

Family Responsibilities Commission

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

Quarterly Report

No. 23

January 2014 to March 2014



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

Executive Summary

During quarter 23, 859 within jurisdiction agency notices were received by the Family Responsibilities Commission (the Commission), an increase of 4 from last quarter. There were 441 conferences held for the same period, representing a decrease of 1 from last quarter. Four Family Responsibility Agreements (FRAs) were entered into, 67 orders were made to attend community support services and 83 Conditional Income Management (CIM) orders were issued. When compared to last quarter, this represents a decrease of 4 FRAs and 20 orders to attend community support services, and an increase of 6 CIM orders.

Since the commencement of the Commission 89 Voluntary Income Management (VIM) agreements have been processed (an increase of three from last quarter). 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 245 clients during the quarter. The Commissioners made 124 referrals relating to 68 clients (a decrease of 28 referrals from last quarter). Further activity during the quarter consisted of 28 Applications to Amend or End Agreements or Orders (a decrease of 1 from the previous quarter) and 10 Show Cause conferences (an increase of 8 from last quarter).

Following an independent evaluation of the Cape York Welfare Reform (CYWR) trial released in 2012, the Cape York Institute sought an increase to the maximum rate of income management from the existing 75% to 90%. The increase was subsequently legislated to take effect from January 2014. The introduction of the increase to 90% income management by the Commission has given Local Commissioners an additional tool to encourage those members of the CYWR communities who show significant resistance to measures already placed upon them to comply with orders. The Local Commissioners have adopted the 90% and introduced it into their conferencing processes, whilst giving due consideration to the circumstances of each individual. Conditional Income Management (CIM) Orders of 90% have been imposed on 34 clients this quarter with Aurukun registering 28 clients and Hope Vale and Mossman Gorge registering three each. Of the 34 clients who received 90% CIM Orders 17 were imposed due to a school attendance or school enrolment notice. All of the 17 clients have previously been placed on CIM orders.

A significant review of administrative forms used by the Commission was conducted this quarter with a number of changes made to streamline conferencing procedures and post-conference case management practices. These changes have led to a reduction in resource allocation.

During this quarter the Commission bade farewell to its Executive Officer (Management), Alison Kollmorgen. Alison departed the Commission to relocate to Brisbane and has secured a position within DATSIMA, continuing her good work in welfare reform. Alison will be sadly missed and is fondly remembered for her high professional standards and excellent accounting and financial management skills. Following Alison's departure, the Commission welcomed Mitchell Holmes into the Executive Officer (Management) role. Mitchell comes to the Commission with a strong background in accounting having worked in a number of industries. Mitchell has reviewed our financial procedures and continues to contribute positively to the goals of the Family Responsibilities Commission and welfare reform.

The Commission continues to grow and strengthen its impact within the CYWR communities and a significant effort has been made to engage with key stakeholders and service providers resulting in a more collaborative approach to welfare reform. The Commission has initiated the collaborative strategy in Aurukun with a commitment to expand the proactive initiative into other welfare reform communities.

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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 March 2014.

1. Activities and Trends

Notices

In quarter 23 the Commission received **1,083 agency notices**¹. Some individuals may have been the subject of more than one agency notice. Of that figure 859 notices (79 percent) were within the Commission's jurisdiction and 224 notices (21 percent) were outside the Commission's jurisdiction.

Within jurisdiction notices comprised of:

324	Magistrates Court notices
444	School Attendance notices
0	School Enrolment notices
75	Child Safety and Welfare notices
16	Housing Tenancy notices

Of the 224 notices not within the Commission's jurisdiction, there were 199 Magistrates Court notices, 13 School Attendance notices and 12 Child Safety and Welfare notices.

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

- **Aurukun's 461** notices constitute **53.7 percent** of the total notices in jurisdiction across the four CYWR trial communities:

173	Magistrates Court notices
259	School Attendance notices
0	School Enrolment notices
18	Child Safety and Welfare notices
11	Housing Tenancy notices

Thirty-two Magistrates Court notices and 5 School Attendance notices were processed as not within jurisdiction.

- **Coen's 25** notices constitute **2.9 percent** of the total notices in jurisdiction:

16	Magistrates Court notices
4	School Attendance notices
0	School Enrolment notice
5	Child Safety and Welfare notices
0	Housing Tenancy notice

Three Magistrates Court 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 303** notices constitute **35.3 percent** of the total notices in jurisdiction:

105	Magistrates Court notices
154	School Attendance notices
0	School Enrolment notice
44	Child Safety and Welfare notices
0	Housing Tenancy notice

Two Magistrates Court notices, 7 School Attendance notices and 4 Child Safety and Welfare notices were processed as not within jurisdiction.

- **Mossman Gorge's 70** notices constitute **8.1 percent** of the total notices in jurisdiction:

30	Magistrates Court notices
27	School Attendance notices
0	School Enrolment notices
8	Child Safety and Welfare notices
5	Housing Tenancy notices

One hundred and sixty-two Magistrates Court notices, 1 School Attendance notice and 8 Child Safety and Welfare notices were processed as not within jurisdiction.

Since its commencement the Commission has received 16,609 agency notices within its jurisdiction. Total notices increased from 1,014 in quarter 22 to 1,083 in quarter 23. Of those notices in jurisdiction, Magistrates Court and Housing Tenancy notices increased, whilst School Attendance, School Enrolment and Child Safety and Welfare notices decreased.

Magistrates Court notices increased this quarter to 324 from 266 received in the previous quarter. Three out of the four communities experienced an increase in notices this quarter. Coen increased by 3 notices, Hope Vale increased by 73 notices and Mossman Gorge increased by 3 notices. Aurukun decreased by 21 notices.

School Attendance notices decreased from 499 in quarter 22 to 444 in quarter 23. Aurukun and Coen decreased by 40 and 22 notices respectively, whilst Hope Vale experienced an increase of 7 notices and Mossman Gorge remained unchanged.

