

# Family Responsibilities Commission

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

## Quarterly Report

**No. 21**

**July 2013 to September 2013**



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

## Executive Summary

During quarter 21, 870 agency notices were received by the Family Responsibilities Commission (the Commission) which were within jurisdiction, a decrease of 73 from last quarter. There were 469 conferences held for the same period, representing an increase of 45 from last quarter. Seven Family Responsibility Agreements (FRAs) were entered into, 65 orders were made to attend community support services and 97 Conditional Income Management (CIM) orders were issued. When compared to last quarter this represents an increase of 1 FRA, an increase of 9 orders to attend community support services and an increase of 35 orders for CIM.

Since the commencement of the Commission, 75 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 159 clients during the quarter. The Commissioners made 125 referrals relating to 67 clients, an increase of 23 referrals from last quarter. Further activity during the quarter consisted of 32 Applications to Amend or End Agreements or Orders, an increase of 7 from the previous quarter. Six Show Cause conferences was held during quarter 21, an increase of 5 from last quarter.

Student enrolment remains high on the Commission's agenda. A number of disengaged youth were identified and the Commission is working collaboratively with other agencies including the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA), the former Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA), Department of Education, training and Employment (DETE), the Cape York Institute (CYI) and the Cape York Aboriginal Australian Academy (CYAAA) to develop strategies to re-engage these individuals in education. DETE have commenced providing the Commission with enrolment notices which identify those students not enrolled. In this quarter 44 such notices have been received.

The Commission continued to deliver the Ending Family Violence (EFV) program in all four Welfare Reform communities during the quarter. The success of the program has been mixed with a number of attendees not completing the full program or not attending at all. Whilst this has been disappointing, there have also been a significant number of graduates from the program. The Commission will reassess its position in regard to delivering the EFV program in 2014.

The Honourable John Elferink, MLA and Attorney-General and Minister for Justice, Minister for Correctional Services, Minister for Public Employment and Minister for Statehood of the Northern Territory visited the Commission's offices in September. The Attorney-General met with Commissioner Glasgow and Deputy Commissioner Curtin, the Registrar and other staff to discuss and learn about the work of the Commission and the role it plays in Welfare Reform.

The Commission acknowledges the recent retirement of Ms Debbie Best from the position of Director General, DATSIMA and FR board member, and also the recent change of appointment of Mr Finn Pratt from Secretary of FaHCSIA and FR board member to Secretary of the Department of Human Services. The Commission has valued the professional contribution and support from both Ms Best and Mr Pratt and wishes them well in their future careers.

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### **Abbreviations**

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

### **Also:**

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

# Family Responsibilities Commission Cape York Welfare Reforms

Report to 30 September 2013.

## 1. Activities and Trends

### Notices

In quarter 21 the Commission received **1,143 agency notices**<sup>1</sup>. Some individuals may have been the subject of more than one agency notice. Of that figure 870 notices (76 percent) were within the Commission's jurisdiction and 273 notices (24 percent) were outside the Commission's jurisdiction.

Within jurisdiction notices comprised of:

205	Magistrates Court notices
498	School Attendance notices
44	School Enrolment notices
87	Child Safety and Welfare notices
36	Housing Tenancy notices

Of the 273 notices not within the Commission's jurisdiction, there were 203 Magistrates Court notices, 47 School Attendance notices, 15 School Enrolment Notices, 7 Child Safety and Welfare notices and 1 Housing Tenancy notice.

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

- **Aurukun's 477** notices constitute **54.9 percent** of the total notices in jurisdiction across the four CYWR trial communities:

107	Magistrates Court notices
283	School Attendance notices
20	School Enrolment notices
45	Child Safety and Welfare notices
22	Housing Tenancy notices

Twenty-one Magistrates Court notices, 20 School Attendance notices, 2 School Enrolment notices and 4 Child Safety and Welfare notices were processed as not within jurisdiction.

- **Coen's 30** notices constitute **3.4 percent** of the total notices in jurisdiction:

2	Magistrates Court notices
16	School Attendance notices
3	School Enrolment notices
4	Child Safety and Welfare notices
5	Housing Tenancy notices

Four School Attendance notices, 1 School Enrolment notice and 1 Child Safety and Welfare notice were processed as not within jurisdiction.

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<sup>1</sup> 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 303** notices constitute **34.8 percent** of the total notices in jurisdiction:

76	Magistrates Court notices
171	School Attendance notices
19	School Enrolment notices
31	Child Safety and Welfare notices
6	Housing Tenancy notices

Two Magistrates Court notices, 21 School Attendance notices, 12 School Enrolment notices, 2 Child Safety and Welfare notices and 1 Housing and Tenancy notice were processed as not within jurisdiction.

- **Mossman Gorge's 60** notices constitute **6.9 percent** of the total notices in jurisdiction:

20	Magistrates Court notices
28	School Attendance notices
2	School Enrolment notices
7	Child Safety and Welfare notice
3	Housing Tenancy notices

One hundred and eighty Magistrates Court notices and 2 School Attendance notices were processed as not within jurisdiction.

Since its commencement the Commission has received 14,895 agency notices within its jurisdiction. Total notices decreased from 1,313 in quarter 20 to 1,143 in quarter 21. Of those notices in jurisdiction, School Enrolment, Child Safety and Welfare and Housing Tenancy notices increased, whilst Magistrates Court and School Attendance notices decreased.

Magistrates Court notices decreased this quarter to 205 from the 345 received in the previous quarter. All four communities experienced a decreased in notices this quarter. Aurukun decreased by 59 notices, Coen decreased by 12 notices, Hope Vale decreased by 46 notices and Mossman Gorge decreased by 23 notices.

School Attendance notices decreased from 558 in quarter 20 to 498 in quarter 21. Aurukun, Coen, Hope Vale and Mossman Gorge communities all experienced a decrease in notices for the quarter of 12, 11, 33 and 4 notices respectively.

