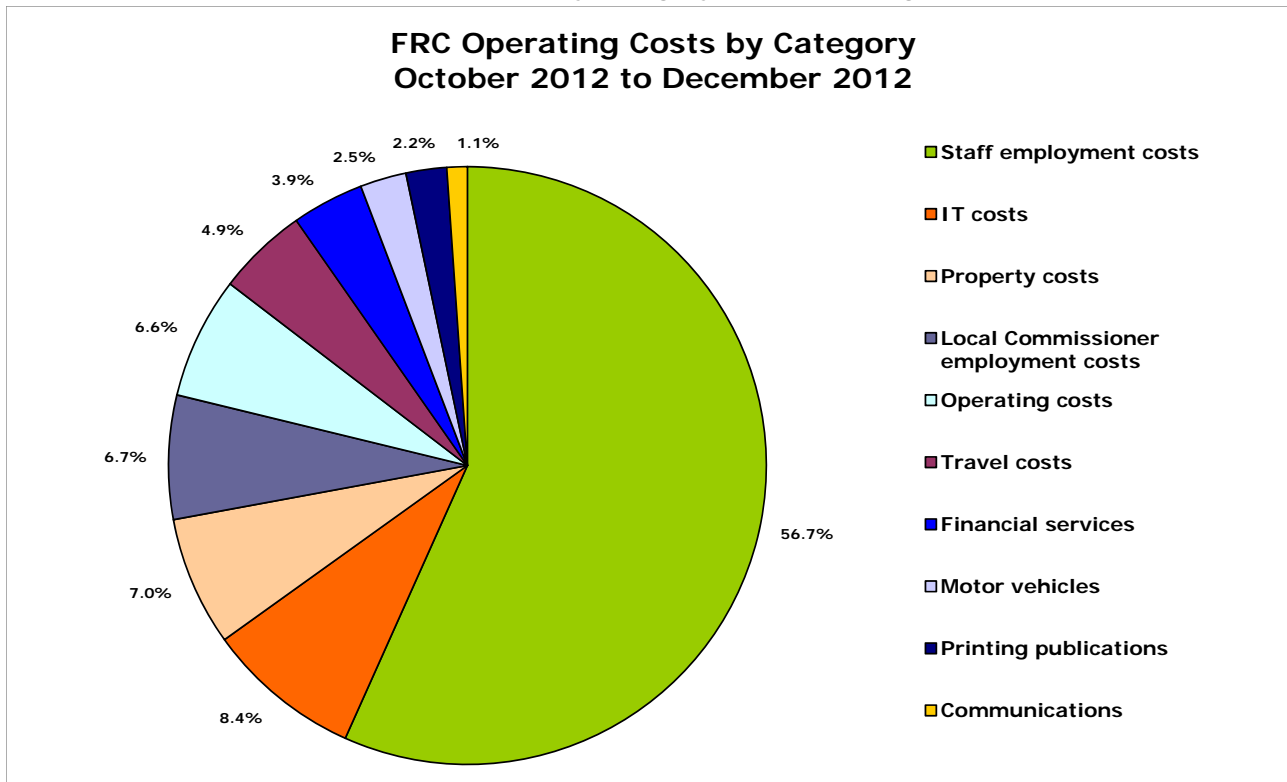
Expenditure:

- Expenditure for the period 1 October 2012 to 31 December 2012 was \$909,199.33 (Table 1). This total represents 22 percent of the projected annual expenditure of \$4.135 million as stated in the 2012-13 projected expenditure and disclosed in the Queensland State Budget 2012-13 Service Delivery Statements.

