

Family Responsibilities Commission

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

Quarterly Report

No. 22

October 2013 to December 2013



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

Executive Summary

During quarter 22, 855 agency notices were received by the Family Responsibilities Commission (the Commission) which were within jurisdiction, a decrease of 15 from last quarter. There were 442 conferences held for the same period, representing a decrease of 27 from last quarter. Eight Family Responsibility Agreements (FRAs) were entered into, 87 orders were made to attend community support services and 77 Conditional Income Management (CIM) orders were issued. When compared to last quarter, this represents an increase of 1 FRA and 22 orders to attend community support services and a decrease of 20 orders for CIM.

Since the commencement of the Commission, 86 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 223 clients during the quarter. The Commissioners made 152 referrals relating to 90 clients, an increase of 27 referrals from last quarter. Further activity during the quarter consisted of 29 Applications to Amend or End Agreements or Orders, a decrease of 3 from the previous quarter. Two Show Cause conferences were held during quarter 22, a decrease of 4 from last quarter.

On 15 October 2013 amendments to the *Family Responsibilities Commission Act 2008* (the Act) were passed by the Queensland Parliament. These amendments facilitated the extension of the Commission to 1 January 2015. On 21 November 2013 Commissioner David Glasgow, Deputy Commissioner Rod Curtin and all Local Commissioners were officially reappointed for a term of one year commencing from 1 January 2014. The Commission also welcomed the appointment of a new Local Commissioner for Aurukun, Mr. Thomas Toikalkin. Local Commissioner Toikalkin will commence duties in the sittings commencing 15 February 2014. Mr James Purtill, Director-General, Department of Aboriginal and Torres Strait Islander and Multicultural Affairs was appointed as the Chairperson of the Family Responsibilities Board and Ms Liza Carroll, Associate Secretary – Indigenous Affairs, Department of Prime Minister and Cabinet was appointed as a Board member for 2014. Mr Noel Pearson remains a Board member for 2014.

An increase in the maximum amount of allowable income management to 90% was welcomed by the Commission and the Commissioners. This increase, in addition to the 60% and 75% already in existence, is seen as a strengthening of the income management strategy, providing increased influence on those clients who have failed to demonstrate improved behaviours. The amendment to the Act to allow Local Commissioners to conference without the presence of the FRC Commissioner is seen as a measure of the confidence shown in the Local Commissioners by the Queensland Government. The Local Commissioners have travelled a long path since the commencement of the Commission in 2008 and have demonstrated their ability to effect local Indigenous authority within their communities.

The Commission ceased to deliver the Ending Family Violence Program in December 2013. Although the delivery of the program by the Commission during 2013 resulted in increased participation, the Commission recognises that there is a need for a concentrated and more targeted delivery in the future.

The year 2013 concluded with the celebration of school attendances at each of the four welfare reform communities. School awards ceremonies were attended by key Commission staff and Local Commissioners. Recognition of outstanding attendance records was acknowledged by the Local Commissioners in front of the assembled school bodies. Local Commissioners in Hope Vale and Mossman Gorge also attended Grade 7 graduation ceremonies, acknowledging the importance of continuing education after primary school.

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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 31 December 2013.

1. Activities and Trends

Notices

In quarter 22 the Commission received **1,014 agency notices**¹. Some individuals may have been the subject of more than one agency notice. Of that figure 855 notices (84 percent) were within the Commission's jurisdiction and 159 notices (16 percent) were outside the Commission's jurisdiction.

Within jurisdiction notices comprised of:

266	Magistrates Court notices
499	School Attendance notices
2	School Enrolment notices
76	Child Safety and Welfare notices
12	Housing Tenancy notices

Of the 159 notices not within the Commission's jurisdiction, there were 107 Magistrates Court notices, 50 School Attendance notices and 2 Child Safety and Welfare notices.

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

- **Aurukun's 524** notices constitute **61.3 percent** of the total notices in jurisdiction across the four CYWR trial communities:

194	Magistrates Court notices
299	School Attendance notices
0	School Enrolment notices
28	Child Safety and Welfare notices
3	Housing Tenancy notices

Thirty-one Magistrates Court notices and 16 School Attendance notices were processed as not within jurisdiction.

- **Coen's 51** notices constitute **5.9 percent** of the total notices in jurisdiction:

13	Magistrates Court notices
26	School Attendance notices
1	School Enrolment notice
10	Child Safety and Welfare notices
1	Housing Tenancy notice

Two Magistrates Court notices and 8 School Attendance notices were processed as not within jurisdiction.

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

- **Hope Vale's 212** notices constitute **24.8 percent** of the total notices in jurisdiction:

32	Magistrates Court notices
147	School Attendance notices
1	School Enrolment notice
31	Child Safety and Welfare notices
1	Housing Tenancy notice

One Magistrates Court notice, 24 School Attendance notices and 2 Child Safety and Welfare notices were processed as not within jurisdiction.

- **Mossman Gorge's 68** notices constitute **8.0 percent** of the total notices in jurisdiction:

27	Magistrates Court notices
27	School Attendance notices
0	School Enrolment notices
7	Child Safety and Welfare notices
7	Housing Tenancy notices

Seventy-three Magistrates Court notices and 2 School Attendance notices were processed as not within jurisdiction.

Since its commencement the Commission has received 15,750 agency notices within its jurisdiction. Total notices decreased from 1,143 in quarter 21 to 1,014 in quarter 22. Of those notices in jurisdiction, Magistrates Court and School Attendance notices increased, whilst School Enrolment, Child Safety and Welfare and Housing Tenancy notices decreased.

Magistrates Court notices increased this quarter to 266 from 205 received in the previous quarter. Three out of the four communities experienced an increase in notices this quarter. Aurukun increased by 87 notices, Coen increased by 11 notices and Mossman Gorge increased by 7. Hope Vale decreased by 44 notices.

School Attendance notices increased from 498 in quarter 21 to 499 in quarter 22. Aurukun and Coen increased by 16 and 10 notices respectively, whilst Hope Vale and Mossman Gorge experienced a decrease of 24 notices and 1 notice.

