

Family Responsibilities Commission

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

Quarterly Report

No. 26

October 2014 to December 2014



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

Executive Summary

During quarter 26, the Commission received School Attendance notices for Doomadgee and commenced sitting in the community for the first time. A total of 974 within jurisdiction agency notices for all communities were received by the Family Responsibilities Commission (the Commission), an increase of 103 from last quarter. There were 514 conferences held for the same period, representing an increase of 32 from last quarter. Three Family Responsibility Agreements (FRAs) were entered into, 33 orders were made to attend community support services and 58 Conditional Income Management (CIM) orders were issued. When compared to last quarter, this represents a decrease of 5 FRA's, 2 orders to attend community support services and 34 CIM orders.

Since the commencement of the Commission 102 Voluntary Income Management (VIM) agreements have been processed (an increase of six from last quarter). VIM agreements are requested in order to assist with budgeting and to ensure funds remain available for purchases.

The Commission case-managed 154 clients during the quarter, making 50 referrals relating to 35 clients. Further activity during the quarter consisted of 28 Applications to Amend or End Agreements or Orders (an increase of 7 from the previous quarter) and 6 Show Cause conferences (an increase of 4 from last quarter).

On 14 October 2014 amendments to the *Family Responsibilities Commission Act 2008* (the Act) were passed by the Queensland Parliament and the Act was proclaimed on the 28 November 2014. On 27 November 2014 Commissioner David Glasgow, Deputy Commissioner Rod Curtin and all Local Commissioners were officially reappointed for a term of three years commencing from 1 January 2015. Mr James Purtill, Director-General, Department of Aboriginal and Torres Strait Islander and Multicultural Affairs was reappointed as the Chairperson of the Family Responsibilities Commission Board and Ms Liza Carroll, Associate Secretary – Indigenous Affairs, Department of the Prime Minister and Cabinet was reappointed as a Board member along with Mr Noel Pearson, Director Cape York Institute. The Board members were appointed for a term of three years.

The Commission commenced conferencing in Doomadgee on 4 November 2014, and held its second conference on 18 November 2014. Both sittings comprised three days of conferences. Of 89 conferences held, 67 were attended by clients. Although it is early days, the Commission believes this 75% attendance rate is indicative of the community's willingness to appear and be conferenced by Local Commissioners, and is reflective of an acceptance of the Commission into the community. The Commission has been heartened by the support from the Doomadgee community, and commends the Doomadgee Local Commissioners for their commitment, confidence, compassion and wisdom. They have displayed an understanding of the importance of welfare reform and conveyed this to clients attending conferences. There is little doubt that these Local Commissioners will play a vital role in the success of the Commission and welfare reform in Doomadgee.

School awards were held in December in each of the five communities. Prizes were provided for attendance achievements which the Local Commissioners proudly presented at each ceremony. The Commission views these awards as providing positive recognition and support for those students (and their families) who regularly attend school, and also as an incentive for those students who wish to improve their school attendance.

The Commission bade farewell to two of its staff members in December 2014 with Hope Vale Local Coordinator Ray Lennox and Registrar Rob White moving into other roles. Rob returned to the Department of Justice and Attorney-General after three years as Registrar and Ray will be moving on to new employment opportunities. The Commission wishes them well with 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 31 December 2014.

1. Activities and Trends

Notices

In quarter 26 the Commission received **1,392 agency notices**¹. Some individuals may have been the subject of more than one agency notice. Of that figure 974 notices (70 percent) were within the Commission's jurisdiction and 418 notices (30 percent) were outside the Commission's jurisdiction.

Within jurisdiction notices comprised of:

187	Magistrates Court notices
686	School Attendance notices
0	School Enrolment notices
80	Child Safety and Welfare notices
21	Housing Tenancy notices

Of the 418 notices not within the Commission's jurisdiction, there were 241 Magistrates Court notices, 157 School Attendance notices, 2, School Enrolment notices, 17 Child Safety and Welfare notices and 1 Housing Tenancy notice.

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

- **Aurukun's 363** notices constitute **37.3 percent** of the total notices in jurisdiction across the four CYWR trial communities:

80	Magistrates Court notices
252	School Attendance notices
0	School Enrolment notices
19	Child Safety and Welfare notices
12	Housing Tenancy notices

Forty-three Magistrates Court notices and 4 School Attendance notices were processed as not within jurisdiction.

- **Coen's 62** notices constitute **6.4 percent** of the total notices in jurisdiction:

24	Magistrates Court notices
26	School Attendance notices
0	School Enrolment notices
8	Child Safety and Welfare notices
4	Housing Tenancy notices

Two Magistrates Court notices, 10 School Attendance notices and 1 Housing Tenancy notice were processed as not within jurisdiction.

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

- **Doomadgee's 235** notices constitute **24.1 percent** of the total notices in jurisdiction:

214	School Attendance notices
0	School Enrolment notices
21	Child Safety and Welfare notices

One hundred and twenty-one School Attendance notices and 16 Child Safety and Welfare notices were processed as not within jurisdiction.

- **Hope Vale's 281** notices constitute **28.8 percent** of the total notices in jurisdiction:

73	Magistrates Court notices
179	School Attendance notices
0	School Enrolment notices
28	Child Safety and Welfare notices
1	Housing Tenancy notice

Eighty-three Magistrates Court notices, 22 School Attendance notices, 2 School Enrolment notices and 1 Child Safety and Welfare notice were processed as not within jurisdiction.

- **Mossman Gorge's 33** notices constitute **3.4 percent** of the total notices in jurisdiction:

10	Magistrates Court notices
15	School Attendance notices
0	School Enrolment notices
4	Child Safety and Welfare notices
4	Housing Tenancy notices

One hundred and thirteen Magistrates Court notices were processed as not within jurisdiction.

Since its commencement the Commission has received 19,262 agency notices within its jurisdiction. Total notices increased from 1,096 in quarter 25 to 1,392 in quarter 26. Of those notices in jurisdiction School Attendance and Housing Tenancy notices increased, whilst Magistrates Court, School Enrolment and Child Safety and Welfare notices decreased.

Magistrates Court notices decreased this quarter to 187 from 237 received in the previous quarter. Four communities experienced a decrease in notices this quarter, Aurukun, Coen, Hope Vale and Mossman Gorge. Each decreased by 20, 1, 22 and 7 notices respectively. The Commission does not receive Magistrates Court notices for Doomadgee.