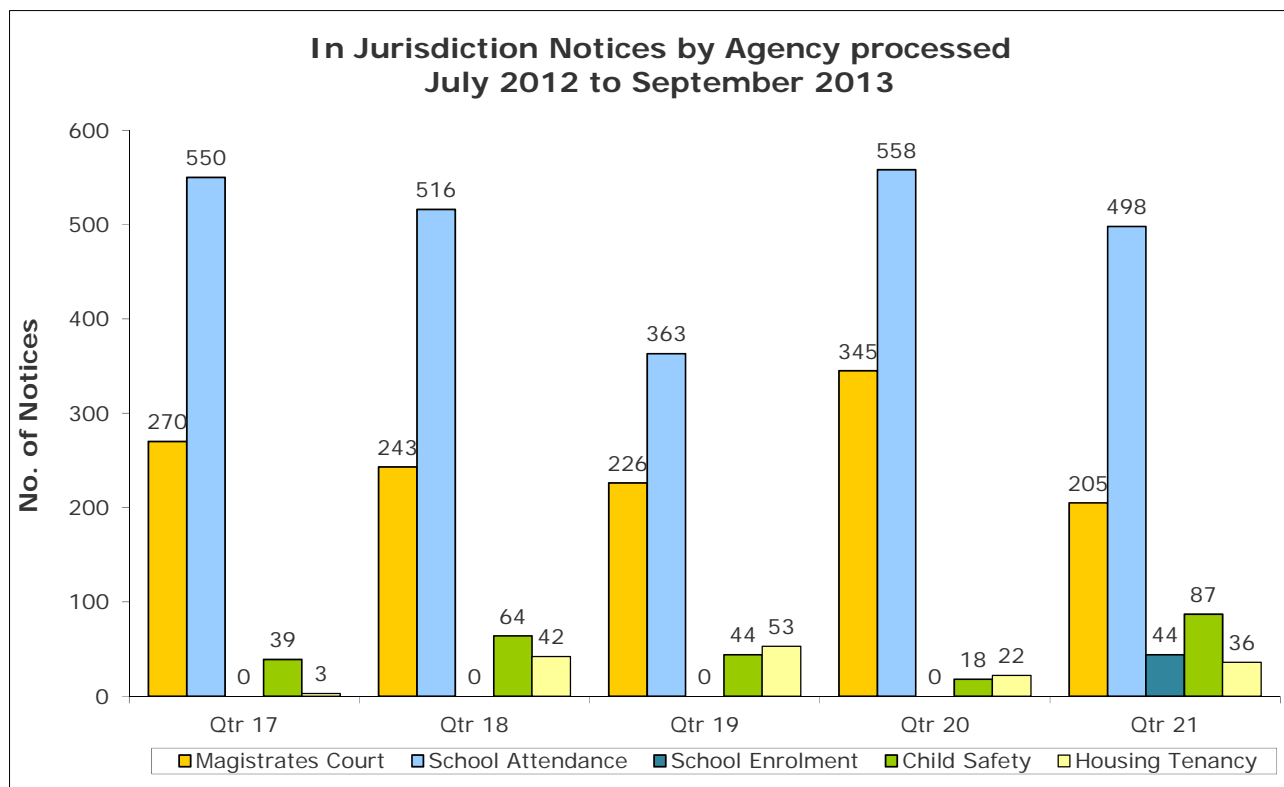
The Commission received School Enrolment notices for the first time this quarter, with Aurukun receiving 20 notices, Coen receiving 3 notices, Hope Vale receiving 19 notices and Mossman Gorge receiving 2 notices.

Child Safety and Welfare notices increased from 18 in quarter 20 to 87 in quarter 21. Aurukun, Coen, Hope Vale and Mossman Gorge communities all experienced an increase in notices for the quarter of 36, 4, 24 and 5 notices respectively.

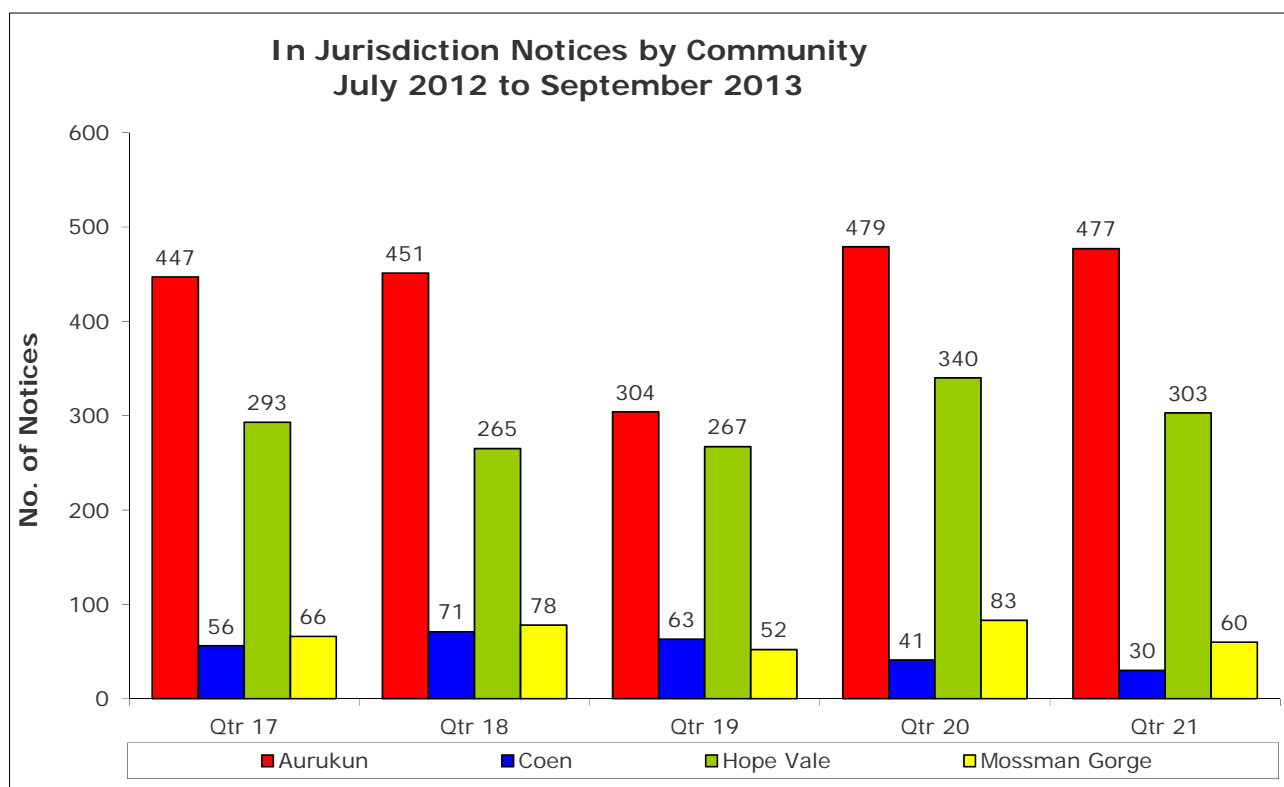
Housing Tenancy notices increased to 36 from the 22 received in the previous quarter. Aurukun and Coen notices increased by 13 and 5 respectively; whilst and Hope Vale and Mossman Gorge decreased by 1 and 3 notices respectively.