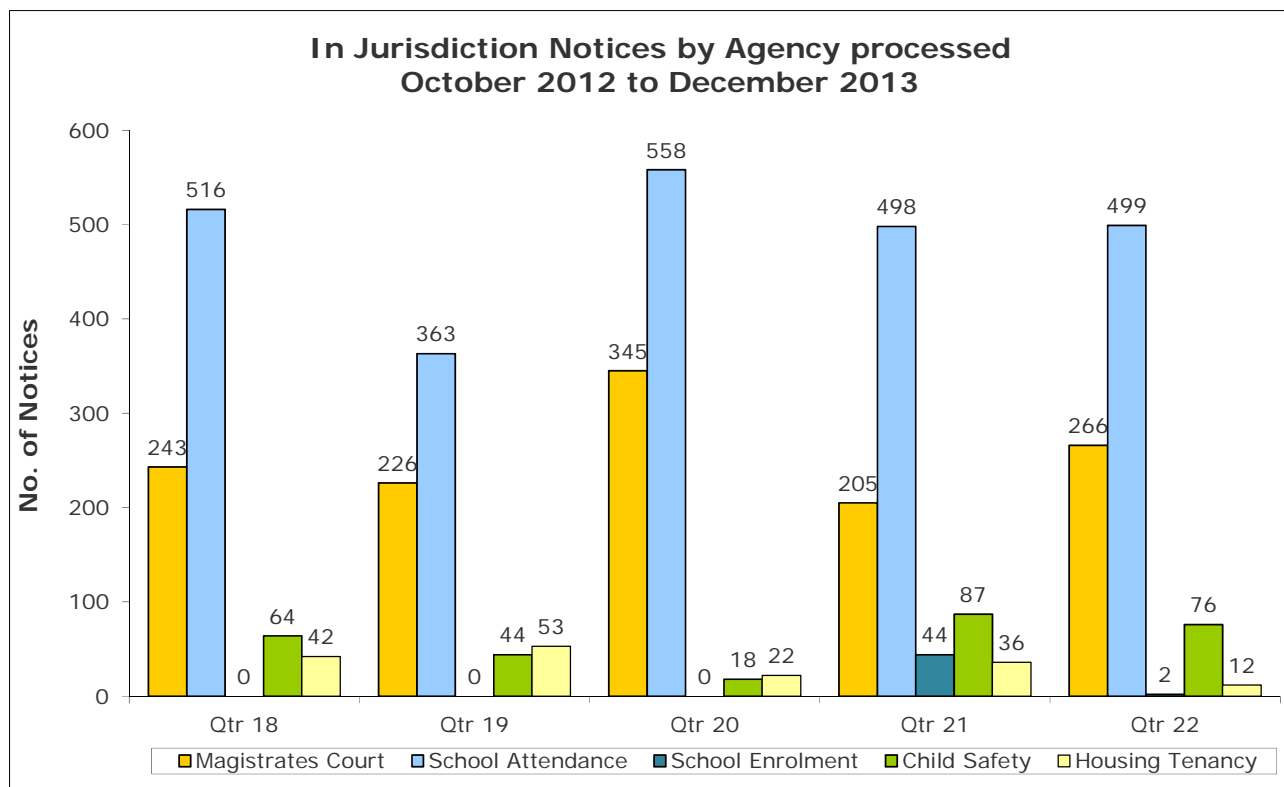
School Enrolment notices decreased from 44 in quarter 21 to 2 in quarter 22. All four communities experienced a decrease in notices this quarter. Aurukun, Coen, Hope Vale and Mossman Gorge decreased by 20, 2, 18 and 2 notices respectively.

Child Safety and Welfare notices decreased from 87 in quarter 21 to 76 in quarter 22. Aurukun, experienced a decrease of 17 notices, Coen experienced an increase of 6 notices and Hope Vale and Mossman Gorge remained unchanged.

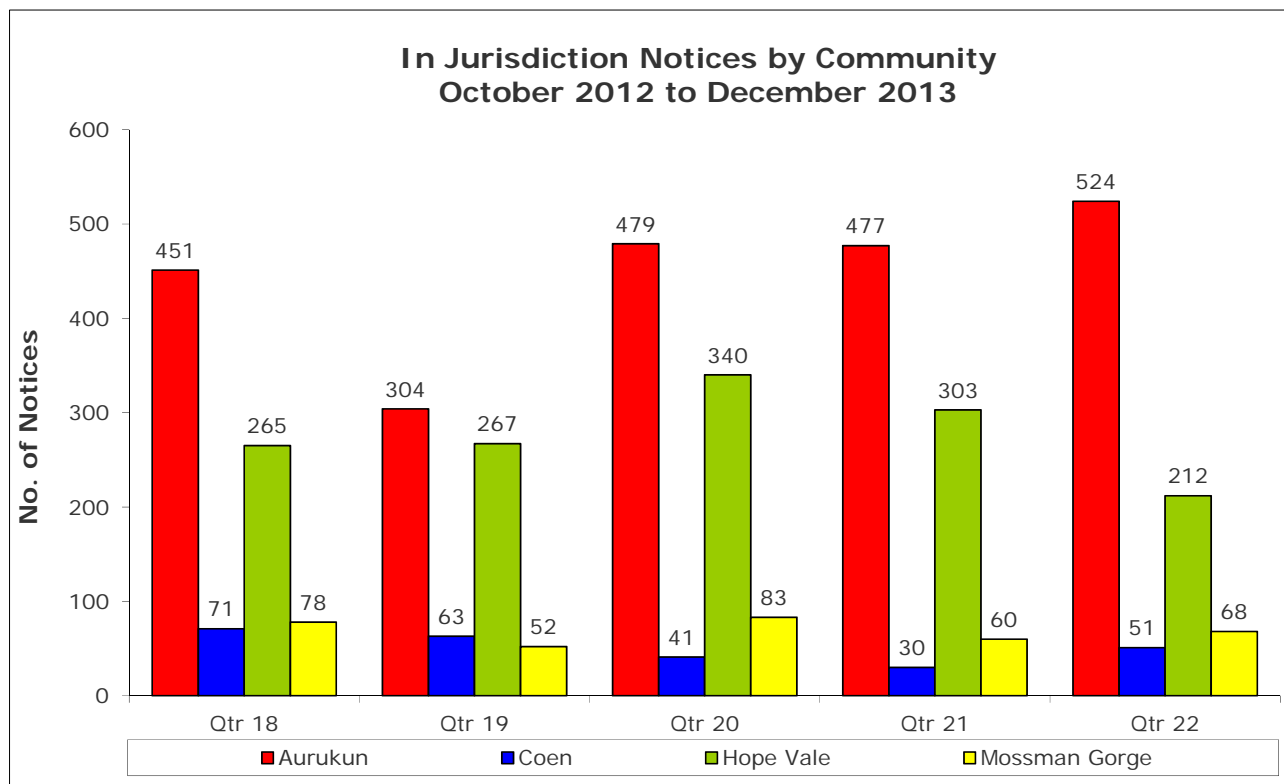
Housing Tenancy notices decreased to 12 from 36 received in the previous quarter. Three out of the four communities experienced a decrease in notices this quarter. Aurukun, Coen and Hope Vale decreased by 19, 4 and 5 notices respectively, while Mossman Gorge increased by 4 notices.

