



VALS



BLACK
LIVES MATTER

NO PRIDE
IN GENOCIDE

NO JUSTICE.
JUST US!

STOP BLACK
DEATHS IN
CUSTODY

SOVEREIGNTY

**Victorian Aboriginal Legal Service
Annual Report
Financial Year 2019-2020**



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ABOUT US

Welcome to the Annual Report of 2019-2020 of the Victorian Aboriginal Legal Service (VALS).

VALS was established as a community controlled Co-operative Society in 1973. We play an important role in providing referrals, advice/information, duty work or case work assistance to Aboriginal and Torres Strait Islander peoples in Victoria. Solicitors at VALS specialise in one of three areas of law: Criminal Law, Family Law and Civil Law.

VALS is the only Victorian organisation funded by the Government under the Aboriginal and Torres Strait Islander Legal Services program (known as the Indigenous Legal Assistance Program).

At VALS, we look for sustainable responses to legal problems. This means we support investigation and use of therapeutic and preventative approaches to reduce the interaction our clients and community have with the legal system to produce longer lasting outcomes for our clients. We strive to:

Promote social justice for Aboriginal and Torres Strait Islander peoples:

- Promote the right of Aboriginal and Torres Strait Islander peoples to empowerment, identity and culture;
- Ensure that Aboriginal and Torres Strait Islander peoples enjoy their rights, are aware of their responsibilities under the law and have access to appropriate advice, assistance and representation;
- Reduce the disproportionate involvement of Aboriginal and Torres Strait Islander peoples in the criminal justice system; and
- Promote the review of legislation and other practices which discriminate against Aboriginal and Torres Strait Islanders.

VALS will continue to ensure that all Victorian Aboriginal and Torres Strait Islander people enjoy and exercise their legal rights, are aware of their responsibilities under the law, and have access to appropriate legal representation in the legal system.

OUR VALUES

Cultural
Competency

Commitment

Self
-Determination

Ethics
& Integrity

Respect

Equity





Des is a Yorta Yorta man who grew up on the banks of the murray river opposite the cummeragunja aboriginal reserve. Living in the area until the age of 16 with his family and extended family. Attending school in barmah , nathalia , and echuca, before moving to Melbourne to work as an apprentice motor mechanic. When that didn't workout he went home and worked in the shearing shed around hay and Ivanhoe in NSW with his dad who was a shearer. In the late 70s he returned to Melbourne and did a course at Swinburne uni, gaining work experience with the aboriginal housing co-op in smith st Collingwood, the health and legal services before going home to echuca in 1983 to work at the echuca aboriginal co-op with aunty melva Johnson. Since then he has been involved in many aboriginal organisations and committees .Some of these include .VALS chairperson. VACSAL Chairperson, Njernda, AAL, VAEAI, Yorta Yorta Nation.

Des currently works in a youth justice role at the Baroona youth healing centre in Echuca. He has 3 children and 9 grandchildren to help fill out the times when he has nothing to do, hobbies include watching footy and fishing with the grand kids.

CHAIRPERSON'S STATEMENT

In a year that created so many challenges and opportunities, we should all continue to be very proud of the work that the Victorian Aboriginal Legal Service does for our community. The 2019-20 bushfires and global pandemic have been very hard on our community and VALS has had to do more work while managing restricted conditions and fighting for better resources. The last year also saw the Black Lives Matter movement get more attention than ever before across the globe and Aboriginal people in Victoria stepped up to the moment and renewed our demands that governments stop criminalising us and stop killing us.

No short message such as this could account for all the hardship that our community has gone through. I want you to know that you are amazing, strong, and fierce representatives of your ancestors. No matter what struggles you are facing now, to have survived such a difficult year on top of the ongoing racism and oppression that we have suffered for more than 200 years is an impressive feat. Your perseverance inspires the Board of Directors of VALS and all the VALS staff to continue our work and renew our efforts to expand the capacity of VALS to support you.

I want to extend my thanks to all the staff at VALS. Your work is difficult each and every year, but this last year threw a lot of unique challenges at you. Your flexibility, dedication and patience has kept the work of VALS on track. Please ensure that you are looking after yourselves. Take advantage of the Employee Assistance Program and make sure you are spending time with family and community where possible.

In a year where the pandemic forced many of us to stay separated, VALS' community work was more important than ever before. Staff at VALS have gone above and beyond to help members of our community that have been affected by the bushfire and pandemic. It has exemplified that we are not an organisation that only does legal work, rather, we are an organisation that seeks justice for our people in every way.

The Baggarrook Program, which provides transitional housing and service support for Aboriginal and/or Torres Strait Islander women exiting prison. The program managed to help several clients to transition back to more permanent homes. This makes a huge difference in the lives of these women and their families, but last year proved that it is also a huge benefit to the whole of Victoria. If not for Baggarrook, some of these women may have ended up homeless and we know that people without secure housing are more likely to get sick. During a global pandemic, when every health resource is precious, Baggarrook made an important contribution and I hope that we can secure extra government funding to expand this vital program.

The global pandemic has also made it clear how important our Community Legal Education Program is for our community. Part of the Victorian Government's response to the pandemic has been to increase police powers and introduce a range of fines. Aboriginal people have unfairly borne the brunt of these measures. While we believe these measures need to be rolled back as quickly as possible, they have been a reminder that there will be no quick fix to the unfair treatment we receive from police and the justice system. The Community Legal Education program is vital to empowering our people to understand the law and their rights so that they have a better chance of getting fair treatment. VALS will be looking to ensure better funding for the program into the future.

VALS also implemented a new website this year and extended its presence in social media. A strong digital presence is important for staying connected to our community by making VALS and our services more accessible. This is particularly important while the pandemic continues to limit the amount of in-person work that we can do. Our online presence has also enhanced VALS' advocacy work by improving our ability to engage with stakeholders and government.

The lawyers at VALS have continued to do amazing work. They work with passion and dedication to get the best results for our individual clients as well as holding the justice system to account for the injustice our people continue to be subjected to. The pandemic has changed the way courts operate and such adjustments are always difficult, even if they are sometimes an improvement. Thank you for another year of hard work, it is greatly appreciated by the board and the community.

The next year presents a lot of challenges for VALS. There are big pieces of justice work to do with all levels of government, the continuing pandemic and bushfire recovery, our day to day work and the ongoing battle for greater funding. We must get this right, for our people and for all Victorians, because Victoria will not recover from the pandemic by leaving Aboriginal people behind.

I would like to thank the Board of Directors for your dedication and work this year. Your stewardship of VALS has helped keep us as a leader in the sector. I know that you will continue to keep VALS healthy and growing into the future.

Des Morgan
Chairperson

CEO STATEMENT

Since VALS was established in 1973, the organisation and our communities have been through a lot. While too many of our people continue to have their lives destroyed by a justice system created by colonial invaders and maintained by systemic racism, our communities and culture continue to survive.

In 2019-20, we continued our struggle with the added challenges of the bushfires and the global pandemic. All the work we do at VALS was stretched by changes in demand, pandemic restrictions, and the need for greater funding. Despite these challenges, VALS continues to deliver a quantity and quality of work that is making a real difference for our people despite our minimal resourcing.

We have expanded the policy, research and advocacy role of VALS with a dedicated team. This has allowed us to better support social justice movements and influence governments. Over the last year, VALS has been able to quickly respond to issues such as decriminalising public drunkenness, raising the age of criminal responsibility, spent convictions, youth justice, and Aboriginal deaths in custody. Through the existing reputation of VALS and the thoughtful and timely contributions we have made to the public discussions on these issues, we have been able to increase public support for change.

Over the next year, VALS will be putting a lot of effort into our advocacy for what our communities need during the pandemic recovery. Our communities have been disproportionately affected by the pandemic and will get less support during the recovery if governments do not have a focused plan to support our people. A crisis such as the pandemic is also an opportunity for big reforms. We will be asking governments to use this opportunity to implement plans that will see existing targets in agreements such as Closing the Gap realised sooner and to implement real systemic changes to the justice system that generations of our communities have fought for.

We will mark the 30th Anniversary of the Royal Commission into Aboriginal Deaths in Custody this year. The Royal Commission made 339 recommendations that would have made real change to the justice system. In 30 years, no federal or state government has come close to implementing all the recommendations of the report. We know it is achievable. We have seen the Victorian Government deliver on implementing all the recommendations of the Royal Commission into Family Violence in a transparent, consultative, and planned manner. We will be advocating for governments to do the same for the Royal Commission into Aboriginal Deaths in Custody.

In March 2020, we established the Wirraway – Specialist Legal & Litigation Practice. This will provide the Aboriginal community with a civil litigation service that will hold the Victorian government to account. Wirraway will run cases for Aboriginal and/or Torres Strait Islander people who have been unfairly or illegally treated by employees of the State of Victoria. Wirraway promotes self-determination and a culturally safe space. VALS was able to secure over \$50,000 of funding for Wirraway and will continue work towards expanding the resources of this practice.

The Civil and Human Rights Law practice continued their hard work. Notably, they have seen years of advocacy pay off through the Spent Convictions Bill 2020. The practice has continued to work with clients on fines, tenancy, debt, employment and discrimination issues. Much of this work has been made harder by the pandemic which has increased demand on the practice and slowed down the courts. The practice will be working hard to ensure Aboriginal and/or Torres Strait Islander people who have been unfairly impacted by the pandemic are not left behind during the recovery. There will be a particular focus on the end of the tenancy eviction moratorium and pandemic related fines.

The Criminal Law Practice have been massively impacted by the pandemic due to the closure of many courts and restrictions on face-to-face meetings. Despite this, the team has done fantastic work and expanded its capacity and several areas, worked with courts flexibly to get restarted and begin clearing the backlog of cases, and increased the number of successful Supreme court bail applications for young people.

I would like to thank all VALS staff for the work they have done this year. It has been a tough year for all of you and I appreciate everything you have done to keep VALS going through this period. I hope that you are all taking actions to look after your wellbeing. After powering through for so long, the pressure can catch up to you very quickly and it is important to be proactive in managing any problems you might have. Please reach out to your manger or HR if you need support.

Thank you to the Board of Directors as well as our VALS Executive Team for the support and guidance they have given VALS this year.

Nerita Waight
CEO



Nerita Waight is a Yorta Yorta woman and the Chief Executive Officer of the Victorian Aboriginal Legal Service (VALS).

Nerita began her career in the public service before commencing work at VALS in 2014 to undertake both legal and policy work. As the CEO, Nerita is focused on developing innovative solutions to ensure that VALS provides legal and community justice supports at the earliest point and in a culturally safe and caring way.

BOARD OF DIRECTORS

Des Morgan
Chairperson

Irene Morris
Director/
Secretary

Retired 2020

Pam Aplin
Director/
Secretary

Larry Kanoa
Treasurer

Des is a Yorta Yorta man from the Murray/ Goulburn river area of Victoria/NSW. He has been an active member of the Aboriginal community since 1984, having served on various local and state organisations, Boards of Management Inc, Legal Service, Aborigines Advancement League, VACSAL and VAEAI. He also served a six-year period as an ATSIC Regional Councilor and past Chair of NJERNDA (Echuca) for several years and a member of Yorta Yorta Nations Aboriginal Corporation.

Irene is a Wurundjeri Elder who has worked in Aboriginal Community Controlled Organisations for nearly 30 years. Irene has worked with many Aboriginal community organisations, co-ops and sporting groups across Victoria to provide support and education on corporate governance structures and corporate responsibilities. Irene has a passion for youth education and welfare in ensuring that young people are receiving the opportunities in life that they deserve.

Deputy Executive Officer, Victorian Aboriginal Community Services Association Limited. Completed Diploma of Frontline Management with Swinburne Governance Training.

Larry is a Gunditjmara man born in Mooroopna. He has been actively involved in Aboriginal affairs since 1983 with a strong background in Koori education and as a client service officer with VALS. He has represented the Aboriginal community at local, state and national forums including the Regional Aboriginal Justice Advisory Committee, the Aboriginal Justice Forum, VAEAI and ATSIC. Larry's current role is as an Indigenous Community Development Broker with the Victorian Office of Aboriginal Affairs.

Amanda Dunstall
Director

Amanda is a Gunditjmara woman with a variety of working experience in our community. Amanda has previously worked VALS, VACSAL and Victoria Police. Amanda has, through her tireless work, shown she is passionate about social justice for Koori people.

Eddie Cubillo
Director

Retired 2020

Eddie is an Aboriginal man with strong family links in both the urban and rural areas throughout the Northern Territory. His mother is of Larrakia/Wadjigan descent and his father is Central Arrente. Mr Cubillo's family has experienced the intergenerational effects of the policy of forced removal of children of mixed descent from their family and country

He has developed a sound understanding of Aboriginal culture, society and politics and he has contributed to the needs of Aboriginal people as individuals and for the benefit of the community as a whole. His family background, combined with his sporting and cultural ties has brought him into contact with people of different backgrounds.

Sue-Anne Hunter
Director

Sue-Anne Hunter is a proud Wurundjeri and Ngurai Illum Wurrung woman, committed to self-determination and advocating for the rights of all First Nations peoples.

Prior to the establishment of her business, Aboriginal Cultural Consultancy in 2019, Sue-Anne worked in the Aboriginal Child and Family Welfare field for over 18 years and has been appointed director on several boards.

Sue-Anne is a trained Social Worker and has an in-depth understanding of developmental, transgenerational and community traumas as well as western modalities of therapy.

Her studies have been recognised nationally and internationally and she is proficient in multiple therapeutic interventions, in which she combines with cultural knowledge to bring about healing change for her people. Sue-Anne is passionate in ensuring her people receive a high quality of service delivery particularly in the space of health and wellbeing.

Cienan Muir
Director

Cienan Muir is a Yorta Yorta and Ngarrindjeri man, who grew up in Northcote. When Cienan was younger he lived in Echuca, Moama and Mooroopna. Cienan is a strong advocate for ensuring young people have voice and the opportunity to make the changes they want to see in the future. He has a passion for Indigenous creativity, storytelling and representation within the popular culture arena.

