


Family Responsibilities Commission

ABN 8082 7633 604
 Cairns Commonwealth Centre
 Level 3, 107 Lake Street, Cairns
 PO Box 5438, Cairns Qld 4870
Ph: 07 4057 3870
 Fax: 07 4041 0974

www.frcq.org.au

8 August 2014

The Research Director
 Health and Community Services Committee
hcsc@parliament.qld.gov.au

Dear Committee Members

FAMILY RESPONSIBILITIES COMMISSION AMENDMENT BILL 2014

The Commission would like to respond with comments on the above Bill as follows.

The Commissioner has read the Family Responsibilities Commission Amendment Bill 2014 together with the explanatory notes and supports in its entirety:

- Clause 1 Act to be cited as the *Family Responsibilities Commission Amendment Act 2014*
- Clause 2 Act to commence on a day to be fixed by proclamation.
- Clause 3 Act to amend the *Family Responsibilities Commission Act 2008*.
- Clause 4 Section 8A (Meaning of welfare reform community area) as “an area prescribed under Regulation”.
- Clause 5 Section 20 (Disqualification from being a local commissioner) to restore the original intent of the Act to disqualify persons who have had a protection order made against them *unless five years has elapsed prior to being appointed*.
- Clause 6 Section 43 (Notice about offences) at subsections (1)(b) and (5)(c) by Replacing “Magistrates Court” with “relevant court” and defining at a new subsection (6) a “relevant court” as “the Children’s Court, District Court, Magistrates Court or Supreme Court”. These amendments will allow for consistent consequences for offending across jurisdictions and will also enable the youth justice trigger to be applied, requiring the parent or carer of the child to conference with the FRC. In relation to convictions where the person is a child, the information released under section 43 will ensure consistency with the confidentiality provisions in Part 9 of the *Youth Justice Act 1992*.
- Clause 7 Section 94 (Education Chief Executive may give a particular information) by omitting subsection 94(3) **welfare reform community area** as welfare reform areas will be described in the Regulation.
- Clause 8 Section 123 (Board meetings) to require meetings to occur at least once every 6 months instead of every 3 months, to enable locally-focused meetings to be convened.
- Clause 9 Section 151 (Regulation-making power) by omitting the sunset clause (2). This reflects the removal of the Act’s expiry date.
- Clause 10 Omission of Section 152 (Expiry of Act) to allow for continued operation of the FRC into the future. Removal of the sunset clause does not compromise the ‘special measure’ status of the welfare reform initiative.

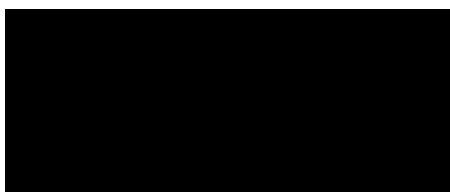
- Clause 11 Omission of Sections 155 (Vacation of office on expiry of the Act) and 156 (When particular agreements or family responsibilities orders end) to reflect the removal of the expiry date of the Act.
- Clause 12 Amendment to Schedule (Dictionary) at Section 6 by:
- 1) omitting descriptions of individual welfare reform communities (Aurukun, Coen, Hope Vale and Mossman Gorge); and
 - 2) amending description of **convictions** and **relevant person** to reflect changes to the FRC notification triggers.

The majority of the above amendments were requested by the Commission after discussions with all Local Commissioners. The Commissioner has discussed the contents of the Bill with the Local Commissioners who have advised they understand and support the Bill.

The Registrar, on behalf of the Commissioner, has also discussed the above amendments with Commission staff who would like to advise of their support of this Bill.

It is the view of the Commission that the amendments will assist the Commission to more effectively and efficiently conduct its core business of restoring social responsibility and local authority to the welfare reform communities. Of key importance to the Commission are Clauses 9 to 11 which allow for the continued operation of the Commission into the future. The extension of the trial for an undefined term will assist the Commission to build upon the achievements gained since 2008.

Yours sincerely



David Glasgow
Commissioner
Family Responsibilities Commission