1 October 2012 to 31 December 2012	Expenditure Qtr 18	1 October 2012 to 31 December 2012	Expenditure Qtr 18
Staff employment costs	\$515,382.95	Financial services	\$35,314.01
IT costs	\$76,799.38	Motor vehicles	\$22,629.68
Property costs	\$63,290.68	Printing publications	\$20,358.18
Local Commissioner employment costs	\$60,843.65	Communications	\$9,840.54
Operating costs	\$59,779.83		
Travel costs	\$44,960.43	Total	\$909,199.33

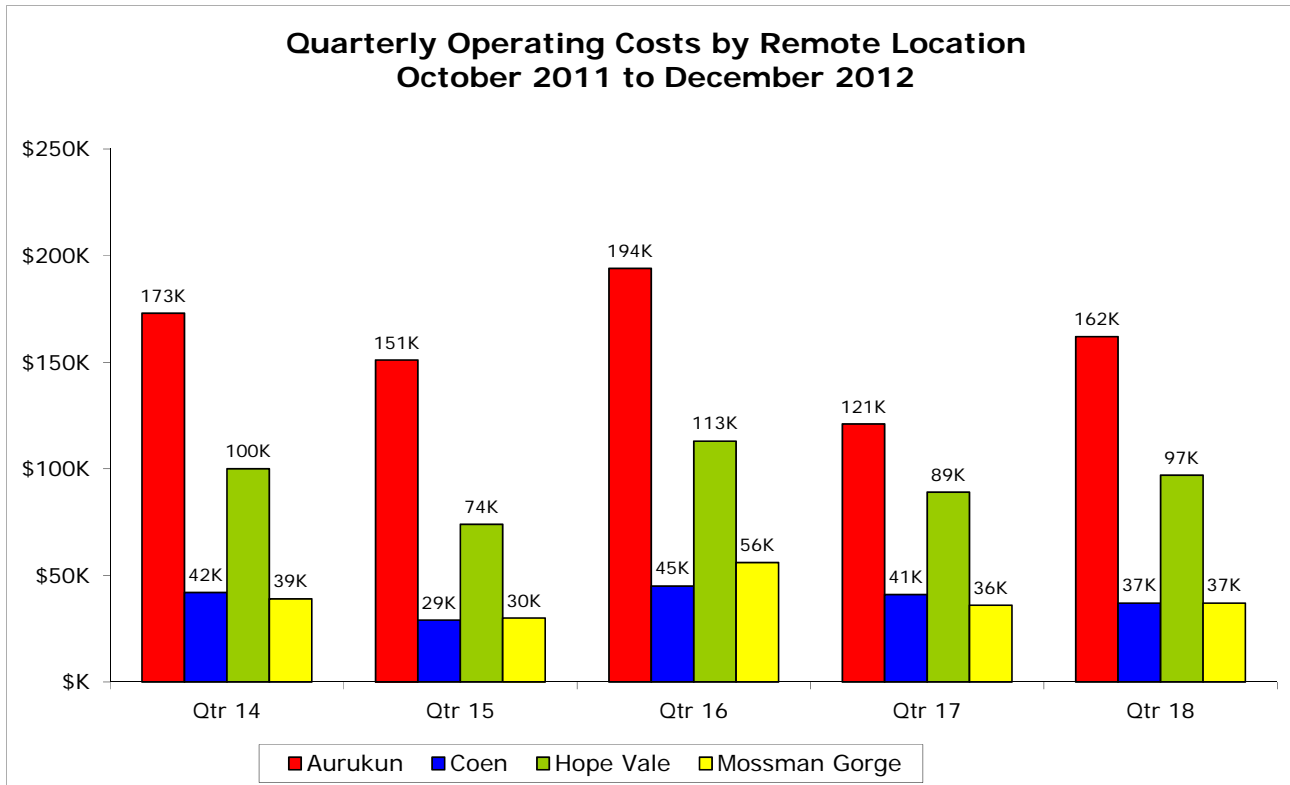
Table 1: Unaudited expenditure in quarter 18.

Quarter 18 disbursement of expenditure by category and percentage of total expenditure.



