# **Family Responsibilities Commission**

Report to the Family Responsibilities Board

# Quarterly Report No. 59

January 2023 to March 2023



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.<sup>1</sup> This report sets out the Commission's key operational matters for the period January to March 2023.

Quantified in the table below are the activities undertaken by the Commission during quarter 59 with comparisons shown to the previous quarter.

Table 1: Activity from 1 October 2022 to 31 March 2023

Activity for the quarter	Qtr 58	Qtr 59
Total number of notices received by the Commission <sup>2</sup>	2,166	2,390
Number of notices within jurisdiction	1,221	1,614
Number of notices not within jurisdiction	945	776
Number of clients notified to the Commission from notices within jurisdiction	672	787
Conferences		
Conferences conducted	313	278
Number of clients served to attend conference	266	244
Attendance percentage for conferences	66%	68%
Non-attendance percentage with acceptable (reasonable) excuse for conferences		53%
Conference outcomes		
Agreements to attend community support services	86	56
Orders made to attend community support services	45	38
Referrals to service providers from Family Responsibilities Agreements and Family Responsibilities Orders <sup>3</sup>	154	116
Agreements for Conditional Income Management (CIM)	0	0
Orders made for CIM	21	13

<sup>&</sup>lt;sup>1</sup> Section 144 Family Responsibilities Commission Act 2008

<sup>&</sup>lt;sup>2</sup> 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.

<sup>&</sup>lt;sup>3</sup> An agreement and a decision can have multiple case plans which in turn can have multiple referrals where a service provider has multiple programs.

Domestic Violence statistical information as a subset from the total number of conferences conducted, referrals made and CIMs put in place	Qtr 58	Qtr 59
Conferences for domestic violence matters	78	44
Referrals from domestic violence conferences	53	30
CIM's from domestic violence conferences	0	2
Amend/end decisions for Family Responsibilities Agreements and Family Responsibilities Orders		
Number of amend/end decisions for Family Responsibilities Agreements and Family Responsibilities Orders	1	2
Accepted	100%	50%
Refused	0%	50%
Voluntary Agreements		
Voluntary agreements for a voluntary case plan (VCP)	8	19
Voluntary referrals to service providers	8	20
Voluntary agreements for Voluntary Income Management (VIM)	35	28
Amend/end decisions for Voluntary Agreements		
Number of amend/end decisions for Voluntary Agreements	5	10
Accepted	100%	90%
Refused	0%	10%
Other activity		
Applications to Amend or End received	6	12
Information as at the last day of the quarter		
Number of clients case-managed through current non-voluntary case plan	227	222
Number of clients subject to a current CIM	36	33
Number of clients on a current VIM	82	82

# **Quarterly trends**

The above statistics for quarter 59 reflect an increase in conference attendance compared to quarter 58, increasing from 66% in quarter 58 to 68% in quarter 59, indicating an increased understanding by clients of the help the FRC can offer through referrals to support services. The Commission also saw an increase of 138% in the number of voluntary agreements for a voluntary case plan from quarter 58, reflecting the increased awareness by clients of their actions and the proactive measures these clients are making to address the issues they face.

# Strategic planning

As forecast in Quarterly Report No 58, work on drafting a new strategic plan commenced in earnest on 17 January 2023 with the first of many workshops conducted for the quarter. Consultation will take place with the Local Commissioners in each community in May and early June, with the final plan to be published by 1 July 2023.

# Visit by NIAA

On 28 February 2023 senior members of the Empowered Communities branch of the National Indigenous Australians Agency (NIAA) flew to Cairns to visit the FRC Registry and familiarise themselves with the Executive Management Team, registry staff and FRC operations. The next day NIAA staff joined the Commissioner and Registrar in a visit to Aurukun to meet the Local Commissioners, observe conferencing, and visit with stakeholders in community. The visit was

instrumental in cementing a greater knowledge of the Aurukun community, FRC operations and the successes and challenges the Commission faces every day in an FRC community.

# Transition to enhanced Income Management (eIM)

In Quarterly Report 57 the Commission advised that legislation had been successfully passed through the Australian Parliament to ensure that Cashless Debit Card (CDC) participants in trial sites (that is, those CDC sites other than the Northern Territory and the FRC communities), could opt-out of CDC, or continue voluntarily. It was also determined that on 6 March 2023 FRC communities would transition to enhanced Income Management (eIM). Cashless Debit Card participants in FRC communities transitioned to eIM (the SmartCard) on 6 March 2023 as planned. Prior to March the Commission worked with the Department of Social Services (DSS) and Services Australia preparing for the transition, and assisted in hosting community engagement and information sessions conducted by Services Australia. The transition was effected seamlessly across the communities. The Commission continues to monitor the use of the new SmartCard by FRC clients and reports any operational issues to DSS and NIAA during meetings conducted on a monthly basis.