The Commission receives school attendance data from the Department of Education, Training and Employment (DETE). The release of relevant data relating to quarter 21 was not available at the

time of writing this report, however, the available data provided by DETE is published on the Commission's web page at <http://www.frcq.org.au> when available.

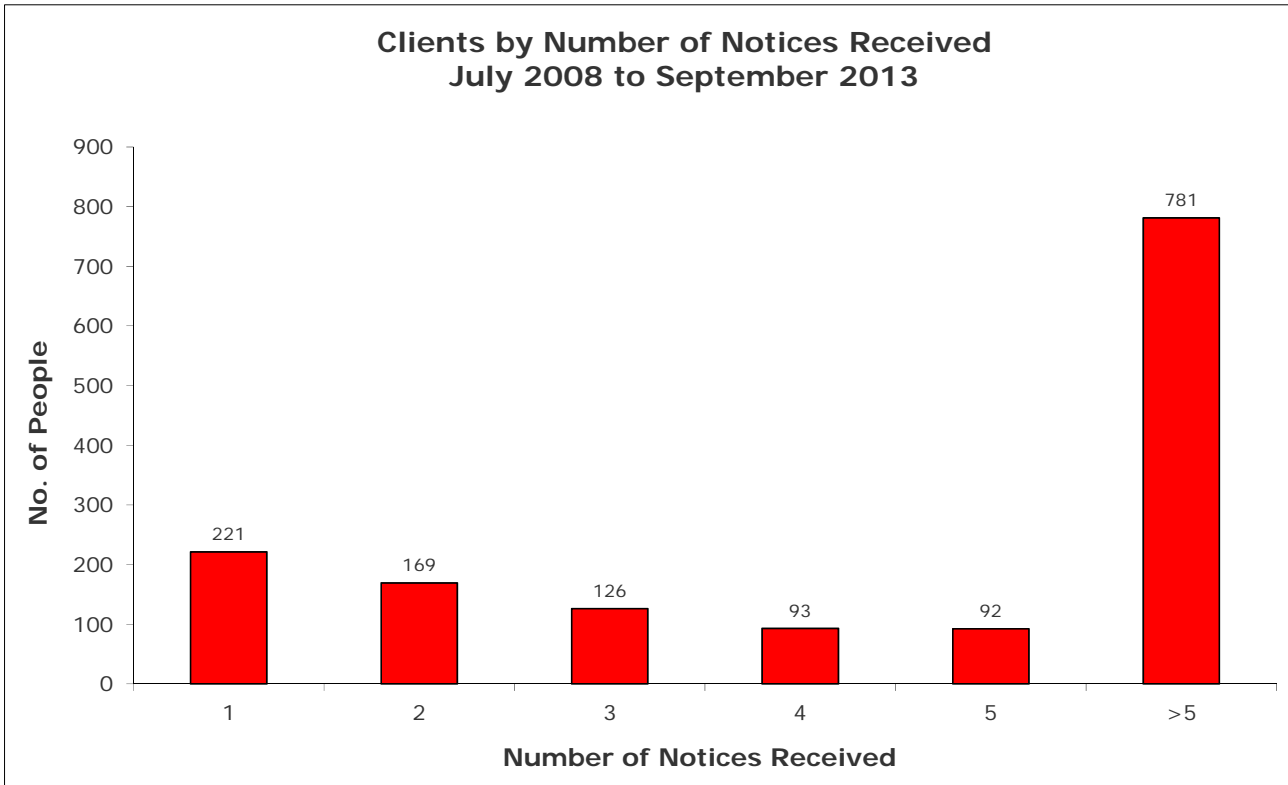


**Graph 1:** In jurisdiction notices by type and quarter 1 July 2012 to 30 September 2013.



**Graph 2:** In jurisdiction notices by community and quarter 1 July 2012 to 30 September 2013.

Since commencement in July 2008, 85.1 percent of clients have received more than one notice with 52.7 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, 14.9 percent of clients have received only one notice.



**Graph 3:** FRC clients by number of notices 1 July 2008 to 30 September 2013.

**(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

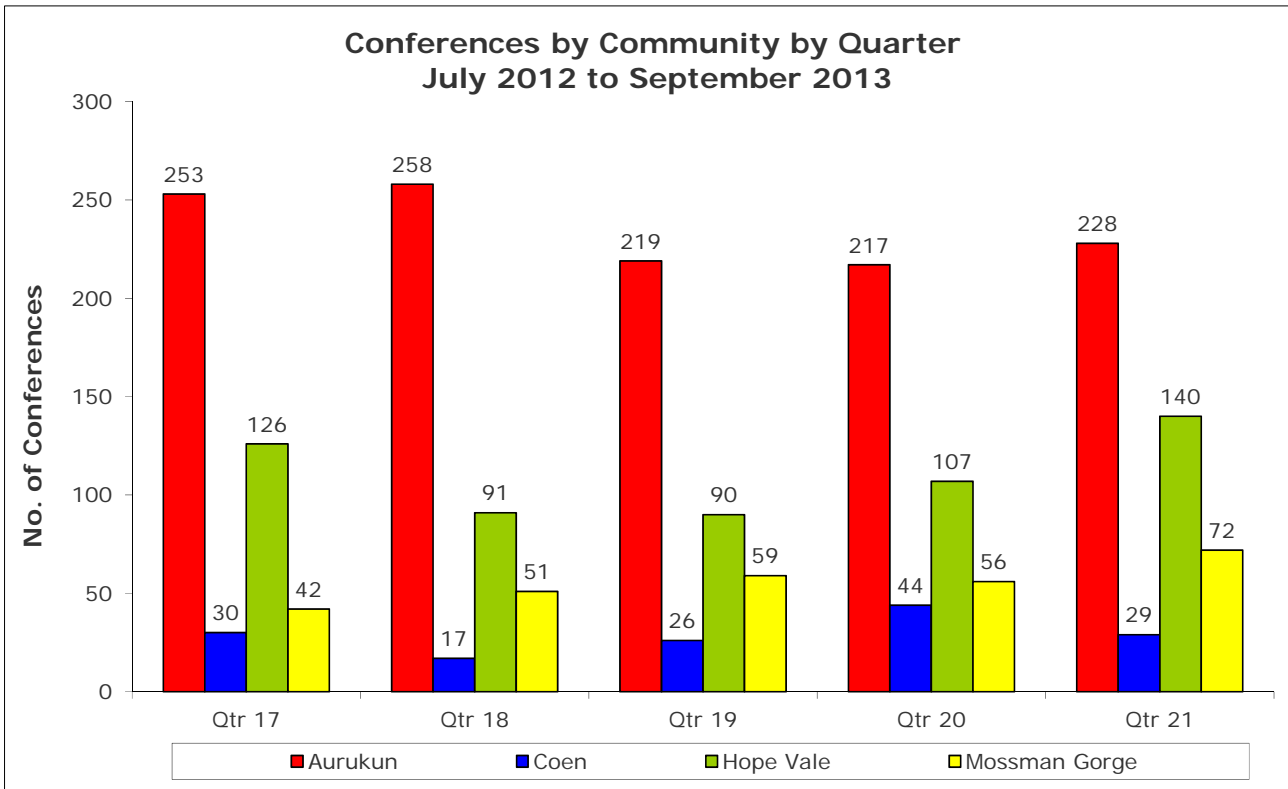
Four hundred and sixty-nine conferences<sup>2</sup> were held across the four communities in quarter 21 resulting in 7 FRA's being entered into, 65 orders made to attend community support services and 97 CIM orders as well as no further action, rescheduling and scheduling to return for review with compliance. Twenty-five new clients were conferenced during the quarter. Details of conferencing activity in each community for quarter 21 are as follows:

