Family Responsibilities Commission

Report to the Family Responsibilities Board

Quarterly Report

No. 54

October 2021 to December 2021

Report prepared by the Family Responsibilities Commission under the leadership of Commissioner Tammy Williams and presented to the Family Responsibilities Board pursuant to section 144 of the Family Responsibilities Commission Act 2008.

The Family Responsibilities Commission publishes annual and quarterly reports on the Commission’s website in line with its policy and commitment to open data available to the public. For more details see: www.frcq.org.au

#### Executive Summary

The Families Responsibilities Commission (FRC) is a key mechanism to support welfare reform community members and their families to restore socially responsible standards of behaviour and establish local authority.

The *Family Responsibilities Commission Act 2008* (FRC Act) provides for the establishment of the Family Responsibilities Board (FR Board). The FR 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 Commissioner must as soon as practical after each quarter, give the FR Board a written report about the Commission’s operations during the period.[[1]](#footnote-2) This report sets out the Commission’s key operational matters for the period October to December 2021.

Quantified in the table below are the activities undertaken by the Commission during quarter 54 with comparisons shown to the previous quarter.

**Table 1:** Activity from 1 July 2021 to 31 December 2021

|  |  |  |
| --- | --- | --- |
| **Activity for the quarter** | **Qtr 53** | **Qtr 54** |
| Total number of notices received by the Commission[[2]](#footnote-3) | 2,137 | 2,051 |
|  Number of notices within jurisdiction | 1,096 | 1,110 |
|  Number of notices not within jurisdiction | 1,041 | 941 |
| Number of clients notified to the Commission from notices within jurisdiction | 568 | 579 |
|  |  |  |
| **Conferences and amend/end application hearings for Family Responsibilities Agreements and Family Responsibilities Orders** |  |  |
| Conferences conducted | 396 | 335 |
| Number of clients served to attend conference | 313 | 272 |
| Attendance percentage for conferences and amend/end application hearings for Family Responsibilities Agreements and Family Responsibilities Orders | 54% | 61% |
| Non-attendance percentage with acceptable (reasonable) excuse for conferences and amend/end application hearings for Family Responsibilities Agreements and Family Responsibilities Orders | 26% | 23% |
|  |  |  |
| **Conference outcomes**  |  |  |
| Agreements to attend community support services | 89 | 73 |
| Orders made to attend community support services | 51 | 19 |
| Referrals to service providers from Family Responsibilities Agreements and Family Responsibilities Orders[[3]](#footnote-4) | 157 | 105 |
| Agreements for Conditional Income Management (CIM) | 0 | 1 |
| Orders made for CIM | 36 | 28 |

|  |  |  |
| --- | --- | --- |
| **Amend/end decisions for Family Responsibilities Agreements and Family Responsibilities Orders** | **Qtr 53** | **Qtr 54** |
| Accepted | 50% | 75% |
| Refused | 50% | 25% |
|  |  |  |
| **Voluntary Agreements** |  |  |
| Voluntary agreements for a voluntary case plan | 0 | 1 |
| Voluntary referrals to service providers | 0 | 1 |
| Voluntary agreements for VIM | 63 | 33 |
|  |  |  |
| **Amend/end decisions for Voluntary Agreements** |  |  |
| Accepted | 100% | 100% |
| Refused | 0% | 0% |
|  |  |  |
| **Other activity**  |  |  |
| Applications to Amend or End received | 16 | 32 |
|  |  |  |
| **Information as at the last day of the quarter** |  |  |
| Number of clients case-managed through current non-voluntary case plan | 240 | 224 |
| Number of clients subject to a current CIM | 66 | 62 |
| Number of clients on a current VIM | 124 | 105 |

**Quarterly trends**

The statistics reported above in table 1 for the quarter October to December 2021 reveal a continuing high number of 73 agreements entered into to attend community support services. Referrals to service providers from Family Responsibilities Agreements and Orders, and Orders to attend support services both fell this quarter largely due to Aurukun conferencing which was reduced by five days during the reporting period. The Commission has always been sensitive and subject to external environmental factors including community unrest, sorry business and the need to prioritise high risk clients, and thus fluctuations in data between quarters is not a true indication of long terms operational trends. In this case sorry business in Aurukun accounted for the majority of lost conference days with the lack of Local Commissioner availability[[4]](#footnote-5) accounting for the balance. The Aurukun Local Commissioners also identified the need to prioritise clients for conference who were deemed at serious risk of harm (serious violent offenders and those subject to child safety investigation outcomes). Voluntary agreements for voluntary income management (VIM) decreased from last quarter, though the number of clients on a current VIM remained strong at 105.

It is interesting to note a ‘point in time’ report demonstrating the protective benefits provided by income management in regard to young people. As of 21 December 2021, the Commission had 62 clients on CIM of which 47 of these clients were responsible for 109 children in their care (70 of whom were school aged children). Additionally, the Commission had 105 clients on VIM of which 30 of these clients had 80 children in their care (54 of whom were school aged children). Therefore, of the 77 clients being income-managed who had children in their care as of 21 December, 189 children were receiving the benefit of their caregivers being connected to additional services and supports to encourage spending on priority needs, to alleviate financial hardship and to reduce the amount of income available to be spent on items such as alcohol, gambling products or from the withdrawal of cash to be spent on those items. This is an example of the broader impact the FRC has on community members within its jurisdiction.

**Annual Report 2020-21**

As per section 143 of the *Family Responsibilities Commission Act 2008*, as soon as is practicable after each financial year, but not later than 31 October, the Commissioner must prepare and give the Minister a written report containing a review of the operation of the Commission during the financial year. On 28 October the Commission delivered to The Honourable Craig Crawford MP, Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships, the Commission’s Annual Report 2020-21*,* together with a Brief providing a summary of the operational performance highlights during the reporting period including:

* FRC decisions throughout 2020-21 had an increased focus on capacity-building and client participation
* a record number of community members were supported by the FRC through case management during the reporting period
* a significant uptake in referrals experienced for the reporting period was reflective of client-driven demand
* more partnerships led to increased referral pathway options for clients and
* a record number of people had self-referred to the FRC and volunteered to have a portion of their welfare payments income-managed.

An embargoed electronic copy of the annual report was also provided to the FR Board Members and Secretariate for their internal briefing purposes.

**Family Responsibilities Board**

Members of the FRC Executive Management Team travelled to Brisbane to attend an FR Board meeting held on Thursday, 4 November 2021. A community update report for Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge was provided for the period 1 July to 30 September 2021 including operational highlights, challenges and other significant community news. The Commission prepared and presented a budget report for the financial year 2021-22, and a brief was presented formally requesting the FR Board provide advice to the Commissioner pursuant to section 117 of the FRC Act in relation to appointments of additional Local Commissioners. The FR Board subsequently endorsed the request to seek the nomination of new Local Commissioner appointments.

**Cyber security training**

Datasets held by the Commission are a vital asset. Amongst other benefits, they inform our compliance with the FRC Act, allow the Commission to hold conferences and inform the basis of client case-management. Additionally, they inform our efficiency and performance. Protecting our datasets to mitigate against potential security threats and to ensure the privacy of those datasets is a focus for the Commission. This focus is primarily on the prevention of unauthorised access, non-compliance, leakage, data disclosure and damage caused through malware or virus infiltrations. Throughout the COVID-19 pandemic, there has been an increase in cyber security activities worldwide.

Cyber security is paramount to the operations of the Commission for staff, clients and stakeholders. To initiate a proactive approach to cyber security and as a crucial defence in keeping the Commission’s sensitive information safe, the Commission invited the Corporate Administration Agency to conduct cyber security training for all staff on 3 December 2021. The training assisted to boost the awareness of staff by informing on current cyber security trends and building the capability and resilience of the Commission against malicious cyber security threats.

**Annual school awards**

The Commission’s annual School Awards ceremonies were conducted in December in each of the five communities. Prizes were awarded for attendance achievements and included certificates, medals and other incentives. Each year the Local Commissioners participate in the awards to provide positive recognition and support for those students (and their families) who regularly attend school, to provide an incentive for those students who wish to improve their school attendance and to maintain a focus on the importance of education for the future of the community.