# Family Responsibilities Commission Act 2008

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

# **DSS and FRC workshop**

On 16 March 2023, at the invitation of the Department of Social Services (DSS), members of the FRC Executive and leadership teams visited the DSS Canberra office to explore the synchronicity between the *Social Security (Administration) Act 1999* and the FRC Act in the application of Income Management. Discussions explored data sharing capabilities in order to inform on the effectiveness of Income Management, analyse the types of transactions and what the data might tell us about a participant's journey, the efficiency of support services offered by DSS and Services Australia, and how the partners in Income Management can better service the clients participating in the program. It is hoped the data will inform a future evaluation of the framework in the context of the Welfare Reform program logic and theory of change.

#### **Community Support and Services Committee**

On 27 March 2023, Commissioner Williams, along with Registrar Maxine McLeod and Executive Officer (Corporate) Tracey Paterson, appeared at a Public Briefing of the Community Support and Services Committee of the Queensland State Parliament.

Commissioner Williams reported to the Committee on:

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

### **Family Responsibilities Board**

Members of the FRC Executive Management Team travelled to Brisbane to attend an FR Board meeting held on 28 March 2023. A community update report for Aurukun, Coen, Doomadgee, Hope Vale and

Mossman Gorge was provided for the period 1 October to 31 December 2022 including operational highlights, challenges and other significant community news. The Commission prepared and presented a finance paper including forecast for 30 June 2023, and Quarterly Reports No 57 and 58 were presented and received the FR Board's endorsement.					
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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 March 2023.

# 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 59, 651 clients (83%) were notified to the Commission with only one type of trigger notice. The remaining 136 clients (17%) received more than one type of trigger notice.

Table 2: Number of clients by number of different types of agency notices received 1 January 2023 to 31 March 2023

Type of Different Types of Agency Notices Received	Number of clients
1	651
2	113
3	20
4	3
Total	787

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

55% received a school attendance (EQ) notice

14% received a Magistrate Court (MAG) notice

6% received a domestic violence order (DVO) notice

6% received a child safety and welfare (CS) notice

2% 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 notice (DIS) and 1 client with a school enrolment notice (SEN).

Table 3 shows the combination of trigger notices received for the 136 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 January 2023 to 31 March 2023<sup>4</sup>

Type of Agency Notice/s	Number of clients
CS,DVB,DVO,MAG	1
CS,DVB,MAG	1
CS,DVO	7
CS,DVO,EQ	1
CS,DVO,EQ,MAG	2
CS,DVO,MAG	1
CS,EQ	37
CS,EQ,MAG	1
CS,MAG	7
DIS,DVB	1
DVB,DVO	3
DVB,DVO,MAG	7
DVB,EQ	1
DVB,EQ,MAG	6
DVB,MAG	15
DVO,EQ	13
DVO,EQ,MAG	2
DVO,MAG	16
EQ,HT	2
EQ,MAG	11
EQ,MAG,SEN	1
Total	136

# 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, 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 antisocial 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

<sup>&</sup>lt;sup>4</sup> Refer to the descriptions of abbreviations on page 6.

(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 affect 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 January 2023 to 31 March 2023<sup>5</sup>

Voluntary Agreements						
VCP VIM Total						
Total 19 28 47						

**Table 5:** Number of decisions by agreement (where a client has agreed to a case plan or conditional income management) entered into from 1 January 2023 to 31 March 2023<sup>5</sup>

Decisions by Agreement							
Community	Community CP CIM						
AU	37	0	37				
CO	3	0	3				
DM	6	0	6				
HV	3	0	3				
MG	7	0	7				
Total	56	0	56				

**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 January 2023 to 31 March 2023<sup>5</sup>

	Decision by Order									
Community	CP	CP & CIM	CCP, CIM,	CIM	CIM,	No	Recommend	Reprimand	Total	
		Concurrently	Rescheduled		Rescheduled	Further	Support			
						Action	Service			
AU	0	0	0	5	1	32	1	0	39	
CO	6	0	0	0	0	0	0	0	6	
DM	22	1	1	0	2	10	6	6	48	
HV	2	1	0	0	0	14	1	0	18	
MG	3	2	0	0	0	2	0	0	7	
Total	33	4	1	5	3	58	8	6	118	

**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 January 2023 to 31 March 2023<sup>5</sup>

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

**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 January 2023 to 31 March 2023<sup>6</sup>

Decisions of Voluntary Amend/End Applications						
Community VIM Amend VIM End VIM No Further Action Total						
Total	4	5	1	10		

<sup>&</sup>lt;sup>5</sup> Refer to the descriptions of abbreviations on page 6.

<sup>&</sup>lt;sup>6</sup> Refer to the descriptions of abbreviations on page 6.

During quarter 59 the number of interactions highlighted in tables 4 to 8 related to a total of 207 clients (143 female and 64 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 quarantining 60%, 75% or 90% of their welfare payments 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 59 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 January 2023 to 31 March 2023 support our assertion:

- 43.0% 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, 35% of clients specifically entered into a voluntary agreement;
- 29.5% 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;
- 2.9% 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:

- 15.5% of clients were ordered to attend a support service under a case plan;
  - 3.9% of clients were placed on a CIM order;
  - 1.4% of clients were placed on a CIM order and ordered to attend a support service.

