



Speech By  
**Hon. Curtis Pitt**

**MEMBER FOR MULGRAVE**

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Record of Proceedings, 13 October 2015

## **FAMILY RESPONSIBILITIES COMMISSION AMENDMENT BILL**

### **Introduction**

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships) (12.21 pm): I present a bill for an act to amend the Family Responsibilities Commission Act 2008 for particular purposes. I table the bill and explanatory notes. I nominate the Finance and Administration Committee to consider the bill.

*Tabled paper:* Family Responsibilities Commission Amendment Bill 2015 [[1366](#)].

*Tabled paper:* Family Responsibilities Commission Amendment Bill 2015, explanatory notes [[1367](#)].

The Family Responsibilities Commission is an independent statutory body established under the Family Responsibilities Commission Act 2008, the act. The FRC is a key mechanism supporting Queensland's welfare reform program based in the community areas of Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge. The welfare reform program is a successful tripartite partnership between the Queensland and Commonwealth governments and the Cape York institute. A representative from each partner constitutes the Family Responsibilities Board that advises me about the operation of the FRC and, if requested, can also provide advice to the FRC.

As noted in the act, the main objects that form the foundation of the FRC are to support the restoration of socially responsible standards of behaviour and local authority in welfare reform community areas and to help community members resume primary responsibility for the wellbeing of their community and the individuals and families of the community. To assist in achieving this goal, the FRC is constituted of a commissioner and Aboriginal and Torres Strait Islander local commissioners.

The fundamental way the FRC contributes to the objective of securing more resilient communities is by having the FRC convene conferences with community members who are the subject of formal notification for breaching a trigger under the act. Currently, the act provides for four trigger events. Those triggers operate when: a child does not attend school or is not enrolled; a child safety report is made; a person is convicted of an offence before the court, including the Childrens Court; a tenancy agreement is breached or the premises are used for an illegal purpose. Once the FRC is in receipt of a notification, it will then decide whether to request the person attend a conference in order to address the offending behaviour. In the case of a child convicted before the Childrens Court, the parent of the child will be the relevant person for the conferencing. In all cases, the FRC might decide that it will not take any action or give the person a warning about the offending behaviour, or it might recommend or order that the person attend community support services to address the offending behaviour, or where it considers it is warranted the FRC might order compulsory income management over the person's welfare payments.

Unfortunately, however, the current triggers do not cover all aspects of antisocial behaviour. Domestic violence is unacceptable. The issue of domestic violence has been forcefully drawn to our attention recently. If a person cannot feel safe at home and with their family, that is nothing short of a

tragedy. As noted in the final report of the Special Taskforce on Domestic and Family Violence in Queensland, *Not now, not ever—putting an end to domestic and family violence in Queensland*, it is a horrifying statistic that in Queensland the number of reported incidents increased from 58,000 in 2011-12 to 66,000 in 2013-14. That equates to more than 180 reports to police of domestic violence incidents every day.

In investigating and preparing the report, the task force, which included Ms Ada Panawya Woolla, a local commissioner for Aurukun and now deputy mayor, received submissions suggesting a domestic and family violence trigger be created to facilitate FRC conferencing and referrals in circumstances where domestic violence orders are made by the courts. Recommendation No. 93 of the task force report subsequently recommended that the Queensland government amend the act to require a court to notify the FRC when a protection order under the Domestic and Family Violence Protection Act 2012 is made naming a welfare reform community resident as the respondent. By including an amendment to the act to give legislative effect to recommendation No. 93, this government reinforces its commitment to address the incidence of domestic violence and, as far as the welfare reform communities are involved, reiterate its commitment to provide a mechanism to restore socially responsible standards of behaviour and help community members resume primary responsibility for themselves, other community members and families.

The bill also introduces a number of measures that take account of the practical realities of the day-to-day business of the FRC that have arisen since its establishment in 2008, to make sure it can operate in the most efficient way. As I have said, the FRC might, in appropriate circumstances, order that a person be subjected to compulsory income management in relation to their welfare payments. Under the act, a decision to order income management can only be exercised by the FRC commissioner. In recognition of their experience and representative role within the communities, the bill allows delegation of the commissioner's responsibilities to the chairperson of a commission constituted by local commissioners where the commissioner is satisfied that the appointed chairperson is appropriately qualified. Importantly, this increases recognition of the authority of the Aboriginal and Torres Strait Islander local commissioners. It will also allow cost savings in terms of the commissioner's travel and improve practical flexibility for the FRC.

The bill contributes to this improved flexibility by expanding the eligibility requirements for the FRC registrar position to recognise the managerial and executive elements that the role requires. Eligibility requirements will be extended from the person needing to be a lawyer or having relevant court experience to reference a person who is appropriately qualified for the position given its expanded role. As the Commonwealth government has phased out its community development employment projects or CDEP scheme, the bill will amend the act by deleting all outdated references to CDEP scheme participants.

The proposed amendments that introduce the domestic violence trigger will also clarify the process for generating agency notices under the existing youth justice trigger. The amendment will require that the court provide a notice regarding a child when it is advised that the child or the child's parent live or have lived in a welfare reform community.

I thank all the FRC commissioners, community leaders and other community members within the welfare reform community areas and our partners, the Australian government and the Cape York Institute, for their continued commitment to welfare reform in their respective communities. I commend the bill to the House.

### **First Reading**

**Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships) (12.27 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### **Referral to the Finance and Administration Committee**

**Mr DEPUTY SPEAKER** (Mr Furner): Order! In accordance with standing order 131, the bill is now referred to the Finance and Administration Committee.