The Commission receives school attendance data from the Department of Education, Training and Employment (DETE). The release of relevant data relating to quarter 22 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.

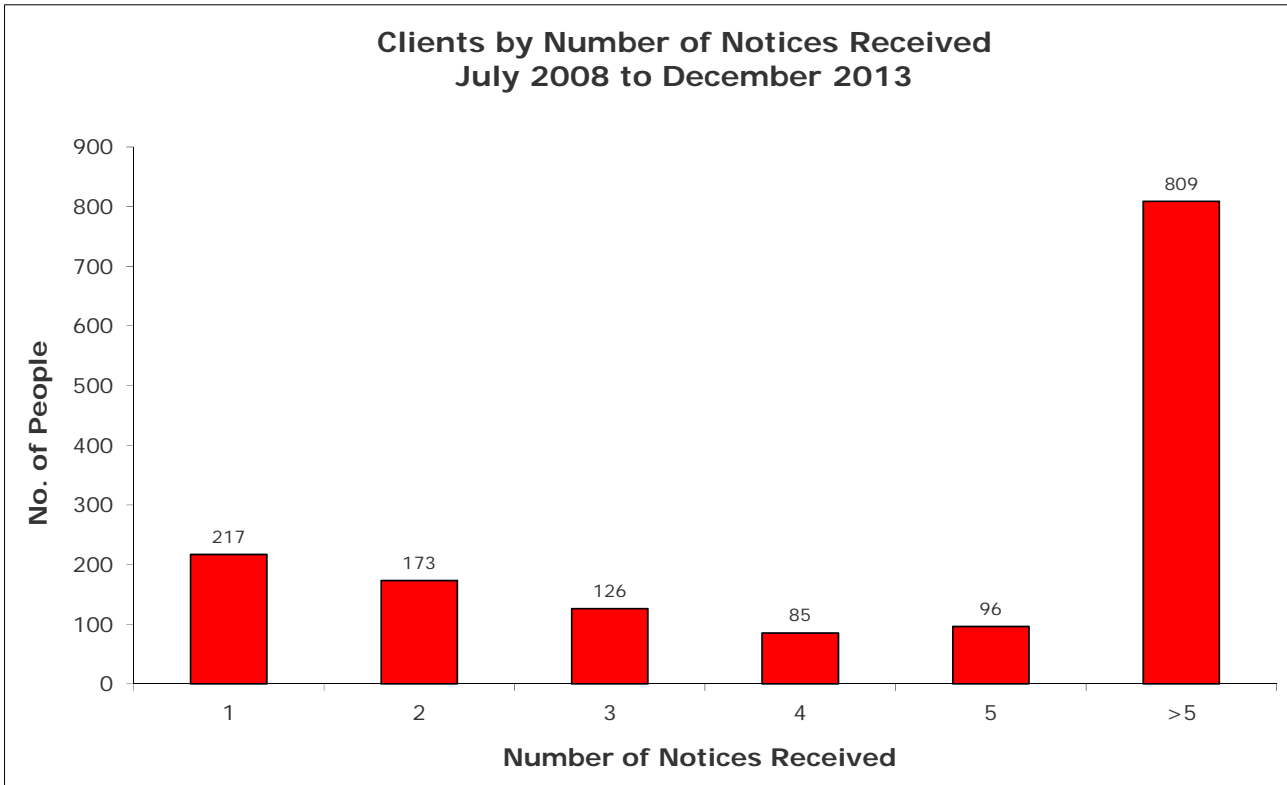


Graph 1: In jurisdiction notices by type and quarter 1 October 2012 to 31 December 2013.



Graph 2: In jurisdiction notices by community and quarter 1 October 2012 to 31 December 2013.

Since commencement in July 2008, 85.6 percent of clients have received more than one notice with 53.7 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, 14.4 percent of clients have received only one notice.