#### **Notices**

In quarter 59 the Commission received 2,390 agency notices<sup>7</sup>. Some individuals may have been the subject of more than one agency notice. Of that figure 1,614 notices (68%) relating to 787 clients were within the Commission's jurisdiction, and 776 notices (32%) were outside the Commission's jurisdiction.

Table 9: Notices in jurisdiction by type and community 1 January 2023 to 31 March 2023

Type of Notice	AU	СО	DM <sup>8</sup>	HV	MG	Total
Supreme Court notices	0	0	0	0	0	0
District Court notices	4	0	0	0	0	4
Magistrates Court notices	405	12	0	117	20	554
Domestic Violence Breach notices	31	10	0	30	9	80
Domestic Violence Order notices	63	11	0	23	7	104
School Attendance notices	242	3	347	128	31	751
School Enrolment notice	2	0	0	0	0	2
Child Safety and Welfare notices						
Child Concern Reports	40	0	44	12	0	96
Finalised Child Protection Investigations	18	0	0	3	0	21
Housing Tenancy notices	2	0	0	0	0	2
Total	807	36	391	313	67	1614

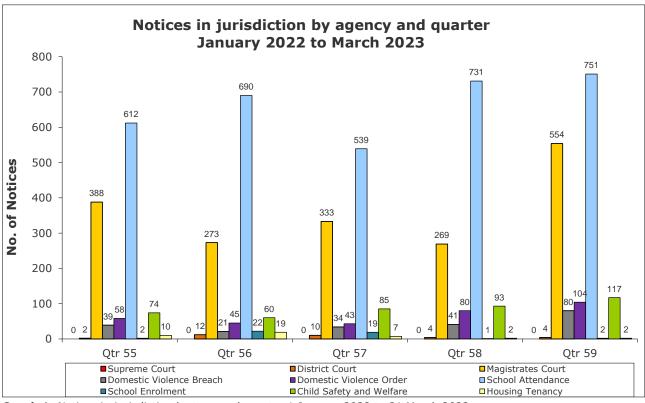
#### Further details of notices within jurisdiction for each community are set out below:

- Aurukun received 807 notices relating to 325 clients (185 female and 140 male)
- Coen received 36 notices relating to 22 clients (9 female and 13 male)
- Doomadgee received 391 notices relating to 236 clients (175 female and 61 male)
- Hope Vale received 313 notices, relating to 175 clients (103 female and 72 male)
- Mossman Gorge received 67 notices relating to 29 clients (18 female and 11 male).

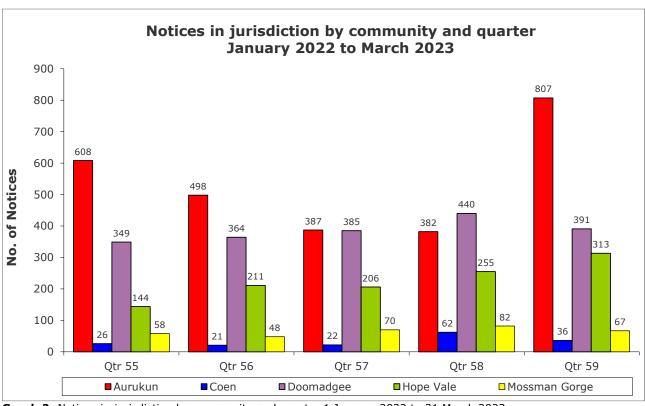
For quarter 59, 45% of clients received more than one notice. Frequently this illustrates multiple child school absences for the one family, or multiple Magistrates Court notices relating to one incident. This may also be suggestive of the complexity of behaviours experienced by a significant proportion of our clients. Conversely, it is important to note the majority of FRC clients (55%) have received only one

<sup>&</sup>lt;sup>7</sup> 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.
<sup>8</sup> 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.

notice during the reporting period. Fifty new clients were added to the Commission's database during the quarter.



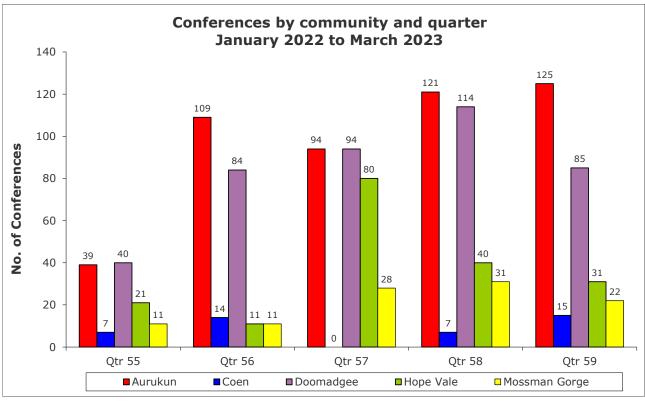
Graph 1: Notices in jurisdiction by type and quarter 1 January 2022 to 31 March 2023



Graph 2: Notices in jurisdiction by community and quarter 1 January 2022 to 31 March 2023

#### Conferences

In quarter 59 278 conferences<sup>9</sup> were held across the five communities (relating to 244 clients served to attend conference). Attendance at conference increased from 66.1% in quarter 58 to 68.0% in quarter 59.