**VALS ACHIEVEMENTS
2019/2020**



An Overview

The services of VALS continues to be in demand as evidenced by our growing case work and Police Custody Notifications. This is driven by policing activity, system and legislative changes such as bail and remand reforms and COVID restrictions.

Aboriginal people are disproportionately represented amongst those remanded, and nearly half of all female prisoners are on remand. VALS' capacity to meet demand is strained with more Aboriginal people in custody, creating an increased urgency and greater time required on each case.

4378

Clients Supported with
Legal and Non-Legal
Services

36

Daily Average Police
Notifications

5

Daily Average Remand
Notifications

13422

Police Custody
Notifications

12

Daily Average Bail
Notifications

Legal Services

	Civil	Criminal	Family	Total
Court/Tribunal	41	1659	357	2057
Dispute Resolution	5	0	3	8
Duty	2	29	26	57
Information Service	222	2	162	386
Legal Advice	271	840	293	1404
Legal Task	29	4	46	79
Non-Legal Support	24	1	1	26
Other Representation	115	0	4	119
Referral	215	0	56	271
Grand Total	924	2535	948	4407

Legal Service Client Composition

	Female	Male	Unspecified	Total
Child 4-17	120	179	0	299
Youth 18-24	210	466	0	676
Adult 25-54	1151	1809	6	2966
Elderly 55 Plus	200	196	1	397
(blank)	23	17	0	40
Grand Total	1704	2667	7	4378

Police Notifications

	Female	Male	Total
0-17	790	1290	2080
18-24	691	1855	2546
25-34	1190	2714	3904
35-49	1201	2714	3915
50-64	239	617	856
65+	7	49	56
Unknown	23	42	65
Grand Total	4141	9281	13422

13422

Police Custody
Notifications

47562

Police Custody
Notification
Phone Calls
from CNS team

11036
out of 47562

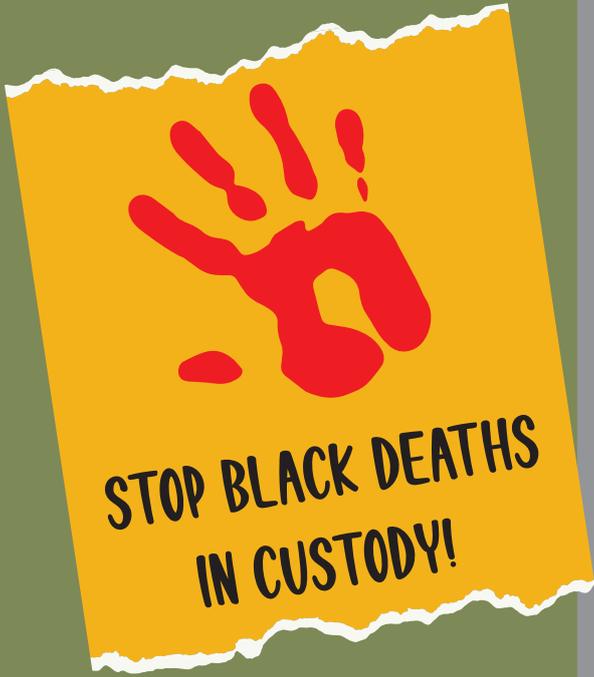
Police Custody Notification
contacts for Welfare
Checks from the CNS team

Released	Count
Bailed	4606
Cautioned	246
Custodial Sentence	39
DHHS - Released to family	118
DHHS - Resi Care	293
DHHS - Secure Welfare	75
DHHS Custody	95
Direct to Court	456
Fined	59
Further Enquiries	639
IVO/FVSN	397
No Charge	329
NOT ATSI	401
Other	425
Penalty Notice	450
Pending Summons	2234
Please Select	19
Remanded	1927
Revoked Parole	4
Summons	520
Unknown	90
Grand Total	13422

Top 10 Police Stations For Notifications

Mildura	1034
Shepparton	974
Melbourne West	648
Geelong	578
Bendigo	552
Bairnsdale	415
Morwell	388
Ballarat	383
Wodonga	322
Heidelberg	296

LEGAL PRACTICE



Aboriginal Families Practice

Throughout this year the Aboriginal Families Practice welcomed several new staff due to turnover and the new funding stream for Victoria Legal Aid supported the program to establish two dedicated positions to increase service delivery in the regions of Mildura and Gippsland.

The Gippsland position covers four regional courts. Over the reporting period there has been an increase in the number of community contacts to VALS for legal advice and representation. The Mildura position was successfully recruited in January and quickly started to take on a high number of duty and ongoing representative matters.

VALS acknowledges the ongoing support of Victoria Legal Aid in supporting the Aboriginal Families Practice through resource sharing, CPD training and limited collaborative referral pathways.

The Aboriginal Families Practice have contributed to a law reform submission that to amend the definition of a 'parent' in the Children Youth & Families Act.

The VALS Aboriginal Family Practice legal staff throughout the COVID-19 restrictions have continued to attend courts across Victoria for duty matters, ongoing and emergency hearings. VALS Aboriginal Family Practice legal staff have quickly had to become proficient in utilising online forums such as WebEx that the courts are implementing to hear matters

●●●●●●●● Case study ●●●●●●●●

VALS acted for a father from NSW in a child protection matter. The mother and their 11 year old child lived in Queensland at the time. The mother relinquished care of her child stating she said she could no longer deal with his behaviour and sent him to live with another family member in Victoria.

The child was admitted to a mental health unit following a suicide attempt. The family member stated they could no longer care for the child after a few days because of the significant mental health issues.

As a result the Department of Health and Human Services (DHHS) became involved, taking the matter to Court to find a placement for the child. DHHS notified they could not find any alternate family placement and the child would be placed in a residential unit. The matter was adjourned overnight to allow DHHS to make further enquiries for a family placement for the child.

On return to Court, DHHS was still unable to find an alternate family placement for the child. The child was terrified of the prospect of having to live in residential care for an extended period of time, and our client, the child's father was equally distressed at the prospect.

Until the matter was brought to Court the father believed his child was fine. He had not seen his child since they were three years old. At this stage, he asked to care for his child

The child found out of his father's whereabouts when the matter was brought to Court. They were apprehensive about living with his father as they had heard negative stories about him from his mother.

DHHS had not undertaken an assessment of the father and advised the Court that it would take them one month to assess the suitability of the father to care for his child. It was stated that the child would need to remain in residential care in the interim. Having no other option the parties agreed to this.

The Magistrate however, decided this time period was too long and insisted the assessment be expedited and the matter return to Court in two weeks. DHHS commenced the assessment immediately and paid for the father to travel to and spend one week in Melbourne to get to know his son.

This matter shows the lack of supports available for young children who experience mental health issues and the necessity for the judiciary to insist the DHHS give priority to certain matters where the children are young and vulnerable.

Criminal Law Practice

The Criminal Law Practice continued to achieve great outcomes for our clients and the community, providing culturally safe legal representation, expertise in the Koori Courts and access to representation regardless of location or matter type.

Our team is cohesive, committed, and passionate about providing a voice for our clients. With a team comparable in size to a small, suburban Victoria Legal Aid (VLA) office, we cover great distances, predominantly working remotely to provide actual, in-court representation in every court in Victoria. Our team currently consists of 12 lawyers, 1 paralegal and 4 legal secretaries.

Highlights and Achievements

Review of our Criminal Law Practice Service Guidelines;

- VLA continued its commitment to our practice and partnership agreement by providing a senior lawyer from their Indictable Crime team for the fourth year in row;
- Professional capacity increased, demonstrated by the expansion of the Indictable Practice;
- An increased number of successful Supreme court bail applications for young people;
- Place-based Mildura practice is well established and is running well;
- Assisted in the resumption of Koori Courts during COVID-19; and
- Quick and adaptive response to COVID-19 to ensure ongoing representation.

The single greatest impact to our service has been the closure of a majority of the courts since March 2020 due to COVID-19. We have had to re-organise service to provide representation in the Online Magistrates' Court, with most matters being ultimately automatically adjourned by the Courts to mid-November 2020. With our team all working from home, we have had to adapt to appearing from kitchen tables, desks and the occasional ironing board.

COVID-19 has significantly hampered our ability to meet with our clients face-to-face either in the community, in police cells or prison. This means the level of service and representation we can provide has been negatively affected. However, the criminal team has risen to the occasion and we continue to passionately and bravely represent our clients, securing bail where we can and individualised justice outcomes for each person that engages our service.

Among our priorities for the last 12 months have been:



Ensuring continued representation in COVID-19



Response to the change to police powers in collecting DNA



Higher court representation



Fostering stability in the regions through consistent representation by the same lawyer; and



Increasing the number of lawyers on VLA Panels.

Increase in demand on our pre-interview service.

The increase is two-fold. Firstly in number, with more people requesting pre-interview advice; and secondly, longer sessions needed to ensure our clients' rights are upheld as Police attempt to collect DNA samples. An amendment to legislation now allows Police to collect a DNA sample that may later go onto a permanent database, using reasonable force, from a person arrested and charged with any indictable offence. The collection must be authorised by a senior officer not involved in the investigation, usually a Sergeant, and be justified. We find many police are deeming the charging of an indictable offence as the justification; we disagree, we say the DNA sample must form an essential part of the investigation. This means our pre-interview advice means also speaking to the senior officer to ascertain their view as to justification, advise them if we agree it is justified and then provide secondary advice to the arrested person as to whether they should consent or refuse, but not resist, if the Police insist on collection without what we view as proper justification. This is extremely nuanced advice that needs to be given to vulnerable people in a distressing and difficult situation; it takes time and care.

We will continue to lobby the Victorian State Government to provide VALS with additional funding resources to service the night and weekend Courts. Until then Aboriginal and Torres Strait Islander people remanded during these times will not be represented by a VALS lawyer on first remand.

●●●●●●●● Case study ●●●●●●●●

A young Aboriginal man self-reported to police he had breached his bail address conditions. The young man was remanded by police and taken to court for a remand hearing. He was subsequently sentenced to 5 days imprisonment for the breaches and bail was revoked on the original offences. When the matter returned to Court, the Court twice refused to hear a bail application and adjourned the matter for over a month; a period of remand that far exceeded any potential gaol term.

Our lawyer acted quickly and successfully obtained bail from the Supreme Court and then appealed the five day imprisonment to the County Court, where the 5 day imprisonment sentence was set aside and the charges found to be proven and discharged. This is emblematic of the dedication of VALS lawyers to continue to fight for the community and its most vulnerable members.

Civil and Human Rights Law Practice

Highlights and Achievements

It has been a busy year for the Civil and Human Rights practice, with Covid-19 having a profound impact on client need and resulting in a raft of changes to laws, policies and practices across our service areas, as well as an unprecedented expansion of police powers in the infringements space. The end of 2020 has seen the culmination of a number of years of advocacy by the team, with the introduction of the Spent Convictions Bill 2020, which will introduce a long-needed spent convictions regime to Victoria, the last jurisdiction to have one.

Our key practice areas continue to be tenancy matters at Victorian Civil and Administrative Tribunal (VCAT), Working with Children Check applications and reviews, discrimination, employment (generally dismissal matters), infringements, debt and consumer protection (through our integrated partnership with the Consumer Action Law Centre (CALC)) as well as providing general advice and referrals across all other areas of civil law.

We have an expanding coronial inquest practice as a result of our close relationship with Troy Williamson, Koori Family Engagement Coordinator at the Coroner's Court and a greater emphasis by the court on cultural sensitivity and engaging with VALS.

We acted for the family in the inquest into the death of Harley Larking last year, which focused on inpatient care in the Northern Hospital's psychiatric unit. Findings were handed down in September this year, with Deputy State Coroner English acknowledging our submissions by recommending the Northern Western Mental Health Service implement Aboriginal cultural competency training for all psychiatric staff and the need for culturally informed treatment planning. We are acting in several inquests where hearings have been delayed into 2021 on account of COVID.

Our integrated partnership with CALC reaped great rewards this year, particularly against the non-Indigenous controlled Youpla funeral insurer (formerly known as the Aboriginal Community Benefit Fund or ACBF). VALS clients took out insurance with the provider because they represented themselves as an Aboriginal controlled business, which they were not.

We brought a complaint against Youpla to the Australia Financial Complaints Authority, which determined that they engaged in misleading, deceptive and unconscionable conduct in the sale of the funeral plan to our client, that it breached its duty of utmost good faith, and that our client was entitled to a refund of premiums paid plus interest. The Banking Royal Commission had identified funeral insurers targeting Aboriginal communities as a problem, and we are pleased that ongoing advocacy against Youpla has seen ASIC recently initiate proceedings in the Federal Court against them.

From the policy perspective, we contributed to the VALS submissions to the Public Accounts and Estimates Committee COVID-19 Inquiry, the Fines Reform Advisory Board, the Mental Health Royal Commission and are heavily involved with the Disability Royal Commission through VALS civil having a lawyer in the team as part of Your Story Disability Legal Support.



Beyond our core areas, we have expanded our service delivery through the establishment of a pro bono VOCAT clinic with law firms MinterEllison and Russell Kennedy, who are taking warm referrals from us for victims of crime seeking compensation.

Last year, we secured a pro bono partnership with law firm Hall & Wilcox, who continue to support us by providing a lawyer to work in our infringements clinic two days a week. We are adding additional volunteers to the clinic from the University of Melbourne to assist in what we expect will be an uptick of enforcement activity in 2021. Melbourne University has been a great supporter of ours through their Public Interest Law Clinic, and we have had students from their Juris Doctor complete coursework placements with us this past 12-months.

We were also grateful to King & Wood Mallesons (KWM), from whom we had lawyer Dusan Stevic seconded to us two days a week for 6 months, who was a wonderful addition to the team. VALS has also benefited from participation in KWM's Impact Assembly involving all national ATSILS, which has looked to link VALS with new pro bono initiatives and corporate processes that can assist in the delivery of legal services to our clients.

