Family Responsibilities Commission

Report to the Family Responsibilities Board

Quarterly Report

No. 56

April 2022 to June 2022

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 April to June 2022.

Quantified in the table below are the activities undertaken by the Commission during quarter 56 with comparisons shown to the previous quarter.

**Table 1:** Activity from 1 January 2022 to 30 June 2022

|  |  |  |
| --- | --- | --- |
| **Activity for the quarter** | **Qtr 55** | **Qtr 56** |
| Total number of notices received by the Commission[[2]](#footnote-3) | 2,030 | 2,060 |
| Number of notices within jurisdiction | 1,185 | 1,142 |
| Number of notices not within jurisdiction | 845 | 918 |
| Number of clients notified to the Commission from notices within jurisdiction | 588 | 609 |
|  |  |  |
| **Conferences and amend/end application hearings for Family Responsibilities Agreements and Family Responsibilities Orders** |  |  |
| Conferences conducted | 118 | 229 |
| Number of clients served to attend conference | 115 | 192 |
| Attendance percentage for conferences and amend/end application hearings for Family Responsibilities Agreements and Family Responsibilities Orders | 71% | 69% |
| Non-attendance percentage with acceptable (reasonable) excuse for conferences and amend/end application hearings for Family Responsibilities Agreements and Family Responsibilities Orders | 40% | 30% |
|  |  |  |
| **Conference outcomes** |  |  |
| Agreements to attend community support services | 37 | 72 |
| Orders made to attend community support services | 28 | 40 |
| Referrals to service providers from Family Responsibilities Agreements and Family Responsibilities Orders[[3]](#footnote-4) | 74 | 128 |
| Agreements for Conditional Income Management (CIM) | 0 | 1 |
| Orders made for CIM | 6 | 19 |

|  |  |  |
| --- | --- | --- |
| **Amend/end decisions for Family Responsibilities Agreements and Family Responsibilities Orders** | **Qtr 55** | **Qtr 56** |
| Accepted | 100% | 100% |
| Refused | 0% | 0% |
|  |  |  |
| **Voluntary Agreements** |  |  |
| Voluntary agreements for a voluntary case plan | 10 | 11 |
| Voluntary referrals to service providers | 10 | 13 |
| Voluntary agreements for VIM | 16 | 28 |
|  |  |  |
| **Amend/end decisions for Voluntary Agreements** |  |  |
| Accepted | 92% | 100% |
| Refused | 8% | 0% |
|  |  |  |
| **Other activity** |  |  |
| Applications to Amend or End received | 16 | 7 |
|  |  |  |
| **Information as at the last day of the quarter** |  |  |
| Number of clients case-managed through current non-voluntary case plan | 164 | 200 |
| Number of clients subject to a current CIM | 35 | 33 |
| Number of clients on a current VIM | 83 | 75 |

**Quarterly Trends**

The statistics reported above in table 1 for the quarter April to June 2022 reveal a quarter during which there was strong growth in the number of conferences held compared to the previous quarter (increase of 94.0 percent), along with resultant percentage increases in conference outcomes – notably 94.6 percent increase in agreements to attend community support services. Small increases were also seen in voluntary agreements. The increase in the number of conferences and the number of agreements entered into for case plans is reflective of conference suspensions during January and February of the previous quarter due to the Omicron wave of COVID-19.

**Family Responsibilities Board**

The 44th meeting of the Family Responsibilities Board was held this quarter on 21 April 2022. The Commission operates as an entity from year to year, within a budget set by the Commissioner and the Executive Management Team (EMT) subject to the funding parameters provided by the Queensland and Australian Governments. The Commission has been operating in a continued state of uncertainty since 2014 due to a long series of relatively short funding extensions negotiated between the Queensland and Australian Governments under successive Memoranda of Understanding. This level of uncertainty has had serious ongoing impacts on the FRC over several years including an inability to undertake long-term strategic planning and certain operational activities, or outlays for infrastructure that require a level of commitment beyond a short-to-medium term. As a result, the Commissioner and the EMT have maintained a conservative approach in relation to all expenditure and have also adopted a fiscally prudent approach to ensuring that the Commission’s retained surplus would be sufficient to cover necessary obligations. Clarification in regard to retained surplus funds was sought from the Board.

Additional to the above advice sought, a financial forecast to 30 June 2022 was presented for the Board’s consideration, as well as community reports for the period 1 January to 31 March 2022 for Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge, and Quarterly Report No 54 was presented for the Board’s endorsement.

**Local Commissioner Development Week**

The Commission is committed to providing professional development to the Local Commissioners as required by the FRC Act under section 22 (Commissioner’s functions) and section 35 (Registrar’s functions). A Local Commissioner Development Week was conducted during the week commencing 23 May 2022. Local Commissioners from each community travelled to Cairns to participate in motivation and empowerment training and motivational interviewing techniques.

Motivational interviewing is a communication style which sits between following (listening) and directing (giving advice) and is designed to empower people by drawing on their own capacity for change. The motivational interviewing technique is a valuable tool to assist the Local Commissioners to help people find the motivation to make a positive behaviour change. These skills are intrinsic to the Commissioners and fundamental to the conferencing process.

The Department of Social Services (DSS) held an information session on Income Management (IM) and the Cashless Debit Card, specifically in FRC communities. The presentation covered the background of income management, differences in IM models, and comparisons of the features of the CDC against the BasicsCard. Some meaningful information included the areas of responsibilities specific to DSS, Services Australia, Indue and the FRC.

Transition Support Services (TSS) informed the Commissioners on assistance available for students who are required to leave home to complete secondary schooling. TSS is a service which assists students from remote communities in Cape York to transition into boarding school and residential facilities throughout Queensland. Services include assistance with placement at boarding school, support for families of students, including financial help for familiarisation visits to potential schools, and the support of a TSS presence at airports for transiting students.

Two experts in Criminology and Criminal Justice Studies from James Cook University delivered lectures separately addressing the over-representation of Indigenous young people in the juvenile justice system and the problem of youth crime in Far North Queensland, with a focus on Townsville as a current hot spot.

The Department of Justice and Attorney General held an information session on Domestic and Family Violence (DFV) services funded in Far North Queensland and what future funding could look like. Information was provided in regard to the Women’s Safety and Justice Taskforce’s report ‘Hear her voice’ and the Queensland Government’s response to some of the 89 recommendations. This presentation expanded awareness on DFV generally, its impact on the community and what support services are needed to address this increasing social problem.

The final presentation was on Cape York Employment’s delivery of the National Indigenous Australians Agency (NIAA) funded Community Development Program (CDP) in Aurukun and Coen. The presentation also advised on employment pathways, training and job readiness programs in those two communities.