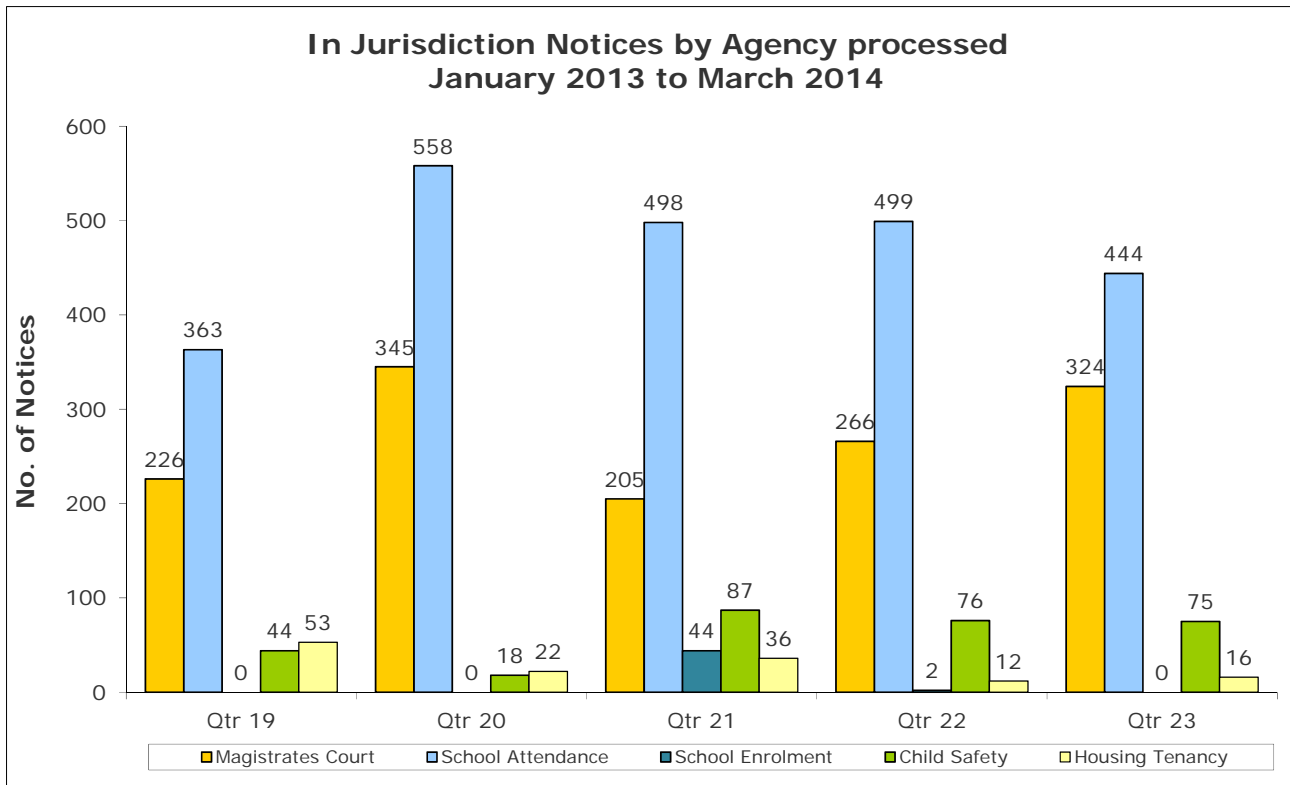
School Enrolment notices decreased from 2 in quarter 22 to 0 in quarter 23. Coen and Hope Vale experienced a decrease by 1 notice each, whilst Aurukun and Mossman Gorge remained unchanged.

Child Safety and Welfare notices decreased from 76 in quarter 22 to 75 in quarter 23. Aurukun experienced a decrease of 10 notices, Coen experienced a decrease of 5 notices, Hope Vale increased by 13 notices and Mossman Gorge increased by 1 notice.

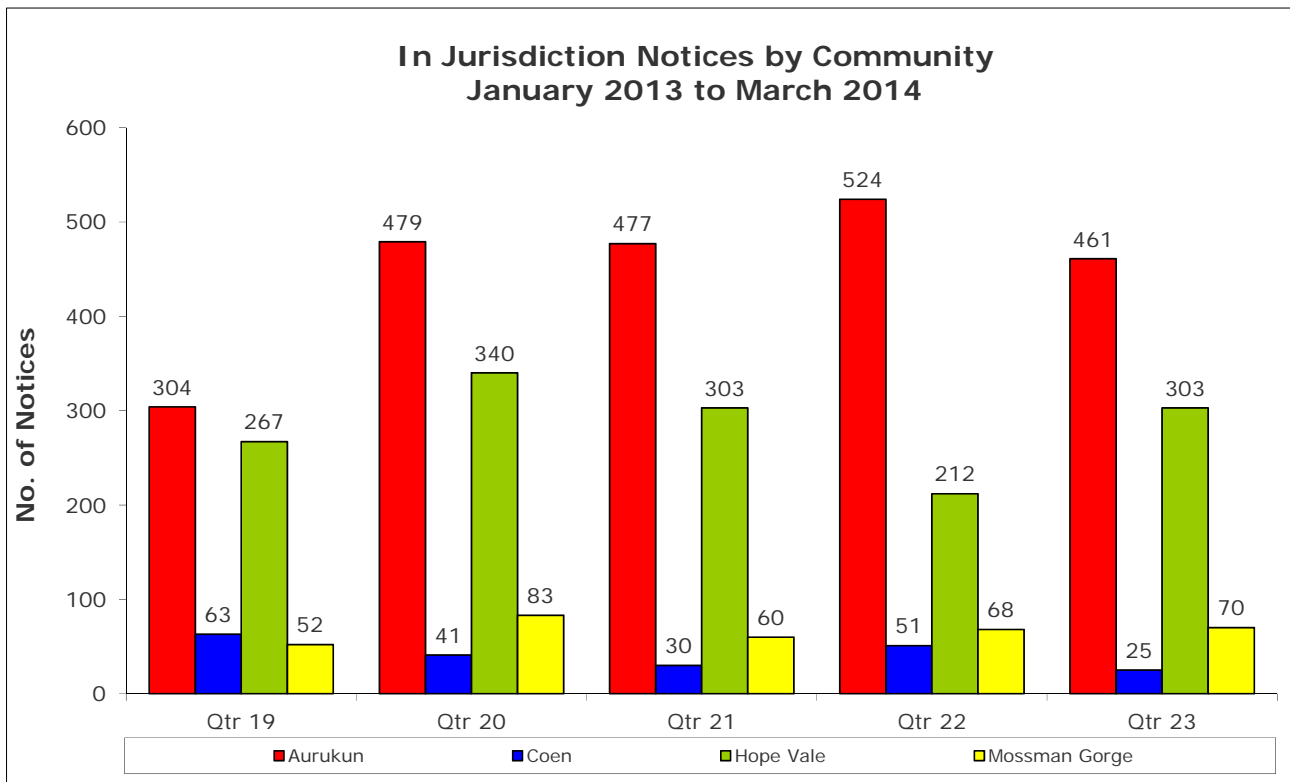
Housing Tenancy notices increased to 16 from 12 received in the previous quarter. Three out of the four communities experienced a decrease in notices this quarter. Coen, Hope Vale and Mossman Gorge decreased by 1, 1 and 2 notices respectively, while Aurukun increased by 8 notices.