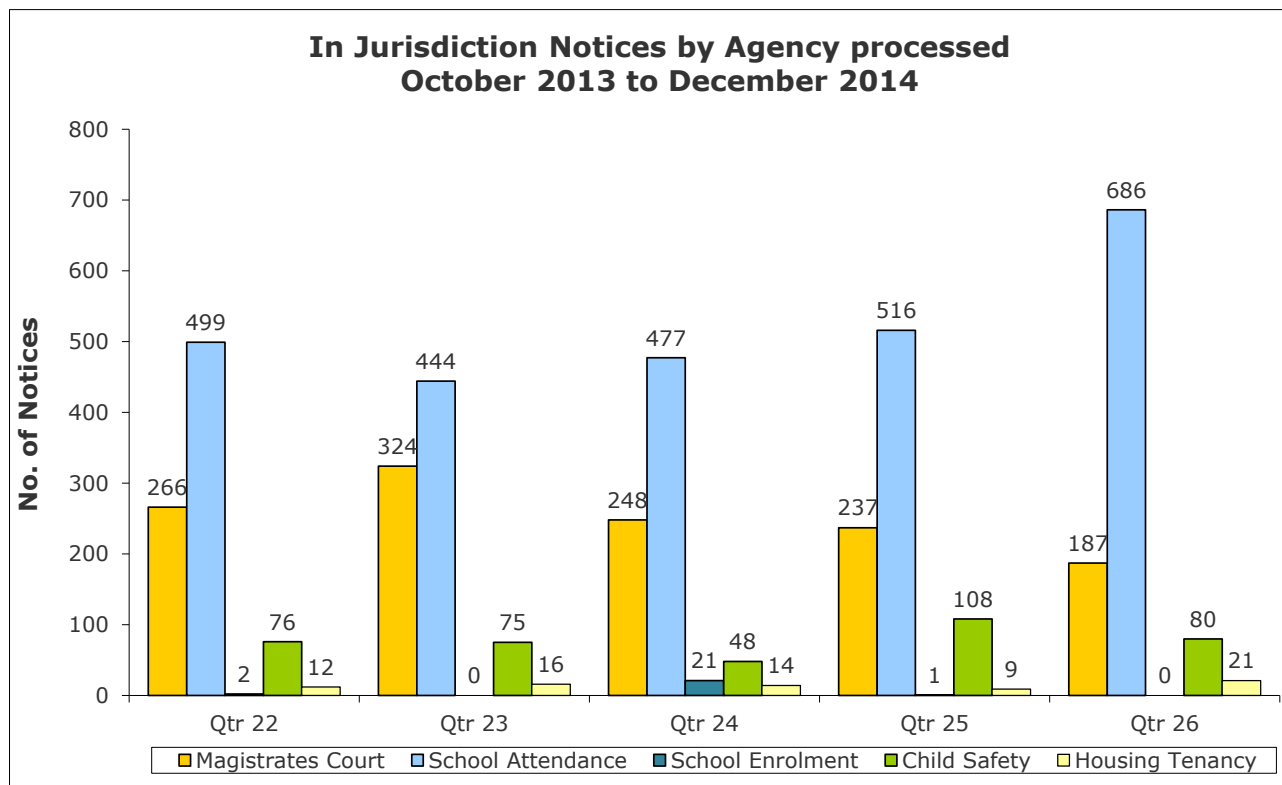
School Attendance notices increased from 516 in quarter 25 to 686 in quarter 26. The Commission received 214 School Attendance notices for Doomadgee for the first time this quarter with the remaining four communities experiencing a decrease in notices. Aurukun, Coen, Hope Vale and Mossman Gorge decreased by 1 notice, 3 notices, 29 notices and 11 notices respectively.

School Enrolment notices decreased from 1 in quarter 25 to 0 in quarter 26. Coen decreased by 1 notice, whilst all remaining communities remained unchanged with zero school enrolment notices received for the quarter.

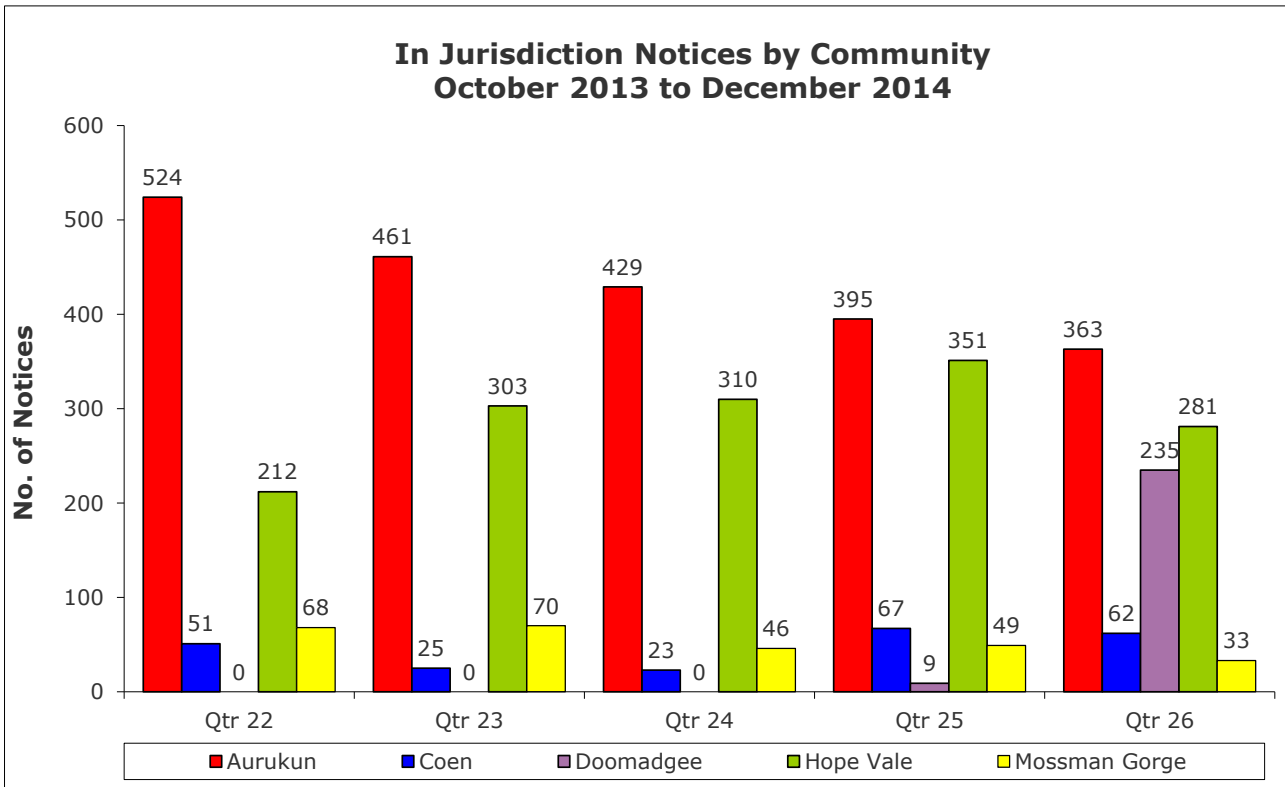
Child Safety and Welfare notices decreased from 108 in quarter 25 to 80 in quarter 26. Aurukun, Coen and Hope Vale decreased by 22 notices, 3 notices and 18 notices respectively, whilst Doomadgee and Mossman Gorge increased by 12 notices and 3 notices.