It is important in each Local Commissioner Development Week that time is set aside for the Commissioners to participate in a ‘round table’, a time when Commissioners come together to discuss current issues affecting the Commission and the FRC communities. It provides an opportunity for Commissioners to contribute their perspectives and ideas in a supportive environment. This year the Commissioners were joined by Mr Bob Gee, Director-General for the Department of Agriculture and Fisheries, Government Champion for Doomadgee and Chair of the Family Responsibilities Board. Mr Gee listened intently as Commissioners spoke of their frustration and despair at the ongoing high level of uncertainty around funding arrangements between the Australian and Queensland Governments for the FRC, and their sense of apprehension leading into the ‘FRC Future Directions Review’ into the role and future of the FRC.

The Local Commissioner Development Week is a highlight in the FRC calendar. It is the only time where Local Commissioners from the five widespread FRC communities are provided the opportunity to join together to receive training, share their experiences, support each other and build relationships. Importantly, the Commissioners are afforded an opportunity to experience a brief respite from the burdens they carry every day in the communities in which they live.

**Reappointment of Commissioners and FR Board Members**

On 6 May 2022 the Commission was advised by DSDSATSIP that the Governor in Council had approved the reappointment of Commissioner Williams as the FRC Commissioner for the period 1 July 2022 to 30 June 2023. Further, to support the Commissioner in her role, Mr Rodney Curtin was reappointed as Deputy Commissioner, and all then current Local Commissioners for the communities of Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge (with the exception of Local Commissioner Victor Gibson of Hope Vale who did not seek reappointment) were reappointed for the same period. Additionally, the chair of the Family Responsibilities Board Mr Robert (Bob) Gee, Director-General, Department of Agriculture and Fisheries and Mr Noel Pearson, Founder of the Cape York Institute were reappointed to the FR Board for the period 1 July 2022 to 30 June 2023. The third FR Board member, Mr Ray Griggs AO, CSC Secretary of the Department of Social Services, did not seek reappointment and was replaced by Ms Jody Broun, Chief Executive Officer, National Indigenous Australians Agency.

**New appointments**

In March 2022 the Commission forwarded 12 new Local Commissioner applications for consideration for the communities of Aurukun, Doomadgee, Hope Vale and Mossman Gorge. On 30 May 2022, the Commission received advice from the Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships that, in accordance with the FRC Act, 12 new Local Commissioners (three from Aurukun, three from Doomadgee, one from Hope Vale and five from Mossman Gorge) had been appointed by the Governor in Council effective from 5 May 2022 until 30 June 2023. The new Local Commissioners will commence induction and training early in the 2022-23 financial year.

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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 30 June 2022.*

# 1. Activities and Trends

## Client issues and 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 welfare dependency and multi-generational poverty have resulted in communities with high numbers of individuals and families with complex needs.

**Many clients experience a complexity of issues**.

Data collected by the FRC provides insight into the complexity of the issues faced by many clients. Table 2 sets out the different types of agency notices received by individual clients during the reporting period. During quarter 56, 531 clients (87 percent) were notified to the Commission with only one type of trigger notice. The remaining 78 clients (13 percent) received more than one type of trigger notice.

**Table 2:** Number of clients by number of different types of agency notices received 1 April 2022 to 30 June 2022

|  |  |
| --- | --- |
| **Number of Different Types of Agency Notices Received** | **Number of Clients** |
| 1 | 531 |
| 2 | 66 |
| 3 | 11 |
| 4 | 1 |
| **TOTAL** | **609** |

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

63 percent received a school attendance (EQ) notice

12 percent received a Magistrate Court (MAG) notice

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

3 percent received a domestic violence order (DVO) notice

2 percent received a housing tenancy breach (HT) notice and

2 percent received a school enrolment notice (SEN).

The remaining sole trigger notices received for Commission clients during the quarter were 6 clients with a domestic violence breach (DVB) notice and 4 clients with a District court notice (DIS).

Table 3 shows the combination of trigger notices received for the 78 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 a combination of different types of 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 April 2022 to 30 June 2022[[4]](#footnote-5)

|  |  |
| --- | --- |
| **Type of Agency Notice/s** | **Number of clients** |
| CS,DVO | 1 |
| CS,DVO,EQ | 1 |
| CS,DVO,MAG | 1 |
| CS,EQ | 22 |
| CS,EQ,HT | 1 |
| CS,EQ,SEN | 1 |
| CS,SEN | 1 |
| DIS,DVB,EQ | 1 |
| DIS,DVO | 1 |
| DVB,DVO | 2 |
| DVB,DVO,EQ | 1 |
| DVB,DVO,EQ,MAG | 1 |
| DVB,DVO,MAG | 1 |
| DVB,EQ | 2 |
| DVB,MAG | 3 |
| DVO,EQ | 2 |
| DVO,EQ,HT | 1 |
| DVO,EQ,MAG | 2 |
| DVO,MAG | 8 |
| EQ,HT | 4 |
| EQ,HT,MAG | 1 |
| EQ,MAG | 12 |
| EQ,SEN | 7 |
| HT,MAG | 1 |
| **Total** | **78** |

**Client interactions with the Commission fall within a continuum of decisions available.**

The following data (tables 4 to 8) 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 April 2022 to 30 June 2022[[5]](#footnote-6)

|  |  |  |  |
| --- | --- | --- | --- |
| **Voluntary Agreements** | | | |
|  | **VCP** | **VIM** | **Total** |
| **Total** | **11** | **28** | **39** |

**Table 5:** Number of decisions by agreement (where a client has agreed to a case plan or conditional income management) entered into from 1 April 2022 to 30 June 20225

|  |  |  |  |
| --- | --- | --- | --- |
| **Decisions by Agreement** | | | |
| **Community** | **CP** | **CIM** | **Total** |
| AU | 43 | 0 | **43** |
| CO | 6 | 0 | **6** |
| DM | 22 | 0 | **22** |
| HV | 0 | 1 | **1** |
| MG | 1 | 0 | **1** |
| **Total** | **72** | **1** | **73** |

**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 April 2022 to 30 June 20225

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Decisions by Order** | | | | | | | | |
| **Community** | **CP** | **CP & CIM Concurrently** | **CCP& Rescheduled** | **CIM** | **No Further Action** | **Recommend Support Service** | **Reprimand** | **Total** |
| AU | 5 | 8 | 0 | 2 | 10 | 0 | 11 | **36** |
| CO | 3 | 0 | 0 | 0 | 0 | 1 | 0 | **4** |
| DM | 15 | 4 | 1 | 2 | 10 | 5 | 0 | **37** |
| HV | 1 | 2 | 0 | 0 | 2 | 0 | 0 | **5** |
| MG | 1 | 0 | 0 | 1 | 1 | 0 | 0 | **3** |
| **Total** | **25** | **14** | **1** | **5** | **23** | **6** | **11** | **85** |

**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 April 2022 to 30 June 20225

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

**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 April 2022 to 30 June 2022[[6]](#footnote-7)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Decisions of Voluntary Amend/End Applications** | | | | |
| **Community** | **VIM Amend** | **VIM End** | **VIM No Further Action** | **Total** |
| **Total** | **1** | **4** | **0** | **5** |

During quarter 56 the number of interactions highlighted in tables 4, 5, 6, 7 and 8 related to a total of 185 clients (124 female and 61 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. These may include 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. The latter decision can be ordered in circumstances where the Commission is satisfied clients are already showing insight 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 56 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 April 2022 to 30 June 2022 support our assertion:

* 54 percent of clients at some point during the quarter may have done one or more of the following: self-referred to the FRC for a VCP or a VIM; entered into a Family Responsibilities Agreement; successfully applied to end or amend their decision by order or agreement;
  + As a subset of the above, 22 percent of clients specifically entered into a voluntary agreement;
* 14 percent of clients were issued with a no further action on their matter/s, or they were recommended to attend a support service with no other action types; and
* 5 percent of clients were issued with a reprimand with or without a decision for no further action or recommendation to attend a support service.