- 228 conferences were held in Aurukun
- 29 conferences were held in Coen
- 140 conferences were held in Hope Vale
- 72 conferences were held in Mossman Gorge.

Conferences increased from 424 in quarter 20 to 469 in quarter 21.

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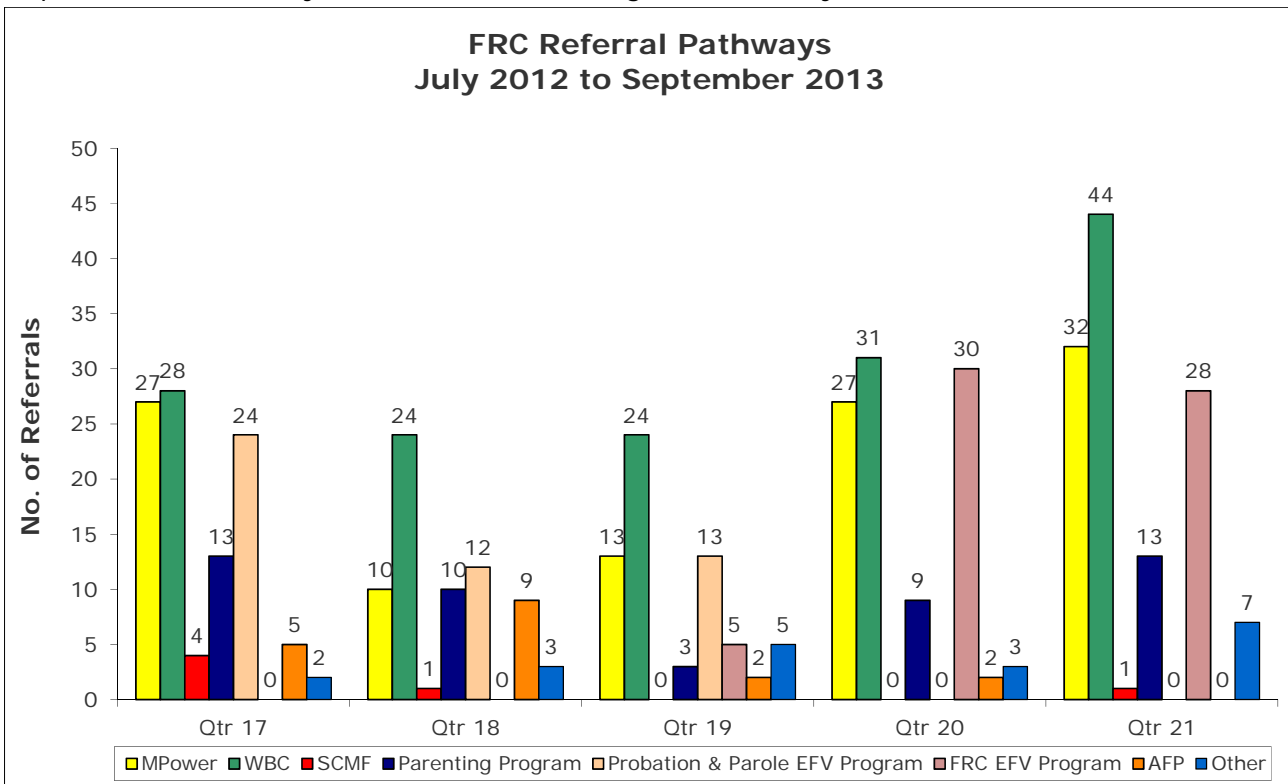
<sup>2</sup> The number of conferences held relates to the number of conferences listed, which includes where a client was served with a Notice to Attend Conference and subsequently failed to attend.



**Graph 4:** Conferences by community and quarter 1 July 2012 to 30 September 2013.

### Referrals

Referrals to service providers increased from 102 in quarter 20 to 125 in quarter 21, relating to 67 clients. Since commencement the Commission has referred 778 clients to service providers resulting in approximately 52.1 percent of clients on 12 month service referral plans. Referrals in the communities during the quarter were as follows: Aurukun decreased by 8; Coen increased by 3; Hope Vale increased by 15; and Mossman Gorge increased by 13.



**Graph 5:** Referral pathways by referral type and quarter 1 July 2012 to 30 September 2013<sup>3</sup>.

<sup>3</sup> EFVP referrals converted to FRC from Probation and Parole on 1 March 2013.