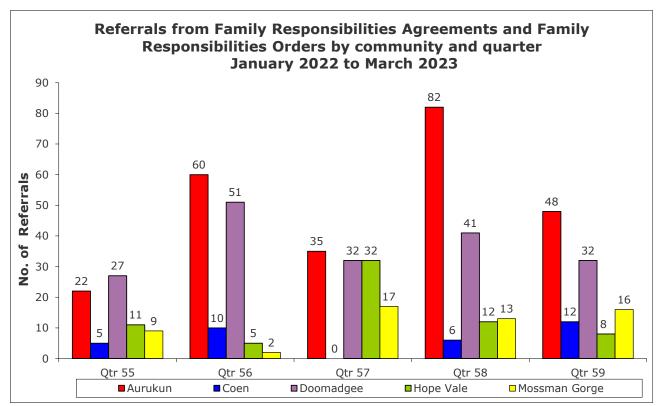
Graph 3: Conferences by community and quarter 1 January 2022 to 31 March 2023

# Referrals from 'Family Responsibilities' Agreements and Orders

A total of 116 referrals (to service providers from 'Family Responsibilities' Agreements (FRAs) and Orders) relating to 93 clients were made in quarter 59. 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 domestic violence behaviours. The broader social impacts of domestic and family violence are set out in Table 3 with an analysis illustrating the nexus between Court convictions and domestic violence orders/breaches with school attendance issues and to a lesser degree child safety issues.

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<sup>&</sup>lt;sup>9</sup> The number of conferences held relates to the number of conferences listed, which includes where a client was served with a Notice to Attend Conference and subsequently failed to attend.

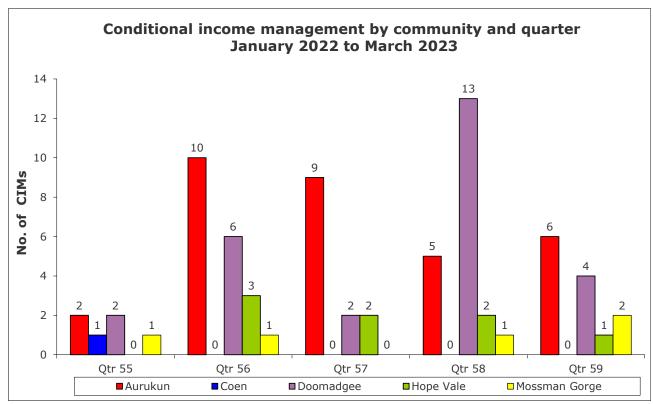


Graph 4: Referrals by community and quarter 1 January 2022 to 31 March 2023

# 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 13 new CIMs (orders) relating to 13 clients were made in quarter 59 with 46% set at 75% quarantining of welfare payments (see graph 8) and 62% set for a 6-month duration (see graph 6).

As at 31 March 2023 there were 33 clients subject to a current CIM who were responsible for 53 children in their care (37 of whom were school aged children). Of the 33 clients 45% were income managed at 60% whilst duration ranged from 85% for a 6-month duration and 15% for 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.



Graph 5: Conditional income management by community and quarter 1 January 2022 to 31 March 2023

# **Voluntary self-referrals from clients to the Commission**

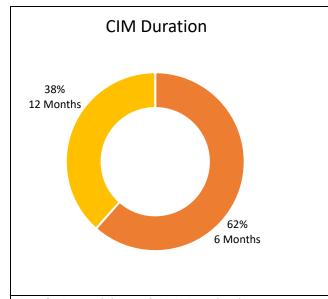
The FRC Act sets out a process under which a community member can voluntarily seek help from the Commission for a referral to a community support service through a voluntary case plan (VCP) or be subject to voluntary income management (VIM). During quarter 59, 19 VCPs were entered into for 20 community support services under a case plan relating to 19 clients. 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 a heightened 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*.

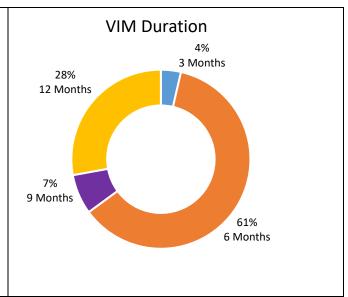
# **Voluntary Income Management**

During this reporting period the Commission processed 28 Voluntary Income Management (VIM) agreements with more than three quarters of agreements quarantining 60% of welfare payments (see graph 9) and more than half have been set for a duration of 6 months (see graph 7). As at 31 March 2023 there were 82 clients on a current VIM agreement who had 97 children in their care (58 of whom were school aged children).

#### Status of CDC in FRC Communities for quarter 59

Forty-one Cashless Debit Cards (13 for CIM and 28 for VIM) were processed for the period 1 January 2023 to 31 March 2023, including orders and agreements that were still awaiting Centrelink action as at 31 March.