Housing Tenancy notices increased to 21 from 9 received in the previous quarter. Aurukun increased by 11 notices and Coen increased by 3 notices. Hope Vale and Mossman Gorge decreased by 1 notice each. The Commission does not receive Housing Tenancy notices for Doomadgee.

The Commission receives school attendance data from the Department of Education, Training and Employment (DETE). The release of relevant data relating to quarter 26 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.

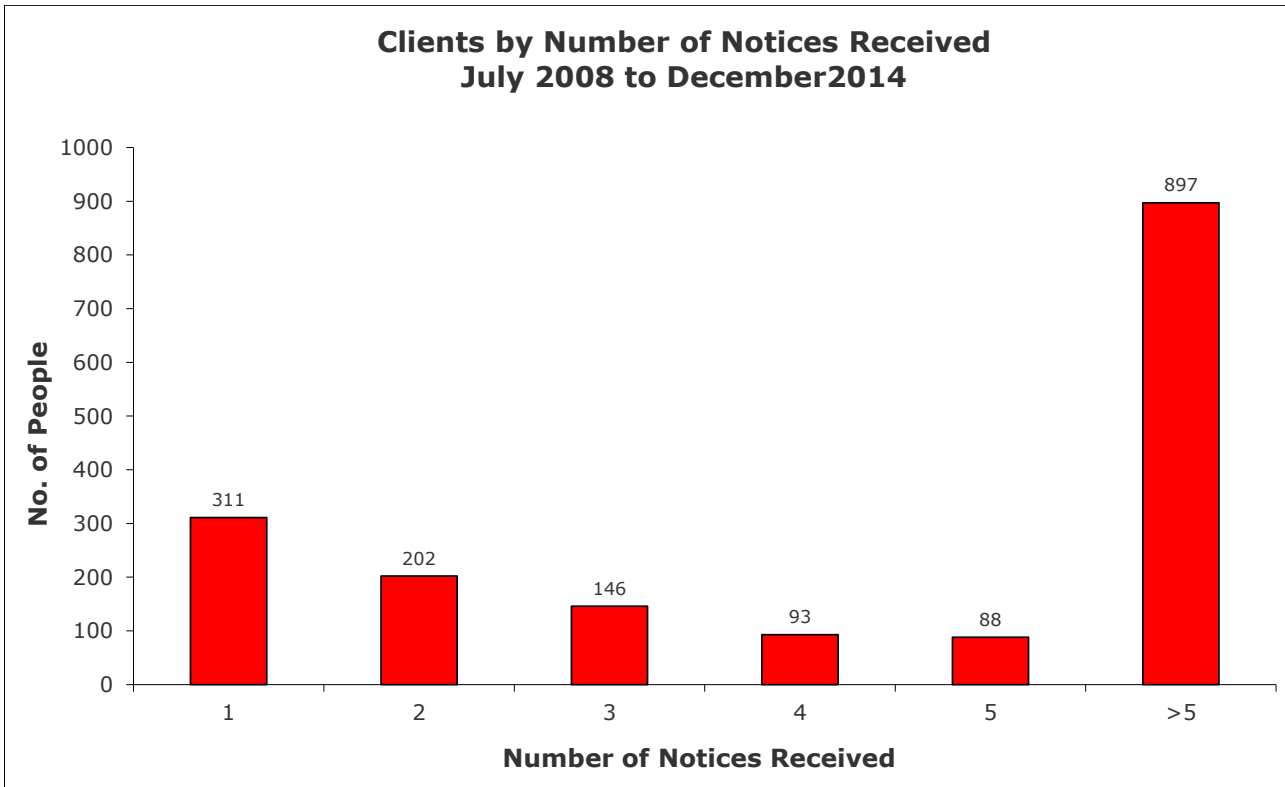


Graph 1: In jurisdiction notices by type and quarter 1 October 2013 to 31 December 2014.



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

Since commencement in July 2008, 82.1 percent of clients have received more than one notice with 51.6 percent of clients receiving more than five notices. Frequently this illustrates multiple child school absences for the one family or multiple Magistrates Court notices relating to one incident. Conversely, 17.9 percent of clients have received only one notice.



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

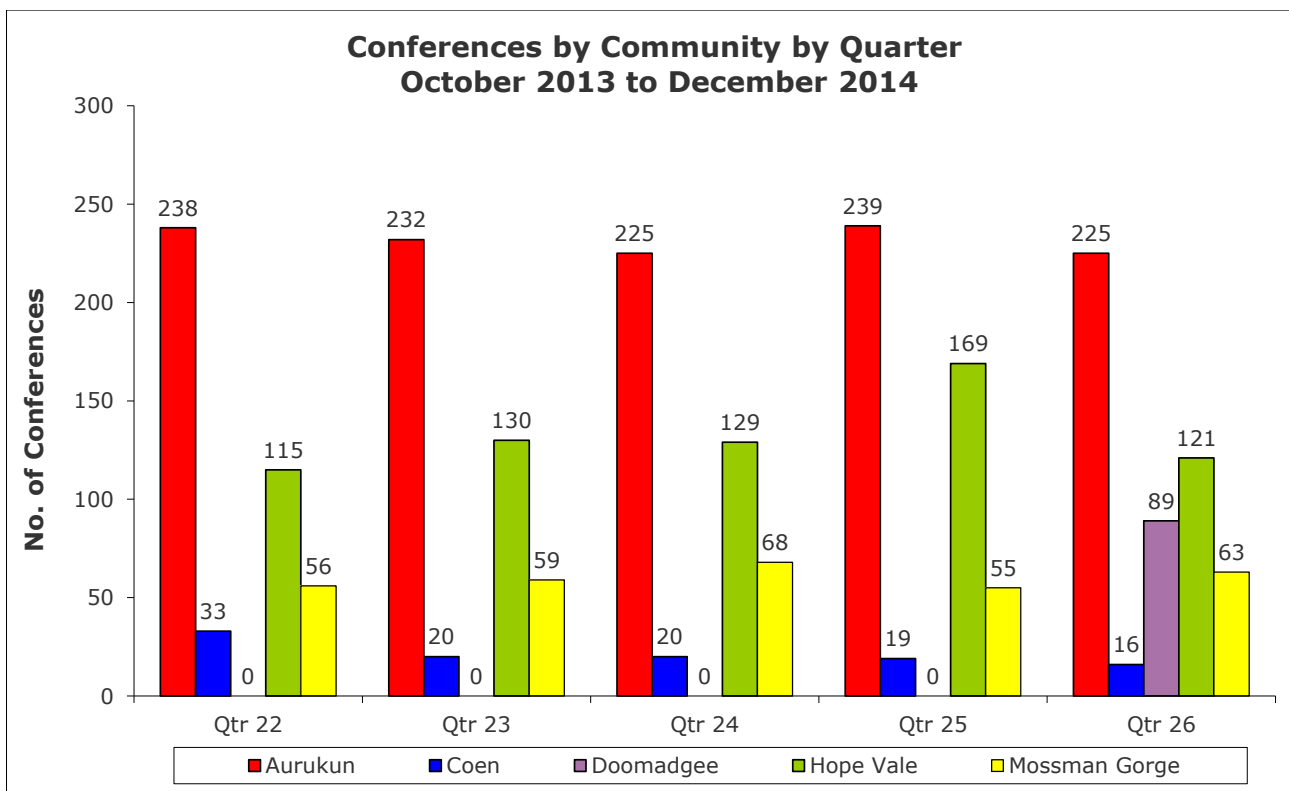
(Note: Counting rules stipulate that where multiple charges are received each charge is counted as an individual notice or each child’s absence is counted as one notice – i.e. if three children from the one family were absent, that was counted as three notices).