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). The Commissioners have made the following decisions in conference for those recalcitrant clients who refuse to change their behaviour:

14 percent of clients were ordered to attend a support service under a case plan;

3 percent of clients were placed on a CIM order; and

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

## Notices

In quarter 56 the Commission received 2,060 agency notices[[7]](#footnote-8). Some individuals may have been the subject of more than one agency notice. Of that figure 1,142 notices (55 percent) relating to 609 clients were within the Commission’s jurisdiction, and 918 notices (45 percent) were outside the Commission’s jurisdiction.

**Table 9:** Notices in jurisdiction by type and community 1 April 2022 to 30 June 2022

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Type of Notice** | **AU** | **CO** | **DM[[8]](#footnote-9)** | **HV** | **MG** | **Total** |
| Supreme Court notices | 0 | 0 | 0 | 0 | 0 | **0** |
| District Court notices | 12 | 0 | 0 | 0 | 0 | **12** |
| Magistrates Court notices | 208 | 8 | 0 | 48 | 9 | **273** |
| Domestic Violence Breach notices | 8 | 1 | 0 | 7 | 5 | **21** |
| Domestic Violence Order notices | 33 | 1 | 0 | 10 | 1 | **45** |
| School Attendance notices | 206 | 4 | 327 | 127 | 26 | **690** |
| School Enrolment notice | 0 | 1 | 8 | 13 | 0 | **22** |
| Child Safety and Welfare notices |  |  |  |  |  |  |
| Child Concern Reports | 12 | 6 | 18 | 5 | 5 | **46** |
| Finalised Child Protection Investigations | 2 | 0 | 11 | 1 | 0 | **14** |
| Housing Tenancy notices | 17 | 0 | 0 | 0 | 2 | **19** |
| **Total** | **498** | **21** | **364** | **211** | **48** | **1142** |

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

* Aurukun received 498 notices relating to 240 clients (142 female and 98 male)
* Coen received 21 notices relating to 13 clients (10 female and 3 male)
* Doomadgee received 364 notices relating to 207 clients (155 female and 52 male)
* Hope Vale received 211 notices, relating to 122 clients (75 female and 47 male)
* Mossman Gorge received 48 notices relating to 27 clients (16 female and 11 male).

**Table 10:** In jurisdiction notices by type and quarter 1 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Notices by Agency Processed** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Supreme Court | 0 | 0 | 1 | 0 | 0 |
| District Court | 11 | 12 | 3 | 2 | 12 |
| Magistrates Court | 378 | 276 | 326 | 388 | 273 |
| Domestic Violence Breach | 45 | 41 | 45 | 39 | 21 |
| Domestic Violence Order | 50 | 56 | 46 | 58 | 45 |
| School Attendance | 581 | 637 | 604 | 612 | 690 |
| School Enrolment | 4 | 0 | 10 | 2 | 22 |
| Child Safety | 48 | 66 | 73 | 74 | 60 |
| Housing Tenancy | 27 | 8 | 2 | 10 | 19 |
| **TOTAL** | **1144** | **1096** | **1110** | **1185** | **1142** |

**Table 11:** In jurisdiction notices by community and quarter 1 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Aurukun | 513 | 439 | 506 | 608 | 498 |
| Coen | 37 | 60 | 48 | 26 | 21 |
| Doomadgee | 297 | 307 | 297 | 349 | 364 |
| Hope Vale | 234 | 260 | 207 | 144 | 211 |
| Mossman Gorge | 63 | 30 | 52 | 58 | 48 |
| **TOTAL** | **1144** | **1096** | **1110** | **1185** | **1142** |

For quarter 56, 45 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 (55 percent) have received only one notice during the reporting period. Twenty-five new clients were added to the Commission’s database during the quarter.

**Table 12:** FRC clients by number of notices 1 April 2022 to 30 June 2022

|  |  |
| --- | --- |
| **Number of Notices Received** | **Number of Clients** |
| 1 | 334 |
| 2 | 146 |
| 3 | 77 |
| 4 | 28 |
| 5 | 11 |
| >5 | 13 |
| **TOTAL** | **609** |

## Conferences

The total number of conferences held across the five communities in quarter 56 increased from 118 in quarter 55 to 229 conferences[[9]](#footnote-10) (relating to 192 clients served to attend conference), resulting in 72 agreements to attend community support services, 1 CIM agreement, 40 orders to attend community support services and 19 new CIM orders issued. When compared to last quarter there was an increase of 35 agreements to attend community support services, an increase of 1 agreement for CIM, an increase of 12 orders to attend community support services and an increase of 13 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 decreased from 70.3 percent in quarter 55 to 69.0 percent in quarter 56, and non-attendance with what the Commissioners considered a reasonable justification decreased from 40.0 percent in the previous quarter to 29.6 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 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Aurukun | 145 | 162 | 128 | 39 | 109 |
| Coen | 26 | 22 | 28 | 7 | 14 |
| Doomadgee | 93 | 140 | 122 | 40 | 84 |
| Hope Vale | 60 | 50 | 43 | 21 | 11 |
| Mossman Gorge | 41 | 22 | 14 | 11 | 11 |
| **TOTAL** | **365** | **396** | **335** | **118** | **229** |

## Conferences for Domestic Violence related matters

As a subset of the total number of conferences conducted for the quarter, 50 domestic violence conferences were conducted in Aurukun, Coen, Hope Vale and Mossman Gorge, an increase of 24 from the previous quarter. Domestic violence conferences in the communities during the quarter were as follows: Aurukun increased by 29, Coen increased by 1, Hope Vale decreased by 4 and Mossman Gorge decreased by 2 conferences for DV related matters.