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**Abbreviations**

AU Aurukun

CO Coen

CP Case plan

CPA Case plan agreement

CPO Case plan order

CS Child safety and welfare notice

CIM Conditional Income Management

DSDSATSIP Department of Seniors, Disability Services and Aboriginal and Torres Strait
Islander Partnerships

DIS District Court notice

DM Doomadgee

DVB Domestic Violence Breach

DVO Domestic Violence Order

EQ School attendance notice

FRA Family Responsibilities Agreement

FRC Family Responsibilities Commission

HT Housing tenancy breach

HV Hope Vale

MAG Magistrates Court notice

MG Mossman Gorge

NFA No further action

SEN School enrolment notice

VCP Voluntary Case Plan

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 FR Board)

Family Responsibilities Commission

Welfare Reforms

*Report to 31 December 2021.*

# 1. Activities and Trends

## Client interactions during the quarter

The Commission delivers services to communities which are culturally unique and geographically remote. Each community is different, however, each can be characterised by the entrenched disadvantage of Indigenous community members. Over-crowded housing, high rates of Indigenous welfare dependency and multi-generational poverty have resulted in communities with high numbers of individuals and families with complex needs. The Commission has been reporting on the number of notices individual clients receive (refer Table 12) for a number of years. The table below provides a further insight into the complexity of the issues faced by many clients. During quarter 54, 485 clients (84 percent) were notified to the Commission with only one type of trigger notice. The remaining 94 clients (16 percent) received more than one type of trigger notice.

**Table 2:** Number of clients by number of different types of agency notices received 1 October 2021 to 31 December 2021

|  |  |
| --- | --- |
| **Number of Different Types of Agency Notices Received** | **Number of Clients** |
| 1 | 485 |
| 2 | 80 |
| 3 | 11 |
| 4 | 3 |
| **TOTAL** | **579** |

Investigations reveal the following information regarding the types of sole trigger notices received by Commission clients during the quarter:

 60 percent received a school attendance (EQ) notice

 13 percent received a Magistrate Court (MAG) notice

 5 percent received a child safety and welfare (CS) notice

 4 percent received a domestic violence order (DVO) notice and

 1 percent received a domestic violence breach (DVB) notice.

The remaining sole trigger notices received for Commission clients during the quarter were 1 client with a District Court (DIS) notice and 2 clients with a housing tenancy breach (HT) notice.

Additional insight into the complexity of issues faced by clients can be seen below. Table 3 shows the combination of trigger notices received for 94 clients with more than one type of trigger notice. One can see that predominantly there is a nexus between Court convictions and domestic violence orders/breaches with education notices and child safety issues, and also a strong nexus between child safety issues and education notices.

**Table 3:** Number of clients with multiple and differing agency notices (i.e. Child Safety and Welfare (CS), Domestic Violence Order (DVO), Domestic Violence Breach (DVB), Magistrates Court (MAG), District Court (DIS), Education Queensland for school attendance (EQ), Housing Tenancy Breach (HT) and School Enrolment (SEN) from 1 October 2021 to 31 December 2021[[5]](#footnote-6)

|  |  |
| --- | --- |
| **Type of Agency Notice/s** | **Number of clients** |
| CS,DVB,EQ,MAG | 2 |
| CS,DVO | 3 |
| CS,DVO,EQ | 2 |
| CS,EQ | 24 |
| CS,EQ,MAG | 3 |
| CS,EQ,SEN | 1 |
| CS,MAG | 4 |
| DIS,EQ | 1 |
| DIS,MAG | 1 |
| DVB,DVO,EQ,MAG | 1 |
| DVB,DVO,MAG | 3 |
| DVB,EQ,MAG | 1 |
| DVB,MAG | 15 |
| DVO,EQ | 1 |
| DVO,EQ,MAG | 1 |
| DVO,MAG | 8 |
| EQ,MAG | 17 |
| EQ,SEN | 5 |
| MAG,SUP | 1 |
| **Total** | **94** |

The following data provides an overview of interactions that have taken place with clients during this reporting period and consists of decisions where a final determination has taken place in conference and includes decisions delivered at application hearings. It does not include instances where a client was rescheduled to another conference due to non-attendance, or a conference was adjourned to another date to allow the parties to address matter/s prior to the Commissioners making a determination.

The role of the FRC is to work with the most vulnerable, disadvantaged group who engage in anti-social behaviours. Of this extremely vulnerable cohort who engage in anti-social behaviours there are a range of clients who fall within a spectrum of willingness to take personal accountability for their actions and accept support to address behaviours. The vast majority are prepared to accept support and demonstrate a degree of insight into their behaviours, however, there is a small cohort of clients who are resistant to change.

Shown below are the number of interactions (excluding reschedules and adjournments during the quarter) that resulted in a voluntary agreement, a decision by agreement or order, or a decision delivered on an amend/end application. The Commission is still seeing a number of interactions by clients on a less intrusive and more proactive basis, i.e. where engagement is on a voluntary basis (Table 4), or where acceptance of the Commission’s decision for a referral to a support service or income management is by agreement with the client (Table 5). These proactive interactions are considered to be a positive indication that community members have developed a consciousness of their actions and are demonstrating early insight into the effect those actions have on others.

**Table 4:** Number of voluntary agreements (where a client has agreed to a voluntary case plan or voluntary income management) entered into from 1 October 2021 to 31 December 2021[[6]](#footnote-7)

|  |
| --- |
| **Voluntary Agreements** |
|  | **VCP** | **VIM** | **Total** |
| **Total** | **1** | **33** | **34** |

**Table 5:** Number of decisions by agreement (where a client has agreed to a case plan or conditional income management) entered into from 1 October 2021 to 31 December 20216

|  |
| --- |
| **Decisions by Agreement** |
| **Community** | **CP** | **CIM** | **Total** |
| AU | 29 | 0 | **29** |
| CO | 10 | 0 | **10** |
| DM | 24 | 1 | **25** |
| HV | 2 | 0 | **2** |
| MG | 8 | 0 | **8** |
| **Total** | **73** | **1** | **74** |

**Table 6:** Number of decisions by order (including where the FRC has mandated a client be the subject of a case plan or conditional income management) from 1 October 2021 to 31 December 20216

|  |
| --- |
| **Decisions by Order** |
| **Community** | **CP** | **CP & CIM Concurrently**  | **CIM** | **CIM & Rescheduled** | **No Further Action** | **Recommend Support Service** | **Reprimand** | **Total** |
| AU | 3 | 1 | 14 | 1 | 9 | 1 | 13 | **42** |
| CO | 2 | 0 | 0 | 0 | 5 | 1 | 1 | **9** |
| DM | 7 | 0 | 10 | 0 | 20 | 0 | 5 | **42** |
| HV | 5 | 1 | 0 | 0 | 18 | 0 | 7 | **31** |
| MG | 0 | 0 | 1 | 0 | 0 | 0 | 1 | **2** |
| **Total** | **17** | **2** | **25** | **1** | **52** | **2** | **27** | **126** |

**Table 7:** Number of decisions on applications from a Decision by order and a Decision by agreement (where a client seeks to alter or end their original FRC decision because their circumstances or behaviours have changed) from 1 October 2021 to 31 December 20216

|  |
| --- |
| **Decisions on Order and Agreement Amend/End Applications** |
| **Community** | **CCP End** | **CCP End & CIM End** | **CIM Amend** | **CIM End** | **No Further Action** | **Total** |
| **Total** | **2** | **0** | **1** | **3** | **2** | **8** |

**Table 8:** Number of decisions of voluntary amend/end applications (where a self-referred client seeks to alter or end their voluntary income management agreement because their circumstances have changed) from 1 October 2021 to 31 December 2021[[7]](#footnote-8)

|  |
| --- |
| **Decisions of Voluntary Amend/End Applications** |
| **Community** | **VIM Amend** | **VIM End** | **Total** |
| **Total** | **3** | **24** | **27** |

During quarter 54 the number of interactions highlighted in tables 4, 5, 6, 7 and 8 related to a total of 245 clients (167 female and 78 male). To clarify the variability of client interactions, the following may occur during the reporting period:

* A client may be placed on a case plan at the beginning of the quarter to one service provider and then referred to another service provider later in the same quarter.
* A client may be placed on a CIM order at 60%, 75% or 90% and then have their percentage of income management reduced or increased later in the quarter.
* A client may be separately or concurrently placed on a case plan and income management throughout the quarter, and a client may be placed on an income management order but then placed on a case plan under a decision by agreement.
* A client may have entered into a voluntary agreement for voluntary income management along with a separate case plan to attend support services under a decision by agreement.