Conferences

The Commission began conferencing in Doomadgee this quarter. A total of five hundred and fourteen conferences² were held across the five communities in quarter 26 resulting in 3 FRA's being entered into, 33 orders made to attend community support services and 58 CIM orders. Other outcomes as a result of conferencing during the quarter were decisions for no further action, rescheduling and scheduling to return for review with compliance. One hundred and seventy-one new clients were added to the Commission's database during the quarter, including 154 Doomadgee clients. Details of conferencing activity in each community for quarter 26 are as follows:

- 225 conferences were held in Aurukun
- 16 conferences were held in Coen
- 89 conferences were held in Doomadgee
- 121 conferences were held in Hope Vale
- 63 conferences were held in Mossman Gorge.

Conferences increased from 482 in quarter 25 to 514 in quarter 26.

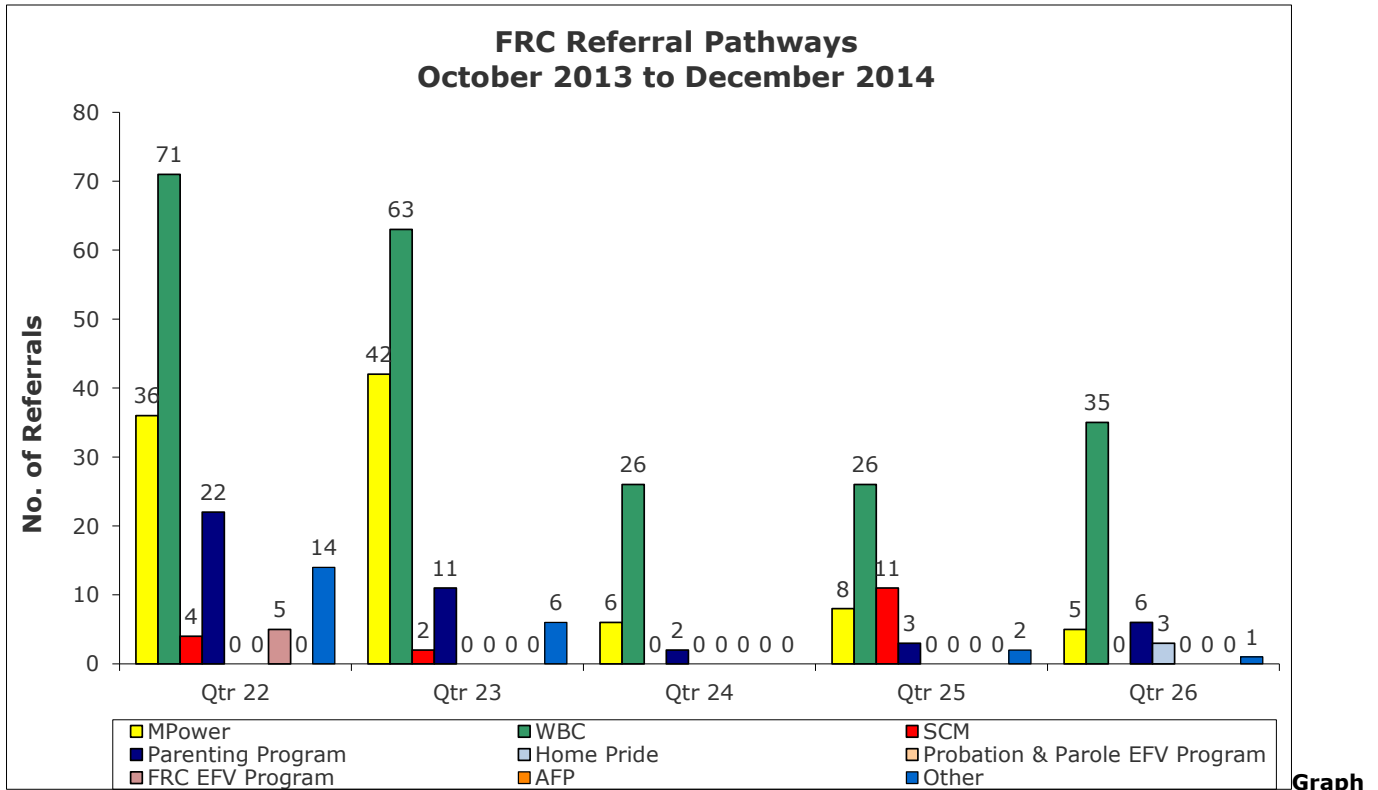


Graph 4: Conferences by community and quarter 1 October 2013 to 31 December 2014.

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.

Referrals

The number of referrals to service providers remained unchanged from quarter 25. Fifty referrals were made in quarter 26, relating to 35 clients. Since commencement the Commission has referred 843 clients to service providers resulting in approximately 48.1 percent of clients on 12 month service referral plans. Referrals in the communities during the quarter were as follows: Aurukun decreased by 3; Coen increased by 5; Doomadgee increased by 1; Hope Vale decreased by 3; and Mossman Gorge remained unchanged.



5: Referral pathways by referral type and quarter 1 October 2013 to 31 December 2014³.