**Table 14:** DV conferences by community and quarter 1 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Aurukun | 27 | 39 | 30 | 13 | 42 |
| Coen | 13 | 7 | 12 | 4 | 5 |
| Hope Vale | 5 | 17 | 9 | 4 | 0 |
| Mossman Gorge | 9 | 9 | 1 | 5 | 3 |
| **TOTAL** | **54** | **72** | **52** | **26** | **50** |

**Table 15:** Number of conferences held in relation to domestic violence notices (breaches and orders) per community   
1 April 2022 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Number of Domestic Violence Conferences** | **AU** | **CO** | **HV** | **MG** | **Total** |
| Relating to both a DVB and a DVO notice | 1 | 1 | 0 | 0 | **2** |
| Relating to a DVB notice | 18 | 3 | 0 | 0 | **21** |
| Relating to a DVO notice | 23 | 1 | 0 | 3 | **27** |
| **Total** | **42** | **5** | **0** | **3** | **50** |

**Table 16:** Domestic violence conferences by type and quarter 1 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Number of Domestic Violence Conferences** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Relating to both a DVB and a DVO notice | 2 | 9 | 3 | 2 | 2 |
| Relating to a DVB notice | 18 | 21 | 19 | 7 | 21 |
| Relating to a DVO notice | 34 | 42 | 30 | 17 | 27 |
| **Total** | **54** | **72** | **52** | **26** | **50** |

## Referrals from ‘Family Responsibilities’ Agreements and Orders

A total of 128 referrals (to service providers from ‘Family Responsibilities’ Agreements (FRAs) and Orders) relating to 112 clients were made in quarter 56, an increase from 54 referrals in quarter 55. Since 2008 the Commission has referred 1,359 clients (706 female and 653 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 increased by 38, Coen increased by 5, Doomadgee increased by 24, Hope Vale decreased by 6 and Mossman Gorge decreased by 7 referrals for the quarter.

**Table 17:** Referral pathways by referral type and quarter 1 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Aurukun | 56 | 75 | 38 | 22 | 60 |
| Coen | 13 | 11 | 15 | 5 | 10 |
| Doomadgee | 30 | 44 | 31 | 27 | 51 |
| Hope Vale | 23 | 14 | 12 | 11 | 5 |
| Mossman Gorge | 14 | 13 | 9 | 9 | 2 |
| **TOTAL** | **136** | **157** | **105** | **74** | **128** |

## Referrals for Domestic Violence related matters

As a subset of the total number of referrals from FRAs and orders in the quarter, 34 referrals were made in relation to domestic violence conferences, an increase of 15 from quarter 55. Domestic violence referrals in the communities during the quarter were as follows: Aurukun increased by 24, and Coen remained unchanged with 4 domestic violence referrals, whilst Hope Vale and Mossman Gorge decreased by 5 and 4 domestic violence referrals respectively. 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 10, illustrating the nexus between Court convictions and domestic violence orders/breaches with school attendance issues.

**Table 18:** Domestic violence referrals by community and quarter 1 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Aurukun | 14 | 22 | 16 | 5 | 29 |
| Coen | 11 | 4 | 10 | 4 | 4 |
| Hope Vale | 0 | 7 | 6 | 5 | 0 |
| Mossman Gorge | 1 | 6 | 0 | 5 | 1 |
| **TOTAL** | **26** | **39** | **32** | **19** | **34** |

## 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 20 new CIMs (19 CIM orders and 1 CIM agreement) relating to 20 clients were made in quarter 56, an increase of 14 CIMs from quarter 55. Ninety percent of CIMs quarantined 60 percent of welfare payments with 40 percent of CIMs issued for a 3-month duration, 50 percent of CIMs issued for a 6-month duration and only 10 percent issued for a 9-month duration. Since the commencement of the Commission CIMs inclusive of original agreements and orders, extensions and amendments have been made relating to 997 clients (575 female and 422 male). Increases in quarter 56 were seen in Aurukun, Doomadgee and Hope Vale of 8, 4 and 3 CIMs respectively, Coen decreased by 1 CIM and Mossman Gorge remained unchanged from the preceding quarter recording 1 CIM.

As at 30 June 2022 there were 33 clients subject to a current CIM who were responsible for 48 children in their care (30 of whom were school aged children). Ninety-one percent of the 33 clients were income managed at 60 percent whilst duration ranged from 36 percent for a 6-month duration and 33 percent for a 12-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 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Aurukun | 8 | 22 | 16 | 2 | 10 |
| Coen | 3 | 0 | 0 | 1 | 0 |
| Doomadgee | 7 | 8 | 11 | 2 | 6 |
| Hope Vale | 4 | 5 | 1 | 0 | 3 |
| Mossman Gorge | 3 | 1 | 1 | 1 | 1 |
| **TOTAL** | **25** | **36** | **29** | **6** | **20** |

## Conditional Income Management for Domestic Violence related matters

As a subset of the total number of CIMs in the quarter, 4 were made in relation to domestic violence conferences in quarter 56.

**Table 20:** Domestic violence conditional income management by community and quarter 1 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Number of Domestic Violence CIMs** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Aurukun | 0 | 7 | 1 | 1 | 4 |
| Coen | 2 | 0 | 0 | 0 | 0 |
| Hope Vale | 0 | 3 | 0 | 0 | 0 |
| Mossman Gorge | 1 | 1 | 0 | 1 | 0 |
| **Total** | **3** | **11** | **1** | **2** | **4** |

## 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 56, 11 voluntary agreements were entered into for the client to attend 13 community support services under a case plan. Although the number of clients who have engaged with the FRC on a voluntary basis remain 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 28 Voluntary Income Management (VIM) agreements with 82 percent 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 at 6 months and 12 months (see table 22). Since the commencement of the Commission in 2008, 308 clients (196 female and 112 male) have had an active VIM agreement. As at 30 June 2022 there were 75 clients on a current VIM agreement who had 66 children in their care (41 of whom were school aged children). 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 56**

Forty-eight Cashless Debit Cards (20 for CIM and 28 for VIM) were processed for the period 1 April 2022 to 30 June 2022, including orders and agreements that were still awaiting Centrelink action as at 30 June.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Table 21:** Breakdown of CDC CIMs by duration 1 April 2022 – 30 June 2022 | |  | **Table 22:** Breakdown of CDC VIMs by duration 1 April 2022 – 30 June 2022 | |
| **CIM Duration** | **% Split** |  | **VIM Duration** | **% Split** |
| 3 months | 40% |  | 3 months | 14% |
| 6 months | 50% |  | 6 months | 43% |
| 9 months | 10% |  | 9 months | 0% |
| 12 months | 0% |  | 12 months | 43% |
| **Total** | **100%** |  | **Total** | **100%** |

|  |
| --- |
| Although initially (March 2021) 66% of VIM applications entered into were for a 3-month duration, the VIM table above (table 22) shows clients are voluntarily wanting to be subjected to income management for longer periods. During quarter 56 only 14% of VIM agreements were for a 3-month duration whereas 43% of agreements entered into were for a 12-month duration. |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Table 23:** Breakdown of CDC CIMs by percentage 1 April 2022 – 30 June2022 | |  | **Table 24:** Breakdown of CDC VIMs by percentage 1 April 2022 – 30 June 2022 | |
| **CIM Percentage** | **% Split** |  | **VIM Percentage** | **% Split** |
| 60 percent | 90% |  | 60 percent | 82% |
| 75 percent | 10% |  | 75 percent | 11% |
| 90 percent | 0% |  | 90 percent | 7% |
| **Total** | **100%** |  | **Total** | **100%** |

|  |
| --- |
| This quarter a clear trend was evident with the majority of CIMs and VIMs entered into, or ordered by the Commision, at the lowest percentage level option for income management (i.e. 60% of a clients’ payments income managed). |

This quarter saw an even split between male and female community members being conditionality income managed. Again, no community member older than 65 years was conditionally income managed by the FRC during the quarter.