The Commission receives school attendance data from the Department of Education, Training and Employment (DETE). The release of relevant data relating to quarter 23 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.

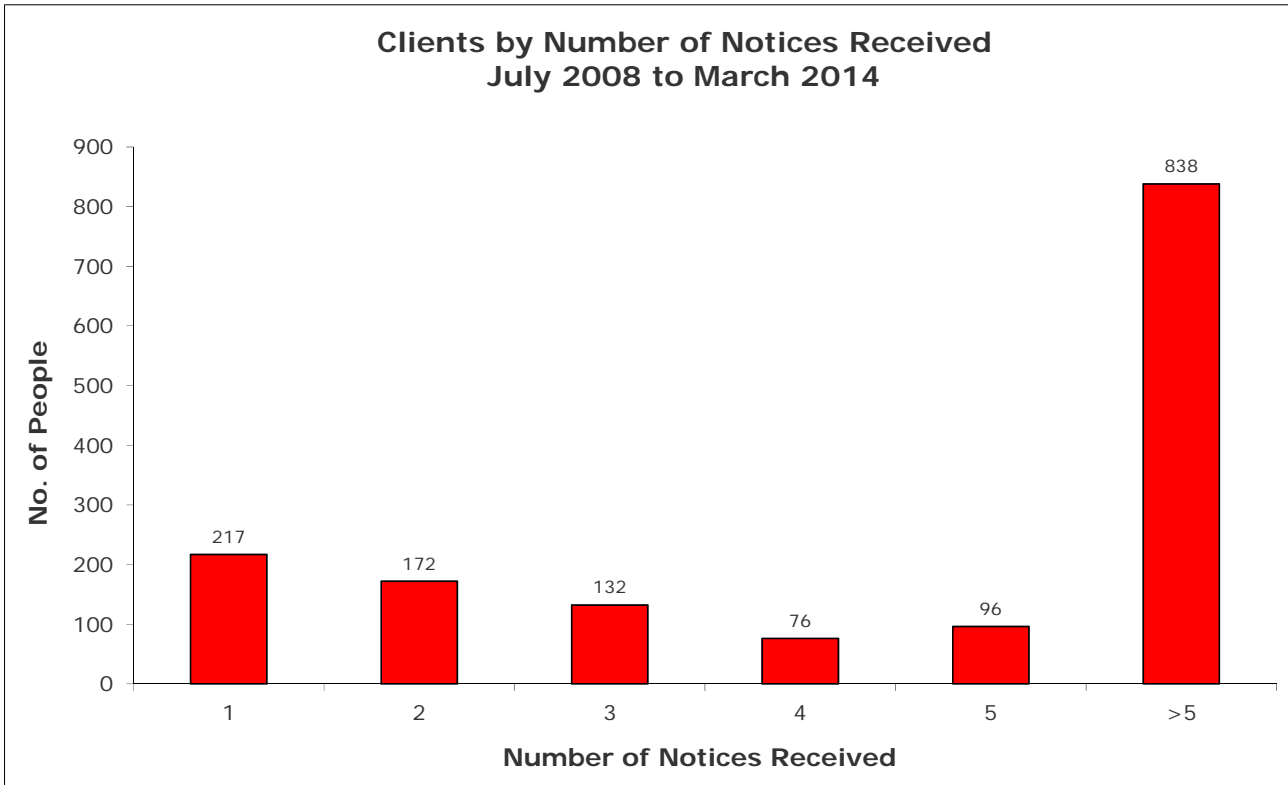


Graph 1: In jurisdiction notices by type and quarter 1 January 2013 to 31 March 2014.



Graph 2: In jurisdiction notices by community and quarter 1 January 2013 to 31 March 2014.

Since commencement in July 2008, 85.8 percent of clients have received more than one notice with 54.7 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, 14.2 percent of clients have received only one notice.



Graph 3: FRC clients by number of notices 1 July 2008 to 31 March 2014.

(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).