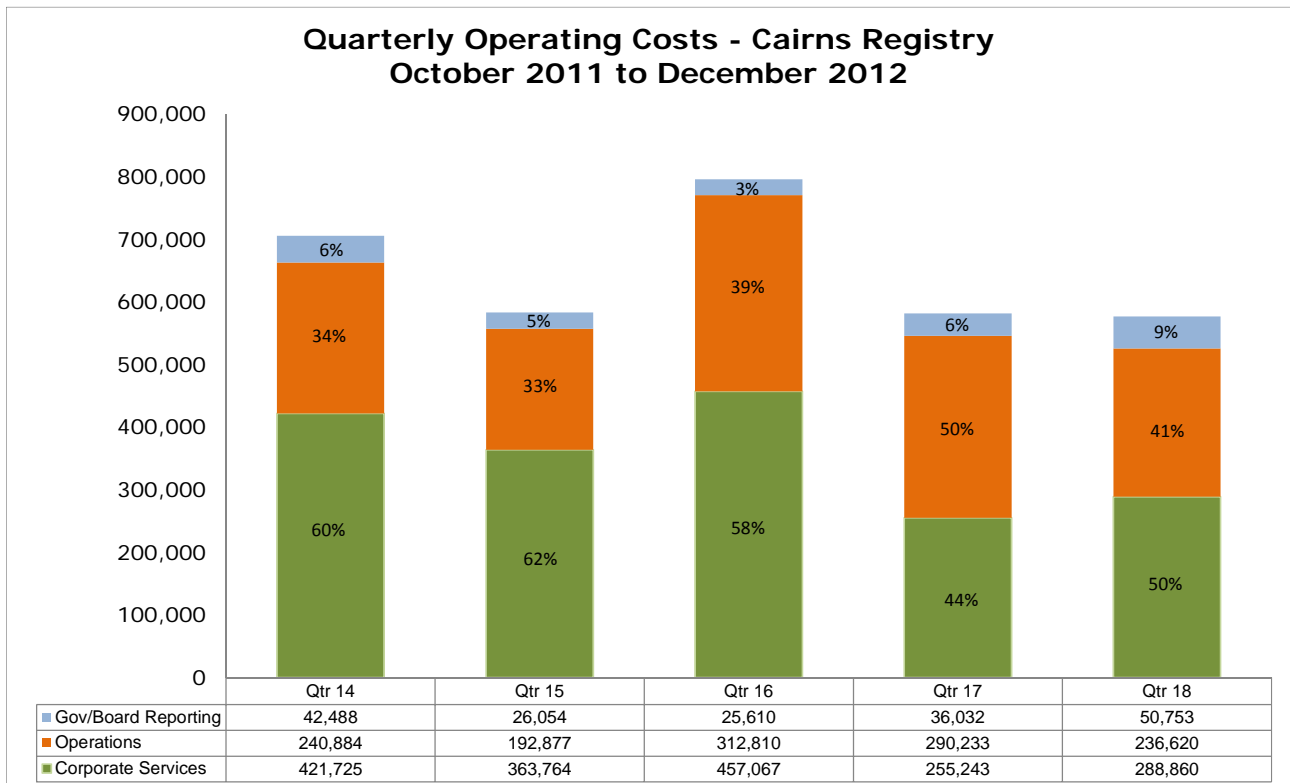
Graph 9: Total FRC Operating Costs 1 October 2012 to 31 December 2012

Regional operational expenditure by location and quarter.



Graph 10: Operating Costs by remote location 1 October 2011 to 31 December 2012

Cairns Registry expenditure for quarter 18 compared to the previous four quarters.