This quarter saw the majority of community members voluntarily participating in voluntary income management were from the 26 to 35-year age group. Females accounted for 79 percent of the VIMs. Overall females accounted for 67 percent of all CDCs (voluntary and conditional) in quarter 56.

Reasons for applying for the CDC were primarily to pay bills (71 percent), to buy food (50 percent), to budget (39 percent) and to save for something they needed (36 percent). Circumstances given by voluntary income management participants when applying for the CDC were primarily to support themselves (57 percent), they liked the Cashless Debit Card (54 percent) and they needed to support their family (18 percent). 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 April 2022 – 30 June 2022 | | | |  | **Table 26:** Breakdown of CDC VIMs by age group 1 April 2022 – 30 June 2022 | | | |
| **Age Group** | **Male** | **Female** | **Total** |  | **Age Group** | **Male** | **Female** | **Total** |
| 18-25 | 0 | 2 | **2** |  | 18-25 | 0 | 1 | **1** |
| 26-35 | 3 | 5 | **8** |  | 26-35 | 0 | 10 | **10** |
| 36-45 | 3 | 2 | **5** |  | 36-45 | 1 | 2 | **3** |
| 46-55 | 4 | 1 | **5** |  | 46-55 | 1 | 5 | **6** |
| 56-65 | 0 | 0 | **0** |  | 56-65 | 3 | 0 | **3** |
| 66-75 | 0 | 0 | **0** |  | 66-75 | 1 | 2 | **3** |
| 76-85 | 0 | 0 | **0** |  | 76-85 | 0 | 2 | **2** |
| **Total** | **10** | **10** | **20** |  | **Total** | **6** | **22** | **28** |

## 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 30 June 2022, 200 clients were being case-managed through a current non-voluntary case plan, an increase of 36 from quarter 55. Decreases were seen in Coen, Hope Vale and Mossman Gorge of 1, 3, and 2 respectively whilst Aurukun and Doomadgee increased by 35 and 7 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.

Seven applications relating to 7 clients (6 female and 1 male) to amend or end an Agreement, Order or Voluntary Agreement were received in quarter 56, a decrease of 9 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 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Aurukun | 3 | 10 | 29 | 13 | 3 |
| Coen | 0 | 1 | 0 | 0 | 1 |
| Doomadgee | 0 | 2 | 0 | 0 | 2 |
| Hope Vale | 0 | 3 | 3 | 3 | 1 |
| Mossman Gorge | 0 | 0 | 0 | 0 | 0 |
| **TOTAL** | **3** | **16** | **32** | **16** | **7** |

## 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 under the FRC Act pursuant to section 99 for a family responsibilities agreement (FRA) or order or section 109 for a voluntary agreement, and may include either agreeing or refusing to amend or end an agreement or order, or if the Commissioners deem the application for a FRA or order frivolous or vexatious, dismissing the application. For an application received under section 97 of the FRC Act 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 FRA or order. For an application to amend or end a voluntary agreement 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”. 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 three amend/end applications, all for Family Responsibilities Orders, were decided in quarter 56 with all applications made by clients accepted by the FRC. A breakdown of the type of applications is as follows:

* 3 Applications were accepted and conditional income management orders ended.

A total of five 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:

* 4 Applications were accepted and voluntary income management agreements ended and
* 1 Application was accepted and the voluntary income management agreement amended, reducing from 90% 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 April 2022 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Information for the quarter** | **Female Count** | **Male Count** |  | **Female Average age** | **Male Average age** |
| Clients for whom a notice was received[[10]](#footnote-11) | 398 | 211 |  | 39 | 39 |
| Clients who conferenced[[11]](#footnote-12) | 126 | 66 |  | 37 | 38 |
| Clients referred through Family Responsibilities Agreements and Family Responsibilities Orders[[12]](#footnote-13) | 70 | 42 |  | 36 | 38 |
| Clients placed on CIM[[13]](#footnote-14) | 10 | 10 |  | 34 | 40 |
| Clients referred through a Voluntary Agreement for a case plan[[14]](#footnote-15) | 7 | 3 |  | 34 | 48 |
| Clients who chose to participate in VIM[[15]](#footnote-16) | 22 | 6 |  | 44 | 59 |
| Clients who submitted an amend/end application[[16]](#footnote-17) | 6 | 1 |  | 48 | 38 |

## Estimated resident populations:

**Aurukun:** The community of Aurukun had an estimated resident adult population of 786 people as at 30 June 2021[[17]](#footnote-18),[[18]](#footnote-19).

**Coen:** The township of Coen had an estimated resident adult population of 182 people as at 30 June 202117,[[19]](#footnote-20).

**Doomadgee**: The community of Doomadgee had an estimated resident adult population of 933 people as at 30 June 202117,18.

**Hope Vale:** The estimated resident adult population of Hope Vale was 660 people as at 30 June 202117,18.

**Mossman Gorge:** The Mossman Gorge community had an estimated resident population of 100 people as at 30 June 202117,[[20]](#footnote-21).

# 2. Future Direction and Challenges

**A review of the FRC**

The FRC Future Directions Review commenced in earnest during this reporting period with Abt Associates conducting consultations with the FR Board, the Executive of the FRC, Local Commissioners, stakeholders and community members from Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge.

On 19 April the FRC Commissioner, Deputy Commissioner and Registrar met with the Abt Associates consultation team via video link. The original invitation from the review team was for an interview of 45 minutes to one hour. Questions posed to the Executive Team were in relation to the continued relevance and appropriateness of the FRC model and its enabling legislation. Feedback provided to the review team included how the FRC is complementary with Queensland and Australian Government Policy in regard to Indigenous self-determination, mutual responsibility and recognition of First Nations peoples. Reference was made to the Queensland Productivity Commission (QPC) Report into service delivery in remote and discrete Aboriginal and Torres Strait Islander communities released on 22 December 2017. The QPC’s substantial reform agenda for policy and service delivery included structural reform to transfer accountability and decision-making closer to communities where service users are, service delivery reform to put communities at the centre of service design, and economic reform to facilitate economic participation and community development. The review team were advised the FRC is a community-based model which promotes and fosters local authority. The Local Commissioners make legally binding decisions in conference with community members to promote improvement in social norms and responsibility. With the amount of information to be discussed, the interview proceeded overtime and a further consultation was requested to provide information in regard to effectiveness (what does a good outcome from the FRC look like and the FRC program theory-of-change), efficiency (is the FRC cost effective) and governance (is the FR Board still the most appropriate and effective governance mechanism for the FRC). The FRC Executive participated in a follow-up consultation on 27 May.