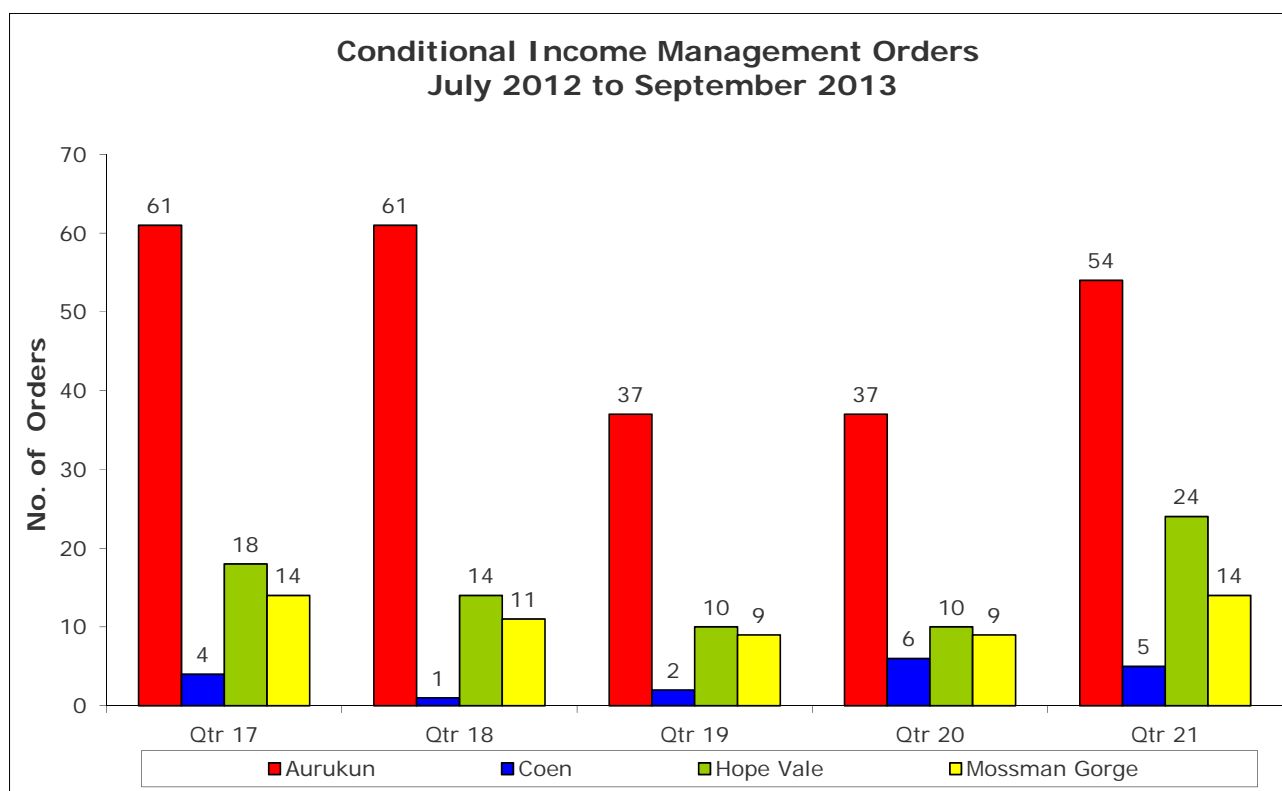


## Conditional Income Management

Ninety-seven CIM orders were made in quarter 21, an increase of 35 from quarter 20. Since the commencement of the Commission 1,163 CIM orders inclusive of original orders, extensions and amendments have been made relating to 584 clients. During the quarter an increase was experienced in three of the four communities with Aurukun, Hope Vale and Mossman Gorge increasing by 17, 14 and 5 CIM orders respectively. Coen decreased by 1 CIM order.

As at 30 September 2013, 39.1 percent of the Commission's clients have been subject to a CIM order over the past five and a quarter years. As at 30 September 2013 there were 239 clients subject to a CIM order which equates to 16.0 percent of clients on a CIM order at a point in time. Commissioners continue to negotiate with clients to achieve desirable outcomes or to demonstrate motivation and commitment to make appropriate life choices. Demonstrated positive steps toward taking responsibility provide the Commissioners with sufficient reason to consider revoking CIM orders when requested by the client.

Since the commencement of the Commission in 2008, 75 VIM agreements have been processed relating to 62 clients. Those clients that request a VIM agreement use income management as a savings and budget tool, often for a specified period and to deter family members from accessing their income.



**Graph 6:** Conditional Income Management orders by community and quarter 1 July 2012 to 30 September 2013.

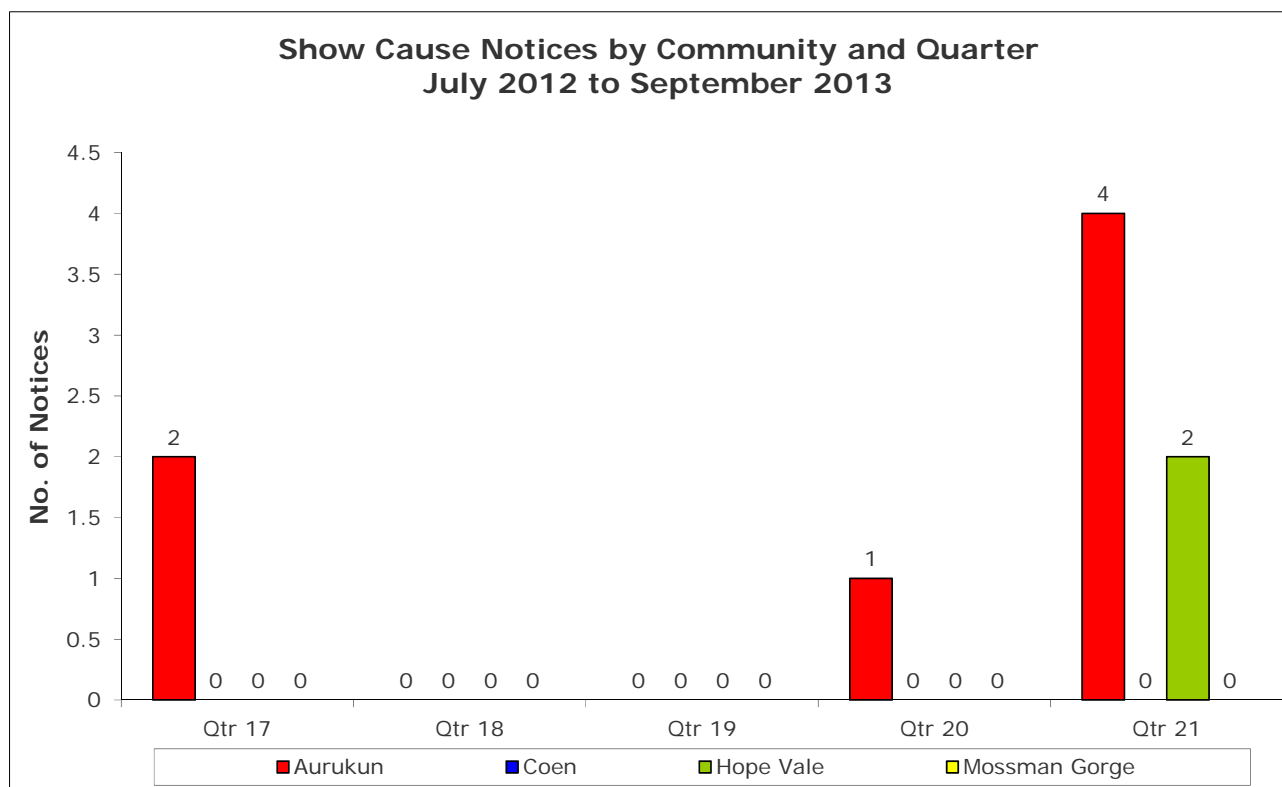
## Case Management

As at 30 September 2013, 159 clients were being case managed, a decrease from 183 in quarter 20. Since the last quarter the number of clients being case managed in Aurukun, Coen and Hope Vale has decreased by 19, 5 and 10 respectively whilst Mossman Gorge has increased by 10.