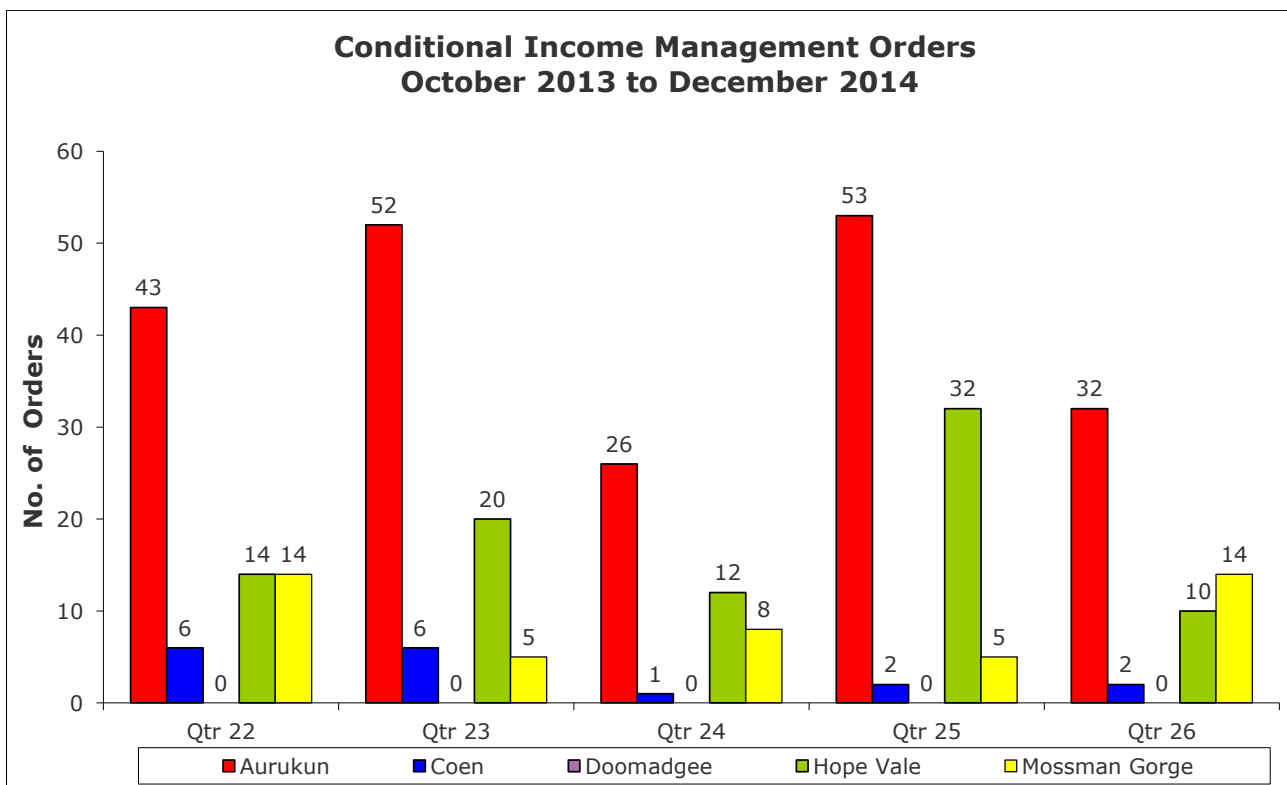
³ EFVP referrals converted to FRC from Probation and Parole for the period 1 March 2013 to 31 December 2013.

Conditional Income Management

Fifty-eight CIM orders were made in quarter 26, a decrease of 34 from quarter 25. Since the commencement of the Commission 1,520 CIM orders inclusive of original orders, extensions and amendments have been made relating to 665 clients. During the quarter Aurukun and Hope Vale decreased by 21 and 22 CIM orders respectively. Mossman Gorge increased by 9, whilst Coen remained unchanged. The Commission at present does not have the ability to income manage clients in Doomadgee. Although the use of income management for Commission clients in Doomadgee has been agreed to in principle by the Queensland Government, implementation has been delayed by their need to review the Forrest Report recommendations in regard to the 'healthy welfare card (debit card)'.

As at 31 December 2014, 38 percent of the Commission's clients have been subject to a CIM order over the past six and a half years. As at 31 December 2014 there were 184 clients subject to a CIM order which equates to 10.5 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, 102 VIM agreements have been processed relating to 83 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 2013 to 31 December 2014.