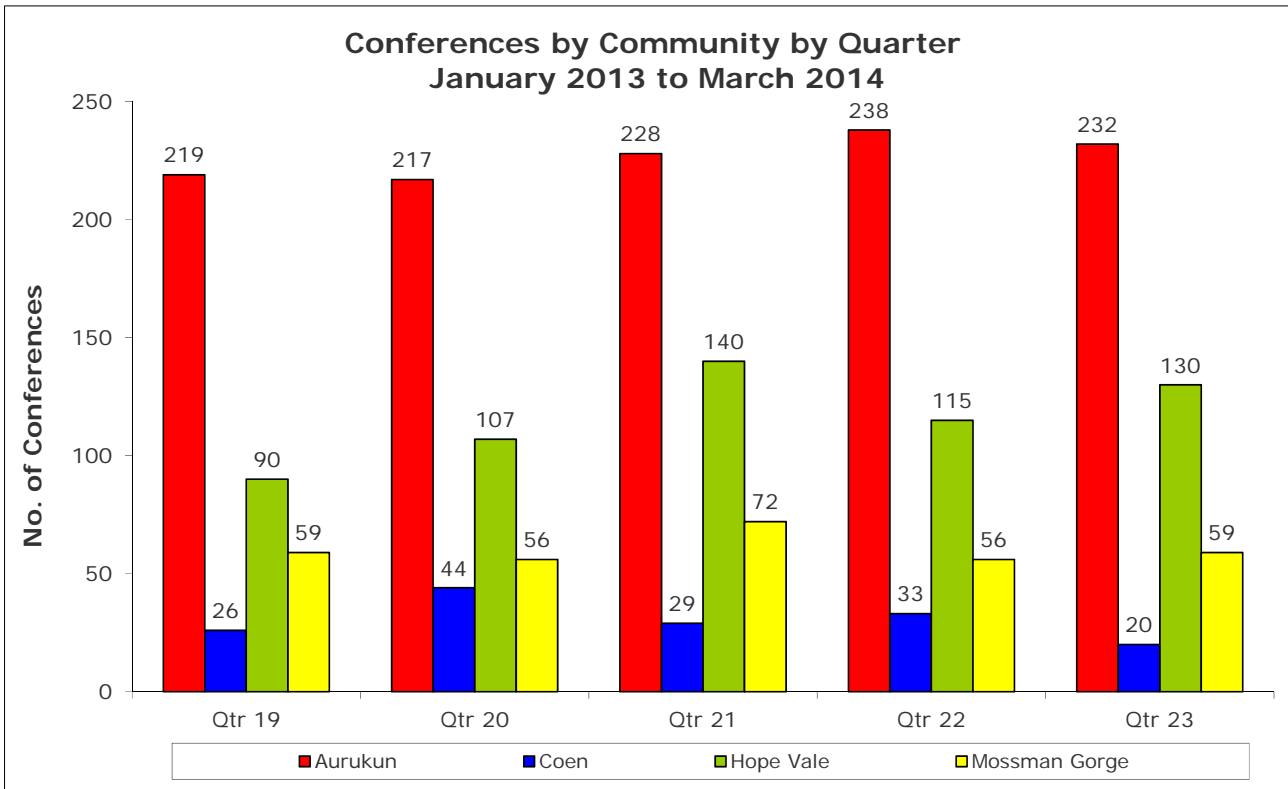
Conferences

Four hundred and forty-one conferences² were held across the four communities in quarter 23 resulting in 4 FRA's being entered into, 67 orders made to attend community support services and 83 CIM orders as well as no further action, rescheduling and scheduling to return for review with compliance. Twenty-four new clients were conferenced during the quarter. Details of conferencing activity in each community for quarter 23 are as follows:

- 232 conferences were held in Aurukun
- 20 conferences were held in Coen
- 130 conferences were held in Hope Vale
- 59 conferences were held in Mossman Gorge.

Conferences decreased from 442 in quarter 22 to 441 in quarter 23.

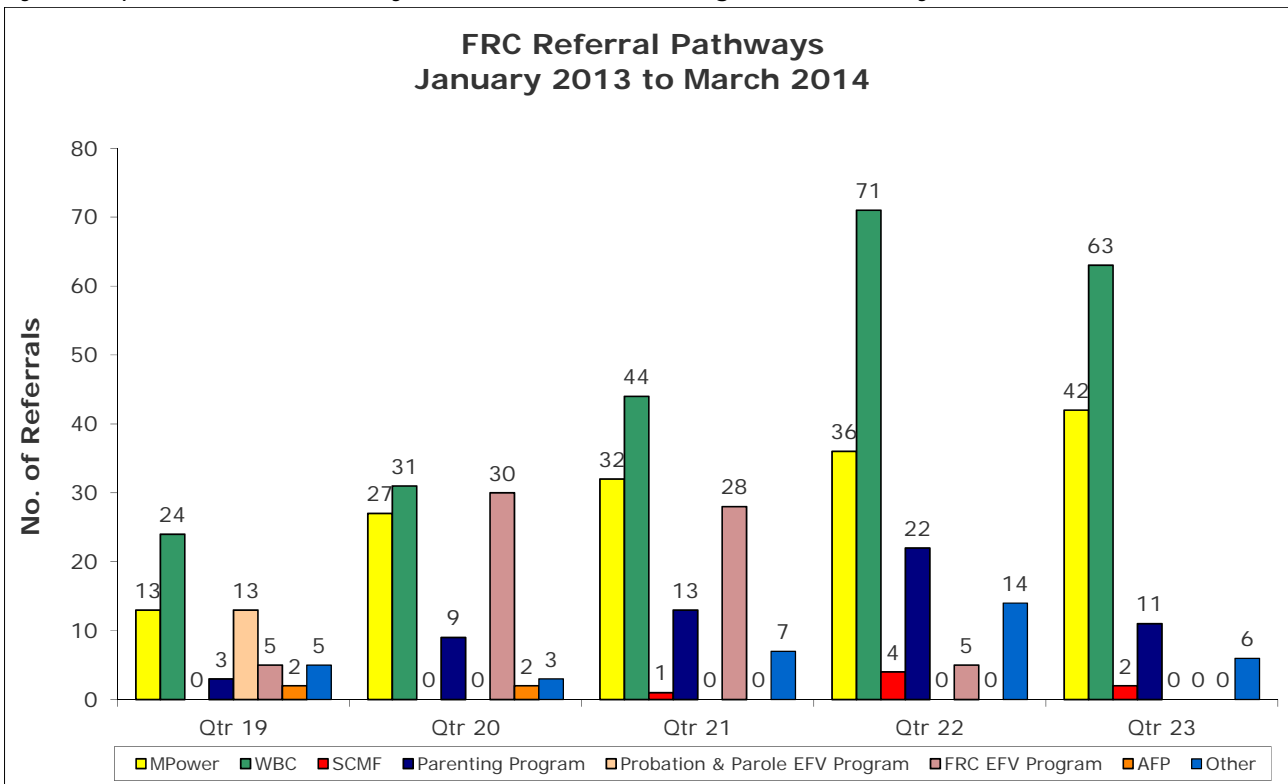
² The number of conferences held relates to the number of conferences listed, which includes where a client was served with a Notice to Attend Conference and subsequently failed to attend.



Graph 4: Conferences by community and quarter 1 January 2013 to 31 March 2014.

Referrals

Referrals to service providers decreased from 152 in quarter 22 to 124 in quarter 23, relating to 68 clients. Since commencement the Commission has referred 821 clients to service providers resulting in approximately 53.1 percent of clients on 12 month service referral plans. Referrals in the communities during the quarter were as follows: Aurukun remained unchanged; Coen decreased by 8; Hope Vale decreased by 16; and Mossman Gorge decreased by 4.



Graph 5: Referral pathways by referral type and quarter 1 January 2013 to 31 March 2014³.