The nuanced decision-making of Commissioners at conference is reflective of each client’s individual circumstances. Clients with complex and multifaceted issues often require solutions which are best coordinated with multiple service providers who can extend assistance to family members. This requires the Commissioners to take a holistic approach to their decision-making by involving, where appropriate, family and clan group members at conference, together with a network of relevant service providers. The Commissioners, when making decisions, consider a variety of options including not putting clients on case plans when they already have an appropriate referral in place, not making a referral because of the limited availability of appropriate support services to address the client’s specific needs and the use of ‘No Further Action’ being made because clients are already showing insights into their own behaviours and have taken personal responsibility to address the issue of concern before the matter proceeded to conference. This holistic approach assists in creating a more informative, culturally relevant and empowering experience for the client so they can make the necessary changes in their lives to provide for a safe and secure environment for themselves and their families.

The types of client interactions evident during quarter 54 reinforce the Commission’s belief that our clients are displaying a willingness to change and taking personal responsibility for their wellbeing and the wellbeing of their families. The following highlights for the period 1 October 2021 to 31 December 2021 support our assertion:

* 40 percent of clients entered into a Family Responsibilities Agreement or self-referred to the FRC and sought a voluntary agreement during the quarter;
	+ As a subset of the above, 24 percent of clients specifically entered into a voluntary agreement with either no other interactions, or a decision for no further action;
* 20 percent of clients did not require any further action on their matter/s, where no further action was the only outcome; and
* 11 percent of clients were considered to only require a reprimand for their actions.

There remains a small cohort of clients who come before the Commission who struggle to develop insight into their actions and are less inclined to change their behaviours. The nuanced decision-making of Commissioners for these clients may include (as an option of last resort) a decision to income manage the client. These orders are issued as a means of holding the clients to account (and to create some stability in their lives, particularly if they are responsible for children). In quarter 54 there was a prioritisation of clients who were recalcitrant in taking personal responsibility for the wellbeing of their children (those subject to a child safety investigation and/or who received a notice regarding the non-attendance of their child/children at school) resulting in approximately 68 percent, or 17 of the 25 CIM-only orders made in the quarter relating to EQ or CS notices. In these instances, the FRC determined that a CIM order only (notwithstanding being a decision of last resort) was appropriate in the circumstances. The Commissioners have made the following decisions in conference for those recalcitrant clients who refuse to change their behaviour:

 10 percent of clients were placed on a CIM order only;

 7 percent of clients were ordered to attend a support service under a case plan only; and

 1 percent of clients were placed on a CIM order and ordered to attend a support service.

## Notices

In quarter 54 the Commission received 2,051 agency notices[[8]](#footnote-9). Some individuals may have been the subject of more than one agency notice. Of that figure 1,110 notices (54 percent) relating to 579 clients were within the Commission’s jurisdiction, and 941 notices (46 percent) were outside the Commission’s jurisdiction.

**Table 9:** Notices in jurisdiction by type and community 1 October 2021 to 31 December 2021

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Type of Notice** | **AU** | **CO** | **DM[[9]](#footnote-10)** | **HV** | **MG** | **Total** |
| Supreme Court notices | 0 | 0 | 0 | 1 | 0 | **1** |
| District Court notices | 3 | 0 | 0 | 0 | 0 | **3** |
| Magistrates Court notices | 229 | 19 | 0 | 53 | 25 | **326** |
| Domestic Violence Breach notices | 28 | 7 | 0 | 6 | 4 | **45** |
| Domestic Violence Order notices | 28 | 4 | 0 | 11 | 3 | **46** |
| School Attendance notices | 188 | 16 | 268 | 114 | 18 | **604** |
| School Enrolment notice | 0 | 0 | 10 | 0 | 0 | **10** |
| Child Safety and Welfare notices |   |   |   |   |   |  |
|  Child Concern Reports | 13 | 2 | 11 | 14 | 2 | **42** |
|  Finalised Child Protection Investigations | 15 | 0 | 8 | 8 | 0 | **31** |
| Housing Tenancy notices | 2 | 0 | 0 | 0 | 0 | **2** |
| **Total** | **506** | **48** | **297** | **207** | **52** | **1110** |

**Further details of notices within jurisdiction for each community are set out below:**

* Aurukun received 506 notices relating to 233 clients (137 female and 96 male)
* Coen received 48 notices relating to 22 clients (11 female and 11 male)
* Doomadgee received 297 notices relating to 181 clients (137 female and 44 male)
* Hope Vale received 207 notices, relating to 119 clients (69 female and 50 male)
* Mossman Gorge received 52 notices relating to 24 clients (16 female and 8 male).

**Table 10:** In jurisdiction notices by type and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Notices by Agency Processed** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Supreme Court | 0 | 0 | 0 | 0 | 1 |
| District Court | 0 | 4 | 11 | 12 | 3 |
| Magistrates Court | 308 | 344 | 378 | 276 | 326 |
| Domestic Violence Breach | 28 | 31 | 45 | 41 | 45 |
| Domestic Violence Order | 36 | 72 | 50 | 56 | 46 |
| School Attendance | 684 | 553 | 581 | 637 | 604 |
| School Enrolment | 1 | 4 | 4 | 0 | 10 |
| Child Safety | 67 | 49 | 48 | 66 | 73 |
| Housing Tenancy | 1 | 2 | 27 | 8 | 2 |
| **TOTAL** | **1125** | **1059** | **1144** | **1096** | **1110** |

**Table 11:** In jurisdiction notices by community and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Aurukun | 468 | 502 | 513 | 439 | 506 |
| Coen | 60 | 48 | 37 | 60 | 48 |
| Doomadgee | 346 | 278 | 297 | 307 | 297 |
| Hope Vale | 200 | 188 | 234 | 260 | 207 |
| Mossman Gorge | 51 | 43 | 63 | 30 | 52 |
| **TOTAL** | **1125** | **1059** | **1144** | **1096** | **1110** |

For quarter 54, 44 percent of clients received more than one notice. Frequently this illustrates multiple child school absences for the one family, or multiple Magistrates Court notices relating to one incident. This may also be suggestive of the complexity of behaviours experienced by a significant proportion of our clients. Conversely, it is important to note the majority of FRC clients (56 percent) have received only one notice during the reporting period. Sixteen new clients were added to the Commission’s database during the quarter.

**Table 12:** FRC clients by number of notices 1 October 2021 to 31 December 2021

|  |  |
| --- | --- |
| **Number of Notices Received** | **Number of Clients** |
| 1 | 326 |
| 2 | 137 |
| 3 | 61 |
| 4 | 26 |
| 5 | 11 |
| >5 | 18 |
| **TOTAL** | **579** |

## Conferences

The total number of conferences held across the five communities in quarter 54 decreased from 396 in quarter 53 to 335 conferences[[10]](#footnote-11) (relating to 272 clients served to attend conference), resulting in 73 agreements to attend community support services, 1 agreement for CIM, 19 orders to attend community support services and 28 new CIM orders issued. When compared to last quarter there was a decrease of 16 agreements to attend community support services, an increase of 1 agreement for CIM, a decrease of 32 orders to attend community support services and a decrease of 8 CIM orders. It should be noted that a decision by order in conference may include a number of outcomes for a client. For example, a client may be placed on a case plan and an income management at the same time.

Other outcomes as a result of conferencing during the quarter included decisions for no further action, reprimand, recommending a support service, reschedule and adjournment to return for the purpose of determining if any parties of the adjourned conference have addressed the matter/s in question during the adjournment period. Attendance at conference increased from 53.0 percent in quarter 53 to 60.6 percent in quarter 54, and non-attendance with what the Commissioners considered a reasonable justification decreased from 26.3 percent in the previous quarter to 22.7 percent during this reporting period. Reasons for non-attendance at conference generally include the effects of community unrest, the occurrence of funerals and associated Sorry Business, illness, carer responsibilities and absence from community. Refer to the application outcomes section of this report for matters heard under an amend/end application hearing process.