We continue to benefit from a close working relationship with Maurice Blackburn, Robertson Gill and Slater & Gordon, and maintain strong pro bono relationships with Holding Redlich, Ashurst and members of the Victorian Bar.

It was a tough year in Civil, with multiple lockdowns, staff turnover and big changes, but the team always applied itself with great diligence, passion and compassion in serving the community in Victoria.

Moving into 2021, a key focus for the practice will be responding to the end of various interim measures introduced throughout lockdown.

The end of the eviction moratorium has the potential to cause an inundation of possession applications, and we are involved in various working groups in the community legal sector advocating for ongoing support for tenants throughout the next 12 months.

We sit on a sector wide Infringements Working Group, which has had its work cut out as more than \$20 million in COVID fines were issued by Victorian Police throughout the second lockdown. Though there has been a stay on enforcement activity throughout lockdown, we expect that will end in 2021, which is likely to cause significant hardship to our clients, who evidence suggests were disproportionately fined by VicPol during lockdown.

The Commonwealth Government's proposal to water down responsible lending laws is a concern, and we will advocate against those proposals through our integrated partnership. Once permitted we are looking forward to getting back out in the community to participate and run outreach events throughout metro and regional Victoria working closely with VALS CLE Officer Loretta O'Neill and the Community Justice Team.

●●●●●●●●●● Case study ●●●●●●●●●●

VALS Civil assisted a client in an application to be exempted from being on the Sex Offenders Register (SOR). The client had been found guilty of sexual offences involving a minor when he was aged 17 to 19 years old, with his girlfriend at the time who was aged 13 to 16 years old. He was in his late 30s and the primary carer for his young daughter when charged in 2010 for the historic offending as a result of police surveillance. When we took instruction, he had already spent 8 years on the SOR which had greatly impacted on his ability to obtain employment and on his parenting duties. His previous lawyers at a private firm had advised him there was no way he could be removed from the SOR. VALS advised him there was a possibility, and with the assistance of an updated psychological report and experienced counsel, were able to convince police, prosecution, and ultimately the court that the SOR should be removed and he should be free to move on with his life. The client is now free of the onerous restrictions on his life, and hopes to be able to travel to Tasmania to spend time on country with his family.

Wirraway – Specialist Legal & Litigation Practice

Highlights and Achievements

Wirraway – Specialist Legal & Litigation Practice was created in March 2020. From March the practice has taken time to set up, but we are now:

- A running practice with a practicing lawyer and paralegal;
- Running active cases:
 - Civil litigation case against the State of Victoria;
 - The Coronial Inquest of Veronica Marie Nelson Walker – inquest set for 7 -18 June 2020;
 - Investigating client's cases to determine merit for civil litigation;
 - Miscellaneous cases against the State of Victoria;
 - Policy input.
 - Providing advice and referrals for Police Complaints;
- The team is due to expand to have a:
 - Principal lawyer;
 - Senior lawyer;
 - Junior Lawyer; and
 - Paralegal

The establishment of VALS running their own civil litigation cases against the State of Victoria allows the community to be represented by an Aboriginal controlled organisation. This promotes self-determination and a culturally safe space.

While civil litigation cases are disbursement heavy, the award/agreement of costs in a civil litigation cases allows VALS the ability to run further civil litigation cases – which means VALS representing more of the community.

Since the establishment of the team, referrals have steadily increased. We are seeing a response to people knowing / understanding that they have been treated either poorly / unlawfully and while they may not be aware of the function

of litigation and holding the employees of the State of Victoria to account there is a desire to hold them to account. The downside of civil litigation is that the investigation to determine if a case has merit is time consuming and if the time comes that a legal matter is ready to issue proceedings the interlocutory stages through litigation are lengthy. A case can run for up to 2 years.

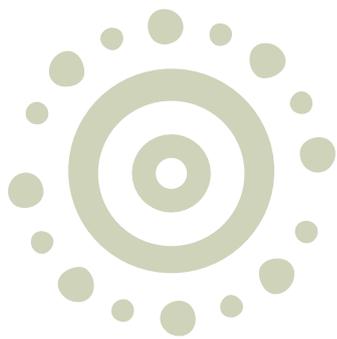
The other issue is that after investigating a case we may find that there is no merit to run a civil litigation case. Not being able to sue – say – a police member, may seem wrong or unfair, but the mechanism of litigation law may not allow for a remedy.

Going forward we hope to be a force within the legal space in holding the State of Victoria to account for their employees actions, for example Victoria Police members and Prison Officers. This is in relation to civil litigation, coronial inquests, criminal law, policy and law reform.

Grants and funding

The aim of Wirraway is to be self-funded. The objective it to be able to gain funds through grants and costs agreed to/awarded through civil litigations cases.

Wirraway was able to receive a \$25,000 grant from Reichstein Foundation. In addition to this crowd funding on GoFundMe is now up to \$28,490 (as of 13 November 2020).



COMMUNITY JUSTICE PROGRAMS



**BLACK
LIVES MATTER**

**NO PRIDE
IN GENOCIDE**

**NO JUSTICE.
JUST US!**

**STOP BLACK
DEATHS IN
CUSTODY**



SOVEREIGNTY

Regional Team Leader

Andrew Arden stepped into a dual role as the Mildura Client Services Officer (CSO) and Regional Team Leader role. Andrew has continued to ensure his staff were well supported and connected. Andrew has continued to facilitate and communicate regional issues of concerns to our Statewide CJP Leader to ensure our Community Legal Education (CLE) program focuses on some of the local issues in regional areas. Andrew has continued in this role, as a result of Brad Boon's resignation from his position. We would like to thank Bradley for his years of service to VALS, his dedication and community knowledge will be greatly missed.



Regional Client Service Officer Program

The regional CSO staffing has remained constant during this period with staff working out of the following locations:

- Mildura: (Regional Team Leader) Andrew Arden and Stephan Gocol
- Bairnsdale: Lyn Morgan
- Morwell: Naomi Murphy
- Shepparton: Vacant
- Swan Hill: Charmain Anton

Our Regional CSOs provide essential services in connecting our lawyer to their clients and the local communities. Our CSOs main focus is the health and wellbeing of people in custody and ensuring that everyone going to court feels supported.

VALS Regional CSOs spend the majority of their time traveling across the state to various regional courts, supporting people prior to, at and after court. In their roles the Regional CSO staff support community at court by assisting clients to attend court, arrange legal representation, advocate on clients behalf and assist client in their communications with lawyers, understanding court processes and orders. This support is invaluable to those who often attend court at very distressing times. legal information when they need it, and can talk to a lawyer if they need that too.

During the COVID period our Regional CSO staff continued to work from home. In order to ensure regional staff were well connected they held weekly staff meetings and continued to attend COVID, community and justice meetings via online programs. Staff have continued to adapt to the COVID restrictions by using technology to respond to community needs and inquiries. Staff were also instrumental in undertaking welfare checks on VALS clients in hard and semi lock down areas alongside other Community Justice Program staff. Staff have worked incredibly hard in referring clients contacting VALS to our legal teams for advice and legal representation.



●●●●●●●● Case study ●●●●●●●●

A Regional Client Service Officer (CSO) became aware a client's three children have been placed in his care by Child Protection Victoria.

The three children each have a range of complexities, two of the children have disability with very high support needs. One child has significant trauma from the other parent.

The client has his own ongoing mental health issues and he is struggling with the current pandemic. The client has been trying to fix his Centrelink

payments, was stressing about an upcoming house inspection and has been struggling financially.

The Regional CSO staff member successfully sought brokerage funds to provide assistance with preparing for the house inspection.

The client's case has now been finalised and the children are permanently with him. They have every second weekend with their other parent. Dad and the children are also linked in with a counsellor

and have a paediatrician who sees the children.

The VALS Regional CSO advised that the client was very grateful and thankful for the assistance that was given to him and his family. He was also very appreciative and grateful to the Regional CSO for conducting regular welfare checks on the client and his family.

Custody Notification Officers

Kathryn Morris (Metro Team Leader) has done an incredible job in her role as the Metro Team Leader. She has remained focused and dedicated in her support to the Statewide Community Justice Program (CJP) Leader and all CJP staff and programs. Kathryn has been instrumental in ensuring on the ground support is provided to both staff and community.

Staff:

- Kathryn Morris (Metro Team Leader)
- Jaime Carter-Maggs
- Keisha Donovan – Commenced Nov 2019
- Waulu McCartney – commenced January 2020
- Lisa Arnold – Commenced November 2019
- Gary Bamblett – Finished 19 Nov as fulltime and moved into casual CNO role
- Full Time Role - Vacant
- Rotation of 7 Casual Weekend CNOs

The Custody Notification Officers (CNO's) are key to the operation of the State's CNO system. This program was previously known as the Client Service Officers program. The Custody Notification System runs on a 24/7 basis with the CNO's being the first contact point between a community member in custody at local police station, the police officers investigating the matter, and a VALS Criminal Lawyer. They check on the health and wellbeing of people in custody, liaise with police and contact out of hours legal advice from our lawyers when they need to. CNO's manage relationships with 332 police stations across the State.

There have been a number of changes within the Client Notification Officer ("CNO") team with both a high demand on the service, a turnover of staff from full-time to casual roles and the implementation of the Statewide Community Justice Programs Leader, Lee-Anne Carter.

The COVID pandemic had a big impact showing spikes in welfare checks being completed and number of D24's notifications. As a result of these increasing demands the CNO program has tested new structures for weekend shifts in order to address the staff fatigue as a result of increased welfare checks and rising number of incidents in custody.

Between 1 July 2019 and 30 June 2020, the notification team processed 13,422 individual notifications from police stations regarding Aboriginal people in custody. The daily average the number of notifications received by VALS CNO staff on a daily basis was 36.78 per day.

On average each notification generates a minimum of five additional calls ensuring the client's wellbeing is being monitored, liaising with police, providing legal advice, notifying family or friends, and locating other appropriate supports services. The Metropolitan CNO Program made in excess of 47,562 phone calls during this period.

The average of contact calls made during this period has doubled as a result of more welfare checks being undertaken to ensure the safety of those in custody. This has increased as a result of people coming into custody with more mental health issues and complex needs.

Welfare Checks

- Custodial Notification Officer (CNO) and Community Justice Program (CJP)

CNO and CJP remained busy during the periods that there has been community lock down areas. VALS has continued to undertake and extend welfare checks to prisons and increased welfare checks on people in police custody. CNO and CJP staff have included COVID checks in addition to their normal welfare checks on persons in custody.

These welfare checks generated a lot of interest, from other legal services (both locally and interstate), SA parliament, NSW/ACT – ALS and various community members both within Victoria and other states. VALS CNO and CJP staff received interstate border welfare checks inquiries from families with family members in within Victorian prisons.

These checks have been instrumental in ensuring the safety of those in custody during an extremely difficult period.

Family Violence Community Support Officer (CSO) Program

Staff:

- Lisa Arnold – Moved to CNO Nov 2019
- Tahlia Zayat – Commenced 28 Nov 2019 and then moved to Baggarrook Program
- Tenisha Ellis – ongoing
- Jaiden Graham

The Family Violence Client Support Officers are a dedicated team of case workers that assist clients throughout their legal matter with their Family or Civil Lawyer, providing holistic support to limit the amount of re-traumatisation to the client where possible and provide appropriate referrals to access local community support programs and emergency relief monies.

This program has allowed VALS FV-CSO staff to work closely with some clients until their legal matters have resolved and they have been assisted by the FV-CSO program to refer and link them with relevant support agencies. As a result of the referrals and assistance provided clients have advised they feel well connected and supported and no longer require FV services through VALS.

The Family Violence Client Support Officers come to VALS with a variety of social work, family therapy and case work experience from across the health and community service sectors. This has allowed our clients to be holistically supported and case managed. Some of the support provided by this program has ensure that safety measures such as cameras (home and car) have been put in place to ensure the safety of the client and their family. Staff provided practical ongoing support to ensure clients are engaging in programs (supervised visits, behavioural change and/or parenting programs) and appointments with and meeting their requirements in a cultural safe supported program.

The majority of referrals to this program have come from our VALS Family Law team and clients have been referred with significant complex and comorbid needs.

Clients:



●●●●●●●● Case study ●●●●●●●●

One of VALS CJP staff members supported and worked with a single parent who is a victim of family violence. VALS staff assisted this client in relation to safety concerns and risks. Brokerage funding is being sought to ensure the safety of this family. The parent had the ongoing support from our Regional CSO staff member who engaged the client with local family violence services and counselling services to help her overcome the traumatic issues she has experienced as a result of family violence. This client is now enrolled in a Community Services Course as she is wanting to give something back to community and assist other women who have been in similar situations as herself.