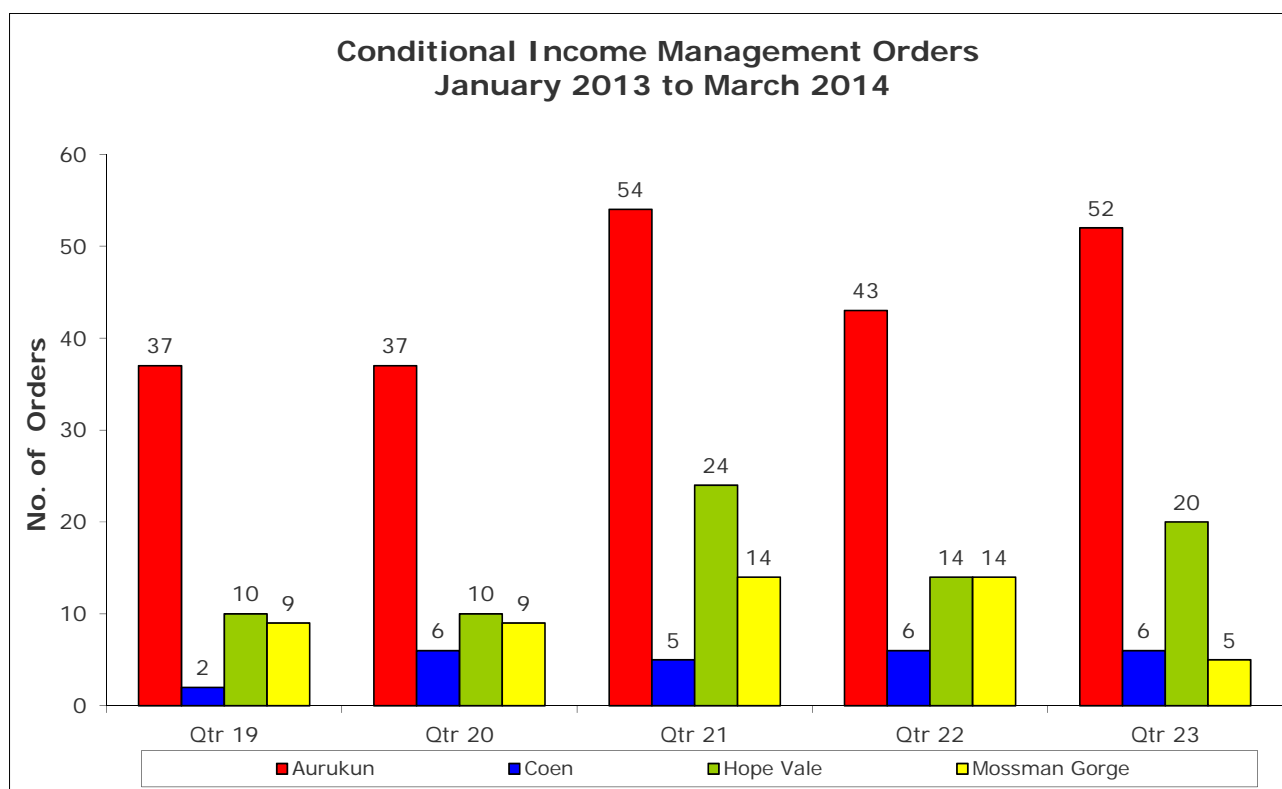
³ EFVP referrals converted to FRC from Probation and Parole for the period 1 March 2013 to 31 December 2013.

Conditional Income Management

Eighty-three CIM orders were made in quarter 23, an increase of 6 from quarter 22. Since the commencement of the Commission 1,323 CIM orders inclusive of original orders, extensions and amendments have been made relating to 624 clients. During the quarter Aurukun and Hope Vale increased by 9 and 6 CIM orders respectively. Mossman Gorge decreased by 9 CIM orders Coen remained unchanged.

As at 31 March 2014, 40.3 percent of the Commission's clients have been subject to a CIM order over the past five and three quarter years. As at 31 March 2014 there were 246 clients subject to a CIM order which equates to 15.9 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, 89 VIM agreements have been processed relating to 72 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 January 2013 to 31 March 2014.

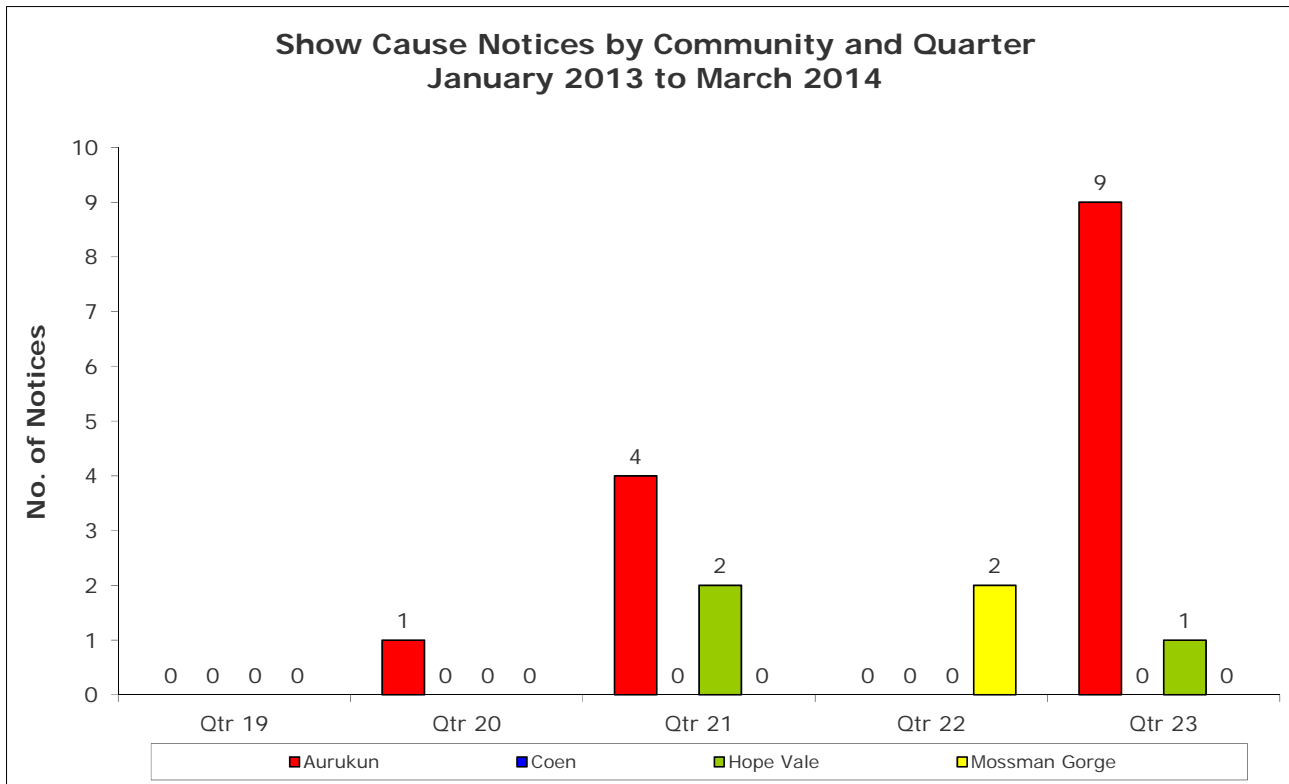
Case Management

As at 31 March 2014, 245 clients were being case managed, an increase from 223 in quarter 22. Aurukun and Mossman Gorge increased by 24 and 2 respectively whilst Coen and Hope Vale decreased by 1, and 3 respectively.