**Table 13:** Conferences by community and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Aurukun | 212 | 145 | 145 | 162 | 128 |
| Coen | 19 | 9 | 26 | 22 | 28 |
| Doomadgee | 117 | 117 | 93 | 140 | 122 |
| Hope Vale | 56 | 74 | 60 | 50 | 43 |
| Mossman Gorge | 20 | 26 | 41 | 22 | 14 |
| **TOTAL** | **424** | **371** | **365** | **396** | **335** |

## Conferences for Domestic Violence related matters

As a subset of the total number of conferences conducted for the quarter, 52 domestic violence conferences were conducted in Aurukun, Coen, Hope Vale and Mossman Gorge, a decrease of 20 from the previous quarter. Domestic violence conferences in the communities during the quarter were as follows: Aurukun decreased by 9, Coen increased by 5, and both Hope Vale and Mossman Gorge decreased by 8 conferences for DV related matters.

**Table 14:** DV conferences by community and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Aurukun | 35 | 46 | 27 | 39 | 30 |
| Coen | 6 | 4 | 13 | 7 | 12 |
| Hope Vale | 6 | 10 | 5 | 17 | 9 |
| Mossman Gorge | 4 | 8 | 9 | 9 | 1 |
| **TOTAL** | **51** | **68** | **54** | **72** | **52** |

**Table 15:** Number of conferences held in relation to domestic violence notices (breaches and orders) per community
1 October 2021 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Number of Domestic Violence Conferences** | **AU** | **CO** | **HV** | **MG** | **Total** |
| Relating to both a DVB and a DVO notice | 2 | 1 | 0 | 0 | **3** |
| Relating to a DVB notice | 9 | 6 | 3 | 1 | **19** |
| Relating to a DVO notice | 19 | 5 | 6 | 0 | **30** |
| **Total** | **30** | **12** | **9** | **1** | **52** |

**Table 16:** Domestic violence conferences by type and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Number of Domestic Violence Conferences** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Relating to both a DVB and a DVO notice | 2 | 3 | 2 | 9 | 3 |
| Relating to a DVB notice | 18 | 7 | 18 | 21 | 19 |
| Relating to a DVO notice | 31 | 58 | 34 | 42 | 30 |
| **Total** | **51** | **68** | **54** | **72** | **52** |

## Referrals from ‘Family Responsibilities’ Agreements and Orders

A total of 105 referrals (to service providers from ‘Family Responsibilities’ Agreements (FRAs) and Orders) relating to 91 clients were made in quarter 54, a decrease from 157 referrals in quarter 53. Since 2008 the Commission has referred 1,325 clients (695 female and 630 male) to service providers for assistance under a ‘Family Responsibilities’ Agreement or Order. Referrals in the communities for decisions by agreement and order during the quarter were as follows: Aurukun decreased by 37, Coen increased by 4, Doomadgee decreased by 13, Hope Vale decreased by 2 and Mossman Gorge decreased by 4.

**Table 17:** Referral pathways by referral type and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Aurukun | 46 | 99 | 56 | 75 | 38 |
| Coen | 10 | 4 | 13 | 11 | 15 |
| Doomadgee | 66 | 26 | 30 | 44 | 31 |
| Hope Vale | 12 | 18 | 23 | 14 | 12 |
| Mossman Gorge | 5 | 7 | 14 | 13 | 9 |
| **TOTAL** | **139** | **154** | **136** | **157** | **105** |

## Referrals for Domestic Violence related matters

As a subset of the total number of referrals from FRAs and orders in the quarter, 32 referrals were made in relation to domestic violence conferences, a decrease of 7 from quarter 53. Domestic violence referrals in the communities during the quarter were as follows: Aurukun, Hope Vale and Mossman Gorge decreased by 6, 1 and 6 respectively, whilst Coen increased by 6. The Local Commissioners continue to raise concerns regarding the availability of appropriate perpetrator intervention programs suitable for client referrals so community members can be supported to address these behaviours. The broader social impacts of domestic and family violence are set out in Table 3 with analysis on page 7, illustrating the nexus between Court convictions and domestic violence orders/breaches with education and child safety issues.

**Table 18:** Domestic violence referrals by community and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Aurukun | 12 | 43 | 14 | 22 | 16 |
| Coen | 2 | 1 | 11 | 4 | 10 |
| Hope Vale | 2 | 4 | 0 | 7 | 6 |
| Mossman Gorge | 1 | 2 | 1 | 6 | 0 |
| **TOTAL** | **17** | **50** | **26** | **39** | **32** |

## Conditional Income Management from ‘Family Responsibilities’ Agreements and Orders

Local Commissioners continue to use Conditional Income Management (CIM) as a decision of last resort. A total of 29 new CIMs (28 CIM orders and 1 CIM agreement) relating to 29 clients were made in quarter 54, a decrease of 7 CIMs from quarter 53. Ninety-seven percent of CIMs quarantined 60 percent of welfare payments with 13 CIMs issued for a 6-month duration and 14 CIMs issued for a 12-month duration. Since the commencement of the Commission CIMs inclusive of original agreements and orders, extensions and amendments have been made relating to 989 clients (572 female and 417 male). Decreases in quarter 54 were seen in Aurukun and Hope Vale of 6 and 4 CIMs respectively, Doomadgee increased by 3 CIMs and Coen and Mossman Gorge remain unchanged from the preceding quarter recording zero and 1 CIM respectively.

As at 31 December 2021 there were 62 clients subject to a current CIM, with 90 percent at 60 percent conditional income management and 66 percent for a 6-month duration. 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 amending or ending a CIM when requested by the client.

**Table 19:** Conditional Income Management orders by community and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Aurukun | 14 | 4 | 8 | 22 | 16 |
| Coen | 2 | 0 | 3 | 0 | 0 |
| Doomadgee | 6 | 2 | 7 | 8 | 11 |
| Hope Vale | 0 | 2 | 4 | 5 | 1 |
| Mossman Gorge | 0 | 4 | 3 | 1 | 1 |
| **TOTAL** | **22** | **12** | **25** | **36** | **29** |

## Conditional Income Management for Domestic Violence related matters

As a subset of the total number of CIMs in the quarter, 1 was made in relation to domestic violence conferences in quarter 54.

**Table 20:** Domestic violence conditional income management by community and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Number of Domestic Violence CIMs** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Aurukun | 1 | 1 | 0 | 7 | 1 |
| Coen | 0 | 0 | 2 | 0 | 0 |
| Hope Vale | 0 | 0 | 0 | 3 | 0 |
| Mossman Gorge | 0 | 2 | 1 | 1 | 0 |
| **Total** | **1** | **3** | **3** | **11** | **1** |

## Voluntary self-referrals from clients to the Commission

The FRC Act sets out a process under which a community member can voluntarily seek help from the Commission for a referral to a community support service (voluntary case plan) or be subject to voluntary income management. During quarter 54, 1 voluntary agreement was entered into for the client to attend community support services under a case plan. Although the number of clients who have engaged with the FRC on a voluntary basis remains small, it is nonetheless consistent with a broader trend of clients – specifically those entering into Family Responsibility Agreements – who are exhibiting an increased self-awareness of their personal circumstances and are willing to accept assistance from the Commission at the earliest opportunity in the conferencing process. This is discussed in more detail at *Interactions during the quarter*.

## Voluntary Income Management

During this reporting period the Commission processed 33 Voluntary Income Management (VIM) agreements with approximately three quarters of clients electing to have 60 percent of their welfare payments voluntarily income managed (see Table 24). Clients also showed a preference to be subjected to income management for longer durations (see Table 22). Since the commencement of the Commission in 2008, 285 clients (180 female and 105 male) have had an active VIM agreement. As at 31 December 2021 there were 105 clients on a current VIM agreement. The growth in the number of community members willing to enter into a VIM agreement continues to exceed levels reported in periods prior to the introduction of the Cashless Debit Card (CDC) in March 2021 (see section below on the Status of the CDC).