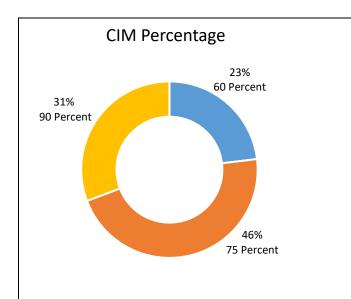


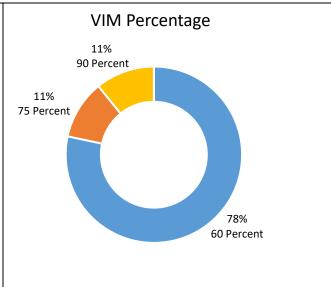


**Graph 6:** Breakdown of CDC CIMs by duration 1 January 2023 – 31 March 2023

**Graph 7:** Breakdown of CDC VIMs by duration 1 January 2023 – 31 March 2023

Although initially (March 2021) 66% of VIM applications entered into were for a 3-month duration, the VIM chart above for quarter 59 shows that 4% were entered into for a 3-month duration, 61% were entered into for a 6-month duration, 7% were entered into for a 9-month duration and 28% were entered into for a 12-month duration.





**Graph 8:** Breakdown of CDC CIMs by percentage 1 January 2023 – 31 March 2023

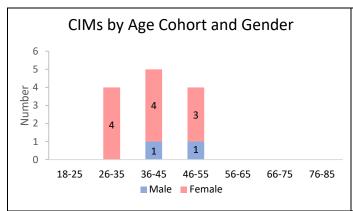
**Graph 9:** Breakdown of CDC VIMs by percentage 1 January 2023 – 31 March 2023

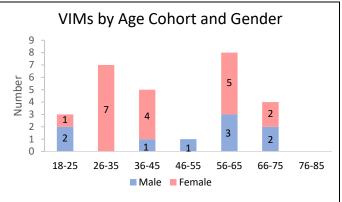
This quarter saw 23% of CIM orders issued quarantining 60% of a client's welfare payment, 46% quarantining 75% of a client's welfare payment and 31% quaranting 90% of a client's welfare payment. The preference by clients to enter into a VIM at 60% remains the popular option with 78% of VIM agreements entered into at 60% for the quarter.

This quarter female community members accounted for the majority of CIMs with 85% relating to female clients. Again, no community member older than 65 years was conditionally income managed by the FRC during the quarter.

The majority of community members voluntarily participating in voluntary income management this quarter were from the 56 to 65-year age group followed closely by the 26 to 35-year age group. Females accounted for 68% of the VIMs. Overall females accounted for 73% of all CDCs (voluntary and conditional) in quarter 59.

Reasons for applying for the CDC were primarily to buy food (79%), to budget (57%), to pay for bills (39%) and to save for something they needed (39%). Circumstances given by voluntary income management participants when applying for the CDC were to support themselves (57%), they liked the Cashless Debit Card (57%), they needed to support their families (39%) and they needed to support their children (39%). Please note, a client may choose one or more options to reflect their individual reasons and circumstances for participating in voluntary income management.





**Graph 10:** Breakdown of CDC CIMs by age cohorts and gender 1 January 2023 – 31 March 2023

**Graph 11:** Breakdown of CDC VIMs by age cohorts and gender 1 January 2023 – 31 March 2023

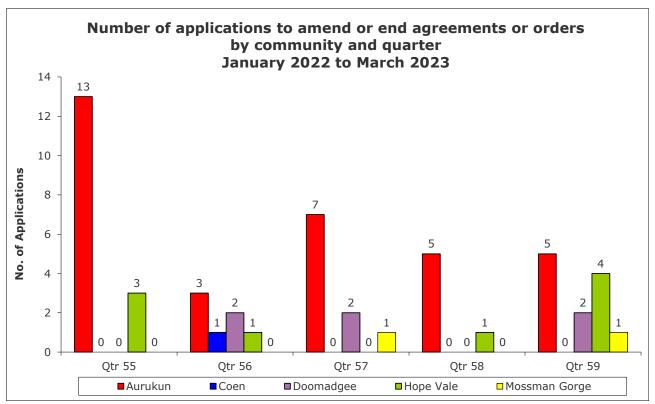
# **Case Management**

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 March 2023, 222 clients were being case-managed through a current non-voluntary case plan.

# 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.

Twelve applications relating to 12 clients (9 female and 3 male) to amend or end an Agreement, Order or Voluntary Agreement were received in quarter 59. 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.



Graph 12: Applications to amend or end agreements or orders by community and quarter 1 January 2022 to 31 March 2023

# **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 an 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 two amend/end applications for a Family Responsibilities Order (to end a CIM) was decided in quarter 59 with one application accepted and one application refused by the FRC.

Ten amend/end applications for voluntary agreements were decided in the reporting period with nine applications made by clients accepted by the FRC. A breakdown of the decisions of the applications is as follows:

- 5 Applications were accepted and voluntary income management agreements ended
- 1 Application was accepted and the voluntary income management agreement amended, increasing from 60% to 90% for the remaining period of the voluntary agreement
- 2 Applications were accepted and the voluntary income management agreement amended, decreasing from 75% to 60% for the remaining period of the voluntary agreement
- 1 Application was accepted and the voluntary income management agreement amended, decreasing from 90% to 60% for the remaining period of the voluntary agreement and
- 1 Application was refused.