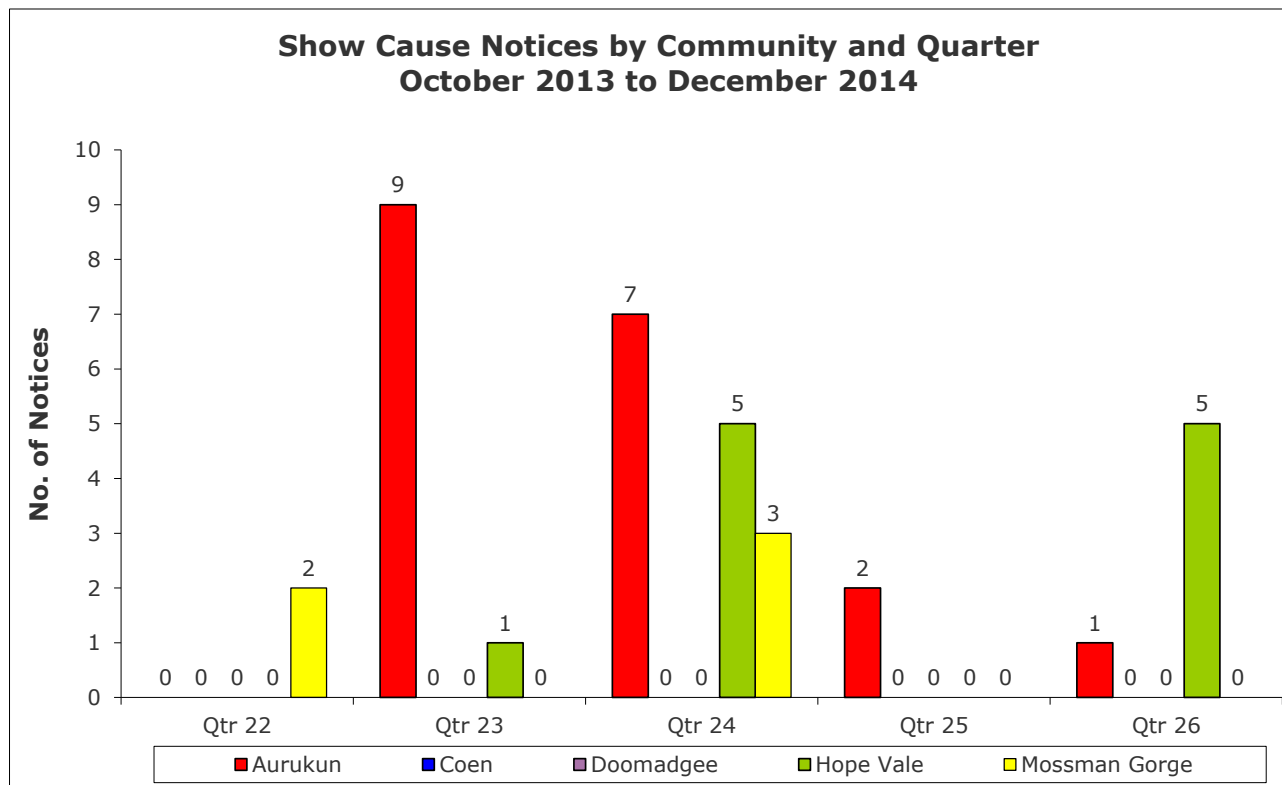
Case Management

As at 31 December 2014, 154 clients were being case managed, a decrease from 213 in quarter 25. Aurukun, Coen Hope Vale and Mossman Gorge decreased by 35, 2, 17 and 6 respectively. The Commission for the first time this quarter, case managed 1 client from Doomadgee.

Show Cause Notices

During quarter 26, 6 Show Cause hearing was held, an increase of 4 from quarter 25. This matter resulted in:

- 2 Clients CIM orders revoked
- 1 Client placed on a case plan
- 3 Show Cause Notices pending client completing actions directed by the Commission.



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

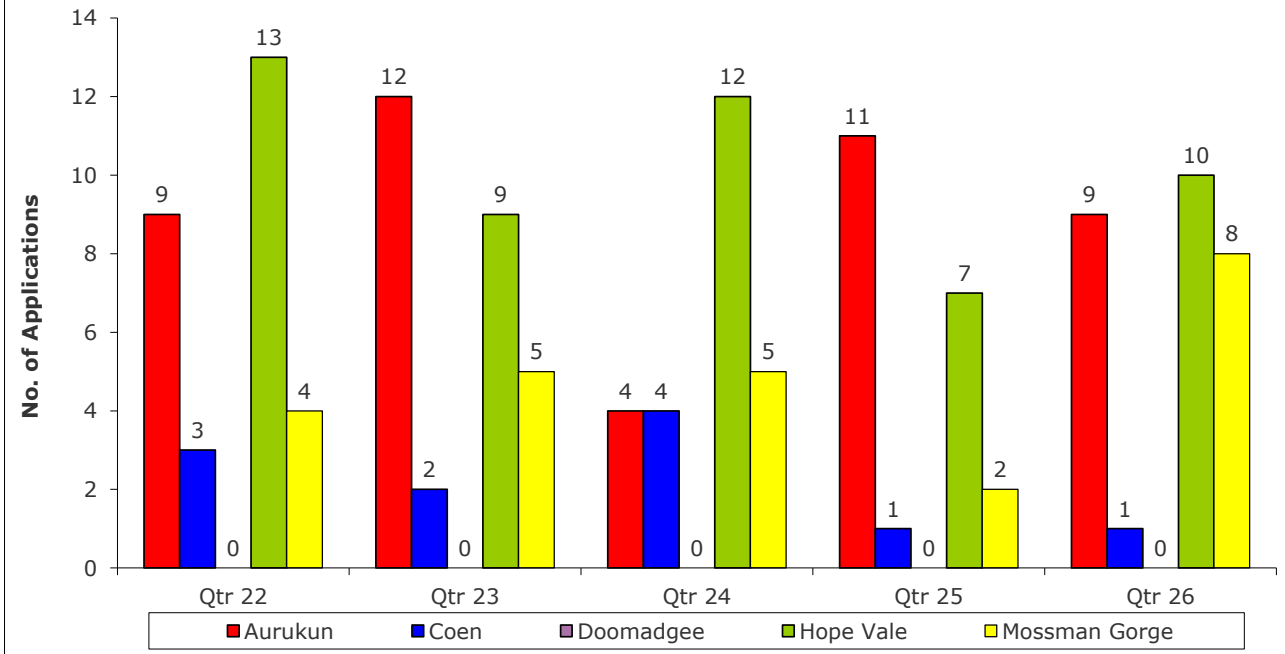
Applications to Amend or End Agreements or Orders

Twenty-eight Applications to Amend or End a Family Responsibilities Agreement or Order were received in quarter 26, an increase of 7 from quarter 25. Outcomes of the 28 applications received are as follows:

- 10 Applications granted and Income Management agreements and orders revoked
- 1 CIM order revoked and client placed on a case plan
- 2 CIM orders percentage reduced from 75 to 60 percent for the remaining period of the existing order
- 1 CIM order percentage increased from 75 to 90 percent for 12 months
- 4 Applications dismissed
- 2 Applications dismissed and client given a warning
- 1 Application dismissed and client placed on a case plan
- 3 Applications rescheduled for next quarter
- 4 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 2013 to December 2014



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

2. Future Direction and Challenges

On 7 August 2014 Doomadgee was prescribed by regulation as a welfare reform community area allowing the Family Responsibilities Commission to operate within the Doomadgee community. The first conference was conducted on 4 November 2014.

Challenges faced in regard to Doomadgee have been in the implementation of administrative procedures. Initial School Attendance Notices and jurisdiction checks were required to be processed manually whilst DETE and Centrelink processes and systems were being set up. Although the use of income management for Commission clients in Doomadgee has been agreed to in principle by the Queensland Government, implementation has been delayed by their need to review the Forrest Report recommendations in regard to the 'healthy welfare card (debit card)'. Unfortunately the commencement of operations in Doomadgee without the ability to impose an income management order has been considered less than ideal. A high number of notices in relation to school absences, non-enrolments and child safety are anticipated in the early months of 2015. Implementation of income management is expected to enable the Commission to meet its objectives as outlined in the *Family Responsibilities Commission Act 2008*. Despite delays the Local Commissioners have used the opportunity to remind conference attendees of their personal and communal responsibilities and obligations.

Difficulties associated with operating in remote regions have been consistently reported in the Commission's previous quarterly and annual reports. These difficulties are compounded by fluctuating airfares which are often inordinately high. Additionally, the unpredictability of transport providers is a complicating factor. The demise of Skytrans airline has resulted in major disruptions to flight schedules, and in some instances the Commission has been unable to book flights at all. These challenges highlight the Commission's reliance on consistent and dependable carriers to facilitate its operations.

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 continues to engage further with community members to identify and recruit additional Local Commissioners to complement those already in place.