Show Cause Notices

During quarter 23, 10 Show Cause hearing was held. This matter resulted in:

- 1 Client received an Income management order and ordered to comply with the new case plan
- 2 Clients received Income Management orders
- 1 Client received an extension of their Income Management order
- 1 Client placed on monitor
- 1 No further action
- 4 Show Cause Notices pending client completing actions directed by the Commission.



Graph 7: Show Cause Notices by community and quarter 1 January 2013 to 31 March 2014.

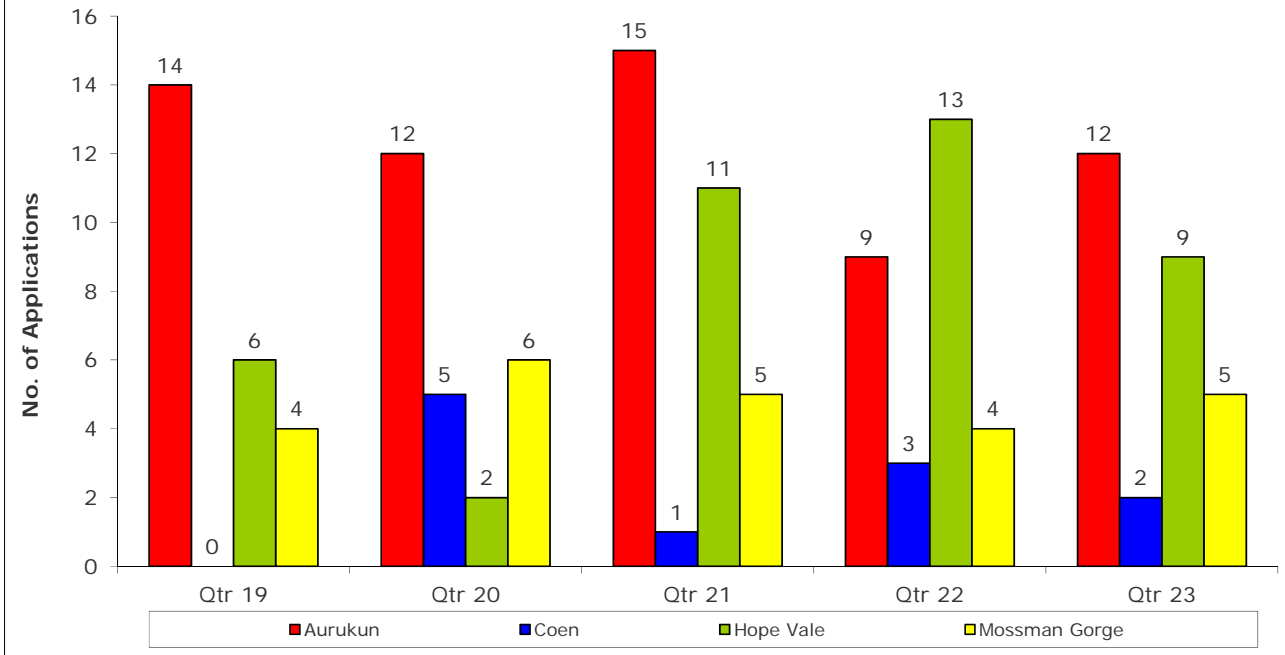
Applications to Amend or End Agreements or Orders

Twenty-eight Applications to Amend or End a Family Responsibilities Agreement or Order were received in quarter 23, a decrease of 1 from quarter 22. Outcomes of the 28 applications received are as follows:

- 10 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
- 8 applications dismissed
- 1 application dismissed and the client ordered to comply with case plan
- 2 applications rescheduled for next quarter
- 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 January 2013 to March 2014



Graph 8: Applications to Amend or End FRA or Order by community and quarter 1 January 2013 to 31 March 2014.

2. Future Direction and Challenges

Future Direction

The Local Commissioners acknowledge the Commission ceases operations under its current legislative framework on January 1, 2015. They are concerned to see the future months are constructive in bringing about firstly, an acknowledgement by the Aurukun and Hope Vale communities of the serious problem of the significant number of disengaged youth under 16 years of age who neither attend any educational program or do so irregularly, and secondly that a realistic community-lead plan to implement what was foreshadowed in Quarterly Report to No 20. There has been no discernable improvement in the school attendance of those children in 2014.

The Commission commenced and now coordinates in Aurukun regular meetings with service providers to discuss case management of community clients. This trial program has gained the popular acceptance of service providers and is seen as a valuable tool in coordinating service delivery. If after six months of operation, the participants conclude the trial a success, it is hoped a similar trial could be commenced in Hope Vale.

The Commission is monitoring the effect of the imposition of 90% Income Management Orders to ascertain if there is discernable improvement of school attendance of children in the care of those subject to the new orders.

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 January 2014 to 31 March 2014 totalled \$1,626,853. This income consisted of:
 - \$800,000 Queensland Government, funding for operations
 - \$800,000 Australian Government, funding for operations
 - \$8,430 interest received
 - \$18,423 received in sundry revenue.

The balance of available funds in the bank as at 31 March 2014 is \$1,008,245.