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 10: FRC client population by gender and age 1 January 2023 to 31 March 2023

Information for the quarter	Female	Male	Female	Male
	Count	Count	Average	Average
			age	age
Clients for whom a notice was received <sup>10</sup>	490	297	37	37
Clients conferenced <sup>11</sup>	164	80	37	36
Clients referred through Family Responsibilities Agreements and Family Responsibilities Orders <sup>12</sup>	64	29	37	38
Clients placed on CIM <sup>13</sup>	11	2	40	47
Clients referred through a Voluntary Agreement for a case plan <sup>14</sup>	14	5	49	58
Clients who chose to participate in VIM <sup>15</sup>	19	9	44	51
Clients who submitted an amend/end application <sup>16</sup>	9	3	40	46

<sup>&</sup>lt;sup>10</sup> 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.

<sup>&</sup>lt;sup>11</sup> 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.

<sup>&</sup>lt;sup>12</sup> 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.

 $<sup>^{13}</sup>$  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.

<sup>&</sup>lt;sup>14</sup> 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.

<sup>&</sup>lt;sup>15</sup> 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.

<sup>&</sup>lt;sup>16</sup> 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.

# **Estimated resident populations:**

**Aurukun:** The community of Aurukun had an estimated resident adult population of 786 people as at 30 June 2021<sup>17,18</sup>.

**Coen:** The township of Coen had an estimated resident adult population of 182 people as at 30 June  $2021^{17,19}$ .

**Doomadgee**: The community of Doomadgee had an estimated resident adult population of 933 people as at 30 June 2021<sup>17,18</sup>.

**Hope Vale:** The estimated resident adult population of Hope Vale was 660 people as at 30 June  $2021^{17,18}$ .

**Mossman Gorge:** The Mossman Gorge community had an estimated resident population of 100 people as at 30 June 2021<sup>17,20</sup>.

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<sup>&</sup>lt;sup>17</sup> 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.

<sup>&</sup>lt;sup>18</sup> 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.

<sup>&</sup>lt;sup>19</sup> 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.

<sup>&</sup>lt;sup>20</sup> 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.

# 2. Future Direction and Challenges

# Department of Education - Instrument of Delegation

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

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

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

#### **School attendance**

The Commission is heartened to report that the Department of Education published primary school attendance for term 1 2023 which covers quarter 59 (January to March 2023) reflects improvement across the board for the communities of Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge when compared to term 4 2022. Primary school attendance improvements are also shown in each community when comparing term 1 2022 to term 1 2023. The Coen Campus of CYAAA reported primary school attendance for term 1 of 88%, topping Queensland for selected Aboriginal and Torres Strait Islander community schools. The Commission continues implementing what is termed an elevated school response strategy to identify and case-manage FRC clients whose children are not attending school, or not attending on a regular basis. The FRC is not a school attendance model per se but does have a pivotal role with community members who fall within its jurisdiction to be held to account if they are not prioritising education for their children. Past experience has shown that changing community norms in valuing education requires a multi-party/stakeholder commitment and approach. Gains in school attendance are generally achieved when there is a community-led strategy to encourage attendance, low rates of community unrest, community-led management of sorry business and weather events or seasons which inhibit travel.

# ICT upgrade

The Commission's Dynamics 2015 Customer Relationship Management (CRM) database and associated infrastructure is approaching 'end of life' in October 2023. The ICT Administrator and ICT Support Officer have been actively engaging with various teams within the Commission to gather information concerning required functionality and suitability to meet the changing needs of the Commission. A preliminary tender document has been drafted to initiate the procurement process for a data system and is under current review. Research is concurrently being undertaken as a preparatory measure should the need arise to extend the utilisation of the current system beyond its support cycle.

In response to the growing concern nationally in regard to data breaches, particularly given the sensitive nature of the data held by the Commission, a detailed Data Breach Response Plan has been drafted, approved and adopted by the Executive management Team. The Data Breach Response Plan provides the Commission with clear direction on steps to undertake in the event of a data breach while simultaneously ensuring compliance with regulatory bodies such as the OIC (Office of the Information Commissioner) and OAIC (Office of the Australian Information Commissioner).

# **Voluntary Income Management (VIM)**

Over the last two financial years, the FRC has seen a significant increase in the uptake of VIM agreements. In the 2019-20 financial year there were 20 agreements for VIM, in 2020-21 there were 94, and in 2021-2022 there were 140 agreements for VIM.

It is significant that as at 7 March 2023 the FRC has processed a total of 465 income management arrangements since 17 March 2021, of which 65% were voluntary. It is also notable that the increase in uptake can be seen across all age groups, including the younger cohort of 18–25 year olds. As at 7 March 2023 there were 80 clients, who have 86 children in their care, on a current VIM agreement.