**Status of CDC in FRC Communities for quarter 54**

Sixty-two Cashless Debit Cards (29 for CIM and 33 for VIM) were processed for the period 1 October 2021 to 31 December 2021, including orders and agreements that were still awaiting Centrelink action as at 31 December.

|  |  |  |
| --- | --- | --- |
| **Table 21:** Breakdown of CDC CIMs by duration 1 October 2021 – 31 December 2021 |  | **Table 22:** Breakdown of CDC VIMs by duration 1 October 2021 – 31 December 2021 |
| **CIM Duration** | **% Split** |  | **VIM Duration** | **% Split** |
| 3 months | 7% |  | 3 months | 15% |
| 6 months | 45% |  | 6 months | 24% |
| 9 months | 0% |  | 9 months | 0% |
| 12 months | 48% |  | 12 months | 61% |
| **Total** | **100%** |  | **Total** | **100%** |

|  |
| --- |
| Although initially (March 2021) the majority (66 percent) of VIM applications entered into were for a 3-month duration, the VIM table above shows that clients are now more inclined to volutarily elect to be subjected to IM for longer duration periods with 85 percent of agreements entered into for a duration of six months or more. |

|  |  |  |
| --- | --- | --- |
| **Table 23:** Breakdown of CDC CIMs by percentage 1 October 2021 – 31 December 2021 |  | **Table 24:** Breakdown of CDC VIMs by percentage 1 October 2021 – 31 December 2021 |
| **CIM Percentage** | **% Split** |  | **VIM Percentage** | **% Split** |
| 60 percent | 97% |  | 60 percent | 76% |
| 75 percent | 0% |  | 75 percent | 9% |
| 90 percent | 3% |  | 90 percent | 15% |
| **Total** | **100%** |  | **Total** | **100%** |

|  |
| --- |
| This quarter saw the vast majority of CIM orders issued at 60 percent. The preference by clients to enter into a VIM at 60 percent remains the popular option with 76% of VIM agreements entered into at 60 percent for the quarter. |

It is interesting to note that the majority of community members conditionally income managed by the FRC (community members notified to the FRC) were in the 26 to 35 year age group with females accounting for 83 percent of all the CIMs. No community member older than 65 years was conditionally income managed by the FRC during the quarter. For the 24 CIMs relating to females, 63 percent were for a school attendance notice only and a further 13 percent were for a child safety and welfare notice only, which correlates to the female role of caregiver in the family structure.

The majority of community members voluntarily participating in voluntary income management belong to an older cohort (46 to 55 year age group) with applications for VIMs made by community members from each of the cohorts including the 66 years and above. Females account for 64 percent of the VIMs. Overall females accounted for 73 percent of all CDCs (voluntary and conditional) in quarter 54.

Reasons for applying for the CDC were primarily to buy food (70 percent), to pay bills (52 percent), to budget (45 percent) and to save for something they needed (42 percent). Circumstances given by voluntary income management participants when applying for the CDC were primarily to support themselves (52 percent). Approximately three quarters of clients (76 percent) reported on their applications they liked the CDC. Please note, a client may choose one or more options to reflect their individual reasons and circumstances for participating in voluntary income management.

|  |  |  |
| --- | --- | --- |
| **Table 25:** Breakdown of CDC CIMs by age group 1 October 2021 – 31 December 2021 |  | **Table 26:** Breakdown of CDC VIMs by age group1 October 2021 – 31 December 2021 |
| **Age Group** | **Male** | **Female** | **Total** |  | **Age Group** | **Male** | **Female** | **Total** |
| 18-25 | 0 | 5 | **5** |  | 18-25 | 0 | 1 | **1** |
| 26-35 | 0 | 12 | **12** |  | 26-35 | 3 | 2 | **5** |
| 36-45 | 4 | 4 | **8** |  | 36-45 | 2 | 5 | **7** |
| 46-55 | 0 | 2 | **2** |  | 46-55 | 2 | 7 | **9** |
| 56-65 | 1 | 1 | **2** |  | 56-65 | 4 | 1 | **5** |
| 66-75 | 0 | 0 | **0** |  | 66-75 | 1 | 3 | **4** |
| 76-85 | 0 | 0 | **0** |  | 76-85 | 0 | 2 | **2** |
| **Total** | **5** | **24** | **29** |  | **Total** | **12** | **21** | **33** |

## Case Management

Commissioners are guided by the FRC Act, sections 4 and 5, to encourage community members to engage in socially responsible ways, and in doing so, make appropriate use of community support services. The Commissioners use the referral pathways available in each community to strengthen the client’s resilience to face the challenges they experience, and to ensure the wellbeing and safety of children and vulnerable people through broad-based counselling and education. After conference and for the duration of a case plan referral, the FRC registry liaises with clients and support services to monitor the client’s progress against meeting case plan goals. Where appropriate, clients are encouraged to make an application to amend or end their case plan to ensure their evolving needs are met. Commissioners then consider each application to ascertain whether the client has made sufficient progress to justify approving the application and in doing so must consider whether any detriment might impact the welfare of relevant children and/or vulnerable persons.

As at 31 December 2021, 224 clients were being case-managed through a current non-voluntary case plan, a decrease of 16 from quarter 53. Decreases were seen in Aurukun, Hope Vale and Mossman Gorge of 18, 9, 3 respectively, whilst Coen and Doomadgee increased by 4 and 10 respectively.

## Applications to amend or end Agreements or Orders inclusive of Voluntary Agreements

Applications to amend or end an agreement or order are considered an important means of ensuring that FRC decisions remain applicable to the changing needs and circumstances of clients. This mechanism affords clients an opportunity to apply to the Commission to amend or end their agreement or original order by providing their reasons for making the application. Commissioners view the hearing of the applications as an opportunity to engage with clients.

Thirty-two applications relating to 29 clients (19 female and 10 male) to amend or end an Agreement, Order or Voluntary Agreement were received in quarter 54, an increase of 16 applications from the previous quarter. It should be noted that a client may apply to amend or end their Family Responsibilities Agreement, Family Responsibilities Order or Voluntary Agreement on multiple occasions throughout a quarter.

**Table 27:** Applications to Amend or End FRA or Order by community and quarter 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Aurukun | 2 | 7 | 3 | 10 | 29 |
| Coen | 0 | 1 | 0 | 1 | 0 |
| Doomadgee | 2 | 3 | 0 | 2 | 0 |
| Hope Vale | 2 | 1 | 0 | 3 | 3 |
| Mossman Gorge | 0 | 0 | 0 | 0 | 0 |
| **TOTAL** | **6** | **12** | **3** | **16** | **32** |

## Application decisions

Each application follows a transparent process and is considered by the Commissioners on its own merit whilst observing the principles of natural justice. A timely decision on the application is made pursuant to section 99 or section 109 of the FRC Act and may include either agreeing or refusing to amend or end an agreement or order, or if the Commissioners deem the application frivolous or vexatious, dismissing the application, noting that section 109(2) of the FRC Act states: “The Commissioner must amend or end a voluntary agreement as requested by the person, unless the Commissioner is satisfied the amendment or ending would be detrimental to the interests, rights and wellbeing of children and other vulnerable persons living in a welfare reform community area”. If the Commission fails to make a decision within two months of receipt of the application, section 101 of the FRC Act determines that the failure is taken to be a decision by the Commission to refuse to amend or end the Family Responsibilities Agreement or Order. The opportunity afforded in hearing these applications is utilised by the Commissioners to encourage clients to continue to address any remaining challenges and to exercise personal responsibility in their lives.

It should be noted that a hearing for an amend/end application may not take place in the same quarter as the application was received, especially where an application was received towards the end of a quarter with the resulting hearing scheduled for the following quarter.

A total of 8 amend/end applications, all for Family Responsibilities Orders, were decided in quarter 54 with three-quarters of the applications made by clients accepted by the FRC. A breakdown of the type of applications is as follows:

* 2 Applications were accepted and case plan orders ended
* 1 Application was accepted and conditional income management order amended
* 3 Applications were accepted and conditional income management orders ended and
* 2 Applications were refused.

A total of 27 amend/end applications for a voluntary agreement were decided in the reporting period with all applications made by clients accepted by the FRC. A breakdown of the type of applications is as follows:

* 24 Applications were accepted and voluntary income management agreements ended
* 2 Applications were accepted and voluntary income management agreements amended, reducing from 90% to 60% for the remaining period of the voluntary agreement
* 1 Application was accepted and the voluntary income management agreement amended, reducing from 75% to 60% for the remaining period of the voluntary agreement.

The Commission continues to encourage clients to participate in the amend or end process. Commissioners consider that the participation of clients in the amend/end process is indicative of 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.