Graph 11: Quarterly Operating Costs Cairns 1 October 2011 to 31 December 2012

APPENDIX A



DRAFT SITTING CALENDAR 2012
FAMILY RESPONSIBILITIES COMMISSION



1 January 2012 to 31 December 2012

WEEK COMMENCING	Commissioner	COEN Mon	AURUKUN Tues/Wed/Thurs	HOPE VALE Tues/Wed	MOSSMAN GORGE Thurs	OFFICE CAIRNS
2 JANUARY	DRG					Office week
9 JANUARY	DRG					Office week
16 JANUARY	DRG					Office week
23 JANUARY	DRG				Public Holiday	26 Australia Day 23, 24, 25, 27
30 JANUARY	DRG		31, 1, 2			30 Jan, 3 Feb
6 FEBRUARY	DRG			7, 8	9	6, 10
13 FEBRUARY	DRG	13	14, 15, 16			17
20 FEBRUARY	DRG			21, 22	23	20, 24 20-FR Board Meeting
27 FEBRUARY	DRG		28, 29, 1			27 Feb, 2 March
5 MARCH	DRG			6, 7		5, 8, 9
12 MARCH	DRG		13, 14, 15			12, 16
19 MARCH	DRG			20, 21	22	19, 22, 23
26 MARCH	DRG	26	27, 28, 29			30
2 APRIL	DRG				3	6 Good Friday
9 APRIL	DRG	Public Holiday				9 Easter Monday
16 APRIL	DRG	16	17, 18, 19			20
23 APRIL	DRG			23, 24 25 Public Holiday	26	25 ANZAC Day 27
30 APRIL	DRG		1, 2, 3			30 April, 1, 2, 3, 4 May
7 MAY	DRG	Public Holiday				7 May Day Holiday Commissioner Week
14 MAY	DRG			15, 16	17	14, 18 14 FR Board Meeting
21 MAY	DRG	21	22, 23, 24			25 21-FR Board Meeting
28 MAY	DRG			29, 30	31	28 May, 1 June
4 JUNE	DRG		5, 6, 7			4, 8
11 JUNE	DRG	Public Holiday		12, 13	14	11 Queen's Birthday 15
18 JUNE	DRG	18	19, 20, 21			22
25 JUNE	DRG					Office week



DRAFT SITTING CALENDAR 2012 FAMILY RESPONSIBILITIES COMMISSION



1 January 2012 to 31 December 2012

WEEK COMMENCING	Commissioner	COEN Mon	AURUKUN Tues/Wed/Thurs	HOPE VALE Tues/Wed	MOSSMAN GORGE Thurs	OFFICE CAIRNS
2 JULY	DRG					Office week NAIDOC Week
9 JULY	DRG			10, 11	12	9, 12, 13
16 JULY	DRG	16	17, 18, 19			20 Cairns Show Day
23 JULY	RC			24, 25	26	23, 25, 27
30 JULY	DRG		31, 1, 2			30 July, 3 August
6 AUGUST	RC			7, 8	9	6, 10 8 FR Board Meeting
13 AUGUST	DRG	13	14, 15, 16			17
20 AUGUST	DRG			21, 22		20, 23, 24
27 AUGUST	DRG		28, 29, 30			27, 31 27 FR Board Meeting
3 SEPTEMBER	DRG			4, 5	6	3, 7
10 SEPTEMBER	DRG	10	11, 12, 13			14
17 SEPTEMBER	DRG			18, 19		17, 20, 21
24 SEPTEMBER	DRG					Office Week
1 OCTOBER	DRG	Public Holiday			4	1 Queen's Birthday extra
8 OCTOBER	DRG		9, 10, 11			8, 12
15 OCTOBER	DRG			16, 17	18	15, 19 16/17 Estimates
22 OCTOBER	DRG	22	23, 24, 25			26
29 OCTOBER	DRG			30, 31		29 Oct, 1, 2 Nov
5 NOVEMBER	DRG		6, 7, 8			5, 9 5 FR Board Meeting
12 NOVEMBER	DRG			13, 14	15	12, 16
19 NOVEMBER	DRG	19	20, 21, 22			23 19 FR Board Meeting
26 NOVEMBER	DRG			27, 28	29	26, 29, 30
3 DECEMBER	DRG		4, 5, 6			3, 7
10 DECEMBER	DRG			11, 12	13	10, 14
17 DECEMBER	DRG					Office Week
24 DECEMBER	DRG		Public Holiday	Public Holiday		27, 28 Office closed for Xmas
31 DECEMBER	DRG		Public Holiday			31 Office closed for Xmas