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 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 2014-15 fiscal year is \$3.4 million (excluding Doomadgee), \$1.8 million from the Australian Government and \$1.6 million from the Queensland Government.

Income:

- Income accrued by the Commission for the period 1 October 2014 to 31 December 2014 totalled \$1,132,006. This income consisted of:
 - \$400,000 Queensland Government funding
 - \$106,998 Queensland Government reimbursement for Doomadgee 2014/15
 - \$165,253 Queensland Government once off funding for Local Commissioners superannuation
 - \$450,000 Australian Government funding
 - \$7,477 interest received
 - \$2,278 received in sundry income.

The balance of available funds in the bank as at 31 December 2014 is \$1,753,997.

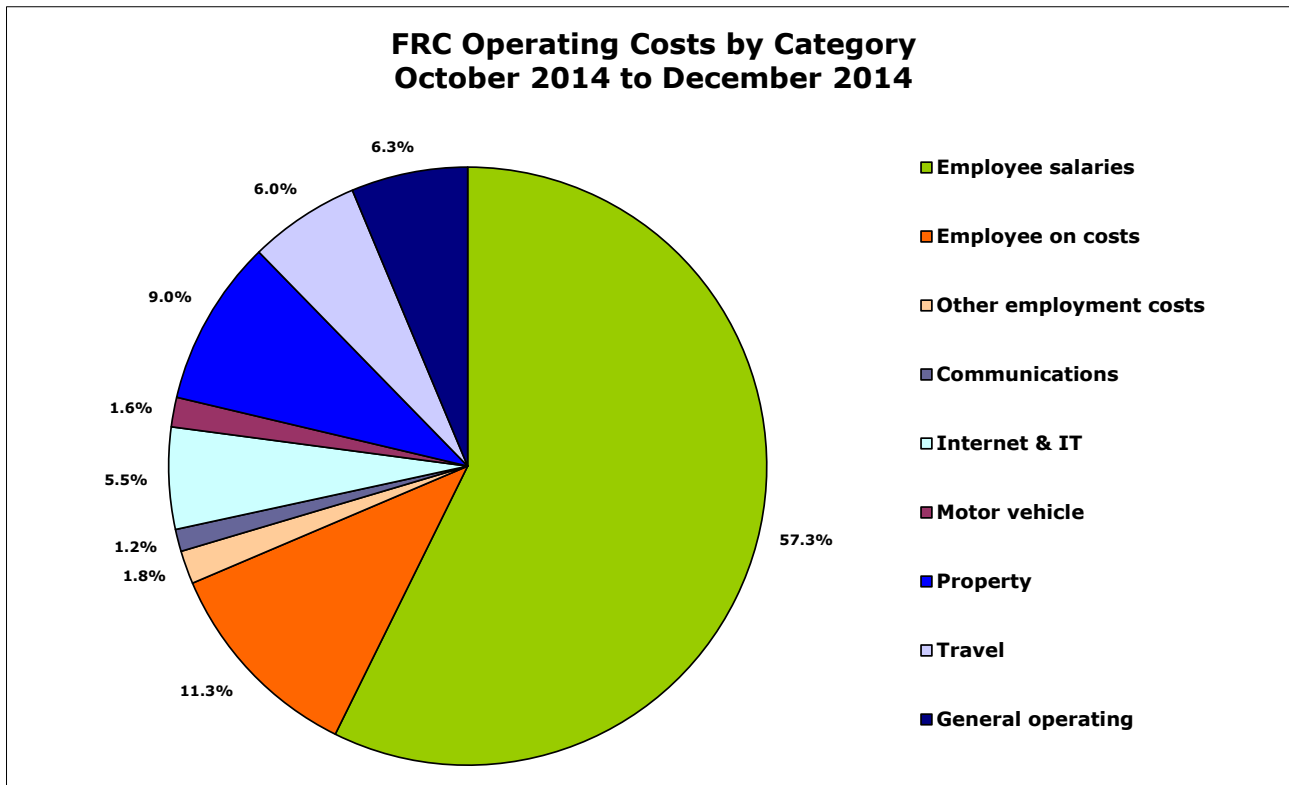
Expenditure:

- Expenditure for the period 1 October 2014 to 31 December 2014 was \$910,884. This total represents 20 percent of the projected annual expenditure of \$4,462,801.

1 October 2014 to 31 December 2014	Expenditure Qtr 26	1 October 2014 to 31 December 2014	Expenditure Qtr 26
Employee salaries	\$521,712	Motor vehicle	\$14,127
Employee on costs	\$102,608	Property	\$82,736
Other employment costs	\$16,247	Travel	\$54,817
Communications	\$10,749	General operating	\$56,962
Internet & IT	\$50,926		
		Total	\$910,884

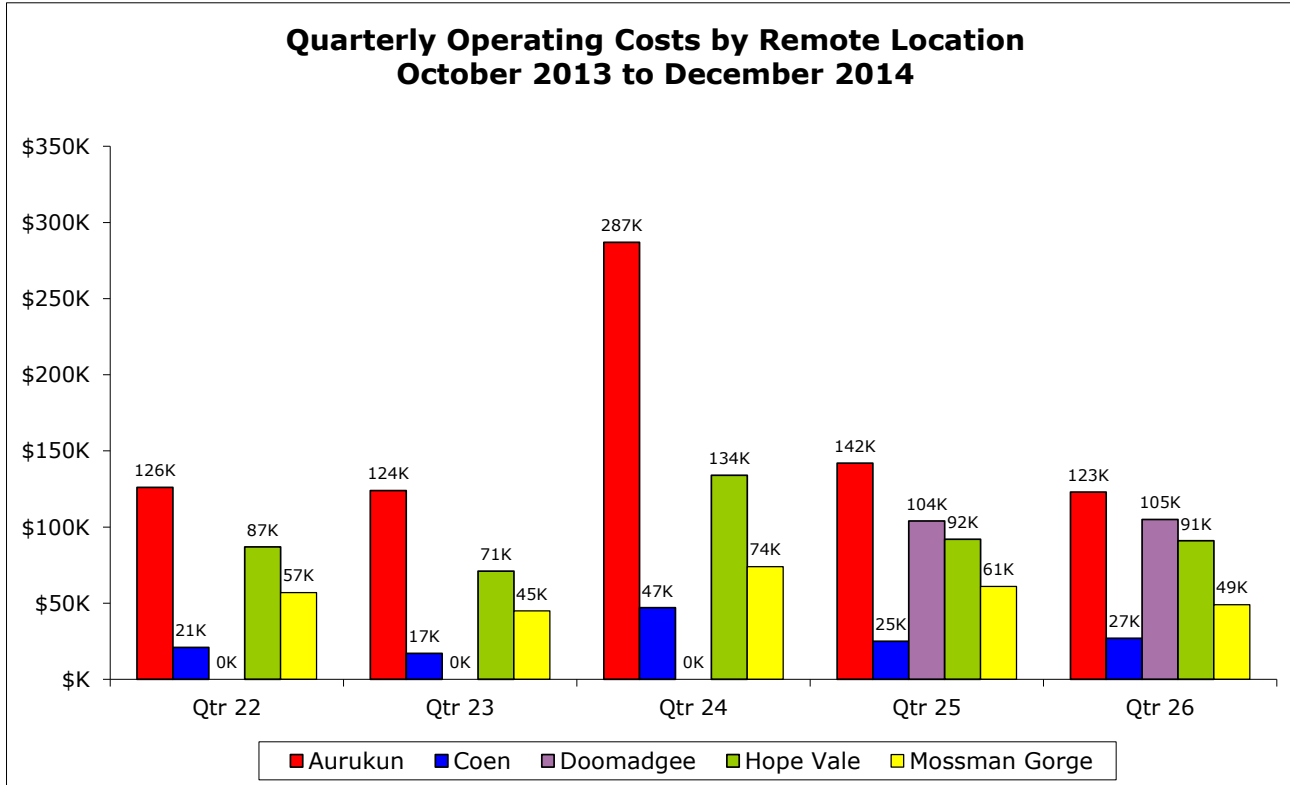
Table 1: Unaudited expenditure in quarter 26.