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

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

Data since the introduction of the CDC, from 17 March 2021 until 20 March 2023, shows of the 215 VIM Clients:

- 112 (52%) had an ordered income management (CIM) prior to a VIM
- 103 (48%) had only had a VIM

The percentage split of clients on a VIM having had a prior CIM has increased from 48% (17 March 2021 to 30 April 2022) to 52% (17 March 2021 to 20 March 2023). This demonstrates that clients recognise that things improve for them and their families with income management in place and have taken steps to continue this improvement. The uptake of VIM is significant in the FRC's progress towards supporting increased personal responsibility in FRC communities.

#### **Potential Government collaborations**

In line with recommendation 4 of the FRC's submission to the Queensland Government's FRC Future Directions Review, titled *The FRC: A model of self-determination – An operational analysis of the Family Responsibilities Commission from 2008 to 2022* (see below), the Commission has been investigating possible collaboration with other government agencies to enhance information sharing and support positive behavioural change.

Recommendation 4. 'The partners agree to collaborate to support a renewed focus on service provider and government agency collaboration and performance:

4.3 To put in place agreed processes for FRC information sharing to provide FRC input into the decision making of Courts ... which would help ensure that disparate elements of the system are working together to incentivise and support positive behavioural change and benefit children.

#### Family Court partnership

During this quarter the Commission provided a submission to the Attorney-General as part of the Australian Government's consultation regarding proposed amendments to the *Family Law Act 1975*. The submission proposed that a regulation be made to allow the Family Law Court and the FRC to exchange limited information, in certain circumstances, with the consent of the FRC client.

When the Court is making a parenting order, it must consider (s60CC(2)(d) of the *Family Law Act* 1975) whether 'the parent has capacity to provide for the child's developmental, psychological and emotional needs, *having regard to the carer's ability and willingness to seek support to assist them with caring'* [emphasis added].

Essentially, the aim of this proposal is to permit the FRC, with consent of the client (who is a party to Family Court proceedings), to provide the Court with certification from the FRC Commissioner, confirming that they have a case plan with a referral to a support service, and whether or not they have been participating in the case plan. This may be evidence which the Court could take into account considering whether the parent is someone willing to seek support. The process could provide a mechanism for input into critical decisions made by the Court with respect to the joint FRC clients. The object of this recommendation is to incentivise client participation in case plans required under the FRC Act; and for those who successfully complete the programs/counselling for which they were referred, that the client receives recognition or credit for doing so, where it is relevant consideration by another decision-maker.

#### **ATSILS partnership**

Another Government agency with which the FRC seeks to establish an information sharing collaboration is with the Aboriginal and Torres Strait Islander Legal Service (ATSILS). Initial discussions have taken place between the FRC and ATSILS to explore an information sharing agreement to support FRC/ATSILS clients appearing in court. An FRC client appearing as a defendant before a court in sentencing proceedings could, where the client agrees, have certification provided by the FRC Commissioner of the client's engagement with the FRC in orders or agreements, and their willingness and success in complying with those orders/agreements. Evidence of FRC client's engagement may aid Judges in their consideration of factors relevant to sentencing.

The above two partnership proposals are as yet works in progress which the FRC seeks to establish in order to support greater coherence of decision-making across the service delivery ecosystem to encourage and incentivise clients' behavioural change.

# 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)

Ms Jody Broun
 Mr Noel Pearson
 CEO, National Indigenous Australians Agency
 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 of the Commission attributable to the quarter (1 January 2023 to 31 March 2023) totalled \$1,124,442. This income consisted of:
  - \$627,250 Queensland Government funding
  - \$450,000 Australian Government funding
  - \$47,170 interest received
  - \$22 sundry income

The balance of available funds in the bank as at 31 March 2023 is \$5,004,606.

# **Expenditure:**

• Expenditure for the quarter (1 January 2023 to 31 March 2023) was \$1,040,094.

Table 11: Expenditure in quarter 59

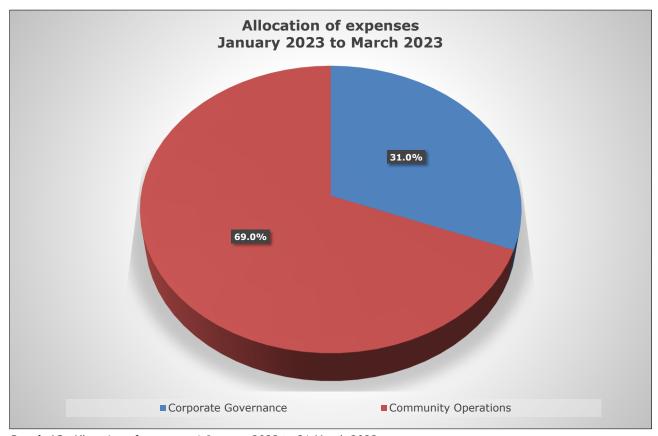
1 January 2023 to 31 March 2023	Expenditure Qtr 59	1 January 2023 to 31 March 2023	Expenditure Qtr 59
Employee salaries – FRC staff	527,860	Internet & IT	62,494
Employee salaries – Local	87,500	Motor Vehicle	11,248
Commissioners			
Employee on costs – FRC staff	83,333	Property	62,027
Employee on costs – Local	12,125	Travel	66,785
Commissioners			
Other employment costs	74,356	General Operating	36,442
Communications	3,954	Other expenses	11,970
		Total	\$1,040,094

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.