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

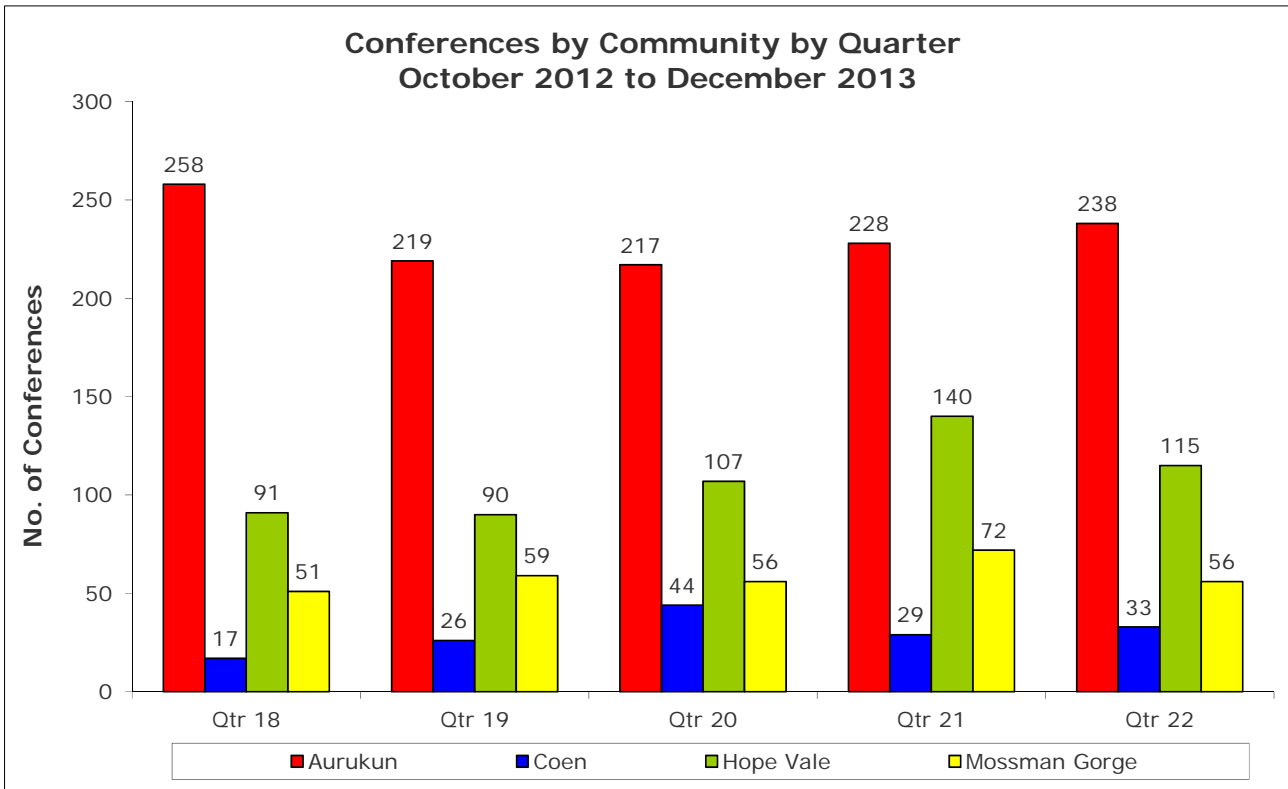
Conferences

Four hundred and forty-two conferences² were held across the four communities in quarter 22 resulting in 8 FRA's being entered into, 87 orders made to attend community support services and 77 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 22 are as follows:

- 238 conferences were held in Aurukun
- 33 conferences were held in Coen
- 115 conferences were held in Hope Vale
- 56 conferences were held in Mossman Gorge.

Conferences decreased from 469 in quarter 21 to 442 in quarter 22.

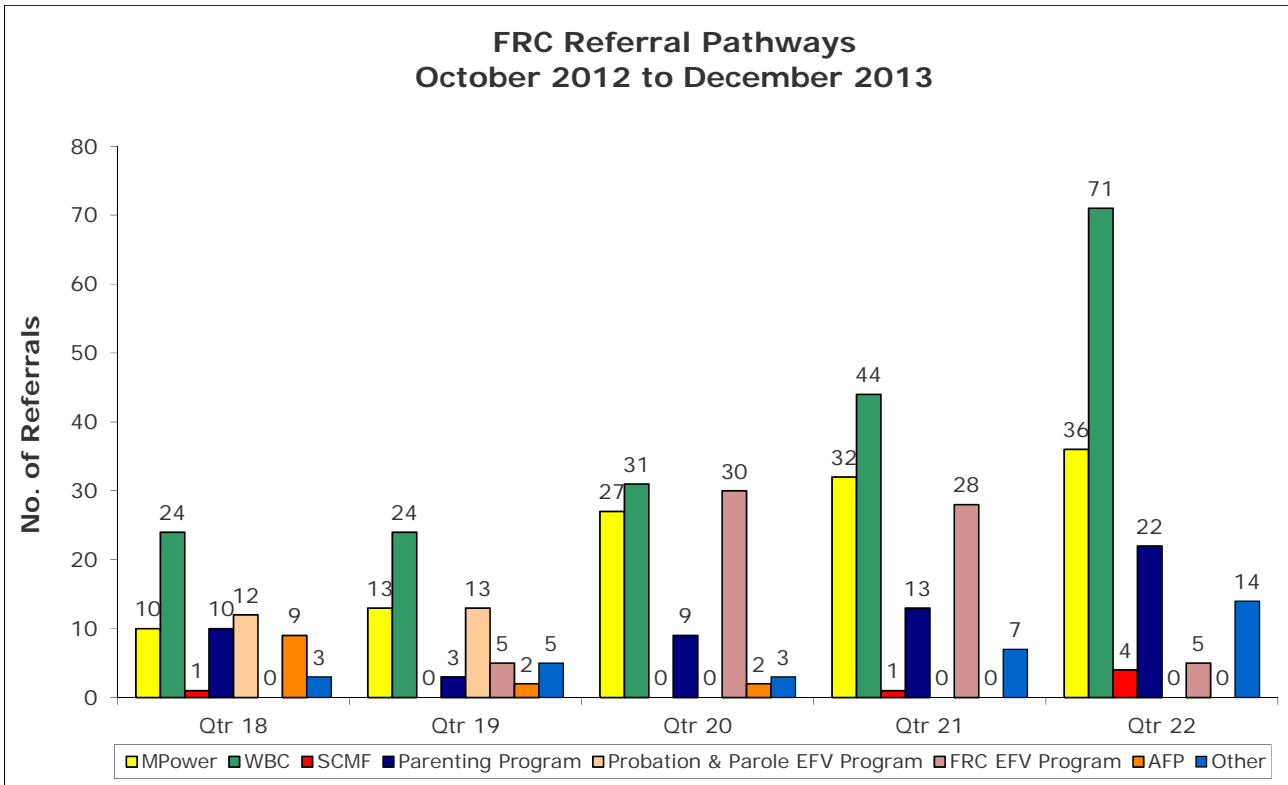
² The number of conferences held relates to the number of conferences listed, which includes where a client was served with a Notice to Attend Conference and subsequently failed to attend.



Graph 4: Conferences by community and quarter 1 October 2012 to 31 December 2013.