## FRC client population by gender and age

**Table 28:** FRC client population by gender and age 1 October 2021 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Information for the quarter** | **Female Count** | **Male Count** |  | **Female Average age** | **Male Average age** |
| Clients for whom a notice was received[[11]](#footnote-12) | 370 | 209 |  | 38 | 39 |
| Clients who conferenced[[12]](#footnote-13) | 194 | 78 |  | 36 | 39 |
| Clients referred through Family Responsibilities Agreements and Family Responsibilities Orders[[13]](#footnote-14) | 64 | 27 |  | 35 | 36 |
| Clients placed on CIM[[14]](#footnote-15) | 24 | 5 |  | 33 | 43 |
| Clients referred through a Voluntary Agreement for a case plan[[15]](#footnote-16) | 1 | 0 |  | 48 | 0 |
| Clients who chose to participate in VIM[[16]](#footnote-17) | 21 | 12 |  | 51 | 48 |
| Clients who submitted an amend/end application[[17]](#footnote-18) | 19 | 10 |  | 51 | 50 |

## Estimated resident populations:

**Aurukun:** The community of Aurukun had an estimated resident adult population of 923 people as at 30 June 2020[[18]](#footnote-19),[[19]](#footnote-20).

**Coen:** The township of Coen had an estimated resident adult population of 263 people as at 30 June 202018,[[20]](#footnote-21).

**Doomadgee**: The community of Doomadgee had an estimated resident adult population of 850 people as at 30 June 202018,19.

**Hope Vale:** The estimated resident adult population of Hope Vale was 761 people as at 30 June 202018,19.

**Mossman Gorge:** The Mossman Gorge community had an estimated resident population of 87 people as at 30 June 202018,[[21]](#footnote-22).

# 2. Future Direction and Challenges

**COVID-19 safety**

COVID-19 is a public health concern of national and international proportions. FRC communities are particularly vulnerable to this pandemic threat with limited healthcare facilities available, community members having to travel considerable distances to access mainstream healthcare, an Indigenous population with a high percentage of co-morbidities and other health vulnerabilities caused by long term economic disadvantage, and overcrowded housing. A further threat to these communities is posed by the low rate of COVID-19 vaccinations during Quarter 54 and the opening of the Queensland border on 17 December 2021.

Section 4 of the FRC Act states that the main objects of the FRC Act are to support the restoration of socially responsible standards of behaviour and to help people resume primary responsibility for the wellbeing of their community and the individuals and families of the community. It is on that basis that the Commission proposed to the FR Board on 4 November 2021 that where appropriate, the Commission could support the Queensland Government’s COVID-19 public health campaign by inviting Local Commissioners to assume a role in encouraging community members to take personal responsibility for their wellbeing and the wellbeing of their families by practicing COVID awareness/safety and encouraging the uptake of vaccinations to prevent COVID in their communities. The FR Board supported the Commission’s willingness to distribute and support COVID safe practices and vaccination messaging in the Welfare Reform communities. The Executive Management Team, together with the Local Commissioners of each community considered how best to support the communities in dealing with vaccine hesitancy so that communities could remain open, viable and healthy.

As a result, Local Commissioners in each community were very active when conducting conferences in promoting COVID safe practices and the COVID vaccine. Whilst serving notices to attend conference and notices of decision they discussed the benefits of vaccination with clients and shared their own experiences of being vaccinated. Additionally, assistance was provided to the Queensland Health COVID vaccination team in Doomadgee to locate community members that had not yet received the vaccination and assist to alleviate their concerns regarding the vaccine. Aurukun Local Commissioners led by example with Local Commissioner Poonkamelya being the very first community member to be vaccinated. Her vaccination experience was promoted by Queensland Health with the release of photos. Hope Vale Local Commissioners initiated awareness of COVID safety and vaccination with their immediate and extended families which then filtered through the community. Informal chats promoting and encouraging hygiene and vaccination included notifying community members of dates and location of vaccination centres, and directing community members with symptoms to testing centres. Community members with personal views regarding vaccination were reminded and made aware of the impact, if not vaccinated, on vulnerable people.

**Memorandum of Understanding**

The Commission’s strategic partners in Welfare Reform, the Queensland Government, Australian Government and Cape York Institute, continue their discussions on the future of Welfare Reform and the Commission. As at the end of this reporting period there remains no official funding agreement between the Australian and Queensland Governments beyond 30 June 2021. The Australian Government has released advice stating its support for an extension of the Commission for a period of three years to 30 June 2024, whilst the Queensland Government has confirmed an extension of twelve months to 30 June 2022 pending the outcome of a review. As at the end of this quarter the terms of reference for the ‘FRC Future Directions Review’ are yet to be finalised. It is the Commission’s understanding that the finalisation of the Memorandum of Understanding is dependent upon agreement on the terms of reference for the review. The Commission looks forward to the finalisation of the procurement process for the FRC Future Directions Review, and the signing of a Memorandum of Understanding to secure funding for the Commission past 30 June 2022 and into the future.

**FRC’s partnerships with community support services in welfare reform communities**

Case plan reporting

The Commission has a legislative mandate to receive information from support services in order to monitor case plan compliance and progress, and further assist the Commissioners to make appropriate decisions. Part 8, Information exchange, of the FRC Act defines the information which can be requested by the Commissioner, and from whom this information can be requested, including community support services that are attended by a person under a case plan.

It is a requirement under section 35 of the FRC Act for the Registrar to monitor and report on a person’s compliance with a case plan to attend a community support service under an agreement or order. The Commission seeks information from service providers via a user-friendly online portal through which service providers are requested to provide information on their attempts to engage the client, the client’s attendance at the service, and assessment of progress made under the case plan. Training is provided in the use of the portal. Emailed requests are sent monthly from the Commission to service providers for progress reports for specific clients at key stages of case plans.

It was reported in the Commission’s Annual Report 2020-21 financial year that reports from some service providers remain outstanding or are of such poor quality that it provides minimal value to Commissioners in their decision-making, thus impeding the effectiveness of case plan referrals and the monitoring of client progress and/or compliance. The FRC has reported its client referrals to support services have increased exponentially in the last two years (since 2018-19 by 541 percent).

The pressure upon these support services is understandable with the increased workload, and the Commission anticipates that referrals will maintain the increasing trend during the 2021-22 year.

During this reporting period the Commission continued to experience challenges in receiving timely and informative reports from some support services. The Commission will continue to strengthen relationships with support services through the drafting and negotiation of MoUs (see below) and the provision of additional training in the use of the FRC portal and the legislative requirements of the FRC Act.

Building better partnerships

The Commission has continued this quarter to expand and further solidify its service provider partnerships with a Memorandum of Understanding (MoU) finalised with Cape York Employment (CYE) on 25 November 2021. CYE delivers programs and engages with clients to provide assistance for employment and training and delivers the Community Development Program (CDP) in Aurukun and Coen. The initiative is supported by the Australian Government and is designed to end passive welfare by empowering community members to be work-ready so they can take advantage of job opportunities. The MOU clarifies and strengthens the relationship between the FRC and CYE by providing a framework around the referral of, response to, and reporting about FRC clients on case plans. Since signing the MOU, the FRC and CYE have been discussing and preparing for clients in Aurukun and Coen to complete pre-employment training and take up pathways to employment, for example with Glencore in the Aurukun Bauxite Project.

MoU discussions with the North West Hospital and Health Service, Alcohol and Other Drugs Service Mt Isa, who service FRC clients in Doomadgee, have continued during the quarter. A draft MoU is currently under consideration, and an FRC trip to Mt Isa to finalise the MoU is planned for mid-March 2022.

**FRC’s partnerships with Notifying Agencies**

Legislative compliance

The FRC operates within a legal framework to assist clients and their families living in welfare reform communities to address complex antisocial behaviours. The FRC Act sets out the statutory obligations of relevant Queensland Government departments to notify the Commission when a community member is not meeting pre-determined obligations. In most instances, time limits apply within which an agency must provide the Commission with a notice. Should this time limit not be met by the notifying agency, the notice is deemed invalid for conferencing purposes. There have been occasions where notices have been received out of time and therefore deemed invalid. This quarter the Commission received six notices which it is was unable to act on as they were received outside the legislated timeframe. The Commission has implemented quality control audit practices overseen by the Manager (Case Management and Monitoring) and continues to work with the relevant department in a proactive and collaborative manner to resolve the issue.

