



Significant events and achievements

Significant events

The past financial year has seen a number of significant events which have impacted on the operations of the FRC.

New Local Commissioner training

July 2022 saw the commencement of the program to induct and train the 12 new Local Commissioners appointed on 5 May 2022. The schedule of training occurred over a six-month period and gave new Local Commissioners a foundational understanding about their role and legislative responsibilities. Topics included procedural fairness, natural justice, managing conflicts of interests and confidentiality. The delivery of the training program also involved an immersive component - shadowing the Commissioner, Deputy Commissioner, other Local Commissioners and Local Registry Coordinators in the performance of their duties.

In the interests of providing a more focused and intensive training experience, and to allow the new Local Commissioners to meet each other and get to know Local Registry Coordinators and other registry staff, the new Local Commissioners were hosted at a training conference in Cairns during the week commencing 17 October 2022. Each Local Commissioner received a Local Commissioner Handbook which incorporates relevant guidelines and legislation governing their functions, powers and suitability requirements. The Handbook provides the framework under which the Local Commissioners are expected to perform their functions.

During the intensive training week, the Local Commissioners learned about how the FRC was established, the organisational structure of the Commission including the administrative functions necessary to provide them with the requisite information to make decisions. Further, Local Commissioners were advised about the registry processes following their decision-making such as the monitoring of case plans, communication and collaboration with service providers and strategic partners, the supervision of income management and their role in representing the FRC both within and outside their communities.

In closing the conference, Commissioner Tammy Williams, Deputy Commissioner Rod Curtin and Registrar Maxine McLeod addressed the new Local Commissioners on the importance of professionalism in performing their functions as decision-makers, the primary principle of ensuring that actions taken are in the best interests and wellbeing of children and vulnerable persons, and that in carrying out their functions the Local Commissioners must observe the principles of natural justice.

With the exception of the initial appointment of Local Commissioners in 2008, this was the largest group of new Local Commissioners to have been appointed at once. The Commissioner, Deputy Commissioner and registry staff put considerable time and effort into developing and delivering the induction and training program, which was considered very successful. At the completion of the six-month program, all Local Commissioners who completed the training were assessed as competent to sit as part of a decision-making panel.

Significant events and achievements



Statutory appointments

Reappointments July 2023 – June 2026

On 29 June 2023 the Commission was advised by DTATSIPCA the Governor in Council had approved the reappointment of Commissioner Williams as the Commissioner for the period 1 July 2023 to 30 June 2026. Further, to support the Commissioner in her role, Mr Rodney Curtin was reappointed as Deputy Commissioner, and the following current Local Commissioners for the communities of Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge were reappointed for the same period:

Aurukun: Mr Edgar Kerindun OAM, Ms Doris Poonkamelya OAM, Ms Ada Woolla OAM, Ms Dorothy Pootchemunka, Ms Vera Koomeeta OAM, Ms Keri Tamwoy and Mr Dereck Walpo.

Coen: Ms May Kepple OAM, Ms Elaine Liddy OAM, Ms Alison Liddy and Ms Maureen Liddy.

Doomadgee: Mr Christopher Logan, Ms Elaine Cairns, Ms Kaylene O’Keefe, Ms Eleanor Logan, Mr Guy Douglas, Ms Isabel Toby, Ms Dawn Aplin, Ms Wendy Taylor, Ms Lila Cairns and Ms Virginia Collins.

Hope Vale: Ms Priscilla Gibson, Ms Doreen Hart OAM, Ms Cheryl Cannon, Ms Erica Deeral, Ms Selina Kerr-Bowen, Mr Robert Gibson and Ms Kathryn Gibson.

Mossman Gorge: Ms Loretta Spratt OAM, Mr George Ross-Kelly, Ms Daphne Creek, Ms Zara Ryan, Mr Jarrod Kulka and Ms Julie Williams.

This three-year period is the longest term of appointment that has been granted to the Commissioner, the Deputy Commissioner and the Local Commissioners, since the beginning of the Welfare Reform trial. Given the ongoing impacts of uncertainty about the FRC’s future, this term of relative stability is welcomed.

Mr Noel Pearson, Founder of Cape York Partnership representing the Cape York Institute (CYI) and Ms Jody Broun, Chief Executive Officer, National Indigenous Australians Agency (NIAA) were reappointed to the FR Board for the period 1 July 2023 to 30 June 2026. The Governor in Council appointed Ms Clare O’Connor, Director-General of DTATSIPCA as the chair of the FR Board from 1 July 2023 to 30 June 2026.