## Show Cause Notices

During quarter 21, 6 Show Cause hearing was held. This matter resulted in:

- 2 Clients Income Management Orders extended and ordered to comply with the new case plan
- 1 Client Income Managed and ordered to comply with the new case plan
- 1 Client placed on monitor
- 2 Clients rescheduled until the next quarter.



**Graph 7:** Show Cause Notices by community and quarter 1 July 2012 to 30 September 2013.

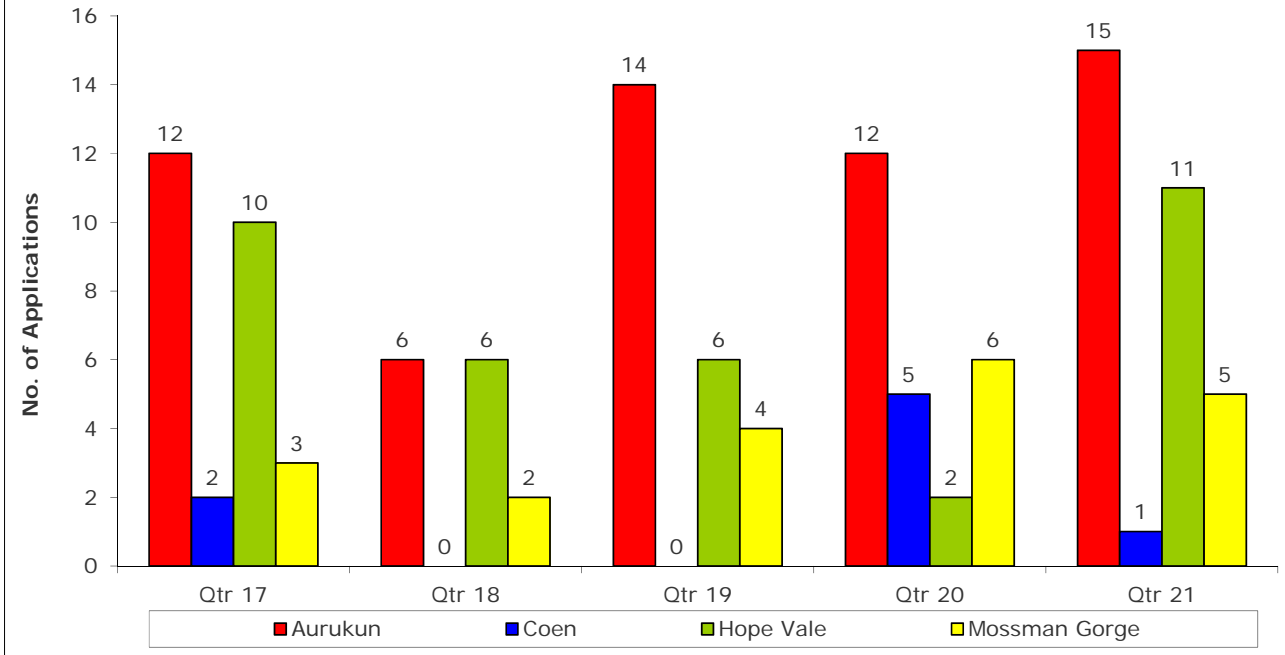
## Applications to Amend or End Agreements or Orders

Thirty-two Applications to Amend or End a Family Responsibilities Agreement or Order were received in quarter 21, an increase of 7 from quarter 20. Outcomes of the 32 applications received are as follows:

- 14 Applications granted and Income Management agreements and orders revoked
- 8 Applications dismissed
- 1 Conditional Income Management Order reduced from 75 percent to 60 percent and extended for 12 months
- 4 Applications rescheduled
- 5 Applications received at the end of the quarter, decision pending

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

### Number of Applications to Amend or End FRA or Order July 2012 to September 2013



**Graph 8:** Applications to Amend or End FRA or Order by community and quarter 1 July 2012 to 30 September 2013.

## 2. Future Direction and Challenges

### Future Direction

With the election of a new Federal Government in September 2013 the Commission eagerly awaits direction from it, the Queensland Government and the Cape York Institute to provide a clear indication of priorities for 2014. With a commitment to continuing into 2014 the Commission believes it is time to consider strategies to meet the continuing problems it faces with recalcitrant people and families within the welfare reform trial communities. The Commission acknowledges that some clients are not moved by the current limit of 75% income management and the Local Commissioners have indicated a desire for an increase in their armour when making decisions. The Commission will require policy consideration and direction from its Board to meet this challenge.

The Commission acknowledges its commitment to restoring local authority and a key to this objective is the engagement and development of Local Commissioners. The Commission needs to engage further with community members to identify and recruit additional Local Commissioners to complement those already in place and to draw on the experiences of the existing Local Commissioners to provide leadership to the future Local Commissioners.

### 3. Financial Operations

#### Governance

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

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

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

- Mr Ben Klaassen                      Acting-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 2013-14 fiscal year is \$3.149 million, \$1.5 million from the Australian Government and \$1.649 million from the Queensland Government.

Income:

- Income received by the Commission for the period 1 July 2013 to 30 September 2013 totalled \$6,614. This income consisted of:
  - \$6,373 interest received
  - \$241 received in sundry revenue.

The balance of available funds in the bank as at 30 September 2013 is \$425,899.