Referrals

Referrals to service providers increased from 125 in quarter 21 to 152 in quarter 22, relating to 90 clients. Since commencement the Commission has referred 805 clients to service providers resulting in approximately 52.9 percent of clients on 12 month service referral plans. Referrals in the communities during the quarter were as follows: Aurukun increased by 40; Coen increased by 5; Hope Vale decreased by 10; and Mossman Gorge decreased by 8.



Graph 5: Referral pathways by referral type and quarter 1 October 2012 to 31 December 2013³.

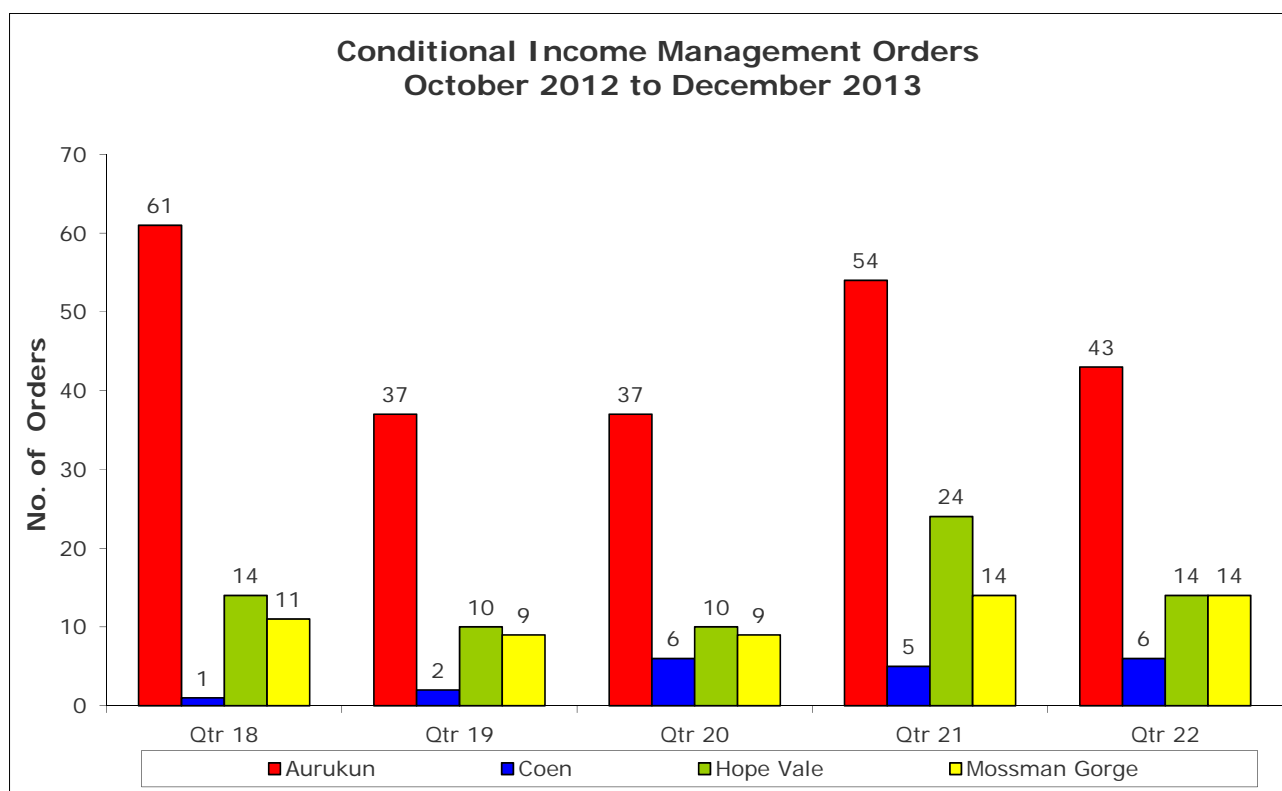
³ EFVP referrals converted to FRC from Probation and Parole on 1 March 2013.

Conditional Income Management

Seventy-seven CIM orders were made in quarter 22, a decrease of 20 from quarter 21. Since the commencement of the Commission 1,240 CIM orders inclusive of original orders, extensions and amendments have been made relating to 612 clients. During the quarter Aurukun and Hope Vale decreased by 11 and 10 CIM orders respectively. Coen increased by 1 CIM order and Mossman Gorge remained unchanged.

As at 31 December 2013, 40.2 percent of the Commission's clients have been subject to a CIM order over the past five and a half years. As at 31 December 2013 there were 255 clients subject to a CIM order which equates to 16.7 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, 86 VIM agreements have been processed relating to 70 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 2012 to 31 December 2013.