New Local Commissioner appointments

On 29 June 2023 the Commission was also advised the Governor in Council had approved the appointment of two more new Local Commissioners for Coen, Ms Naomi Hobson and Ms Ramana Walker for the period 1 July 2023 to 30 June 2026. The appointment of new Local Commissioners in Coen is warmly welcomed by the existing Coen Local Commissioners and the FRC team. Having additional Local Commissioners will allow the hardworking Coen Commissioners to be relieved as needed and inject new perspectives into conferencing and other work in the Coen community.

Tabling of 2021-22 Annual Report

March 13, 2023 heralded the 15th anniversary of the passing of the FRC Act through Queensland State Parliament with bi-partisan support. Internally the Commission marked the anniversary by recognising and acknowledging the hard work undertaken by Commissioners and registry staff in moulding the Commission into the organisation it is today. It is fitting that the Commission’s 2021-2022 Annual Report was tabled in Queensland’s Parliament on 13 March 2023 by the Honourable Craig Crawford MP, the then Minister for Aboriginal and Torres Strait Islander Partnerships.



Significant events and achievements

Community Support and Services Committee

Estimates

Commissioner Williams and members of the EMT travelled to Brisbane to appear at the Estimates Hearing for agencies reporting to the Community Support and Services Committee on 4 August 2022.

Commissioner Williams provided information in response to questions from the Committee regarding VIM agreements in connection with the proposed abolition of the CDC, and progress on the restoration of Childrens Court notices. The Commissioner also noted the Queensland Government's Future Directions Review which commenced stakeholder consultations earlier in the year.

Meeting with the Community Support and Services Committee

On 27 March 2023, Commissioner Williams, along with members of the EMT appeared at a Public Briefing of the Community Support and Services Committee of the Queensland State Parliament.

Commissioner Williams reported to the Committee on:

- the operational performance highlights outlined in the recently tabled Annual Report
- the Memorandum of Understanding (MoU) for funding and the impact of successive short-term funding agreements on the Commission's operations
- the importance of operationalising the Childrens Court trigger in the FRC Act
- school attendance data
- the success of VIM.

Repeal of the Cashless Debit Card

A priority focus for the FRC during the latter half of 2022 was the introduction and passage of legislation through the Australian Parliament to repeal the CDC program. The Social Security (Administration) Amendment (Repeal of Cashless Debit Card and Other Measures) Bill (the Bill) was introduced in the House of Representatives on 27 July 2022. The Bill was passed in the House of Representatives and introduced in the Senate on 3 August 2022.

The Bill raised several issues of concern for the FRC as some of the proposed amendments appeared to undermine the independence of the FRC's decision-making functions. During the short time between the introduction of the Bill and its passage to the Senate, the FRC began discussions with DSS about potential impacts for the FRC if the Bill was passed as drafted. The Bill was referred to the Senate Standing Committee on Community Affairs, and the FRC was invited to participate in the Committee's inquiry into the Bill.

During the week beginning 8 August 2022, the FRC hosted ministerial delegations in Aurukun and Cairns as part of community consultation being undertaken on the repeal of the CDC. Assistant Minister for Social Services, the Hon Justine Elliott MP, along with DSS staff travelled to Aurukun and witnessed an FRC conference. A proposed trip to see a conference in Mossman Gorge was unfortunately cancelled due to sorry business. The Minister for Social Services, the Hon Amanda Rishworth MP, travelled to Cairns and met with Local Commissioners from Doomadgee, Deputy Commissioner Curtin and registry staff.

Significant events and achievements



The Local Commissioners also prepared written submissions for the ministerial delegation to consider which outlined the reasons for the continuation of income management in their communities, and the benefits of the CDC to their communities, when compared with the BasicsCard.

The FRC provided a comprehensive written submission to the Senate Standing Committee on Community Affairs on 15 August 2022. The submission explained the FRC's unique model of income management, highlighted our performance record, and raised concerns that the Bill, as drafted, may adversely impact the Commission's operations and the wellbeing of our most vulnerable clients. Commissioner Williams and Anne Crampton (Manager, Case Management and Monitoring) travelled to Bundaberg to give evidence in person at a hearing of the Senate Committee on 16 August 2022.

Commissioner Williams and Camille Banks (Manager, Compliance and Legal Policy) also travelled to Canberra to provide briefings and advice to Ministers and staff, Senators and colleagues at DSS and NIAA.