Building better partnerships

In order for the FRC legislation to operate effectively and to ensure Commissioners have all the information available to them to enable quality decision-making, the Commission entered into discussions with the Department of Education during September 2021 to draft an Exchange of Information Guideline to provide guidance in the principles that apply to information exchange regarding school attendance and enrolment information, and the method to be adopted in the exchange of information. The new procedures were adopted and implemented during Quarter 54. The Commission is pleased to report that the new procedures, negotiated with the Department of Education, have resulted in the availability of timely and relevant information which has streamlined the conferencing of education notices.

**Local Commissioner recruitment**

At the FR Board meeting held 4 November 2021, the Commission presented a paper to board members requesting approval to recruit further Local Commissioners in each community. The request was made as the Commission has on frequent occasions experienced difficulty in securing the attendance of three Local Commissioners to meet the requirements of holding s50A conferences. Additionally, the Commission wishes to provide greater diversity amongst the pool of Local Commissioners currently appointed in regard to gender, age, clan affiliation and expertise.

Section 51(3)(a) of the FRC Act states:

*“In nominating or appointing the Local Commissioners for a conference, the local registry Coordinator and Commissioner* ***must*** *– if the person the subject of the conference is an Aboriginal person or a Torres Strait Islander – consider whether the nominees or appointees are appropriate, having regard to the clan or* *family* *group to which the person belongs.”*

Although only three Local Commissioners are required to sit in conference, in all communities it is necessary that different clans are represented in those Commissioners present along with sufficient Commissioners available to allow for conflict of interest and family issues as they arise. It is therefore necessary to have a pool of Commissioners available to conference on any one day.

Section51 (3)(b) of the FRC Act states:

*“In nominating or appointing the Local Commissioners for a conference, the local registry Coordinator and Commissioner* ***must*** *– if practicable and appropriate in the circumstances, ensure that 1 of the Local Commissioners is female.”*

Gender diversity is an important element in conferencing as often cultural protocols require that women and men interact in particular ways in particular circumstances.

Across the communities many of the Commissioners are either elderly or have health concerns which affect their lives and their availability to conference. The current COVID-19 pandemic presents a major risk for the Commission with numerous Commissioners in the over 60 age bracket and suffering from chronic illnesses common to the Indigenous peoples of Australia. Age diversity amongst the Local Commissioners is lacking in most communities and it would be beneficial to have younger Commissioners in each community who are able to identify with, and more easily engage with, younger clients and those with young children.

Many of the Local Commissioners have been with the Commission since 2008. As has been previously reported, the work of the Local Commissioners is such that their responsibilities do not finish when they leave conference for the day. They live every day in small communities with the clients they have dealt with at conference; celebrating the achievements of the clients, and sometimes suffering criticism and abuse for the decisions they have made. Many have stated they would take a break from conferencing were there a sufficient pool of Commissioners to service conferencing requirements.

The FR Board endorsed the recruitment of new Local Commissioners at the board meeting held on 4 November 2021. At the time of writing this report, 12 new Local Commissioner applications have been forwarded to the Department of Seniors, Disability Services and Aboriginal and Torres Islander Strait Partnerships for consideration by the Minister and subsequent recommendation to the Governor in Council, along with 25 applications from existing Local Commissioners for reappointment.

# 3. Governance

## Governance

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

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

* Mr Robert (Bob) Gee APM Director-General, Department of Agriculture and Fisheries

(Chair)

* Mr Ray Griggs AO, CSC Secretary of the Department of Social Services
* Mr Noel Pearson Founder, Cape York Partnership representing the

Cape York Institute.

## 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 five welfare reform communities.

The registry, managed by the Registrar, provides corporate and operational support to the Commissioner, the Local Commissioners and the Local Registry Coordinators.

# 4. Financial Operations

### Income:

* Income received by the Commission for the period 1 October 2021 to 31 December 2021 totalled $1,060,200. This income consisted of:
* $604,500 Queensland Government funding
* $450,000 Australian Government funding
* $4,680 interest received
* $1,020 sundry income

The balance of available funds in the bank as at 31 December 2021 is $2,754,995.

### Expenditure:

* Expenditure for the period 1 October 2021 to 31 December 2021 was $992,091.

**Table 29:** Expenditure in quarter 54

|  |  |  |  |
| --- | --- | --- | --- |
| 1 October 2021 to | Expenditure | 1 October 2021 to | Expenditure |
| 31 December 2021 | Qtr 54 | 31 December 2021 | Qtr 54 |
|  |  |  |  |
| Employee salaries – FRC staff | $548,271 | Internet & IT | $57,524 |
| Employee salaries – Local Commissioners | $67,375 | Motor vehicle | $14,162 |
| Employee on costs – FRC staff | $109,329 | Property | $57,453 |
| Employee on costs – Local Commissioners | $11,021 | Travel | $56,577 |
| Other employment costs | $4,115 | General operating | $50,929 |
| Communications | $3,422 | Other expenses | $11,913 |
|  |  | **Total** | **$992,091** |

The core functions of the FRC can be summarised into three broad categories:

* **Corporate Governance:** including corporate governance, finance, statistical reporting, training and other administrative functions to ensure the effective and efficient operations of the Commission.
* **Community Operations:** including the operational costs in each of the five communities to conduct conferences and hearings, prepare and monitor case plans for clients for attendance at community support services and prepare and monitor income management orders.
* **Conference and Hearing Facilitation:** including to facilitate the holding of conferences and hearings in the five communities, provide support to the Local Commissioners and Local Registry Coordinators to hold conferences and hearings, assist with the on-going monitoring of case plans for clients through the provision of data and other information and process income management orders where considered necessary.

The functions of corporate governance and conference and hearing facilitation are conducted primarily in the registry office in Cairns with frequent visits to community by staff. Community operations are conducted by Local Registry Coordinators and twenty-six Local Commissioners, resident in their respective communities, who are paid as sessional sitting Commission members for conferencing, serving notices, meetings and professional development.

As can be observed in Table 30 below which displays the allocation of FRC costs across the core functions in quarter 54, the largest allocation during the reporting period is in relation to conference and hearing facilitation (37.4 percent).

**Table 30:** Allocation of expenses 1 October 2021 to 31 December 2021

|  |  |
| --- | --- |
| **Community** | **Percentage of Allocated Expenses** |
| Corporate Governance | 29.8% |
| Conference and Hearing Facilitation | 37.4% |
| Community Operations | 32.8% |
| **TOTAL** | **100.0%** |

Regional operational expenditure by location and quarter.

**Table 31:** Operating costs by remote location 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Aurukun | $104K | $110K | $124K | $110K | $93K |
| Coen | $27K | $28K | $40K | $24K | $32K |
| Doomadgee | $207K | $163K | $177K | $110K | $110K |
| Hope Vale | $62K | $73K | $90K | $65K | $67K |
| Mossman Gorge | $34K | $34K | $46K | $27K | $24K |
| **TOTAL** | **$434K** | **$408K** | **$477K** | **$336K** | **$326K** |

Cairns expenditure for quarter 54 compared to the previous four quarters.