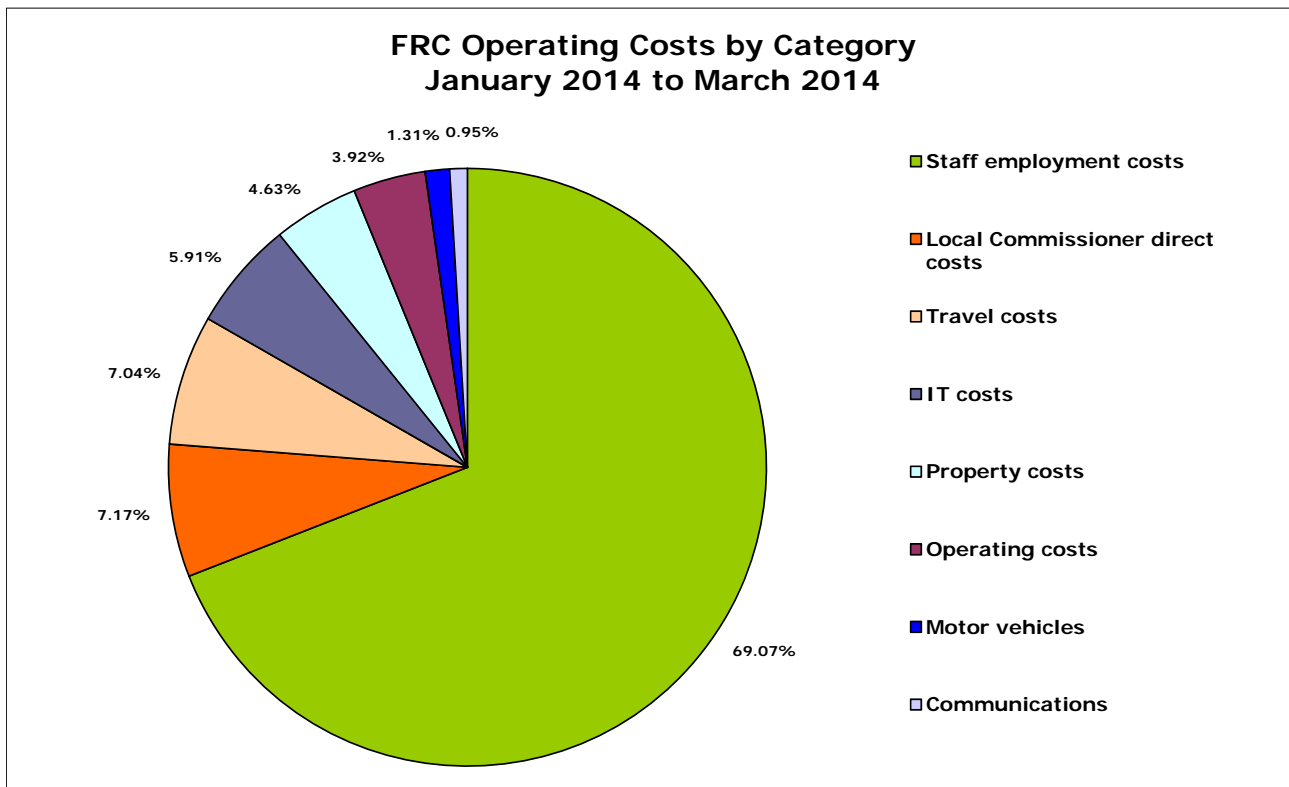
Expenditure:

- Expenditure for the period 1 January 2014 to 31 March 2014 was \$884,980. This total represents 23 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 January 2014 to 31 March 2014	Expenditure Qtr 23	1 January 2014 to 31 March 2014	Expenditure Qtr 23
Staff employment costs	\$611,262	Property costs	\$40,955
Local Commissioner direct costs	\$63,512	Operating costs	\$34,660
Travel costs	\$62,348	Motor vehicles	\$11,580
IT costs	\$52,277	Communications	\$8,386
		Total	\$884,980

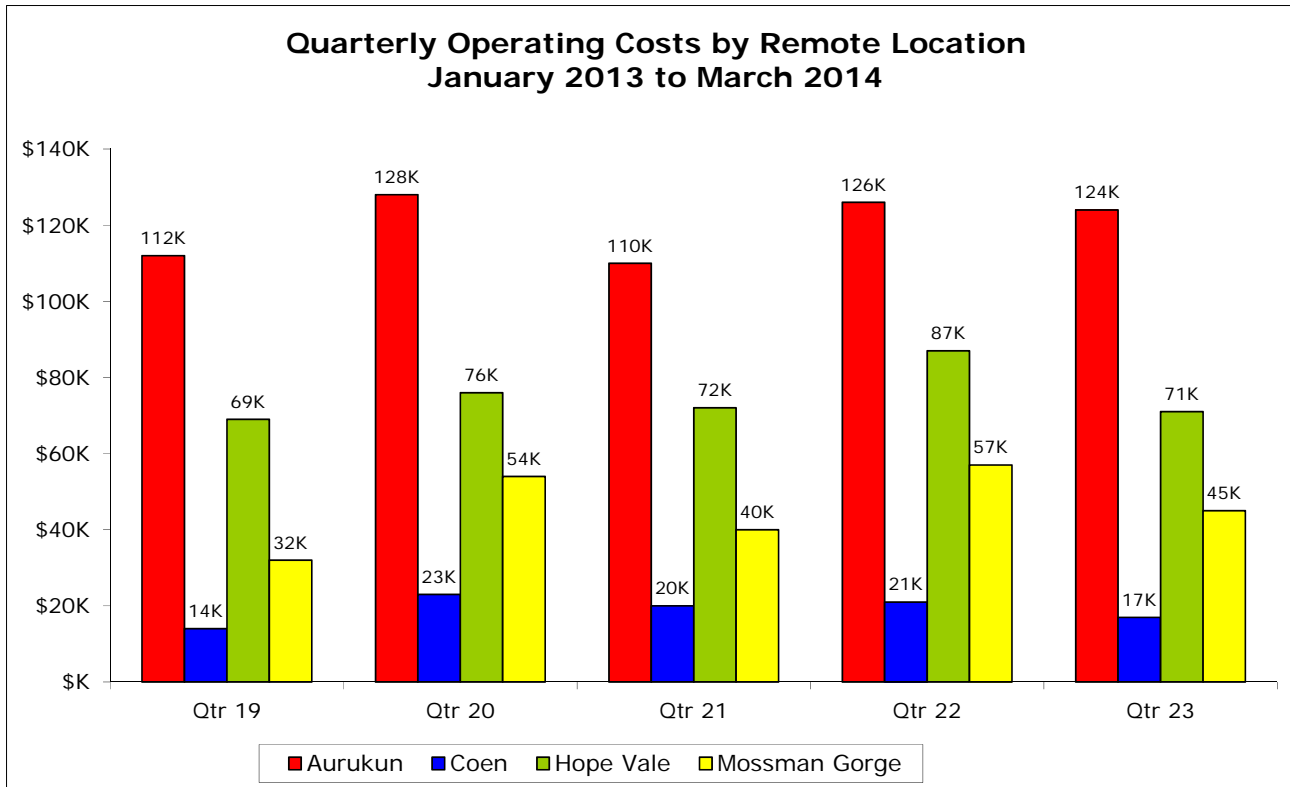
Table 1: Unaudited expenditure in quarter 23.

Quarter 23 disbursement of expenditure by category and percentage of total expenditure.