V-PER program

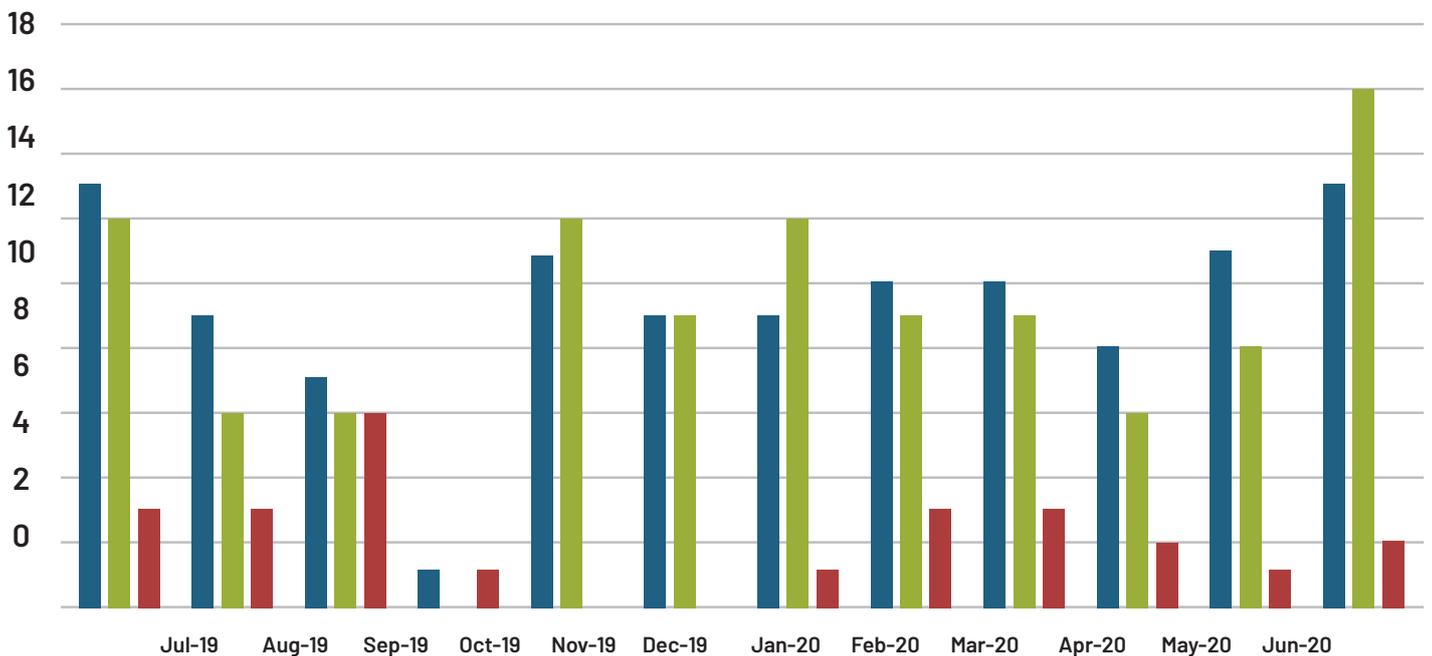
VALS V-PeR Officer Jane Britten works with clients to support them during what is often a highly emotional time, providing culturally safe and holistic support to ensure that their needs are met beyond legal service provision alone, often working with other ACCOs and community organisations to ensure that the client is safe, supported and cared for. V-PeR notifications are consented referrals during non-crisis incidents.

This service provides advocacy and support to all Aboriginal and Torres Strait Islander people that have been referred via emails by Victoria Police. Clients are referred and supported by their nearest

ACCHO, along with culturally appropriate housing, drug and alcohol treatment, community services and other relevant supports throughout Victoria. Clients receive information and support relating to material aid, financial aid, legal services, counselling services, physical/mental/sexual health, education/employment and training, and other relevant supports that are culturally relevant.

This program has had significant referrals for community members for mental health and counselling services, this has grown during the COVID pandemic.

Gender - V-PER Notifications



●●●●●●●● Case study ●●●●●●●●

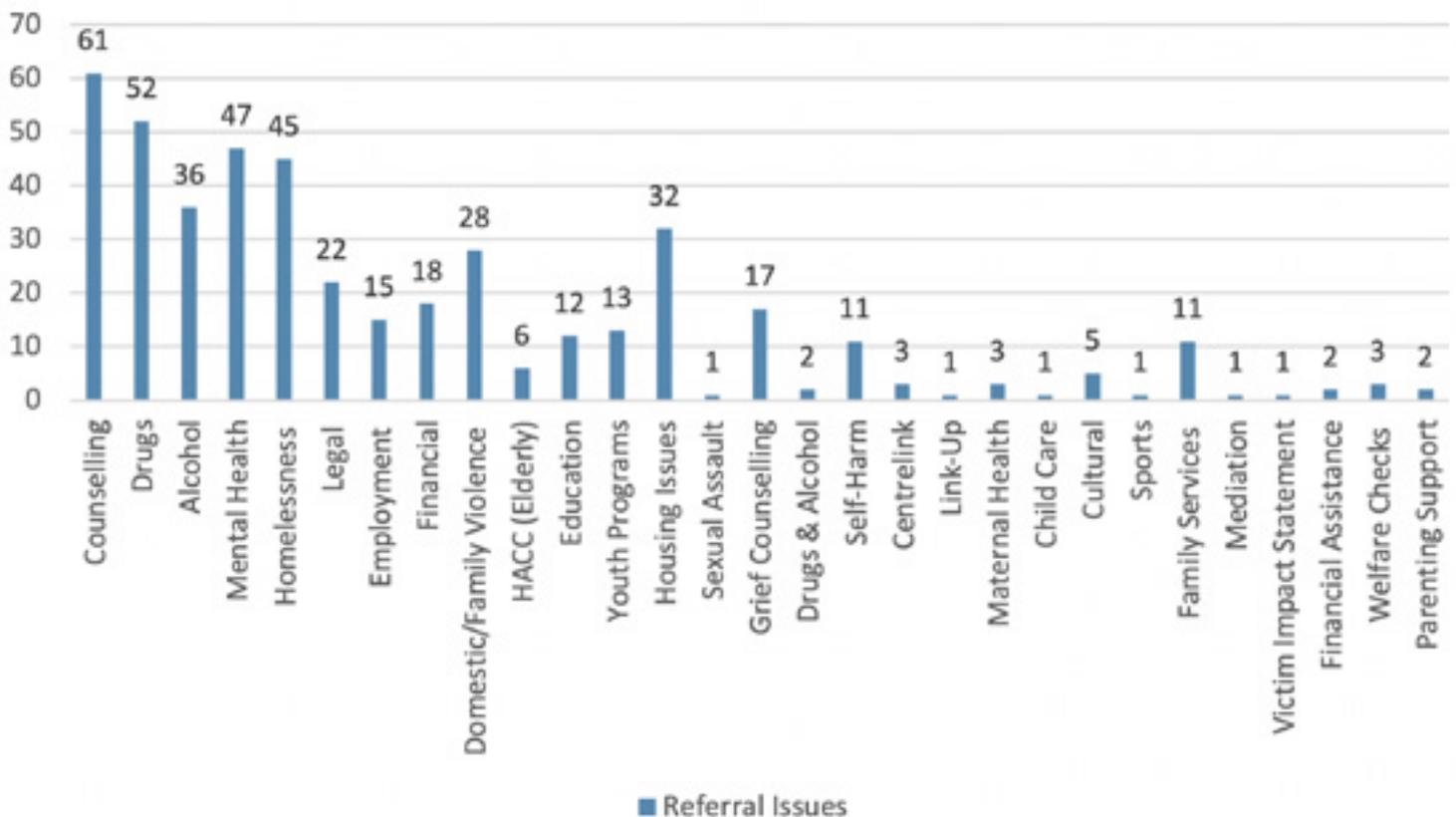
Victoria Police referred a young victim of family violence to VALS V-PER program. The young person was a victim of family violence and still attending school at the time of the incident. She has since been relocated to another residence.

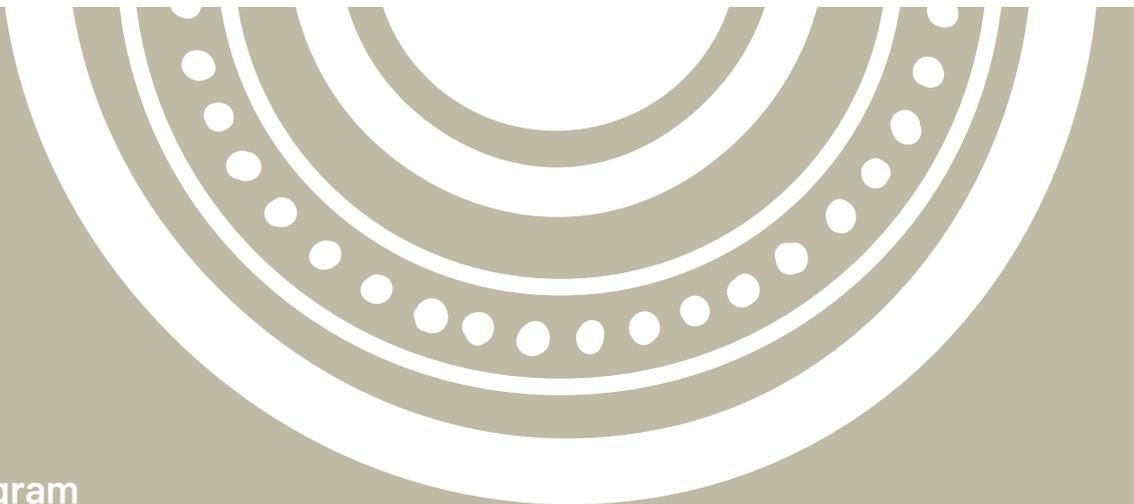
The young person telephoned her parent to retrieve some of her essential personal belongings such as her schoolbooks, clothing and phone. The parent refused. The police attempted to intervene by contacting the parent by phone and visiting the house to convince the parent to let her collect some clean clothes at a minimum. This parent still refused permission.

VALS V-PER worker referred the young person to services to assist with her immediate and longer-term needs. Referrals were made on behalf of the young person to relevant youth programs, Head Spaceto support her with Centrelink applications and a counselling service to provide ongoing support. The young person was further linked with a local Aboriginal Youth specific service, who will provide ongoing support and assisted the young person with vouchers to purchase a new mobile, essential items and clothing she required. The young person was referred for assistance with her legal matters.

This highlights the significance and need of having such a service as Balit Ngulu for our young people to provide a more integrated, culturally appropriate and tailored legal assistance to Aboriginal youth in the criminal justice and child protection systems. This wrap around service is essential to the future of our next generations.

Client Referrals by Community Justice Program Staff





Baggarrook Program

Staff:

- Tarneen Onus Williams - commenced Nov 2019
- Tahlia Zayat - commenced April 2020

Program Information:

Baggarrook Program, *Baggarrook* which means woman in Woi Wurrung, is designed for Aboriginal and/or Torres Strait Islander women exiting prison, who have previously faced homelessness and or will be homeless upon release. This program was operational in January 2020 and officially launched in February 2020. The program provides 6 transitional property units for women exiting prison. The program is designed with acknowledgment given to the significant and complex needs of Aboriginal women transitioning from prison, and is culturally safe, co-designed by VALS in conjunction with Aboriginal Housing Victoria (AHV) and a number of allied organisations, DHHS and Corrections Victoria.

This integrated support model involves transitional housing and holistic support through the provision of care packages, ongoing engagement with justice workers and other allied professionals.

The Baggarrook Program seeks to improve the likelihood of successfully reintegrating Aboriginal and/or Torres Strait Islander women released from prison by providing:

- Safe transitional accommodation as a platform for individualised and targeted service provision;
- Culturally appropriate services which address known risk factors and the known multiple and complex individual needs of Aboriginal and/or Torres Strait Islander women;
- Services and cultural support to maximise opportunities for knowledge, skill development and social economic participation; and
- Participants of the Baggarrook Program to plan and transition into safe and secure housing within 6-18 months.

There is a mixture of tenants on bail, parole and CCO orders, which is fantastic to show how the program delivery is adaptive to the needs of individual clients. Six women had been in the property during January - June 2020 of which some have already moved on and reintegrated back with families. There are currently 3 tenants in the property and one tenant who was on parole has just been given permission to move in with her partner.



VALS Community Legal Education Program

Staff:

- Loretta O'Neill

The Community Legal Education Program (CLE) continues to operate statewide delivering legal information sessions to community and attending community events with the Justice Bus. Funding has been an issue this past year and has limited the ability to have events across all areas in Victoria. VALS continues to look for funding opportunities.

VALS implements a diverse CLE program that incorporates Seminars, Community Presentations, Hands on Workshops, Online Campaigns, and online programs. Our CLE program has been exploring new ways to, increase Aboriginal communities capacity to self-advocate, increase awareness of legal issues and access to VALS, identify emerging risks within the community and reduce the over-representation of our community members coming into contact with the criminal justice system.

Outreach engagement is an essential part of VALS CLE and its bringing VALS Solicitors into community for people to be able to talk face-to-face with a solicitor about their matters or just ask questions. These sessions are informal and people can enjoy a lunch and learn more about each other. It's also a great way for solicitors to see and feel the hardships facing Aboriginal regional communities and hear stories that are important to their understanding when helping Aboriginal people.

VALS Community Education Program has had success with solicitors informing community about the Civil Law and Family Law. During these sessions several issues were discussed including: child protection; debt issues; child access; rental; grandparents rights; funeral insurance; intervention orders; and wills.

VALS CLE program prior to restrictions was attending many community events and activities. More recently VALS CLE program has been networking with other agencies to ensure that VALS are kept informed of changes to services and the delivery of legal information. This has been difficult in a climate with everything online, and we know this is not always accessible to our community members for various reasons.

VALS CLE program is focused on meeting the needs of the growing Aboriginal population in Victoria. As we know what is taking place in regional areas may not be occurring within metropolitan locations.

Aboriginal Community Justice Panels (ACJP) Program

The ACJP Program is a volunteer-based community initiative supporting communities and individuals needing assistance in justice or legal related matters. The Panels take a diversionary approach in supporting preventative initiatives for community and individual participation as well as providing direct support through a 'Call-Out' service to individuals held in Police custody.

The primary roles of the ACJP Panels include:

- liaising with legal and welfare agencies to assist in the delivery of services to Aboriginal people in the criminal justice system;
- assisting to minimise contact of Aboriginal persons with the criminal justice system by working with the police and other agencies on appropriate diversionary programs; and
- assisting police in assuring the safety of Aboriginal persons in custody.

There are currently twelve ACJPs across Victoria in the following localities:



Other activities the ACJP undertake include:

- Follow-up support with families and persons who may have contact with Police;
- School holiday program support, positive alcohol, drug and violence free children's activities;
- Crisis emergency and welfare relief;
- Support for drug and alcohol-free sporting events including football, netball, and basketball; and
- Attending various community justice related meetings including: LAJAC, IFVRAG, LAECG, Aboriginal Health and Well-Being, Drug and Alcohol, Corrections, Sheriffs' and Police.