**Table 32:** Quarterly operating costs Cairns Registry 1 October 2020 to 31 December 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 50** | **Qtr 51** | **Qtr 52** | **Qtr 53** | **Qtr 54** |
| Corporate Governance | $275K | $248K | $261K | $255K | $295K |
| Conference Facilitation | $239K | $308K | $272K | $376K | $371K |
| **TOTAL** | **$514K** | **$556K** | **$533K** | **$631K** | **$666K** |

| **APPENDIX A** |  |  |
| --- | --- | --- |
|  | **SITTINGS CALENDAR 2020****FAMILY RESPONSIBILITIES COMMISSION****1 July 2021 to 31 December 2021** |  |
| **Week Beginning** | **Monday** | **Tuesday** | **Wednesday** | **Thursday** | **Friday** | **Other** |
| 5 July |  |  |  |  |  | Cooktown Circuit |
| 12 July |  | **13** | **14** |  | Public Holiday | 16 Cairns Show DayAurukun Cape B & Coen Cape A CircuitDoomadgee – Gulf Circuit |
| **13** |
| 19 July | Public Holiday | **20** | **21** |  |  | 19 Mossman Show Day |
| **20** |
| 26 July |  | **27** | **28** | **29** |  | Estimates: Wednesday 28/07/2021 – Friday 30/07/2021 |
| **27** | **29** |
| 2 August |  | **3** | **4****Public Holiday** |  |  | 4 Aurukun DayCooktown Circuit |
| 9 August |  | **10** | **11** | **12** |  | Estimates: Tuesday 10/08/2021 – Friday 13/08/202112-15 Mount Isa Mines RodeoAurukun Cape B CircuitDoomadgee – Gulf Circuit |
| **10** |
| 16 August |  | **17** | **18** |  |  |  |
| **17** |
| 23 August |  | **24** | **25** | **26** | Public Holiday | 27 Doomadgee Day |
| **24** | **25** | **26** |
| 30 August |  |  | **1** | **2** |  | Cooktown – Circuit |
| 6 September |  | **7** | **8** | **9** |  | Aurukun Cape B & Coen Cape A CircuitDoomadgee – Gulf Circuit |
| **7** | **9** |
| 13 September |  | **14** | **15** |  |  |  |
| **14** |
| 20 September |  |  |  |  |  |  |
| 27 September |  |  |  |  |  |  |
| 4 October | Public Holiday |  | **6** | **7** |  | 4 Queen’s BirthdayCooktown – Circuit |
| 11 October |  | **12** | **13** |  |  | Aurukun Cape B CircuitDoomadgee – Gulf Circuit |
| **12** | **13** |
| 18 October |  | **19** | **20** | **21** |  |  |
| **19** |
| 25 October |  | **26** | **27** | **28** |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Week Beginning** | **Monday** | **Tuesday** | **Wednesday** | **Thursday** | **Friday** | **Other** |
| 1 November |  |  |  |  |  | Cooktown – Circuit |
| 8 November |  | **9** | **10** |  |  | Aurukun Cape B & Coen Cape A CircuitDoomadgee – Gulf Circuit |
| **9** |
| 15 November |  | **16** | **17** |  |  |  |
| **16** |
| 22 November |  | **23** | **24** | **25** |  |  |
| 29 November |  | **30** | **1** | **2** |  | Cooktown – CircuitCYAAA, Aurukun and Doomadgee schools finish 2/12/2021 |
| **30** | **1** |
| **30** |
| 6 December |  | **7** |  | **9** |  | Mossman schools finish 10/12/2021Aurukun Cape B CircuitDoomadgee – Gulf Circuit |
| 13 December |  |  |  |  |  |  |
| 20 December |  |  |  |  |  |  |
| 27 December | Public Holiday | Public Holiday |  |  |  | 27 Christmas Day and 28 Boxing Day Public Holidays, 29, 30, 31 Office closed for XMAS |

**LEGEND**

|  |  |
| --- | --- |
|  | Office Days |
|  | Public Holidays |
|  | Aurukun Sitting |
|  | Coen Sitting |
|  | Doomadgee Sitting |
|  | Hope Vale Sitting |
|  | Mossman Gorge Sitting |
| ~~0~~ | Cancelled Conference |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **OFFICE** | **CONTACT NAME** | **Phone** | **Mobile** | **Facsimile** |
| Cairns – Commissioner | Tammy Williams | 4081 8413 | 0447 739 137 | 4041 0974 |
| Cairns – Deputy Commissioner | Rod Curtin | 4081 8410 | 0419 647 948 | 4041 0974 |
| Cairns – Registrar | Maxine McLeod | 4081 8412 | 0409 461 624 | 4041 0974 |
| Cairns – Executive Officer (Finance) | Tracey Paterson | 4081 8411 | 0429 495 353 | 4041 0974 |
| Cairns – Acting Client Manager | Sandi Rye | 4081 8410 | 0438 195 342 | 4041 0974 |
| Cairns – Acting Manager (Case Management and Monitoring) | Anne Crampton | 4081 8414 |  | 4041 0974 |
| Cairns – Senior Advisor (Statistics and Research) | Michelle Synott | 4081 8404 |  | 4041 0974 |
| Cairns – ICT Administrator | Jeffrey Dela Cruz | 4081 8406 | 0419 890 770 | 4041 0974 |
| Aurukun Local Registry Coordinator | Bryce Coxall | 4060 6185 | 0428 985 106 | 4041 0974 |
| Acting Coen Local Registry Coordinator | Simeon Miglioranza |  | 0417 798 392 | 4041 0974 |
| Doomadgee Local Registry Coordinator | Brenden Joinbee | 4745 8111 | 0418 666 204 | 4041 0974 |
| Hope Vale Local Registry Coordinator | Josephine Pinder | 4060 9153 | 0408 482 026 | 4041 0974 |
| Acting Mossman Gorge Local Registry Coordinator | Simeon Miglioranza |  | 0417 798 392 | 4041 0974 |

1. Section 144 *Family Responsibilities Commission Act 2008* [↑](#footnote-ref-2)
2. Agency notices are counted on the basis of the number of persons named on the notice (e.g. a Child Safety and Welfare notice relating to two parents is counted as two notices and if three children from one family have an unexplained absence on one day, it is counted as three individual School Attendance notices). [↑](#footnote-ref-3)
3. An agreement and a decision can have multiple case plans which in turn can have multiple referrals where a service provider has multiple programs. [↑](#footnote-ref-4)
4. The Commission has made a submission to the FR Board requesting the urgent appointment of new Local Commissioners to bolster Commissioner numbers. Endorsement has been provided and new applications forwarded for consideration in Quarter 55. [↑](#footnote-ref-5)
5. Refer to the descriptions of abbreviations on page 5. [↑](#footnote-ref-6)
6. Refer to the descriptions of abbreviations on page 5. [↑](#footnote-ref-7)
7. Refer to the descriptions of abbreviations on page 5. [↑](#footnote-ref-8)
8. 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. [↑](#footnote-ref-9)
9. Agency notices for the community of Doomadgee are presently received from the Department of Education and the Department of Children, Youth Justice and Multicultural Affairs only. [↑](#footnote-ref-10)
10. 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. [↑](#footnote-ref-11)
11. Average age of a client who received a notice for the quarter is calculated at the date of the first notice received for the client during the quarter. [↑](#footnote-ref-12)
12. Average age of a conferenced client for the quarter is calculated at the date of the first conference held for the client during the quarter. [↑](#footnote-ref-13)
13. Average age of a referred client for the quarter through a Family Responsibilities Agreement or a Family Responsibilities Order is calculated at the first conference date held where the client was placed on a case plan during the quarter. [↑](#footnote-ref-14)
14. Average age of a CIM’d client for the quarter is calculated at the first conference date held where the client was placed on a CIM during the quarter. [↑](#footnote-ref-15)
15. Average age of a referred client for the quarter through a Voluntary Agreement is calculated at the start date of the voluntary agreement where the client entered into a voluntary case plan during the quarter. [↑](#footnote-ref-16)
16. Average age of a VIM’d client for the quarter is calculated at the start date of the agreement where the client was placed on a VIM during the quarter. [↑](#footnote-ref-17)
17. Average age of a client who submitted an amend/end application for the quarter is calculated at the received date of the application for the client during the quarter. [↑](#footnote-ref-18)
18. Note: Australian Statistical Geography Standard 2016 boundaries used are local government areas for Aurukun, Doomadgee and Hope Vale, and statistical areas level 1 (SA1s) of 3139616 for Coen and 3116408 for Mossman Gorge. [↑](#footnote-ref-19)
19. Note: Adults 18 years and over provided by the Queensland Government Statistician’s Office (QGSO), Queensland Treasury, based on the Australian Bureau of Statistics (ABS) unpublished preliminary Estimated Resident Population (ERP) data by age and sex at the Local Government Area level for 30 June 2019. [↑](#footnote-ref-20)
20. Note: Adults 18 years and over provided by QGSO, Queensland Treasury, based on the ABS unpublished preliminary ERP data by age and sex at the Statistical Area level 1 for 30 June 2019. [↑](#footnote-ref-21)
21. Note: Total population provided by QGSO, Queensland Treasury, not 18 years and older, due to the small size of the total population from the ABS unpublished preliminary ERP data at the Statistical Area level 1 for 30 June 2019. [↑](#footnote-ref-22)