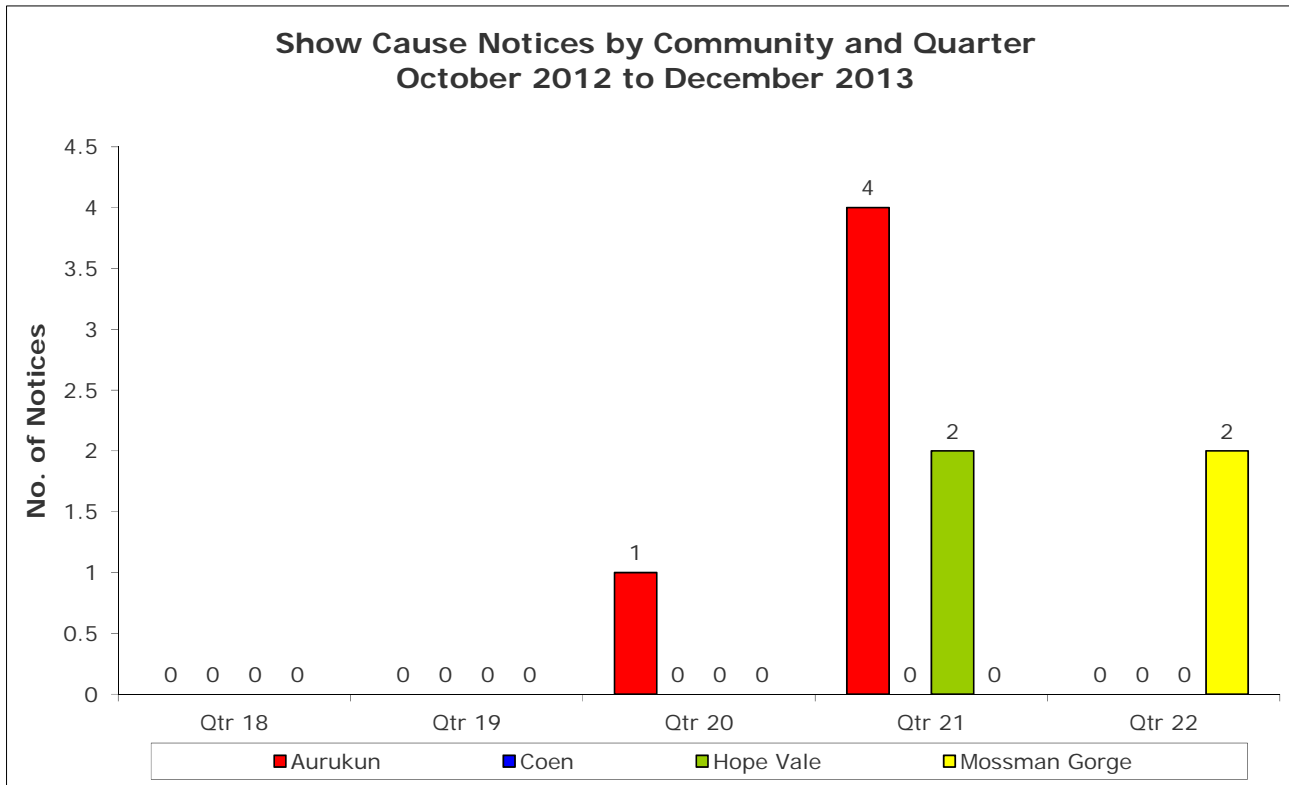
Case Management

As at 31 December 2013, 223 clients were being case managed, an increase from 159 in quarter 21. Since the last quarter the number of clients being case managed in all four communities increased. Aurukun, Coen, Hope Vale and Mossman Gorge increased by 38, 4, 17 and 5 respectively.

Show Cause Notices

During quarter 22, 2 Show Cause hearing was held. This matter resulted in:

- 1 Client Income Managed and ordered to comply with the new case plan
- 1 Client ordered to comply with the new case plan



Graph 7: Show Cause Notices by community and quarter 1 October 2012 to 31 December 2013.

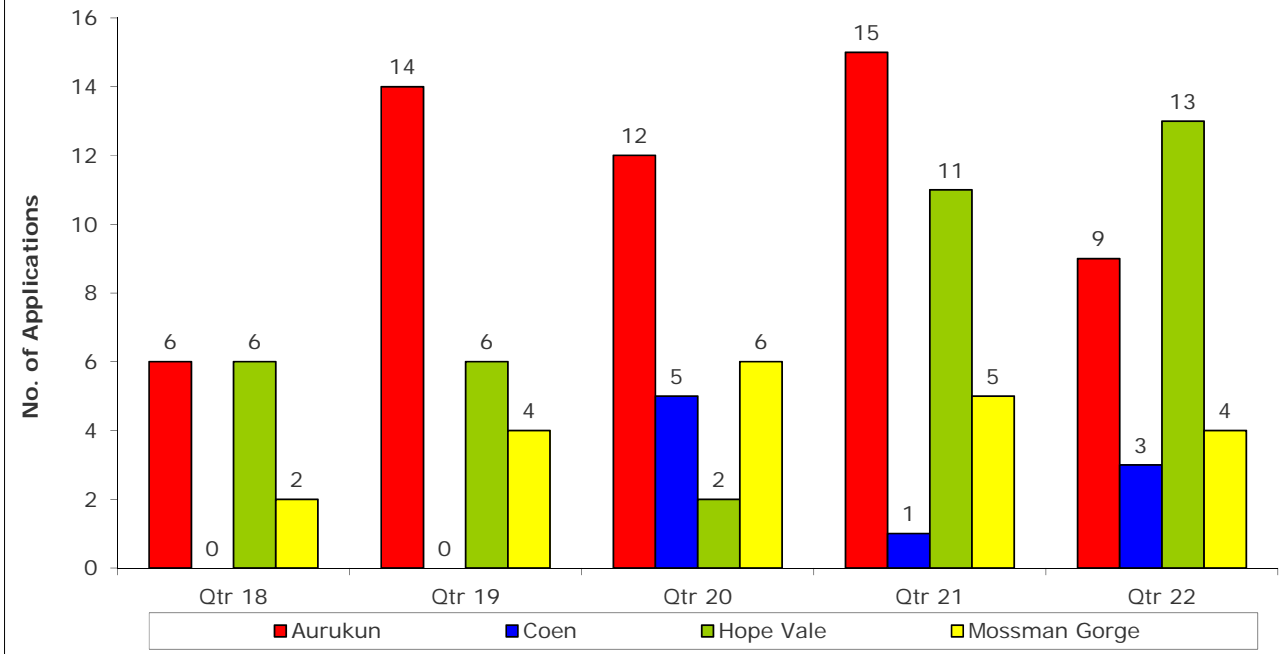
Applications to Amend or End Agreements or Orders

Twenty-nine Applications to Amend or End a Family Responsibilities Agreement or Order were received in quarter 22, a decrease of 3 from quarter 21. Outcomes of the 29 applications received are as follows:

- 6 Applications granted and Income Management agreements and orders revoked
- 2 Applications granted and Income Management agreements and orders revoked and client ordered to comply with case plan
- 4 Applications dismissed
- 1 Application dismissed and client given a warning
- 1 Application dismissed and the client ordered to comply with case plan
- 15 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 October 2012 to December 2013



Graph 8: Applications to Amend or End FRA or Order by community and quarter 1 October 2012 to 31 December 2013.

2. Future Direction and Challenges

Future Direction

On 15 October 2013, the Queensland Parliament passed amendments to the *Family Responsibilities Commission Act 2008* providing for the extension of the Commission to 1 January 2015.

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 2014. Her Excellency the Governor also appointed Mr James Purtill, Director-General, Department of Aboriginal and Torres Strait Islander and Multicultural Affairs as the Chairperson of the Family Responsibilities Board and Ms Liza Carroll, Associate Secretary – Indigenous Affairs, Department of Prime Minister and Cabinet as a Board member for 2014. Mr Noel Pearson remains Board member for 2014.