Community Justice Program Key Achievements:

- Successful submission to the Working for Victoria Fund for appointment of a Senior Civil Lawyer and Program Coordinator to assist our Community Justice staff in addressing issues in the disaster affected areas.
- VALS Community Justice Programs were successful in their application to the Community Initiative Funds through Dhelk Dja North Metro Action Group. This project will consult with various groups of community in creating specifically tailored Family Violence informational videos. VALS Community Justice Staff propose to work locally with community to examine the needs and barriers around family violence;
- Custodial Notification Scheme program's funding was confirmed through National Indigenous Australians Agency;
- Prior to the COVID period our Community Justice staff commenced and Outreach Bushfire Relief program directly engaging community members and organisations in affected areas by providing material assistance, resources, legal advice, referrals and other assistance as required. This program will continue once restrictions are lifted; and
- Provision of induction training and information sessions to new Youth Justice workers who will be working in youth facilities.

POLICY, RESEARCH AND ADVOCACY



During the last year the Policy, Research and Advocacy (Policy) team has significantly increased the organisation's position as strong public advocates, standing at the forefront of Aboriginal and Torres Strait Islander people's rights through our online and media engagement. The Policy Team has quickly responded to issues arising and identified ways to strengthen the organisation's representation and systemic advocacy on key policy areas, such as Aboriginal deaths in custody, decriminalisation of public drunkenness, and raising the age of criminal responsibility, as well as the Black Lives Matter movement and the COVID-19 pandemic.

Highlights and Achievements

Key stakeholder engagement on VALS concerns and recommendation, included the Attorney-General, Members of Parliament and the Victorian Ombudsman.

Informing and strengthening the work of VALS regarding consultations on the decriminalisation of public drunkenness, the development of the new Youth Justice Act and the Government's response to COVID-19.

Submissions. Provision of a range of formal submissions including: 2020 Bail Act Reform; the Commission for Children and Young People (CCYP) Inquiry, Our Youth, Our Way; Sentencing Act Reform; Raise the Age (joint submission) Online public advocacy campaign of 14 Reasons to raise awareness of the Raise the Age.

Key Issues

Public Drunkenness

Since the preventable, tragic death of Yorta Yorta woman, Tanya Day, in December of 2017, the Day family has tirelessly advocated for the decriminalisation of public drunkenness and the development of an alternative health-based response. VALS has acknowledged and supported the Day family's advocacy through our media presence and VALS CEO's participation in the Expert Reference Group (ERG). The ERG was established in late August 2019, to provide strategic advice and recommendations to the Victorian Government on the decriminalisation of public drunkenness and the development of an alternative health-based response.

Bail Act Reform

The Bail Act was reviewed following an incident in Bourke Street in 2016 in which the driver of the vehicle was subsequently found guilty of six counts of murder and was sentenced to life in prison. The driver was on bail at the time of the offending. Changes to the Bail Act came into effect in July 2018.

The bail reforms have disproportionately impacted on Aboriginal and Torres Strait Islander people, with a significant number of community members being remanded for low-level offences, such as shop theft. The rates of Aboriginal and Torres Strait Islander children and young people on remand in Victoria are extremely concerning.

VALS saw the negative impact the reforms had on our clients, with numbers of unsentenced Aboriginal prisoners on remand increasing by 26% from July 2018 and July 2019. This can often be due to the client not having access to stable housing or police officers not being aware of the vulnerable persons exemption or misapplying bail tests. The outcome of these bail reform impacts included clients instructing to plead guilty to charges for which there is not strong evidence, particularly where there is a higher likelihood of being released on a plea than being released on bail.

VALS has been advocating for:

- the repeal of the reverse-onus provisions (the 'show compelling reason' and 'exceptional circumstances' provisions);
- the creation of a presumption in favour of bail for all offences;
- repealing the offences of committing an indictable offence while on bail, breaching bail conditions and failure to answer bail; and increased and mandatory guidance and training for police officers which includes a clear focus on trauma-informed approaches and culturally appropriate responses.

Raise the Age Campaign

VALS' Policy team began working with a number of external partners, including the Smart Justice for Young People coalition and the Aboriginal Justice Caucus, to advocate for raising the age of criminal responsibility from 10 to 14 in mid-2018. In November 2019, the Council of Attorney General (COAG) authorised a Raise the Age Working Group to provide consultation and reporting on the issue. As a member of the COAG Raise the Age Working Group, VALS contributed to a joint submission in February 2020.

VALS advocates for children being in schools, not prisons, with our policy team continuing to advocate for raising the age of criminal responsibility to a minimum of 14 years, and not having children under 16 years in detention. VALS' policy stance aligns with international standards and medical evidence that shows children aged 10-13 years have not yet reached a level of emotional, mental and intellectual maturity to appreciate the consequences of their actions.

COVID-19 Advocacy

VALS has been one of the leading advocates for the rights of detained Aboriginal people during the pandemic, ensuring that the vulnerabilities and needs of people deprived of their liberty are kept firmly on the Government's and the sector's agendas.

VALS raised significant concerns regarding the restrictive practices employed by the Government in prisons and youth detention in its attempts to exclude and contain COVID-19, including the use of lockdowns, isolation and protective
The policy team has worked in partnership with VALS legal practice and Community Justice Projects teams to identify and respond to the impacts of the COVID-19 pandemic on the Victorian Aboriginal community.

VALS has also been working collaboratively with the legal sector and with Aboriginal Community Controlled Organisations (ACCOs) in its advocacy, contributing to the strategic approach of the legal sector and ACCOs.

The year ahead will be focused on strongly advocating for the rights of the Victorian Aboriginal community as we negotiate the recovery from the pandemic, and potential further waves of COVID-19. In the latter half of 2020 there will be a strong emphasis on implementing the VALS' COVID-19 Recovery Plan, which will address the requisite legislative change and service provision for the Victorian Aboriginal community as Victoria moves towards COVID-19 normal.

Website

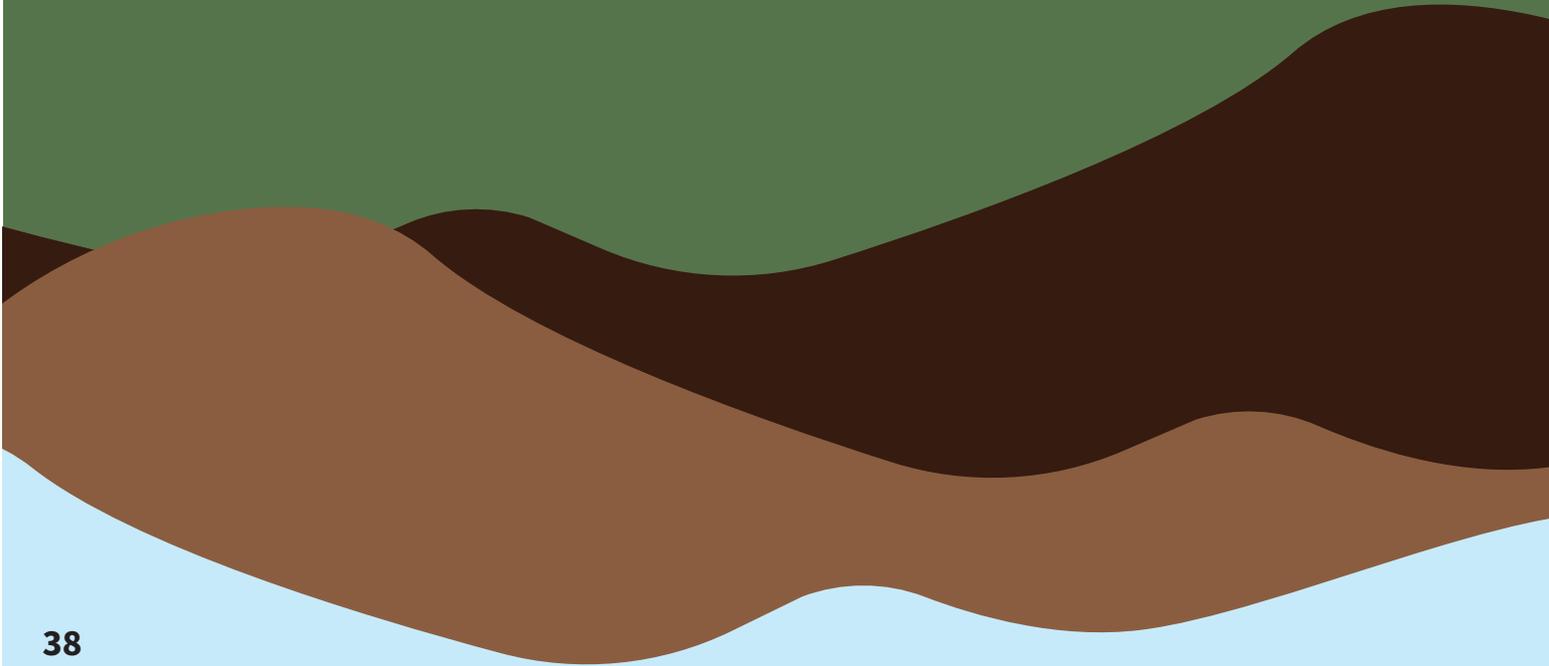
VALS implemented a dynamic new modern website in 2020. The website has seen a dramatic increase in user engagement and usage. The first half of 2020 saw more engagement than the preceding two years combined. VALS engagement with members of the community is currently higher than in any other time in the organisations history.

VALS has seen significant increases in its digital media engagement reaching 387,000 individuals in the first half of 2020. VALS has engaged in a number of specific campaigns designed to champion issues of importance to the Victorian Aboriginal and Torres Strait Islander community.

VALS has engaged in an expansive communications program in 2020, dramatically increasing engagement and reach. Engagement and measures of community increased by 587 and 553 per cent respectively, Overall awareness of VALS through impression measures, the number of times VALS material is represented in social media increased by over 600% in 2020.



**TASMANIAN ABORIGINAL COMMUNITY LEGAL SERVICE
(TACLS) REPORT**



During 2019-2020, TACLS reached its fifth year and final year in operation under the auspice of VALS.

Service Delivery and COVID-19

TACLS service demand continued to grow throughout the 5th year of service. Service demand throughout the year exceeded staffing capacity and required the State Manager to review staffing allocations and office locations to ease pressure where possible.

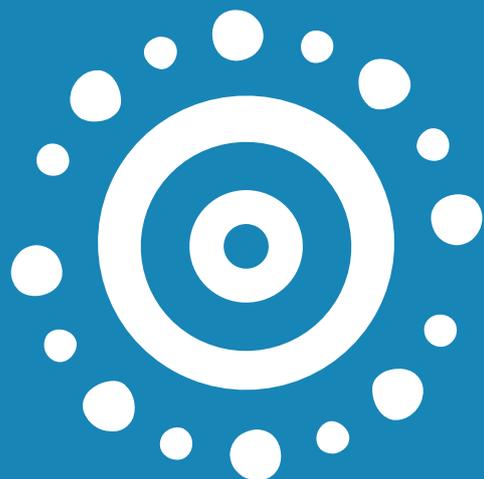
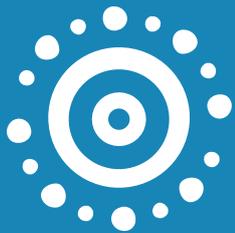
In early 2020, TACLS employed a Disability Legal Support Lawyer in the Hobart office. This is a new, statewide position in response to the recommendations that came out of the Disability Royal Commission. The role, aims to provide assistance for people with disabilities to be heard in relation to institutional abuse and/or neglect.

In March 2020 all staff commenced working from home due to COVID-19. Work from home arrangements operated successfully from an organisational perspective. However, external factors proved challenging. State Courts provided practice directions that were followed in an arbitrary manner. For instance, in the northern region, some registries insisted on personal appearances despite a practice direction to the contrary.

Clients in custody were further disadvantaged. Correctional facilities restricted contact between prisoners and their legal counsel to phone only; but then did not increase the number of phones available.

Generally, planning for and implementation of collaborative partnership activities were adversely affected by COVID-19.

FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2020



DIRECTORS' REPORT

Your Directors present this report, together with the audited financial statements of the Co-operative for the year ended 30th June 2020.

DIRECTORS

The names of the Directors in Office at any time during or since the end of the year are:

Desmond Morgan (Chairperson)	Pam Aplin	Irene Morris
Lionel Bamblett	Amanda Dunstall	Larry Kanoa
Leigh Saunders	Eddie Cubillo	Sue-Anne Hunter
Cienan Muir		

Directors have been in office since the start of the financial year to the date of this report unless otherwise stated.

The following person held the position of company secretary at the end of the financial year: Lorraine Patten.

OBJECTIVES

Meet the legal needs of the Aboriginal and/or Torres Strait Islander community in Victoria and Tasmania through legal services:

- Undertake related Services which may help Aboriginal and Torres Strait Islander people;
- Run the VALS and TACLS Legal Services effectively, efficiently and strategically; and
- Work co-operatively and collaboratively with other organisations for the benefit of clients.

STRATEGY FOR ACHIEVING OBJECTIVES

Provide high quality legal representation to every Aboriginal and/or Torres Strait Islander person who seeks our assistance and fits the criteria for Service – in relation to Civil, Criminal and Family Law matters;

- work with key people such as members of the Aboriginal and/or Torres Strait Islander community, ministers, Government departments and Government committees through submissions, face to face meetings and hearings, on current and proposed legislation and policy and conduct proactive advocacy;
- make sure that our staff feel valued, supported and well informed through regular staff meetings, training, study assistance, policies that encourage work-life balance, mentoring opportunities and induction programs; and
- work with a range of mainstream and Aboriginal and/or Torres Strait Islander controlled organisations, with a focus on ensuring clients receive holistic support and assistance as required.

PRINCIPAL ACTIVITIES

Deliver a 24 hours, 7 days a week reactive legal service to the Victorian Aboriginal and/or Torres Strait Islander community by VALS; Tasmanian Aboriginal and/or Torres Strait Islander community by TACLS and the peak body work of NATSILS; Also policy/law reform and community legal education.