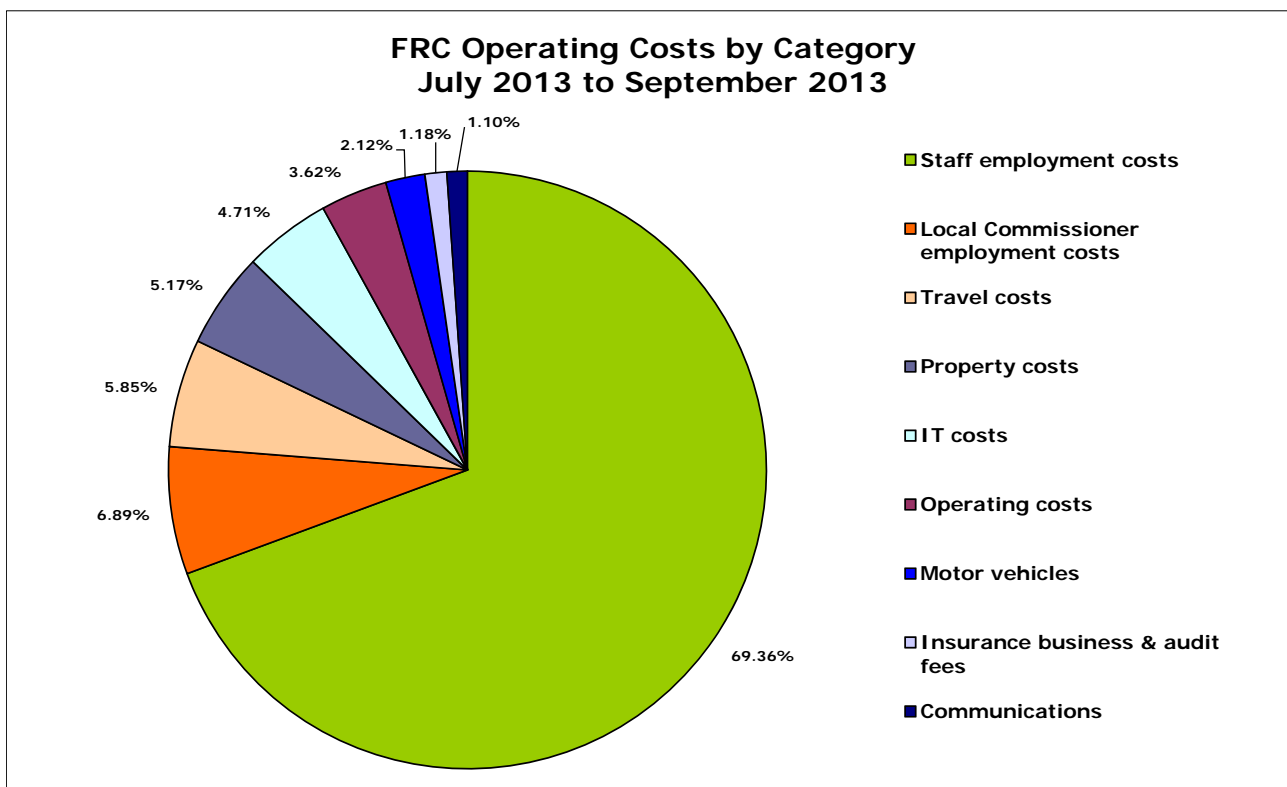
Expenditure:

- Expenditure for the period 1 July 2013 to 30 September 2013 was \$863,658.45. This total represents 22 percent of the projected annual expenditure of \$3.926 million as stated in the 2013-14 projected expenditure and disclosed in the Queensland State Budget 2013-14 Service Delivery Statements.

1 July 2013 to 30 September 2013	Expenditure Qtr 21	1 July 2013 to 30 September 2013	Expenditure Qtr 21
Staff employment costs	\$598,950.25	Operating costs	\$31,265.38
Local Commissioner employment costs	\$59,537.76	Motor vehicles	\$18,324.93
Travel costs	\$50,549.74	Insurance business & audit fees	\$10,180.00
Property costs	\$44,624.68	Communications	\$9,538.60
IT costs	\$40,687.11	<b>Total</b>	<b>\$863,658.45</b>

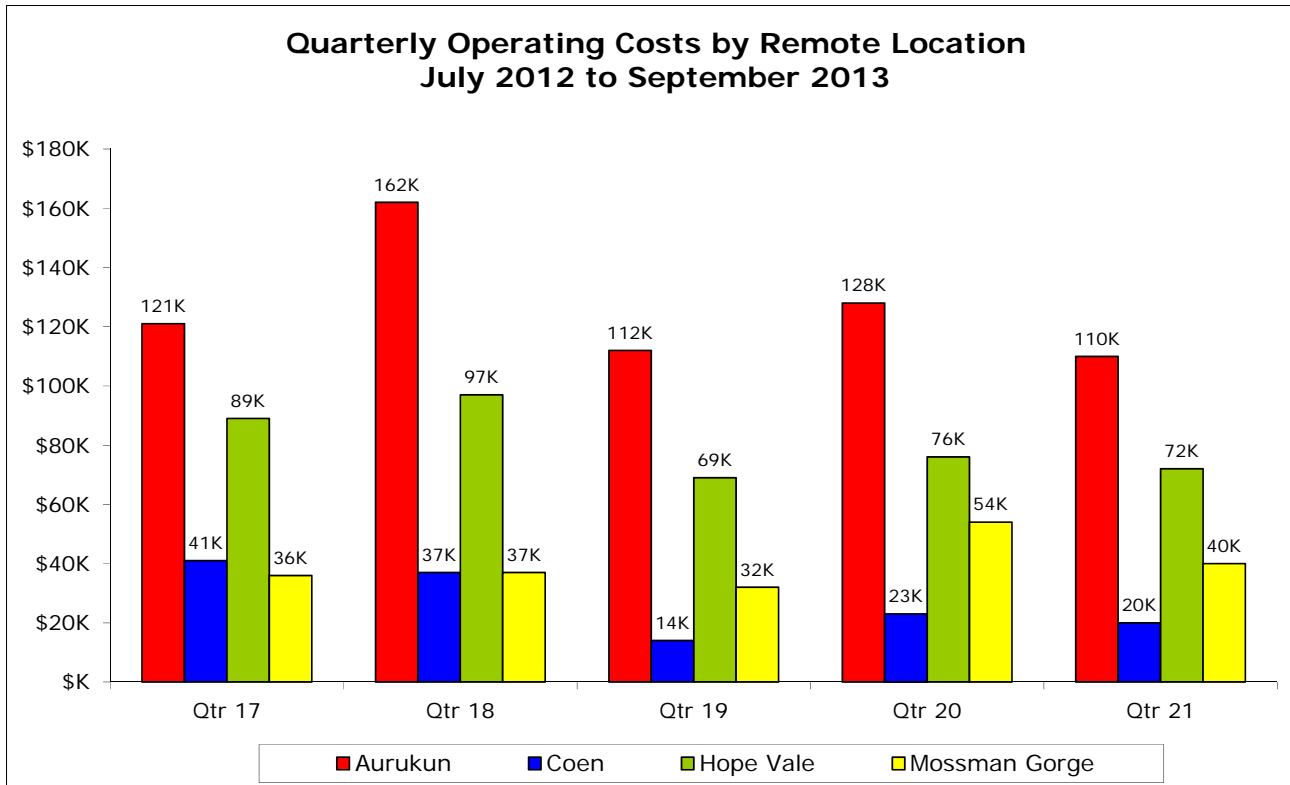
Table 1: Unaudited expenditure in quarter 21.

Quarter 21 disbursement of expenditure by category and percentage of total expenditure.