The Commission intends to focus its attention on school attendance in term 1 of 2014. To this extent it is developing strategies to work closely with partner agencies in a collaborative manner. The Commission will be implementing an integrated case management model with relevant stakeholders. The aim of this model is to successfully assess, assist and case manage these clients, through effective referral processes, stakeholder engagement and case 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:

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

Operational

In meeting obligations under Part 3 of the Act, the Family Responsibilities Commission Registry (the Registry) commenced operations on 1 July 2008 with a central Registry office established in Cairns and local Registry offices operating in each of the four CYWR 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 October 2013 to 31 December 2013 totalled \$1,657,365. This income consisted of:
 - \$800,000 Queensland Government, funding for operations
 - \$800,000 Australian Government, funding for operations
 - \$49,230 Queensland Government, funding for the Ending Family Violence program
 - \$6,904 interest received
 - \$1,231 received in sundry revenue.

The balance of available funds in the bank as at 31 December 2013 is \$1,178,282.

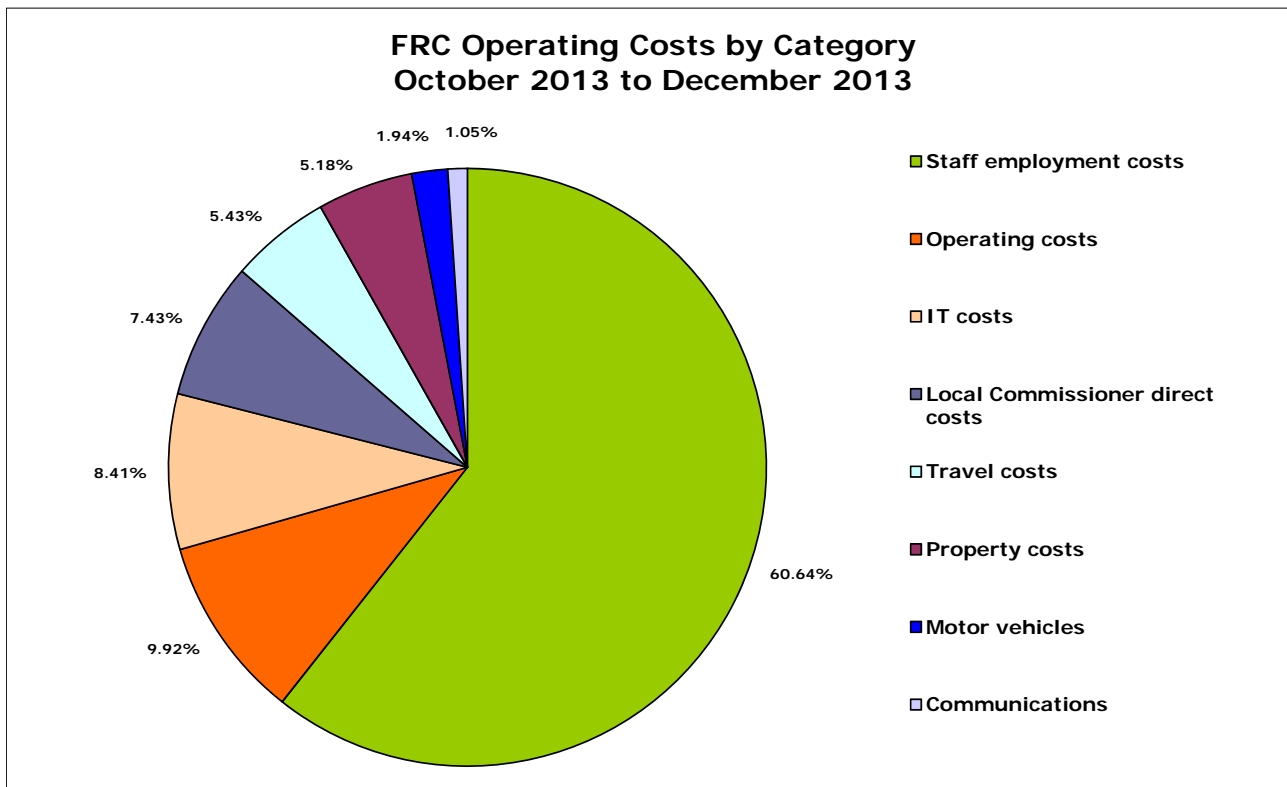
Expenditure:

- Expenditure for the period 1 October 2013 to 31 December 2013 was \$927,207.21. This total represents 24 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 October 2013 to 31 December 2013	Expenditure Qtr 22	1 October 2013 to 31 December 2013	Expenditure Qtr 22
Staff employment costs	\$562,203.45	Travel costs	\$50,325.59
Operating costs	\$92,020.47	Property costs	\$48,026.93
IT costs	\$78,001.94	Motor vehicles	\$17,948.48
Local Commissioner direct costs	\$68,923.84	Communications	\$9,756.51
		Total	\$927,207.21