Local Commissioners in each community participated in consultations with Abt Associates either in person or via teleconference. Local Commissioners provided a written submission in each case to ensure that their views were recorded in writing for those considering the future of the FRC. Aside from consulting with relevant stakeholders and community members, Abt Associates also met with the Legislative Review Working Group (LRWG) on 15 June. The LRWG was established in 2019 to identify possible amendments to the FRC Act to support the FRC’s operational efficiencies.

The FRC has further collaborated with Abt associates to provide them with requested data from the CRM database and considers the review as an opportunity to celebrate successes, recognise and report challenges and seek new opportunities to continue improving the FRC model of social change.

**Submission for the FRC Future Directions Review**

To form part of Abt Associates consultation with the FRC and to provide information to the reviewers to assist them with their analysis, in May 2022 the FRC submitted a report, “*The FRC: A model of self-determination, an operational analysis of the Family Responsibilities Commission from 2008 to 2022*”.

Below is an excerpt from the report outlining evidence of the FRC’s successes and recommendations for the future*.*

***Evidence of FRC’s success achieving legislative functions and policy objectives***

*Analysis of FRC data (and other data, where available) presents a compelling case in accordance with the FRC’s Theory of Change and Cape York Welfare Reform Program Logic, that the FRC is successfully facilitating positive change.*

***1. Self-determination and local Indigenous authority have strengthened***

*The FRC has played a key role in successfully helping individuals and families ‘increase their participation in opportunities and responding to drivers and conditions’ as required by the Cape York Welfare Reform Program Logic.*

*The FRC has successfully ‘strengthened self-determination and local Indigenous authority’. Evidence of the FRC’s success achieving this objective is shown by looking at:*

* *the high retention and development of Local Commissioners*
* *the evolution of Local Commissioners sitting alone to conduct FRC business and make decisions*
* *high rates of conference attendance*
* *the judicious use of Compulsory Income Management (CIM)*
* *the high levels of legitimacy of the FRC and its decisions.*

***2. Respite from daily living problems***

*The FRC has played a key role in successfully helping individuals and families ‘gain respite from daily living problems’ as required by the Cape York Welfare Reform Program Logic.*

*The FRC’s strong performance in providing respite from daily living problems is shown by looking at income management protection through conditional income management (CIM) and voluntary income management (VIM) including:*

* *large amounts of income protected by income management (includes contributions made to paying rent in homes, buying food and clothes)*
* *numbers of children protected by income management (CIM and VIM).*

***3. Enhancing personal responsibility***

*The FRC has been successful in motivating FRC clients and their families ‘to take greater personal responsibility’ as required by the Cape York Welfare Reform Program Logic.*

*Existing evidence shows that the FRC enhances personal responsibility. This can be seen, for example:*

* *In the evidence showing FRC clients with low levels of personal responsibility, who receive high levels of intervention, progress. As their level of personal responsibility increases, a corresponding decrease in the level of FRC intervention can be seen.*
  + *This is clearly demonstrated where clients who were once on a CIM, progress to VIM.*
  + *It is also evidenced by the substantial proportion of clients who have received the FRC’s most serious intervention, a 90% CIM for 12 months, but who go on to receive other FRC interventions of a lower intensity or have no further interaction with the FRC.*
* *In O-Hub data showing the effectiveness of conferencing and referrals, which reinforces previous evaluative evidence that shows success of FRC referrals in the 2014 Evaluation of Cape York Wellbeing Centres.*
* *In a great deal of qualitative evidence which also supports what the FRC sees first-hand in terms of its impact on many clients. In these cases, clients themselves, credit FRC intervention as being the significant catalyst for change.*

To conclude the report, seven recommendations were made. Each recommendation was framed to support the FRC’s continued operations and growth required to provide innovative responses to highly disadvantaged clients and their families in empowering and effective ways. The recommendation are as follows:

***Recommendation 1: A permanent FRC with renewed local authority***

*The Queensland Government should guarantee the long-term future of the FRC so that the Crown’s decision-making powers and responsibility continue to be shared with First Nations people under the FRC Act. Immediate steps must also be taken to ensure business continuity, succession planning and renewal of leadership through the appointments of the FRC Commissioner, Deputy Commissioner and Local Commissioners for multi-year terms. This is the kind of partnership and shared decision-making model that puts high level policy commitments recently made by government into action.*

***Recommendation 2: The FRC to be supported to expand and contract across communities***

*The FRC should never be imposed from the top-down. This is contrary to empowerment and self-determination which is at the heart of the FRC model. Rather the FRC partners should jointly engage with other interested communities about how an efficient, effective, agile, and responsive FRC model could be expanded to new locations.*

***Recommendation 3: Adding ‘Opportunity’ to ‘Responsibility’, and renaming the FRC***

*Given elements of the FRC are a special measure, there is a strong argument for the need to evolve and enhance the current model so opportunities increasingly complement the FRC’s welfare responsibilities agenda, as was intended from the outset.*

*The Australian Government’s current commitment to co-design and replace the Community Development Program, including to ensure there are more job opportunities available, especially in remote locations, allows the partners to revisit the opportunities that must accompany responsibility for real empowerment. The FRC is ideally placed to play a central role as job opportunities are increased. This could be through a ‘work obligation’ trigger where the FRC receives notifications when participants are not meeting agreed obligations. The FRC could then utilise the conferencing process to identify barriers to a participant’s employment, for example substance misuse or interpersonal issues, and make appropriate referrals to support service. It could then be appropriate to rename the FRC, the Family Responsibilities and Opportunities Commission (FROC).*

***Recommendation 4: FRC supported to ensure the service ecosystem is working as required***

*The FRC’s ability to restore local authority, provide support to community members to deal with everyday challenges, and encourage clients to take up personal responsibility, is crucial but of course limited. The FRC cannot be effective where services are unaware of, and/or not meeting their professional obligations to the FRC. Such obligations, include but are not limited to government agencies providing trigger notices as required under the law; and service providers engaging FRC clients and/or meeting their legal obligations to report back to the FRC against case plans.*