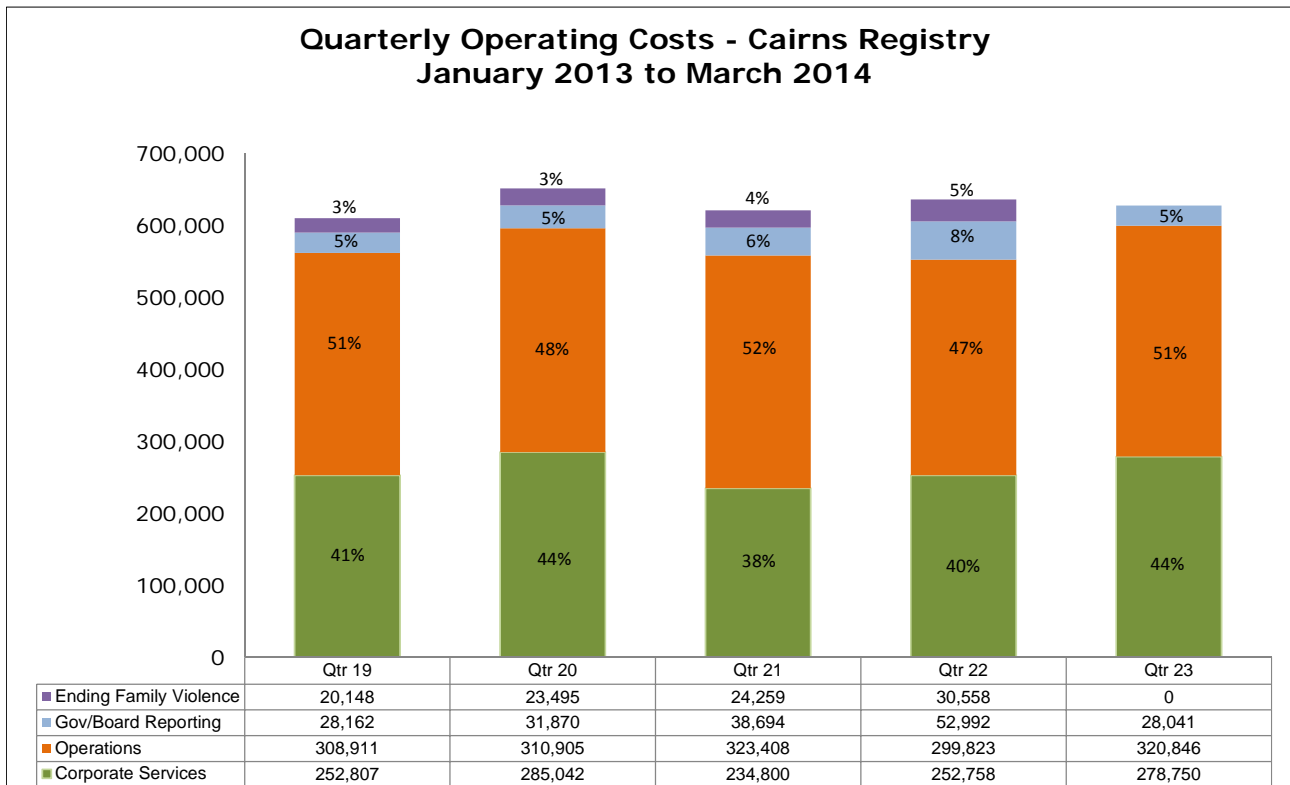
Graph 9: FRC operating costs 1 January 2014 to 31 March 2014.

Regional operational expenditure by location and quarter.



Graph 10: Operating costs by remote location 1 January 2013 to 31 March 2014.

Cairns Registry expenditure for quarter 23 compared to the previous four quarters.



Graph 11: Quarterly operating costs Cairns 1 January 2013 to 31 March 2014.

APPENDIX A



**SITTING CALENDAR 2014
FAMILY RESPONSIBILITIES COMMISSION
1 January 2014 to 31 December 2014**



Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	Other
30 December			Public Holiday			30, 31 Office closed for Xmas 1 New Year's Day
6 January						Cooktown Circuit
13 January						
20 January						21 ASC Meeting Aurukun Cape B Circuit Coen Cape A Circuit
27 January	Public Holiday	28	29	30		27 Australia Day
3 February		4 4	5			Cooktown Circuit
10 February	10	11	12	13		
17 February		18 18	19			18 FR Board Meeting 18 ASC Meeting Aurukun Cape B Circuit
24 February		25	26	27		
3 March		4 4	5			Cooktown Circuit
10 March		11	12	13		Aurukun Cape B Circuit Coen Cape A Circuit
17 March		18 18	19			18 ASC Meeting
24 March	24	25	26	27		
31 March		1 1	2			Cooktown Circuit
7 April						
14 April					Public Holiday	15 ASC Meeting, 18 Good Friday Aurukun Cape B Circuit
21 April	Public Holiday	22	23	24	Public Holiday	21 Easter Monday, 25 ANZAC Day
28 April		29 29	30			
5 May						6 FR Board Meeting Commissioner Week Cooktown Circuit
12 May	12	13	14	15		
19 May	19	20	21			20 ASC Meeting Aurukun Cape B Circuit Coen Cape A Circuit
26 May		27	28	29		

SITTING CALENDAR 2014
FAMILY RESPONSIBILITIES COMMISSION
1 January 2014 to 31 December 2014

Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	Other
2 June		3	4	5		Cooktown Circuit
9 June	Public Holiday	10	11	12		9 Queen's Birthday
16 June		17	18	19		17 ASC Meeting Aurukun Cape B Circuit
23 June	23	24	25	26		
30 June						Cooktown Circuit
7 July						
14 July		15	16	17	Public Holiday	15 – 17 Estimates, 15 ASC Meeting 18 Cairns Show Day Aurukun Cape B Circuit Coen Cape A Circuit
21 July		22	23	24		21 Mossman Show
28 July		29	30	31		
4 August		5 Public Holiday	6	7		5 FR Board Meeting 5 Aurukun Day Cooktown Circuit
11 August	11	12	13	14		
18 August		19	20	21		19 ASC Meeting Aurukun Cape B Circuit
25 August		26	27	28		
1 September		2	3	4		Cooktown Circuit
8 September	8	9	10	11		
15 September		16	17	18		16 ASC Meeting Aurukun Cape B Circuit Coen Cape A Circuit
22 September						
29 September						
6 October	Public Holiday	7	8	9		6 Labour Day Cooktown Circuit
13 October	13	14	15	16		Aurukun Cape B Circuit
20 October		21	22	23		21 ASC Meeting
27 October		28	29	30		

Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	Other
3 November		4	5	6		4 FR Board Meeting Cooktown Circuit
10 November	10	11	12	13		
17 November		18	19	20		18 ASC Meeting Aurukun Cape B Circuit Coen Cape A Circuit
24 November		25	26	27		
1 December		2	3	4		Cooktown Circuit
8 December	8	9	10	11		Aurukun Cape B Circuit
15 December						
22 December				Public Holiday	Public Holiday	25 Christmas Day 26 Boxing Day
29 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
⊖	Cancelled Conference