The Senate Standing Committee handed down its report on 31 August 2022. The Senate Committee's report affirmed the role of the FRC as a community-led model of self-determination. The Report recommended that the Bill be passed, subject to only one other recommendation:

"...that the Commonwealth Government work with the Queensland Family Responsibilities Commission to address the concerns raised, including considering possible amendments to the bill, to ensure that the Commission can continue to operate effectively in accordance with its statutory responsibilities."

The Australian Government drafted further amendments to the Bill, consulting with the FRC prior to the introduction of the amendments in the Senate on 27 September 2022. The legislative issues raised in the FRC's submission to the Senate Standing Committee were satisfactorily addressed by the amendments. The amendments also introduced the eIM regime, which was designed to ensure that a product with the same technological capabilities as the CDC would be made available to clients remaining on income management.

The Explanatory Memorandum noted the compatibility of the FRC model with human rights and the right to self-determination pursuant to Article 1 of the International Covenant on Economic, Social and Cultural Rights.

*"By ensuring the continuation of the FRC referral model, the amendments ensure that IM in prescribed community areas can continue as intended to address and curtail passive welfare, antisocial behaviour and entrenched disadvantage. FRC [C]ommissioners will be able to determine how much a participant's payment should be qualified, based on an assessment of the participant's holistic situation. A [C]ommissioner can also vary the qualified portion if required which allows for a level of discretion, as opposed to a 'one size fits all' approach. **Therefore, self-determination is maintained as this a community-endorsed model to address concerns relating to those most vulnerable to social harms'** [emphasis added]."*

1. Statement of Compatibility with Human Rights; Supplementary Explanatory Memorandum; *Social Security (Administration) Amendment (Repeal of Cashless Debit Card and Other Measures) Act 2022*; prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.



Significant events and achievements

The passing of the legislation meant that CDC participants in trial sites (that is, those CDC sites other than the Northern Territory and the FRC communities), could opt-out of CDC, or continue voluntarily. On 6 March 2023, FRC communities transitioned to eIM.

During the consultations, briefings and submissions to the Parliamentary process, the FRC was pleased to be able to demonstrate the uniqueness and success of the FRC's income management model, and to advocate for changes to legislation which would otherwise have impacted on the most vulnerable of the FRC's clients. During this process, the ongoing value of the FRC, and, in particular the work of Local Commissioners, was recognised by the Australian Parliament.

Achievements

Voluntary Income Management

It is significant that as 30 June 2023 the FRC has processed a total of 523 income management arrangements since 17 March 2021, of which 64 percent were voluntary. It is also notable that the increase in uptake can be seen across all age groups, including the younger cohort of 18-25 year olds. As at 30 June 2023 there were 66 clients, who between them have 50 children in their care, on a VIM agreement.

VIM is a popular tool for those wishing to get support to manage their money and ensure household needs and financial obligations are met. The FRC has tracked the reasons people enter into a VIM agreement since 17 March 2021 following the introduction of the CDC and now, more recently, the SmartCard. The most common reasons across all age groups were to buy food and to pay bills.

VIM has also proven to be a useful protective mechanism for those struggling with complex and entrenched disadvantage. The FRC's experience is that women have found VIM particularly helpful in protecting their income in relationships characterised by domestic violence, including coercive control. Elderly community members are also self-referring to help safeguard funds for their own needs and protect against humbugging or other elder abuse.

Data since the introduction of the CDC and the subsequent SmartCard, from 17 March 2021 until 30 June 2023, show of the 230 VIM clients:

- 123 (53 percent) had a conditional income management (CIM) prior to a VIM
- 107 (47 percent) had only had a VIM.

This demonstrates that clients recognise things can improve for them and their families with income management in place and have taken steps to continue this improvement.

Intensive Case Management framework

The previous annual report noted the development of the ICM framework. The ICM framework was primarily a response to the increased need to provide support to FRC clients during the suspension of usual conferencing when the Omicron variant of COVID-19 was significantly affecting communities. The aim of the initial ICM framework development was to better utilise the Commission's existing case management powers under the FRC Act and provide an increased

Significant events and achievements



level of oversight and assistance to vulnerable clients. The modified operations helped determine the level of support for clients experiencing complex issues or if an extraordinary remote conference was required. The FRC were one of the few organisations providing on the ground support to clients during the long period of the COVID-19 virus outbreak once the Queensland Government Health stay at home directives were removed.