*Change is needed so there is more support provided across the partnership to promote and leverage the potential benefits of the FRC’s case plan, referral, case management and monitoring, and information sharing functions with service providers and government agencies. This includes putting in place agreed processes for information sharing so FRC input is provided into relevant decision-making of Courts, Queensland Corrective Services and Education Queensland. This will ensure that these disparate agencies are working as a cohesive unit to incentivise and support positive behavioural change within clients. This could take the form of FRC advice or ‘certification’ issued by the FRC Commissioner to the relevant agency as to whether a person is engaging with the FRC and attending referral agencies. This information could provide input into critical decisions being made by these agencies with respect to joint FRC clients.*

***Recommendation 5: FRC to administer Voluntary Income Management (VIM state-wide to help those suffering entrenched disadvantage to protect income***

*Given the success of Voluntary Income Management (VIM) since the introduction of the CDC, consideration should be given to the FRC administering VIM in other geographical areas. In this way VIM could be applied on request in any location where a person believes the tool will assist them manage their income so that bills can be paid, and money is available for food and other essentials despite challenging factors such as addictions and/or relationships with others. Women in FRC communities have found VIM helpful in protecting their income in DV and/or coercive relationships, for example.*

*The FRC’s administration of VIM across the state, or to other geographical areas as required, would provide an additional tool for those experiencing disadvantage, and allow for the efficient delivery of this innovation utilising the existing systems and back-end support of the FRC.*

***Recommendation 6: Changes to strengthen the FRC model***

*There are straightforward changes needed to strengthen the FRC model:*

* *Activating all the FRC triggers in Doomadgee would enhance local authority and assist the community to respond to high levels of offending (including DV) and breaches of social housing tenancy obligations.*
* *Reactivate the Childrens Court trigger notice as provided for, and intended to operate, under the FRC Act.*
* *A new trigger for those cautioned by police would be consistent with the FRC’s intention to provide early community-based intervention.*
* *A stronger formal partnership with Queensland Corrective Services to assist the reintegration of released prisoners into FRC community to tackle recidivism and high rates of incarceration. A trigger notice to advise of a prisoner’s release would provide a more closely coordinated approach to offender and prisoner re-integration, much needed in the community.*

***Recommendation 7: Reinvigorated, aligned, learning focused leadership and governance***

*Given its success, the FRC partners should continue to support the FR Board to perform its limited and defined statutory role. The form of the FR Board has been largely successful, although the FR Board has worked best when its membership has been able to reflect a ‘whole-of-government’ perspective and influence. The FR Board’s governance practices may benefit from establishing FR Board protocols setting out details of how the FR Board performs its functions.*

*The partners’ reinvigoration of a holistic approach to support the work of the FRC, must also include establishing complementary governance processes, or an additional board, distinct from the FR Board. The early successes of the FRC coincided with the effective operations of the Welfare Reform Advisory Board (WRAB) which drove the ‘whole-of-government’ and system changes that were needed. Representation from senior representatives from local, state, and national governments, and community leaders, on such a complementary governance mechanism could form a key plank in the Queensland Government’s ‘Reframing the Relationship’ and ‘Local Thriving Communities’ reform programs.*

It is hoped that the results of the review will provide opportunities to improve and evolve the Commission into an organisation with greater reach and impact and lead to long-term operational stability.

**Expiry of the *Family Responsibilities Commission (COVID-19 Emergency Response) Regulation 2020***

With the expiry of the *COVID-19 Emergency Response Act 2020* on 30 April 2022 Mossman Gorge conference continued to be supported by either Commissioner Williams or Deputy Commissioner Curtin acting as Chair. The Mossman Gorge conference set for 7 June was cancelled as only one of the two sitting Local Commissioners was available. Newly appointed Mossman Gorge Local Commissioners continue to receive training and are expected to commence participating in conference by September 2022.

**Queensland Government Coordinator - Aurukun**

The Queensland Government Coordinator for Aurukun ceased his contract at the end of June 2022. The Commission is unaware whether a replacement Coordinator has been appointed, or whether recruitment is in progress. The Queensland Government Coordinator role in Aurukun is a role of some significance and is a vital service for the community. The Commission looks forward to this position being filled to assist with consistent and appropriate service delivery in the community. In the meantime, and in the absence of a Queensland Government Coordinator, the Queensland Police Officer-in-charge has taken on the coordination of some local support service and agency meetings to ensure that communication and coordination of activities is maintained.

# 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 April 2022 to 30 June 2022 totalled $1,064,051. This income consisted of:
* $604,500 Queensland Government funding
* $450,000 Australian Government funding
* $9,511interest received
* $40 sundry income

The balance of available funds in the bank as at 30 June 2022 is $3,806,341.

## Expenditure:

* Expenditure for the period 1 April 2022 to 30 June 2022 was $1,079,332.

**Table 29:** Expenditure in quarter 56

|  |  |  |  |
| --- | --- | --- | --- |
| 1 April 2022 to | Expenditure | 1 April 2022 to | Expenditure |
| 30 June 2022 | Qtr 56 | 30 June 2022 | Qtr 56 |
|  |  |  |  |
| Employee salaries – FRC staff | $537,539 | Internet & IT | $60,539 |
| Employee salaries – Local Commissioners | $110,775 | Motor Vehicle | $11,437 |
| Employee on costs – FRC staff | $110,065 | Property | $8,947 |
| Employee on costs – Local Commissioners | $16,625 | Travel | $86,262 |
| Other employment costs | $9,713 | General Operating | $72,615 |
| Communications | $3,851 | Other expenses | $50,964 |
|  |  | **Total** | **$1,079,332** |

The expenditure of the FRC can be categorised as follows:

* **Community operations** – further broken down into:
  + **On-the-ground community operational expenses including the operational expenses** 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 agreements and orders.
  + **Support and facilitation expenses** including costs associated with facilitating the holding of conferences and hearings in the five communities, providing support to the Local Commissioners and Local Registry Coordinators to hold conferences and hearings, assisting with the on-going monitoring of case plans for clients through the provision of data and other information and processing income management where considered necessary.
* **Corporate governance** includes finance, statistical reporting, corporate governance, training and other administrative functions to ensure the effective and efficient operations of the Commission.

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 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 56, the largest allocation during the reporting period is in relation to community operations (73.3 percent).

**Table 30:** Allocation of expenses 1 April 2022 to 30 June 2022

|  |  |
| --- | --- |
| **Community** | **Percentage of Allocated Expenses** |
| Corporate Governance | 26.7% |
| Community Operations | 73.3% |
| **TOTAL** | **100.0%** |

Regional operational expenditure by location and quarter.

**Table 31:** Operating costs by remote location 1 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Aurukun | $124K | $110K | $93K | $87K | $118K |
| Coen | $40K | $24K | $32K | $21K | $47K |
| Doomadgee | $177K | $110K | $110K | $87K | $139K |
| Hope Vale | $90K | $65K | $67K | $60K | $83K |
| Mossman Gorge | $46K | $27K | $24K | $28K | $33K |
| **TOTAL** | **$477K** | **$336K** | **$326K** | **$283K** | **$420K** |

Cairns Registry expenditure for quarter 56 compared to the previous four quarters.