Quarter 26 disbursement of expenditure by category and percentage of total expenditure.



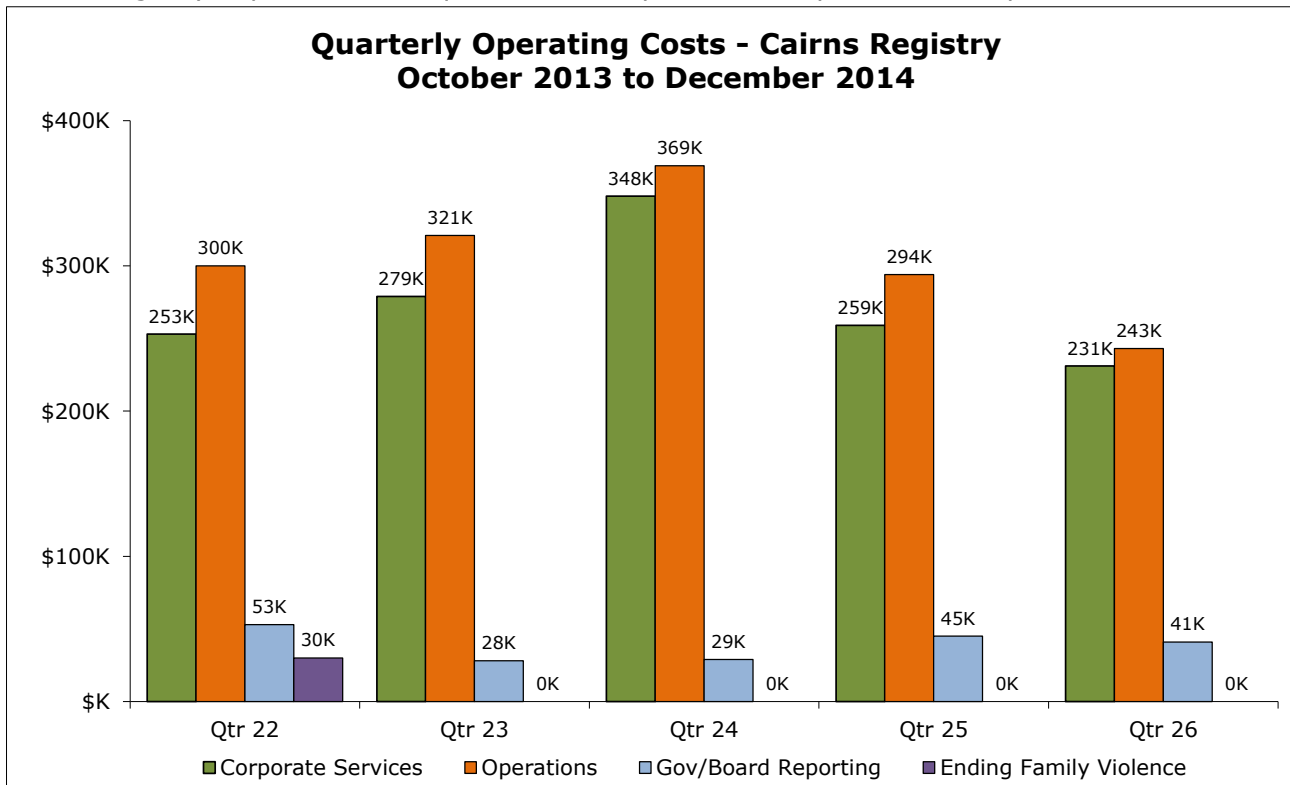
Graph 9: FRC operating costs 1 October 2014 to 31 December 2014.

Regional operational expenditure by location and quarter.



Graph 10: Operating costs by remote location 1 October 2013 to 31 December 2014.

Cairns Registry expenditure for quarter 26 compared to the previous five quarters.



Graph 11: Quarterly operating costs Cairns 1 October 2013 to 31 December 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 & 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 & 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						Commissioner Week Cooktown Circuit
12 May	12	13	14	15		
19 May		20 20	21			20 ASC Meeting, 20 FR Board Meeting Aurukun Cape B & Coen Cape A Circuit
26 May		27	28	29		
2 June		3 3	4			Cooktown Circuit

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

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

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

Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	Other
17 November		18 18 18	19 19	20		18 FR Board Meeting, 18 ASC Meeting Aurukun Cape B & Coen Cape A Circuit
24 November		25	26	27		
1 December		2 2	3			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

OFFICE	CONTACT NAME	Phone	Mobile	Facsimile
Cairns – Registrar/General Manager	Ms Maxine McLeod	4057 3871	0409 461 624	4041 0974
Cairns – Client Manager	Ms Amy Barden	4057 3874	0419 647 948	4041 0974
Aurukun Local Coordinator	Ms Dellis Gledhill	4060 6185	0428 985 106	4060 6094
Coen Local Coordinator	Ms Sandi Rye	4060 1037	0417 798 392	4041 0974
Doomadgee Local Coordinator	Mr Bryce Coxall	4745 8111	0418 666 204	4745 8366
Hope Vale Local Coordinator	Ms Francesca Adams	4060 9153	0408 482 026	4060 9137
Mossman Gorge Local Coordinator	Ms Sandi Rye	4098 1908	0417 798 392	4098 3594