PERFORMANCE MEASURES

Provide highly efficient legal and related services consistent with contractual obligations, legal professional, practical and ethical obligations and the relative needs of individual clients.

SURPLUS/(DEFICIT)

For the year, the Co-operative earned a net surplus of \$872,461 after a depreciation charge of \$436,896.

SIGNIFICANT CHANGES

VALS undertook the operation of Tasmanian Aboriginal Community Legal Service TACLS, as well as managing the NATSILS program in 2017. Other than these, not any other significant changes in the company's state of affairs occurred during the financial year.

AFTER BALANCE DATE EVENTS

A matter has continued to evolve since 30 June 2020 that has significantly affected, or may significantly affect:

- (a) the entity's operations in future financial years, or
- (b) the results of those operations in future financial years, or
- (c) the entity's state of affairs in future financial years.

The COVID19 pandemic is likely to induce significant changes in the state of affairs of the Co-operative during the financial period ended 30 June 2021. The Board of Directors will take all necessary measures to preserve capital and shepherd the company through this uncertain period.

FUTURE DEVELOPMENTS AND RESULTS

Likely developments in the operations of the company in future financial years and the expected results of these developments have not been included in this report as the inclusion of such information is likely to result in unreasonable prejudice to the economic entity.

OPTIONS

No options over issued shares or interest in the company were granted during or since the end of the financial year and there were no options outstanding at the date of this report.

INFORMATION ON DIRECTORS

Des Morgan: Chairperson

Des is a Yorta man from the Murray/Goulburn river area of Victoria/NSW. He has been an active member of the Aboriginal community since 1984, having served on various local and state organisations, Boards of Management Inc, Legal Service, Aborigines Advancement League, VACSAL, VALEAI. He also served a six year period as an ATSIC Regional Councilor and past Chair of NGERNDA (Echuca) for several years and a member of Yorta Nations Aboriginal Corporation.

Pam Aplin: Director

Deputy Executive Officer, Victorian Aboriginal Community Services Association Limited. Completed Diploma of Frontline Management with Swinburne Governance Training.

Amanda Dunstall: Director

Amanda is a Gunditjmara woman who is currently undertaking a Bachelor of Social work. Amanda has previously worked for VACCA, VALS and Victoria Police. Amanda is currently employed with VACSAL. Amanda has through her tireless work shown her passionate about social justice for Koorie people.

Larry Kanoa: Director

Larry has been actively involved in Aboriginal affairs since 1983. During this time, he has represented the Aboriginal community at local, state and national forums. These include BADAC, RAJAC, AJF, VAEAI, VAAL, VALS and ATSIC. He is also a past employee of VALS.

Eddie Cubillo: Director

Eddie is an Aboriginal man with strong family links in both the urban and rural areas throughout the Northern Territory. His mother is of Larrakia/Wadjigan descent and his father is Central Arrente. Mr Cubillo's family has experienced the intergenerational effects of the policy of forced removal of children of mixed descent from their family and country.

Sue-Anne Hunter: Director

Sue-Anne Hunter is a proud Wurundjeri and Ngurai Ilim Wurrung woman, committed to self determination and advocating for the rights of all First Nations peoples.

Cienan Muir: Director

Cienan Muir is a Yorta and Ngarrindjeri man and an advocate for ensuring our young people have the voice and the opportunity to make the changes they want to see in the future

Leigh Saunders: Director

Leigh Saunders is a proud Bangerang and Yorta man. He grew up in Mooroopna, later moving to Melbourne to complete VCE. Leigh worked for a number of years with Victorian Aboriginal Child Care Agency as the Koorie Cultural Placement and Support Worker before moving over to VACSAL as the project officer for Aboriginal Gambling Awareness Service.

Amanda Dunstall: Director

Amanda is a Gunditjmara woman who is currently undertaking a Bachelor of Social Work. Amanda has previously worked for VACCA, VALS and Victoria Police. Amanda is currently employed with VACSAL. Amanda has through her tireless work shown her passionate about social justice for Koorie people.

Irene Morris: Director

Irene is a Wurundjeri Elder who has been employed within Aboriginal Community Controlled Organisations for nearly 30 years. Irene has provided support and education on corporate governance structures and corporate responsibilities across the state to, Aboriginal community organisations, co-operatives and sporting groups. Irene has a passion for youth education and welfare, ensuring that young people are receiving the opportunities in life that they deserve.

MEETING OF DIRECTORS

During the financial year, seven meetings were held. Attendances were:

	No. of eligible to attend	No. attended
Desmond Morgan	7	7
Pam Aplin	7	3
Amanda Dunstall	7	6
Larry Kanoa	7	4
Irene Morris	7	5
Eddie Cubillo	4	2
Sue-Anne Hunter	4	2
Cienan Muir	0	0
Lionel Bamblett	2	0
Leigh Saunders	2	0

INDEMNIFYING OFFICERS OR AUDITOR

No indemnities have been given or insurance premiums paid, during or since the end of the financial period, for any person who is or has been an officer or auditor of the company.

PROCEEDINGS ON BEHALF OF THE ENTITY

No person has applied for leave of Court to bring proceedings on behalf of the entity or intervene in any proceedings to which the entity is a party for the purpose of taking responsibility on behalf of the entity for all or any part of those proceedings.

The entity was not a party of any such proceedings during the year.

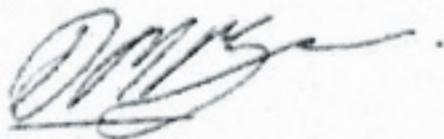
**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES
LIMITED**

AUDITORS INDEPENDENCE DECLARATION

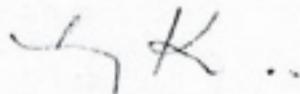
The auditor's independence declaration for this financial year has been received and can be found on the following page of this report

Signed in accordance with a resolution of the Board of Directors:

Signed at Preston on the 29th Day of October 2020



Uncle Des Morgan
Director



Uncle Larry Kanoa
Director

TOWARDS A VISION SHARED



**Collins & Co
Audit Pty Ltd**

127 Paisley Street
Footscray VIC 3011
Australia

Phone (03) 9680 1000
Fax (03) 9689 6605

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**AUDITOR'S INDEPENDENCE DECLARATION
TO THE DIRECTORS OF
SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED
A.B.N. 45 926 675 900**

I declare that to the best of my knowledge and belief, in relation to the audit for the financial year ended 30 June 2020 there have been:

- i. no contraventions of the auditor independence requirements of the *Australian Charities and Not for Profits Commission Act 2012* in relation to the audit; and
- ii. No contravention of any applicable code of professional conduct in relation to the audit.

**Frederik Ryk Ludolf Eksteen CA
ASIC Auditor Registration Number 421448**

**Collins & Co Audit Pty Ltd
127 Paisley Street
FOOTSCRAY VIC 3011**

Dated this 29th day of October 2020

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2020**

	Note	30 June 2020	30 June 2019
Revenue including Government Grants	2	12,599,162	10,605,668
Auditors' remuneration	3	15,000	29,400
Depreciation and amortisation expenses		436,896	304,577
Employee benefits expenses		7,214,374	6,281,238
Outside Briefs		255,536	231,586
Other expenses		3,776,969	2,976,274
Finance Costs – Interest		27,926	8,142
Total Expenditure		11,726,701	9,831,217
Surplus (Deficit) before income tax		872,461	774,451
Income Tax		-	-
Surplus (Deficit) after income tax		872,461	774,451
Other comprehensive income		-	-
Total comprehensive income for the year attributable to members of the entity		872,461	774,451

No income Tax is payable by the Entity.

As members have no right to share in profit, no earnings per share information is presented.

The above statement should be read in conjunction with the attached notes to the financial statements and the audit report.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2020**

	Note	30 June 2020 \$	30 June 2019 \$
CURRENT ASSETS			
Cash and cash equivalents	5	9,771,311	6,978,148
Trade and other receivables	6	1,391,821	1,434,692
Other current assets	7	32,706	-
TOTAL CURRENT ASSETS		<u>11,195,838</u>	<u>8,412,840</u>
NON-CURRENT ASSETS			
Property, plant and equipment	8	6,701,932	6,481,029
TOTAL NON-CURRENT ASSETS		<u>6,701,932</u>	<u>6,481,029</u>
TOTAL ASSETS		<u>17,897,770</u>	<u>14,893,869</u>
CURRENT LIABILITIES			
Trade and other payables		657,425	1,152,728
Grant income carried forward	10	6,951,037	4,871,712
Other Borrowings	13	67,611	-
Short-term provisions payable	9	573,122	407,223
TOTAL CURRENT LIABILITIES		<u>8,249,195</u>	<u>6,431,663</u>
NON-CURRENT LIABILITIES			
Other Long Term Borrowings	13	174,117	-
Long-term provisions payable	9	565,379	425,588
Long-term contingency provision	14	181,973	181,973
TOTAL NON-CURRENT LIABILITIES		<u>921,469</u>	<u>607,561</u>
TOTAL LIABILITIES		<u>9,170,664</u>	<u>7,039,224</u>
NET ASSETS		<u>8,727,106</u>	<u>7,854,645</u>
MEMBERS EQUITY			
Reserves	11	6	6
Retained earnings		8,727,100	7,854,639
TOTAL MEMBERS EQUITY		<u>8,727,106</u>	<u>7,854,645</u>

The above statement should be read in conjunction with the attached notes to the financial statements and the audit report.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2020**

	Share capital \$	Retained Earnings (Deficit) \$	Reserves \$	Total \$
Balance at 30 June 2018	-	7,080,188	6	7,080,194
Surplus attributable to members for the year ended 30 June 2019		774,451	-	774,451
Balance at 30 June 2019	-	7,854,639	6	7,854,645
Surplus attributable to members for the year ended 30 June 2020	-	872,461	-	872,461
Balance at 30 June 2020	-	8,727,100	6	8,727,106

The above statement should be read in conjunction with the attached notes to the financial statements and the audit report.

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2020**

Note 30 June 2020 30 June 2019

		\$	\$
<u>CASH FLOW FROM OPERATING ACTIVITIES</u>			
Receipts of Grants		14,096,563	11,454,424
Legal costs recovered		87,811	42,331
Other Income		882,296	80,804
Donations		409,415	20,295
Interest received		104,196	99,480
Payments to suppliers, employees & disbursements		(12,122,443)	(10,927,023)
Net cash generated from (used in) operating activities	12	3,457,838	770,311
<u>CASH FLOWS FROM INVESTING ACTIVITIES</u>			
Sale of property, plant & equipment		65,136	24,745
Purchase of property, plant & equipment		(729,811)	(253,123)
Net cash generated from (used in) investing activities		(664,675)	(228,378)
Net Increase (decrease) in cash held		2,793,163	541,933
Cash at the beginning of the financial period		6,978,148	6,436,215
Cash at the end of the financial period	5	9,771,311	6,978,148

The above statement should be read in conjunction with the attached notes to the financial statements and the audit report.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020

The financial statements cover South East Aboriginal Justice Services Limited (SEAAJSL) as an individual entity. It is a company incorporated and domiciled in Australia and is recognised as a Not-for-profit public benevolent institution established for community service purposes as such it is exempt from income tax.

1. Summary of Significant Accounting Policies

Basis of Preparation

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards and the Australian Charities and Not-for-profits Commission Act 2012 (ACNC Act).

Australian Accounting Standards set out accounting policies that the AASB has concluded would result in financial statements containing relevant and reliable information about transactions, events and conditions. Material accounting policies adopted in the preparation of these financial statements are presented below and have been consistently applied unless otherwise stated.

Reporting basis and conventions

The financial statements, except for cash flow information, have been prepared on an accruals basis and are based on historical costs modified where applicable by the measurement of selected non-current assets, financial assets and financial liabilities.

Accounting Policies

Revenue recognition

Revenue is recognised when it is probable that the economic benefit will flow to the entity and the revenue can be reliably measured. Revenue is measured at the fair value of the consideration received or receivable.

Revenue from the rendering of a service is recognised upon the delivery of the service to the customers.

Other revenue is recognised when it is received or when the right to receive payment is established.

Grants are recognised at fair value where there is reasonable assurance that the grant will be received and all grant conditions will be met. Grants relating to expense items are recognised as income over the periods necessary to match the grant to the costs they are compensating.

All revenue is stated net of the amount of Goods and Services Tax (GST)

Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office. In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

Cash flows are presented in the cash flow statement on a gross basis, except for the GST component of investing and financing activities, which are disclosed as operating cash flows.

Comparative Figures

In accordance with the Accounting Standards, comparative figures from the previous audited financial report for year ended 30 June 2019 are provided where appropriate.

Critical Accounting Estimates and Judgments

The directors evaluate estimates and judgments incorporated into the financial report based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the group.

Key estimates – Impairment

The entity assesses impairment at each reporting date by evaluating conditions specific to the entity that may lead to impairment of assets. Where an impairment trigger exists, the recoverable amount of the asset is determined. Value-in-use calculations performed in assessing recoverable amounts incorporate a number of key estimates.

No impairment has been recognised in respect of this reporting period.

Income Taxation

The entity is endorsed by the Australian Charities and Not-for-profits Commission as a Public Benevolent Institution. Therefore no income tax is payable by the entity.

Property, Plant and Equipment

The entity has chosen to adapt the Cost Model under paragraph 30 of AASB 116 therefore property, plant and equipment is maintained at cost in the accounts less accumulated depreciation.

Property

Freehold land is reported at cost.

Leased Assets

For any new contracts entered on or after 1 July 2019, the Company considers whether a contract is, or contains a lease. A lease is defined as 'a contract, or part of a contract, that conveys the right to use an asset (the underlying asset) for a period in exchange for consideration'. To apply this definition the Company assesses whether the contract meets three key evaluations which are whether:

- the contract contains an identified asset, which is either explicitly identified in the contract or implicitly specified by being identified at the time the asset is made available to the Company
- the Company has the right to obtain substantially all the economic benefits from use of the identified asset throughout the period of use, considering its rights within the defined scope of the contract
- the Company has the right to direct the use of the identified asset throughout the period of use.