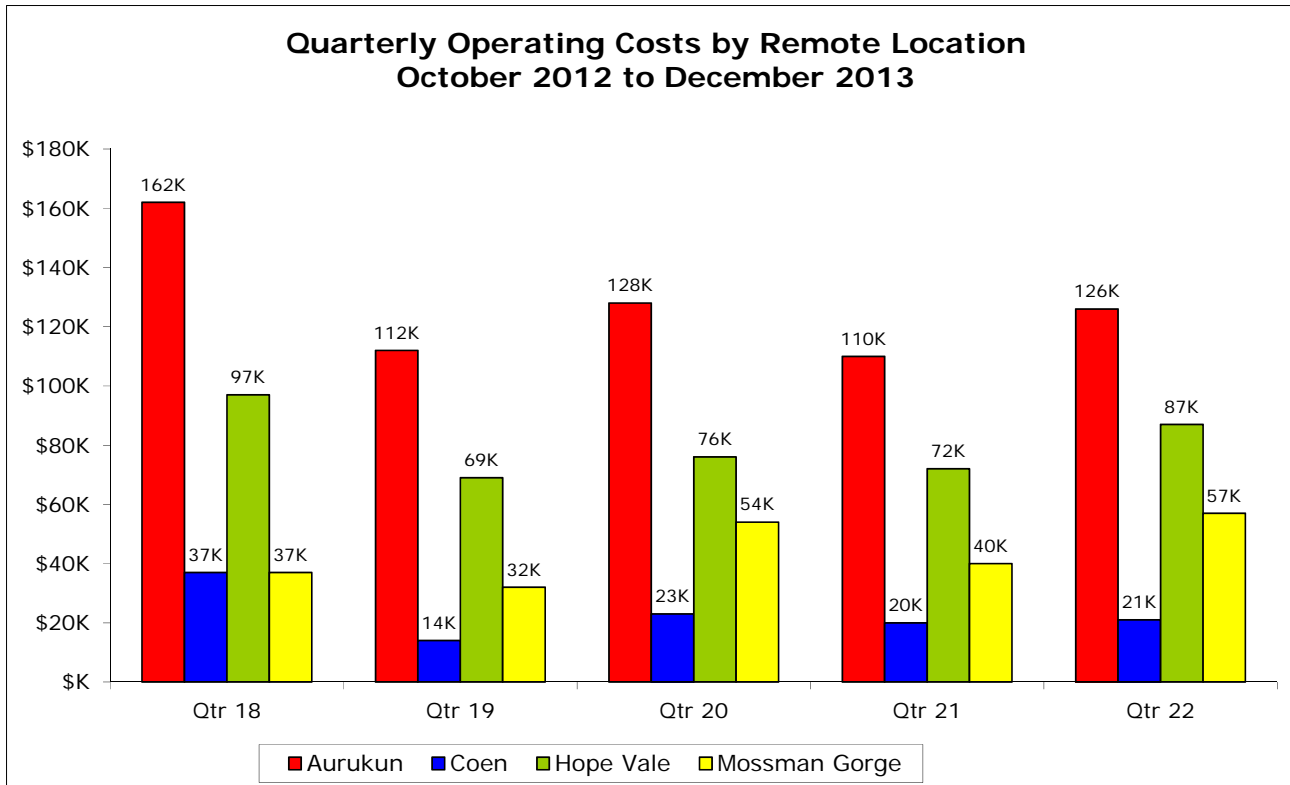
Table 1: Unaudited expenditure in quarter 22.

Quarter 22 disbursement of expenditure by category and percentage of total expenditure.



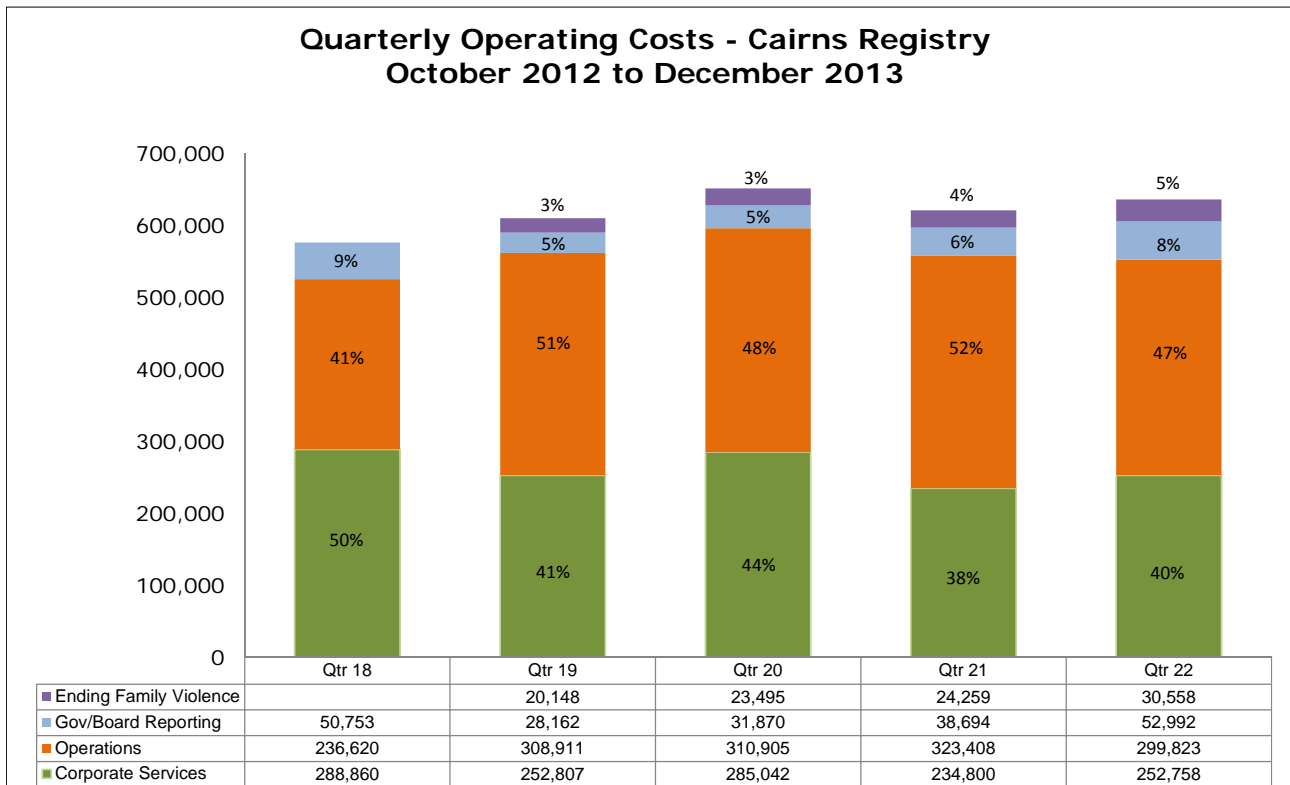
Graph 9: FRC operating costs 1 October 2013 to 31 December 2013.

Regional operational expenditure by location and quarter.



Graph 10: Operating costs by remote location 1 October 2012 to 31 December 2013.

Cairns Registry expenditure for quarter 22 compared to the previous four quarters.



Graph 11: Quarterly operating costs Cairns 1 October 2012 to 31 December 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				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, 1 New Year's Day

LEGEND

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