**Table 32:** Quarterly operating costs Cairns Registry 1 April 2021 to 30 June 2022

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Community** | **Qtr 52** | **Qtr 53** | **Qtr 54** | **Qtr 55** | **Qtr 56** |
| Corporate Governance | $261K | $255K | $295K | $270K | $289K |
| Conference Facilitation | $272K | $376K | $371K | $373K | $371K |
| **TOTAL** | **$533K** | **$631K** | **$666K** | **$643K** | **$660K** |

| **APPENDIX A** |  | | | | |  | |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **SITTINGS CALENDAR 2020**  **FAMILY RESPONSIBILITIES COMMISSION**  **1 January 2022 to 30 June 2022** | | | | | |  |
| **Week Beginning** | **Monday** | **Tuesday** | **Wednesday** | **Thursday** | **Friday** | **Other** | |
| 3 January |  |  |  |  |  |  | |
| 10 January |  |  |  |  |  | Cooktown – Circuit | |
| 17 January |  |  |  |  |  | Aurukun Cape B & Coen Cape A Circuit  Doomadgee – Gulf Circuit | |
| 24 January |  |  | Public Holiday |  |  | 26 Australia Day Public Holiday | |
| 31 January |  |  |  |  |  | Cooktown – Circuit | |
| 7 February |  |  |  |  |  | Aurukun Cape B Circuit | |
| 14 February |  |  |  |  |  |  | |
| 21 February |  |  |  |  |  | Doomadgee – Gulf Circuit | |
| 28 February |  | **1** |  |  |  | Cooktown – Circuit | |
| 7 March |  | **8** | **9** |  |  | Aurukun Cape B & Coen Cape A Circuit | |
| **9** |
| 14 March |  | **15** | **16** | **17** |  |  | |
| 21 March |  | **22** | **23** | **24** |  | Doomadgee – Gulf Circuit | |
| **22**  **½ day** | **23**  **½ day** |
| 28 March |  |  | **30** | **31** |  | Cooktown – Circuit | |
| **31** |
| 4 April |  | **5  ½ day** |  |  |  | Aurukun Cape B Circuit | |
| 11 April |  | **12 ½ day** |  |  | Public Holiday | 15 Good Friday | |
| 18 April | Public Holiday |  | **20** |  |  | 18 Easter Monday | |
| 25 April | Public Holiday | **26**  **½ day** | **27** | **28** |  | 25 Anzac Day Public Holiday  Doomadgee – Gulf Circuit | |
| **27** |
| 2 May | Public Holiday |  | **4** | **5** |  | 2 Labour Day | |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Week Beginning** | **Monday** | **Tuesday** | **Wednesday** | **Thursday** | **Friday** | **Other** |
| 9 May |  |  | **11**  **½ day** | **12** |  | Cooktown – Circuit |
| **12** |
| 16 May |  | **17** | **18** | **19** |  | Aurukun Cape B & Coen Cape A Circuit  Doomadgee – Gulf Circuit |
| 23 May |  | **24** | **25** | **26** |  | Local Commissioner Development Week |
| 30 May |  |  | **1** | **2** | Special Holiday - DM | 3 Mabo Day – DM |
| 6 June |  | **7** | **8** |  |  | 9-12 Normanton Rodeo  Cooktown – Circuit |
| 13 June |  |  | **15** | **16** |  | 17-18 Mount Isa Show  Aurukun Cape B Circuit  Doomadgee – Gulf Circuit |
| **16** |
| 20 June |  | **21** | **22** | **23** |  |  |
| 27 June |  |  |  |  |  |  |

**LEGEND**

|  |  |
| --- | --- |
|  | Office Days |
|  | Public Holidays |
|  | Aurukun Sitting |
|  | Coen Sitting |
|  | Doomadgee Sitting |
|  | Hope Vale Sitting |
|  | Mossman Gorge Sitting |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **OFFICE** | **CONTACT NAME** | **Phone** | **Mobile** | **Facsimile** |
| Cairns – Commissioner | Tammy Williams | 4081 8413 | 0447 739 137 | 4041 0974 |
| Cairns – Deputy Commissioner | Rod Curtin | 4081 8400 | 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 – Manager (Compliance and Policy) (Tue, Wed, Thu morning) | Camille Banks | 4081 8407 | 0400 355 040 | 4041 0974 |
| Cairns – Manager (Case Management and Monitoring) | Anne Crampton | 4081 8414 | 0458 041 191 | 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 |
| Cairns – Manager (Coordination) | Sandi Rye | 4081 8410 | 0438 195 342 | 4041 0974 |
| Aurukun Local Registry Coordinator | Bryce Coxall | 4060 6185 | 0428 985 106 | 4041 0974 |
| Acting Coen Local Registry Coordinator | Cara Marks | 4081 8410 | 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 | Cara Marks | 4081 8410 | 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 from school for all or part of any three school days during a school term, this counts as three individual School Attendance notices against each person listed on the notice). Counting rules also stipulate that where multiple charges are received on a court notice each charge is counted as an individual notice. [↑](#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. Refer to the descriptions of abbreviations on page 6. [↑](#footnote-ref-5)
5. Refer to the descriptions of abbreviations on page 6. [↑](#footnote-ref-6)
6. Refer to the descriptions of abbreviations on page 6. [↑](#footnote-ref-7)
7. Counting rules are that an agency notice is counted on the basis of number of ‘people’ named on the notice. For example 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 from school for all or part of any three school days during a school term, this counts as three individual School Attendance notices against each person listed on the notice). Counting rules also stipulate that where multiple charges are received on a court notice each charge is counted as an individual notice. [↑](#footnote-ref-8)
8. 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-9)
9. 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-10)
10. 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-11)
11. 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-12)
12. 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-13)
13. 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-14)
14. 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-15)
15. 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-16)
16. 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-17)
17. Note: Australian Statistical Geography Standard 2021 boundaries used are local government areas for Aurukun, Doomadgee and Hope Vale, and statistical areas level 1 (SA1s) of 31501139616 for Coen and 30604116408 for Mossman Gorge. [↑](#footnote-ref-18)
18. 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 rebased (to 2021 Census) Estimated Resident Population (ERP) data by age and sex at the Local Government Area level for 30 June 2021. [↑](#footnote-ref-19)
19. Note: Adults 18 years and over provided by QGSO, Queensland Treasury, based on the ABS unpublished preliminary rebased (to 2021 Census) ERP data by age and sex at the Statistical Area level 1 for 30 June 2021. [↑](#footnote-ref-20)
20. 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 rebased (to 2021 Census) ERP data at the Statistical Area level 1 for 30 June 2021. [↑](#footnote-ref-21)