The Company assess whether it has the right to direct 'how and for what purpose' the asset is used throughout the period of use.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

Depreciation

The depreciable amount of Buildings, Motor Vehicles, Office Furniture and Equipment and Plant and Equipment are depreciated on a written down value (WDV) or a straight line basis over their useful lives to the cooperative commencing from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

Depreciation of the right-of-use assets is on a straight-line basis from the lease commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The right-of-use assets are also subject to revaluation

The depreciation rates used for each class of depreciable assets are:

<u>Class of Fixed Assets</u>	<u>Depreciation</u>
Buildings	2.5% Straight line
Motor Vehicles	18.75% Written Down value
Plant & equipment	20% Written Down value
Computer & I.T. equipment	40% Written Down value
Right-of-use Asset	Straight line over useful life

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each balance sheet date.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains or losses are included in the income statement. When revalued assets are sold, amounts included in the revaluation reserve relating to that asset are transferred to retained earnings.

Financial Instruments

Recognition, initial measurement and derecognition

Financial assets and financial liabilities are recognised when the Entity becomes a party to the contractual provisions of the financial instrument, and are measured initially at fair value adjusted by transactions costs, except for those carried at fair value through profit or loss, which are measured initially at fair value. Subsequent measurement of financial assets and financial liabilities are described below.

Financial assets are derecognised when the contractual rights to the cash flows from the financial asset expire, or when the financial asset and all substantial risks and rewards are transferred. A financial liability is derecognised when it is extinguished, discharged, cancelled or expires.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

Financial Instruments

Recognition, initial measurement and derecognition

Financial assets and financial liabilities are recognised when the Entity becomes a party to the contractual provisions of the financial instrument, and are measured initially at fair value adjusted by transactions costs, except for those carried at fair value through profit or loss, which are measured initially at fair value. Subsequent measurement of financial assets and financial liabilities are described below.

Financial assets are derecognised when the contractual rights to the cash flows from the financial asset expire, or when the financial asset and all substantial risks and rewards are transferred. A financial liability is derecognised when it is extinguished, discharged, cancelled or expires.

Measurement and recognition of leases as a lessee

At lease commencement date, the Company recognises a right-of-use asset and a lease liability on the balance sheet. The right-of-use asset is measured at cost, which is made up of the initial measurement of the lease liability, any initial direct costs incurred by the Company, an estimate of any costs to dismantle and remove the asset at the end of the lease, and any lease payments made in advance of the lease commencement date (net of any incentives received).

The Company depreciates the right-of-use assets on a straight-line basis from the lease commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term.

The Company also assesses the right-of-use asset for impairment when such indicators exist.

At the commencement date, the Company measures the lease liability at the present value of the lease payments unpaid at that date, discounted using the interest rate implicit in the lease if that rate is readily available or the Company's incremental borrowing rate.

Lease payments included in the measurement of the lease liability are made up of fixed payments (including in substance fixed), variable payments based on an index or rate, amounts expected to be payable under a residual value guarantee and payments arising from options reasonably certain to be exercised.

Subsequent to initial measurement, the liability will be reduced for payments made and increased for interest. It is remeasured to reflect any reassessment or modification, or if there are changes in in-substance fixed payments.

When the lease liability is remeasured, the corresponding adjustment is reflected in the right-of-use asset, or profit and loss if the right-of-use asset is already reduced to zero.

The Company has elected to account for short-term leases and leases of low-value assets using the practical expedients. Instead of recognising a right-of-use asset and lease liability, the payments in relation to these are recognised as an expense in profit or loss on a straight-line basis over the lease term.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

Classification and subsequent measurement of financial assets

Trade receivables that do not contain a significant financing component are measured at the transaction price, all financial assets are initially measured at fair value adjusted for transaction costs.

For the purpose of subsequent measurement, financial assets other than those designated and effective as hedging instruments are classified into the following categories upon initial recognition:

- amortised cost
- fair value through profit or loss (FVPL)
- equity instruments at fair value through other comprehensive income (FVOCI)

Classifications are determined by both,

- The entities business model for managing the financial asset
- The contractual cash flow characteristics of the financial assets

Financial assets at amortised cost

Financial assets are measured at amortised cost if the assets meet the following conditions (and are not designated as FVPL):

- they are held within a business model whose objective is to hold the financial assets and collect its contractual cash flows
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding .

After initial recognition, these are measured at amortised cost using the effective interest method. Discounting is omitted where the effect of discounting is immaterial. The Entity's cash and cash equivalents, trade and most other receivables fall into this category of financial instruments as well as long-term deposit.

Financial assets at fair value through profit or loss (FVPL)

Financial assets that are held within a different business model other than 'hold to collect' or 'hold to collect and sell' are categorised at fair value through profit and loss. Further, irrespective of business model financial assets whose contractual cash flows are not solely payments of principal and interest are accounted for at FVPL. All derivative financial instruments fall into this category, except for those designated and effective as hedging instruments.

Financial liabilities

Non derivative financial liabilities, such as trade and other payables, are initially measured at fair value, and, where applicable, adjusted for transaction costs.

Subsequently, financial liabilities are measured at amortised cost using the effective interest method except for derivatives and financial liabilities designated at FVPL, which are carried subsequently at fair value with gains or losses recognised in profit or loss.

Impairment

Under AASB 9, impairment requirements use more forward looking information to recognise expected credit losses - the 'expected credit losses (ECL) model'. Instruments within the scope of the new requirements include loans and other debt-type financial assets measured at amortised cost and trade receivables.

The Entity considers a broader range of information when assessing credit risk and measuring expected credit losses, including past events, current conditions, reasonable and supportable forecasts that affect the expected collectability of the future cash flows of the instrument.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020

Provisions

Provisions are recognised when the entity has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short-term highly liquid investments with original maturities of three months or less, and bank overdrafts. Bank overdrafts are shown within short-term borrowings in current liabilities on the balance sheet.

Unspent Grant Funds

Unspent Grant Funds available as revenue or liable to be returned to the grant provider in the following year are recognised as a current liability in the balance sheet. They are not treated as an operating surplus or profit.

Current and non-current classification

Assets and liabilities are presented in the statement of financial position based on current and non-current classification. An asset is classified as current when: it is either expected to be realised or intended to be sold or consumed in the entity's normal operating cycle; it is held primarily for the purpose of trading; it is expected to be realised within 12 months after the reporting period; or the asset is cash or cash equivalent unless restricted from being exchanged or used to settle a liability for at least 12 months after the reporting period. All other assets are classified as non-current.

A liability is classified as current when: it is either expected to be settled in the company's normal operating cycle; it is held primarily for the purpose of trading; it is due to be settled within 12 months after the reporting period; or there is no unconditional right to defer the settlement of the liability for at least 12 months after the reporting period. All other liabilities are classified as non-current.

New, revised or amending Accounting Standards and Interpretations adopted

The entity has adopted all of the new, revised or amending Accounting Standards and Interpretations issued by the Australian Accounting Standards Board ('AASB') that are mandatory for the current reporting period.

Any new, revised or amending Accounting Standards or Interpretations that are not yet mandatory have not been early adopted. The entity's assessment of the impact of these new accounting standards most relevant to the entity are set out below.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020

AASB 15 Revenue from Contracts with Customers

This standard is applicable to annual reporting periods beginning on or after 1 January 2019. The standard provides a single standard for revenue recognition. The core principle of the standard is that an entity will recognise revenue to depict the transfer of promised goods or services to customers in an amount that reflects the consideration to which the entity expects to be entitled in exchange for those goods and services.

The standard will require: contracts (either written, verbal or implied) to be identified, together with the separate performance obligations within the contract; determine the transaction price, adjusted for the time value of money excluding credit risk; allocation of the transaction price to the separate performance obligations on a basis of relative and stand-alone selling price of each distinct good or service, or estimation approach if no distinct observable price exists; recognition of revenue when each performance obligation is satisfied. Credit risk will be presented separately as an expense rather than adjusted to revenue.

For goods, the performance obligation would be satisfied when the customer obtains control of the goods. For services, the performance obligation is satisfied when the service has been provided, typically for promises to transfer services to customers. For performance obligations satisfied over time, an entity would select an appropriate measure of progress to determine how much revenue should be recognised as the performance obligation is satisfied.

Contracts with customers will be presented in an entity's statement of financial position as a contract liability, a contract asset, or a receivable, depending on the relationship between the entity's performance and the customer's payment. The entity will adopt this standard from 1 January 2019 but the impact of its adoption is yet to be assessed by the entity.

Accounting for Leases under AASB 16

The adoption of this new Standard has resulted in the Company recognising a right-of-use asset and related lease liability in connection with all former operating leases except for those identified as low-value or having a remaining lease term of less than 12 months from the date of initial application.

The new Standard has been applied using the modified retrospective approach, with the cumulative effect of adopting AASB 16 being recognised in equity as an adjustment to the opening balance of retained earnings for the current period. Prior periods have not been restated.

For contracts in place at the date of initial application, the Company has elected to apply the definition of a lease from AASB 117 and has not applied AASB 16 to arrangements that were previously not identified as lease under AASB 117.

The Company has elected not to include initial direct costs in the measurement of the right-of-use asset for operating leases in existence at the date of initial application of AASB 16, being 1 January 2019. At this date, the Company has also elected to measure the right-of-use assets at an amount equal to the lease liability adjusted for any prepaid or accrued lease payments that existed at the date of transition.

Instead of performing an impairment review on the right-of-use assets at the date of initial application, the Company has relied on its historic assessment as to whether leases were onerous immediately before the date of initial application of AASB 16.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

Accounting for Leases under AASB 16 (continued)

On transition, for leases previously accounted for as operating leases with a remaining lease term of less than 12 months and for leases of low-value assets the Company has applied the optional exemptions to not recognise right-of-use assets but to account for the lease expense on a straightline basis over the remaining lease term.

For those leases previously classified as finance leases, the right-of-use asset and lease liability are measured at the date of initial application at the same amounts as under AASB 117 immediately before the date of initial application.

On transition to AASB 16 the weighted average incremental borrowing rate applied to lease liabilities recognised under AASB 16 was 5%.

The Company has benefited from the use of hindsight for determining the lease term when considering options to extend and terminate leases.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

New Accounting Standards for Application in Future Periods

The AASB has issued new and amended accounting standards and interpretations that have mandatory application for future accounting periods. The entity has decided against early adoption of these standards.

Revenue	30 June 2020	30 June 2019
	\$	\$
Operating Activities		
Grant income		
<u>Attorney General Department</u>		
VALS	5,405,095	4,974,190
TACLS	2,550,812	2,567,423
NATSILS	313,000	395,000
NATSILS - Legal Advisory Service - Disability	1,615,885	-
	<u>9,884,792</u>	<u>7,936,613</u>
VIC Department of Justice	2,646,031	2,453,094
VIC Other Departments	210,000	789,376
	<u>2,856,031</u>	<u>3,242,470</u>
- plus unspent grants brought forward	4,871,712	3,744,133
- plus grants received in advance	531,000	322,447
- less unspent grants carried to future period	(6,951,037)	(4,871,712)
	<u>(1,548,325)</u>	<u>(805,132)</u>
Grant income	11,192,498	10,373,951
Legal aid income	77,988	38,483
Legal costs recovered	1,840	-
Total revenue from operating activities	11,272,326	10,412,435
Other Revenue		
- Other income	813,224	73,458
- donations	409,415	20,295
- interest received	104,196	99,480
Total other revenue	1,326,835	193,233
Total revenue	12,599,162	10,605,668

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

	30 June 2020	30 June 2019
3 Remuneration of Auditor	\$	\$
During the financial year the following fees were paid or payable for services provided by:		
Frederik R. L. Eksteen		
Auditing of the financial statements and acquittals	15,000	-
Other services	-	-
	-	-
E Townsend & Co		
Auditing of the financial statements and acquittals	-	29,400
Other services	-	-
	-	-
4 Revenue and Expense items		
Bad and doubtful debts		
There were no bad debts provisions made for the reporting period (2019: \$Nil).		
Operating Lease expenses		
Operating lease, contracted lease payments	192,097	213,302
5 Cash and Cash Equivalents		
Reconciliation of cash		
Cash at the end of the financial period as shown in the cash flow statement is reconciled to the related items in the statement of financial position as follows:		
Current Assets		
Cash on Hand	311	1,078
Cash at Bank		
Recurrent	419,136	3,823,984
Term Deposit	2,000,000	-
Cash Management	7,351,864	3,153,066
Salary packaging	-	10
Emergency Relief	-	9
Externally Controlled Funds	-	-
	9,771,311	6,978,148

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

	30 June 2020	30 June 2019
3 Remuneration of Auditor	\$	\$
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Frederik R. L. Eksteen		
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Other services	-	-
	-	-
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	-	-
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Salary packaging	-	10
Emergency Relief	-	9
Externally Controlled Funds	-	-
	9,771,311	6,978,148

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

6 Trade and Other Receivables	30 June 2020	30 June 2019
	\$	\$
Current		
Trade Debtors	1,218,053	1,301,053
Less: Provision for Impairment of receivables	-	-
Other receivables	<u>173,768</u>	<u>133,639</u>
	<u><u>1,391,821</u></u>	<u><u>1,434,692</u></u>

Credit risk – Trade and Other Receivables

The entity does not have any material credit risk to any single receivable or group of receivables.

The following table details the entity's trade and other receivables exposed to credit risk with aging analysis and impairment provided for thereon. Amounts are considered as "past due" when the debt has not been settled within the terms and conditions agreed between the entity and the debtor party. A provision for impairment is assessed as mentioned above.

An assessment has been made that both debts within trading terms and debts that have not been impaired will be received.

There are no financial assets that would have been impaired or past due, had they not been renegotiated.