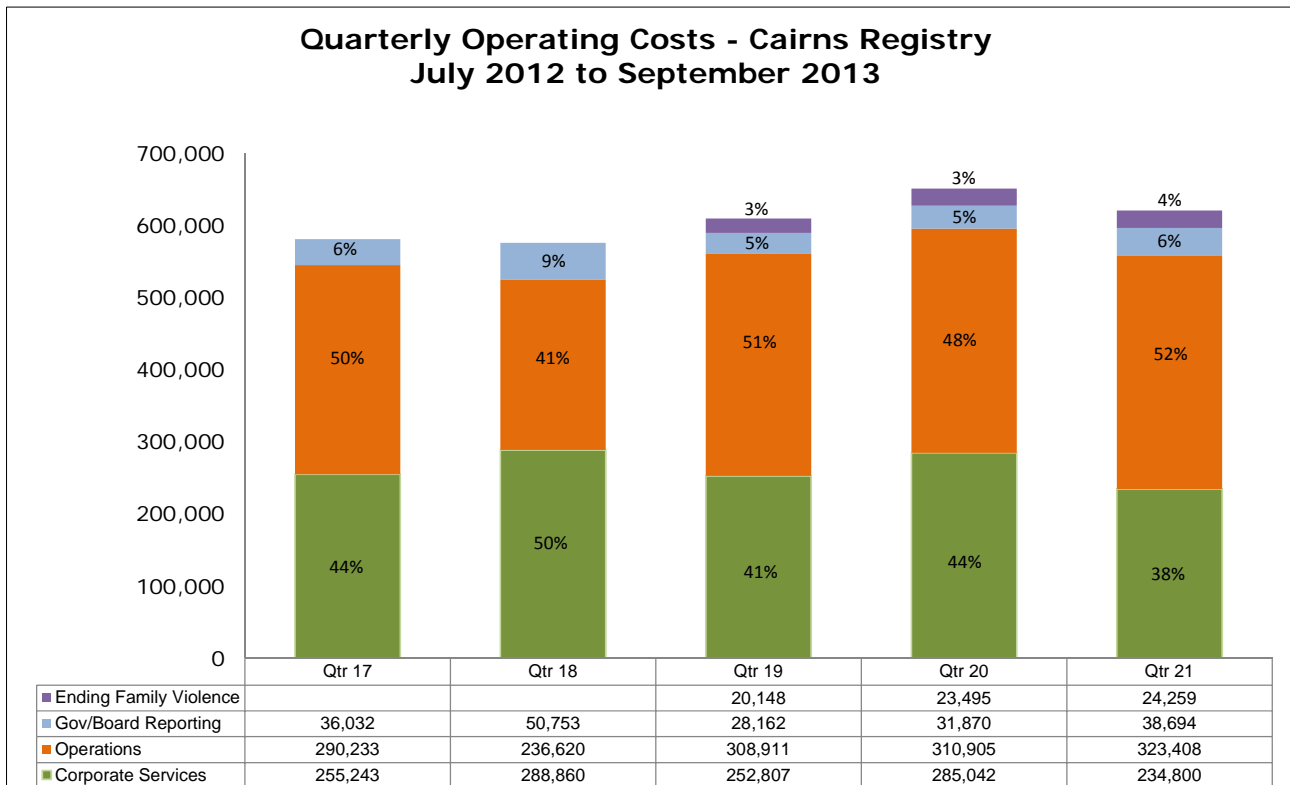
Graph 9: FRC operating costs 1 July 2013 to 30 September 2013.

Regional operational expenditure by location and quarter.



**Graph 10:** Operating costs by remote location 1 July 2012 to 30 September 2013.

Cairns Registry expenditure for quarter 21 compared to the previous four quarters.



**Graph 11:** Quarterly operating costs Cairns 1 July 2012 to 30 September 2013.

APPENDIX A



SITTING CALENDAR 2013  
 FAMILY RESPONSIBILITIES COMMISSION  
 1 January 2013 to 31 December 2013



Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	EFVP	Other
31 December		Public Holiday					31 Office closed for Xmas 1 New Year's Day Cooktown Circuit
7 January							
14 January							15 ASC Meeting
21 January							
28 January	Public Holiday	29	30	31			28 Australia Day
4 February		5	6	7			4 FR Board Meeting Cooktown Circuit
11 February	11	12	13	14			
18 February		19	20	21			19 ASC Meeting Aurukun cape B Circuit
25 February		26	27	28			
4 March		5	6	7			Cooktown Circuit
11 March	11	12	13	14			
18 March		19	20	21		19, 20, 21	19 ASC Meeting Aurukun Cape B Circuit Coen Cape A Circuit
25 March		26	27	28	Public Holiday	26, 27, 28	29 Good Friday
1 April	Public Holiday						1 Easter Monday Cooktown Circuit
8 April							
15 April		16	17	18		16, 17, 18	16 ASC Meeting Aurukun Cape B Circuit
22 April	22	23	24	Public Holiday		22, 23, 24	25 ANZAC Day
29 April		30	1				
6 May							Commissioner Week 7 FR Board Meeting Cooktown Circuit
13 May		14	15	16		16, 17, 18	
20 May		21	22	23		21, 22, 23	21 ASC Meeting Aurukun Cape B Circuit Coen Cape A Circuit
27 May	27	28	29	30		28, 29, 30	

Aurukun
  Coen
  Hope Vale
  Mossman Gorge
  Office Days





## SITTING CALENDAR 2013 FAMILY RESPONSIBILITIES COMMISSION 1 January 2013 to 31 December 2013



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

Aurukun
  Coen
  Hope Vale
  Mossman Gorge
  Office Days



## SITTING CALENDAR 2013 FAMILY RESPONSIBILITIES COMMISSION 1 January 2013 to 31 December 2013



Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	EFVP	Other
4 November		5	6	7		5, 6	Cooktown Circuit
11 November		12	13	14		12, 13	
18 November		19	20	21			19 ASC Meeting Aurukun Cape B Circuit Coen Cape A Circuit
25 November	25	26	27	28		26, 27	
2 December		3	4	5			Cooktown Circuit
9 December		10	11	12		10, 11	Aurukun Cape B Circuit
16 December							
23 December			Public Holiday	Public Holiday			25 Xmas Day, 26 Boxing Day
30 December			Public Holiday				29, 30, 31 Office Closed for Xmas, <span style="background-color: #ffff00;">1 New Year's Day</span>

### LEGEND

	Office Days
	Public Holidays
	Aurukun Sitting
	Coen Sitting
	Hope Vale Sitting
	Mossman Gorge Sitting
ASC	Aurukun Shire Council Meeting
LDF	Laura Dance Festival
∅	Cancelled Conference
	<b>Tentative Conference</b>