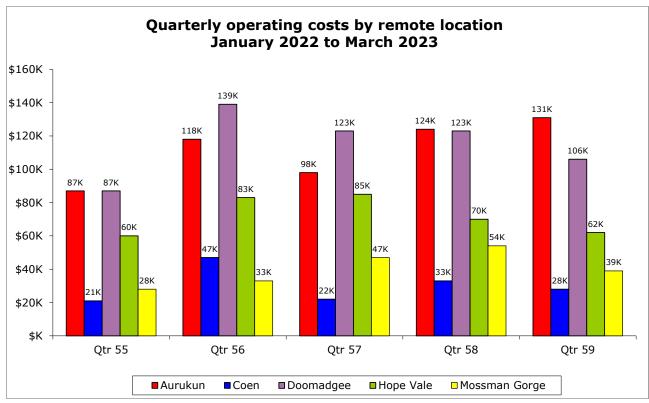
The functions of corporate governance and conference and hearing facilitation are conducted primarily in the registry office in Cairns with frequent visits to community by staff. Community operations are conducted by Local Registry Coordinators and Local Commissioners, resident in their respective communities,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

As can be observed in Graph 13 below which displays the allocation of FRC costs across the core functions in quarter 59, the largest allocation during the reporting period is in relation to community operations (69.0%).



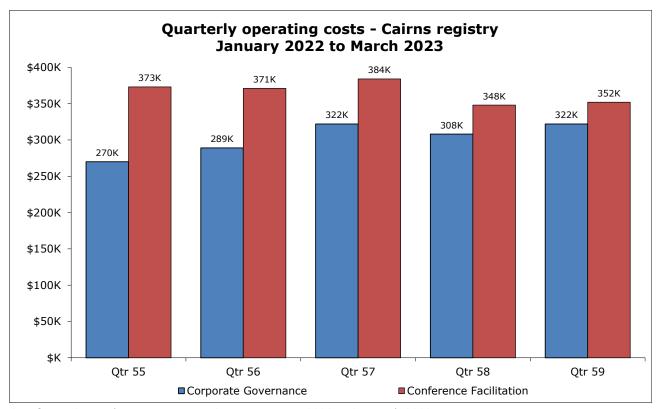
**Graph 13:** Allocation of expenses 1 January 2023 to 31 March 2023

Regional operational expenditure by location and quarter.



Graph 14: Operating costs by remote location 1 January 2022 to 31 March 2023

Cairns Registry expenditure for quarter 59 compared to the previous four quarters.



**Graph 15:** Quarterly operating costs Cairns 1 January 2022 to 31 March 2023

# APPENDIX A



# SITTINGS CALENDAR 2023 FAMILY RESPONSIBILITIES COMMISSION 1 January 2023 to 30 June 2023



Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	Other
2 January	Public Holiday					Mon 2nd – New Year's Day
9 January						Cooktown – Circuit
16 January						Aurukun Cape B & Coen Cape A Circuit Doomadgee – Gulf Circuit
23 January				Public Holiday		Thursday 26th Australia Day
30 January		31	1	2		
6 February		7	8	9		Cooktown – Circuit
13 February		14 ICM	15	16 16		Aurukun Cape B Circuit
20 February			22	23 23		Doomadgee – Gulf Circuit
27 February		28 ICM 28	1	2		
6 March			8	9		Cooktown – Circuit
13 March						Aurukun Cape B & Coen Cape A Circuit
20 March		21	22	23 23		Doomadgee – Gulf Circuit
27 March		28	29 29	30		
3 April					Public Holiday	Cooktown – Circuit 7th – Good Friday
10 April	Public Holiday					10th – Easter Monday
17 April		18	19	20 20		Aurukun Cape B Circuit Doomadgee – Gulf Circuit
24 April		Public Holiday				Tuesday 25th – Anzac Day
1 May	Public Holiday		3	4		Monday 1st – Labour Day

Week Beginning	Monday	Tuesday	Wednesday	Thursday	Friday	Other
8 May		9	10	11		Cooktown – Circuit
15 May						Aurukun Cape B & Coen Cape A Circuit Doomadgee – Gulf Circuit
22 May			24 24	25		
29 May		30 ICM 30	31	1		
5 June			7	8 8 8		Cooktown – Circuit
12 June		13 ICM 13	14	15		Aurukun Cape B Circuit Doomadgee – Gulf Circuit
19 June		20	21			23-24 Mount Isa Show
26 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	Mark Doktor	4081 8406	0427 954 870	4041 0974
Cairns – Manager (Coordination)	Sandi Rye	4081 8410	0438 195 342	4041 0974
Acting Aurukun Local Registry Coordinator	Cara Marks	4060 6185	0428 985 106	4041 0974
Acting Coen Local Registry Coordinator	Kate Gooding	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	Kate Gooding	4081 8410	0417 798 392	4041 0974