Since its inception, the ICM framework has further developed to become an integral part of the FRC's work. ICM has proven to be a successful strategy building trusting and supporting relationships with both clients and service providers outside the more formal conference setting. Following a formal review of the ICM framework in early 2023, the goal of the ICM framework is now to provide oversight of case plan compliance by service provider/s and the client, and determine whether the case plan and its goals remain suitable and adequately address issues of concern to the Commission. Adjustments have been made to further clarify the timing of the phases of case management within the framework and improve data collection. Alongside the Manager, Coordination, Local Registry Coordinators have begun to develop their case management capabilities and institute a reflective practice.

The ICM framework is yet to be formally evaluated, but anecdotal evidence from clients is that they highly value the more intensive support to access and attend services. Local Commissioners also report that the more frequent and intensive interactions with clients outside of conference seemed to reinforce the supportive nature of FRC interventions, and increased clients' willingness to access services and work towards their goals.

Elevated School Response strategy

The issue of recent historically poor school attendance rates and educational outcomes for children in First Nations communities, requires a targeted response to identify and overcome complex barriers prohibiting engagement and attendance affecting families.

Disappointing school attendance data for Terms 3 and 4 of 2022 reflected the ongoing concern of Local Commissioners about low levels of school attendance, particularly in the Aurukun and Doomadgee communities. This prompted the FRC to design, following feedback from Local Commissioners and clients, and deliver in partnership with local schools, an ESR strategy to identify and case-manage FRC clients whose children are not attending school, or not attending on a regular basis.

The FRC, in general, is not a school attendance model – nor does it run a local school bus per se. The Commission does however play a pivotal role with community members who fall within its jurisdiction to work with families to overcome complex barriers to support school engagement and retention. The ESR uses an active case management approach of clients who have come to the Commission's attention through the receipt of a notice from the Department of Education in relation to student absences. Most clients are experiencing a suite of chronic issues with intersections between education, child safety and domestic violence.

Participation in ESR predominately follows a conference, in circumstances where a client may have entered into a FRA or been subject to an order and agreed to participate in the ESR program to overcome barriers to school engagement and attendance. Parents may also self-refer to the Commission for assistance and enter into a VCP to be an ESR participant. Clients entering an FRA, order, or VCP are subject to time limited case plans which automatically expire after a period determined by the FRC Act (3 to 12 months). However, clients can agree to a secondary case plan in certain circumstances.



Significant events and achievements

A key part of ESR involves Local Commissioners visiting identified families at their homes, or at family members' homes to engage and initiate connection to school or an education stream appropriate to their needs.

Local Commissioners discuss barriers and offer possible strategies to families to overcome these. Where there has been long term disengagement and disconnection, the FRC applies a multi-disciplinary approach involving other service providers to jointly support clients who are ESR participants to overcome challenges.

Prior to Term 1 2023, the Local Commissioners and Local Registry Coordinators in Aurukun and Doomadgee each developed a response strategy specific to their communities. In Aurukun, for example, the initial focus was on long-term disengaged young people, whilst in Doomadgee, families that already had a case plan referral to School Attendance Officers were prioritised.

ESR strategies were implemented in Hope Vale and Mossman Gorge in Term 2 of 2023. Mossman Gorge's strategy included responding to the wishes of the community by aiming to reduce behavioural issues on the school bus, as well as improving school attendance. Hope Vale's ESR strategy included targeting the early years as well as school aged children, and focussed on families whose children were eligible to start kindergarten and Prep.

More detailed analysis of school attendance data of the students and families targeted by the ESR is ongoing, however early indications are encouraging. The program has also received positive feedback from school staff observing that school attendance 'always increases on the weeks that the FRC and the Local Commissioners are engaging ESR clients and their children'. The Commission is also heartened to report that the Department of Education published primary school attendance for Term 1 2023, (January to March 2023) which covers all students and not just the children of FRC clients, reflects improvement across the board for the communities of Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge when compared to Term 4 2022.

Building better partnerships

Department of Education – Instrument of Delegation

On 7 February 2023 the Commission was informed by the Department of Education that their Director-General had signed a new Instrument of Delegation under the *Family Responsibilities Commission Act 2008*. The delegation authorised Principals and Deputy Principals of schools in FRC communities, as well as the Executive Director, Performance Monitoring and Reporting, to directly provide notice to the Commissioner of:

- a child of compulsory school age that is not enrolled at a school (s41 FRC Act)
- information about a student at a school (s93 FRC Act) – for Principals, this information is limited to requests for enrolment and/or attendance information regarding a student at their own school.

The Commission is happy to report the Instrument of Delegation has streamlined response processes and timelines in regard to requests for information aimed at providing Commissioners with relevant information and data upon which to base their decisions.