	Total	Within trading terms	Past due but not impaired <30days	Past due but not impaired 31-90 days	Past due but not impaired >90 days
	\$	\$	\$	\$	\$
2020					
Trade and term receivables	1,218,053	583,747	-	381,146	253,160
Other receivables	173,768	173,768	-	-	-
Total	<u>1,391,821</u>	<u>757,515</u>	<u>0</u>	<u>381,146</u>	<u>253,160</u>
2019					
Trade and term receivables	1,301,053	340,669	658,924	300,000	1,460
Other receivables	133,639	133,639	-	-	-
Total	<u>1,434,692</u>	<u>474,308</u>	<u>658,924</u>	<u>300,000</u>	<u>1,460</u>

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

7 Other Current Assets	30 June 2020 \$	30 June 2019 \$
Current		
Prepayments	32,706	-
	<u>32,706</u>	<u>-</u>
8 Property, Plant and Equipment	30 June 2020 \$	30 June 2019 \$
Land		
- at cost	4,117,566	4,117,566
	<u>4,117,566</u>	<u>4,117,566</u>
Buildings		
- At cost	1,794,602	1,708,537
Less: Accumulated depreciation	(316,744)	(274,030)
Total Buildings	<u>1,477,858</u>	<u>1,434,507</u>
Total Land and Buildings	<u>5,595,424</u>	<u>5,552,073</u>
Motor Vehicles at cost	589,272	585,217
Less: Accumulated depreciation	(199,275)	(241,802)
Total Motor Vehicles	<u>389,997</u>	<u>343,415</u>
Office Furniture and Equipment at cost	245,561	259,483
Less: Accumulated depreciation	(156,535)	(148,712)
Total Furniture & Equipment	<u>89,026</u>	<u>110,771</u>
Plant & Equipment – at cost	404,658	412,358
Less: Accumulated depreciation	(231,736)	(199,579)
Total Plant & Equipment	<u>172,922</u>	<u>212,779</u>
Computer equipment at cost	556,845	535,072
Less Accumulated depreciation	(332,388)	(273,081)
Total Computer equipment	<u>224,457</u>	<u>261,991</u>
Right-of-use Asset at cost	302,931	-
Less Accumulated depreciation	(72,825)	-
Total Computer equipment	<u>230,106</u>	<u>0</u>
Total Property, Plant and Equipment	<u>6,701,932</u>	<u>6,481,029</u>

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

Movement in carrying amounts for each class of property, plants and equipment:

	Land	Building	Motor Vehicle	Furniture & Fittings	Plant & Equipment	Computer Equipment	Right-of-use Asset	TOTAL
Carrying amount at 30 June 2018	4,117,566	1,477,220	453,557	131,992	255,589	126,586	-	6,562,510
New Acquisition	-	-	-	5,074	10,248	237,801	-	253,123
Disposal/Traded	-	-	(27,514)	-	-	(2,513)	-	(30,027)
Depreciation	-	(42,713)	(82,628)	(26,295)	(53,058)	(99,883)	-	(304,577)
Carrying amount at 30 June 2019	4,117,566	1,434,507	343,415	110,771	212,779	261,991	-	6,481,029
New Acquisition	-	86,065.00	185,202	-	2,914	81,482	374,148	729,811
Disposal/Traded	-	-	(72,012)	-	-	-	-	(72,012)
Depreciation	-	(42,714)	(66,608)	(21,745)	(42,771)	(119,016)	(144,042)	(436,896)
Carrying amount at 30 June 2020	4,117,566	1,477,858	389,998	89,026	172,922	224,457	230,106	6,701,932

	30 June 2020	30 June 2019
9 Provisions Payable		
Short Term Provisions Payable	\$	\$
Employee Entitlements – Annual Leave	496,569	346,119
Employee Entitlements – Long Service Leave	76,553	49,193
Employee Entitlements – Other Entitlements	-	11,911
Employee Benefits –Current	573,122	407,223
Employee Benefits – Non current		
Employee Entitlements – Long Service Leave	111,759	90,981
Employee Entitlements – Sick Leave	453,620	334,607
Employee Entitlements – Other Entitlement	-	-
Employee Benefits –Non current	565,379	425,588
Total provisions payable	1,138,501	832,811
Opening balance	832,811	1,093,519
Net provisions raised/(reduced) during year	305,690	(260,708)
Balance at end of period	1,138,501	832,811

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

	30 June 2020	30 June 2019 \$
10 Financial Liabilities		
Current – Short term financial liabilities		
Grant funds unspent	6,951,037	4,871,712
	6,951,037	4,871,712
11 Issued Capital and Reserve		
Statutory Reserve	6	6
12 Cash Flow Information		
Reconciliation of Cash Flow from Operations with Profit/(Loss) after Income Tax		
	30 June 2020	30 June 2019
<u>Profit/(Loss) after tax</u>		
Non-cash flows in profit after tax	872,461	774,451
Depreciation & Amortization	436,896	304,577
(Gain) / Loss on Disposal of property, plant & equipment	6,876	5,282
Increase / (Decrease) in provisions	547,418	(798,215)
Increase / (Decrease) in contingency	-	-
Increase/(Decrease) in Grant carried forward	2,079,325	1,127,579
Changes in assets and liabilities,		
Decrease/(Increase) in receivables	42,871	(935,940)
Increase / (Decrease) in payables & accruals	(495,303)	292,577
(Increase) / Decrease in prepayments	(32,706)	-
Cash flow from operations	3,457,838	770,311

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

		30 June 2020	30 June 2019
13	Lease Liabilities	\$	\$
	Current		
	Lease liability - leased premises	67,611	-
		<u>67,611</u>	<u>-</u>
	Non-current		
	Lease liability - leased premises	174,117	-
		<u>174,117</u>	<u>-</u>
	Capital Expenditure commitments		
	Capital Expenditure commitments contracted for:		
	- Plant & Equipment purchases		
	- Capital Expenditure projects	-	-
	Payable		
	- no longer than 1 year		
	- longer than 1 year but not longer than 5 years		
	- greater than 5 years		
14	Contingent Liabilities & Contingent Assets		
	Commonwealth Government for Caveat on property	181,973	181,973
	Estimates of the potential financial effect of contingent liabilities that may become payable are:	-	
		<u>181,973</u>	<u>181,973</u>

Indemnity to Attorney-General's Department (AGD)

SEAAJS, under the AGD acceptance of grant offer terms and conditions, has agreed that AGD will not be liable for any debts incurred or obligations undertaken by the grantee "SEAAJS" and that SEAAJS indemnifies AGD against liability for actions, proceedings, claims, costs and expenses which it may suffer, incur or sustain in connection with, or arising in any way whatsoever out of making the Grant to the Grantee, or out of the Grantee carrying out, failing to carry out or departing from Grant Conditions. This indemnity establishes a contingent liability by SEAAJS to AGD should any matter mentioned arise.

No other Contingent Liabilities or Assets exist.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

15 Events After the Balance Sheet Date

The Victorian Aboriginal Legal Service was contracted by the Commonwealth Attorney Generals Department (AGD) to provide legal services to the Tasmanian Aboriginal community for a period of 5 years ceasing on 30 June 2020. These services were delivered by VALS through the Tasmania Aboriginal Community Legal Service (TACLS).

As at 1 July 2020 the delivery of these services will be undertaken by a Tasmanian based aboriginal controlled entity (Tasmanian Aboriginal Legal Service – TALS) and TACLS is no longer in operation.

The contractual arrangements associated with TACLS requires VALS to transfer/return the net assets held for TACLS back to the AGD.

As of 30 June 2020 the following net assets are held by TACLS, and will be returned to AGD post 1 July 2020.

	30 June 2020 \$
Financial assets	
Cash and cash equivalents	1,957,758
Property, plant and equipment	103,067
Total financial assets	2,060,825
Financial liabilities	
Grant income carried forward	1,957,688
Short-term provisions payable	177,814
Long-term provisions payable	22,665
Total financial liabilities	2,158,167

The financial report has been prepared in a year in which the COVID-19 pandemic has impacted many entities as well as the State of Victoria and whole of Australia.

The impact of COVID-19 on the financial statements 2019-20 financial statements has primarily been a reduction in expenditure, particular travel related.

As the impacts of COVID-19 and necessary restriction continue into 2020-21 across Victoria, VALS will continue to monitor the impacts on its activities and service delivery.

Apart from the above items, there have been no material non-adjusting events after the reporting date, nor has any information been received about conditions at reporting date that have not been included in this report, except for the events reported under note 14.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

16 Economic Dependence

The entity is economically dependent on Commonwealth and State Government departments for Grant Funding. If funds are not spent in accordance with Grant Conditions the departments can suspend future grants or reclaim all or part of the grant(s).

17 Financial Risk Management

The entity's financial instruments consist mainly of deposits with banks, local money market instruments, short-term investments, accounts receivable and payable, loans and borrowings and mortgages.

The totals for each category of financial instruments, measured in accordance with AASB 9 is as follows:-

	30 June 2020	30 June
	\$	2019
		\$
Financial assets		
Cash and cash equivalents	9,771,311	6,978,148
Trade and Other Receivables	1,391,821	1,434,692
Other current assets	32,706	-
Total financial assets	<u>11,195,838</u>	<u>8,412,840</u>
Financial liabilities		
Financial liabilities at amortised cost		
- Trade and other payables	657,425	1,152,728
- Grant funds unspent	6,951,037	4,871,712
Total financial liabilities	<u>7,608,462</u>	<u>6,024,440</u>

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

Financial risk management policies

The directors' overall risk management strategy is to assist the entity in meeting its financial targets, whilst minimising potential adverse effects on financial performance. Risk management policies are approved and reviewed by the Board of Directors on a regular basis. These include credit risk policies and future cash flow requirements.

The entity does not have any derivative instruments at the end of the reporting period.

Specific Financial Risk Exposures and Management

The entity is not exposed to any financial risk such as credit risk, liquidity risk and interest rate risk, due to its safe and sound ratio of assets over liabilities.

(a) Credit risk

Credit risk is the risk that parties that owe money do not pay it.

The maximum exposure to credit risk, excluding the value of any collateral or other security, at balance date to recognised financial assets, is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the statement of financial position and notes to the financial statements.

The entity does not have any significant concentration of credit risk exposure to any single, or group, of counter-parties under financial instruments entered into by the entity. A profile of credit risk appears above under the Note 6 on "Trade and Other Receivables".

(b) Liquidity risk

Liquidity risk arises due to the possibility that the entity might encounter difficulty in settling its own debts or other liabilities. The entity manages this risk by managing credit risk on amounts owed to it, monitoring forecast cash flows and ensuring that adequate unutilised borrowing facilities are maintained.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

Financial liability and financial asset maturity analysis

	Within 1 year		1 to 5 years		Over 5 years		Total	
	2020 \$	2019 \$	2020 \$	2019 \$	2020 \$	2019 \$	2020 \$	2019 \$
Financial liabilities due for payment								
Trade and other payables (excluding employee benefit provisions and deferred income)	657,425	1,152,728	-	-	-	-	657,425	1,152,728
Grant funds unspent	6,951,037	4,871,712	-	-	-	-	6,951,037	4,871,712
Total expected outflows	7,608,462	6,024,440	-	-	-	-	7,608,462	6,024,440
Financial assets cash flows realisable								
Cash and cash equivalents	9,771,311	6,978,148	-	-	-	-	9,771,311	6,978,148
Trade and other receivables	1,391,821	1,434,692	-	-	-	-	1,391,821	1,434,692
Total anticipated inflows	11,163,132	8,412,840	-	-	-	-	11,163,132	8,412,840
Net inflow (outflow) on financial instruments	3,554,670	2,388,400					3,554,670	2,388,400

(c) Market Risk

Interest rate risk

Exposure to interest rate risk arises whereby future changes in interest rates will affect future cash flows or the fair value of financial assets and liabilities.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

Price Risk

Price risk relates to the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in their market price.

(d) Foreign currency risk

The entity is not exposed to fluctuations in foreign currency.

Net Fair Values

The net fair values of listed investments have been valued at the quoted market bid price at balance date adjusted for transaction costs expected to be incurred. For other assets and other liabilities the net fair value approximates their carrying value. No financial assets and financial liabilities are readily traded on organised markets in standardized form other than listed investments.

The differences between fair values and carrying values of financial instruments with fixed interest rates are due to the change in discount rates being applied by the market to those instruments since their initial recognition by the entity. Most of these instruments which are carried at amortised cost (e.g. trade receivables, payables) are to be held until maturity and therefore their current net fair values bear little relevance to the entity.

As appropriate the net fair values and carrying amounts of financial assets and financial liabilities are disclosed in the Statement of Financial Position and in the notes to the financial statements.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2020**

18 Key Management Personnel Compensation

	30 June 2020	30 June 2019
	\$	\$
The total of remuneration paid to key management personnel (KMP) of the entity during the period is as follows	567,080	663,415
Short-term employee benefits	67,434	26,091
Post-employment benefits	-	-
Other long-term benefits	66,491	22,854
Termination benefits	-	-

19 Related Party Transactions

There were no transactions with related parties during the current and previous financial year. There were no trade receivables from or trade payables to related parties at the current and previous reporting date.

20 Registered Office

The registered office of the entity and the principal place of business is:

273 High Street
Preston, Victoria, 3072



**Victorian
Aboriginal
Legal Service**



**South Eastern Australian
Aboriginal Justice Services
Limited**

ABN: 45 926 675 900

Head Office
273 High St
Preston, Victoria 3072.
PO Box 52
Preston, Victoria 3072.
DX 97208 Preston
Phone: 03 9418 5999
(24 Hrs)
Fax: 03 9418 5900
Free Call: 1800 064 865
Email: val@veajls.org.au

Bairnsdale Office
Shop 13 Riviera Place
80 Main Street
Bairnsdale, Victoria 3875.
PO Box 1060
Bairnsdale, Victoria 3875.

Bellarat Office
403 Main Street
Bellarat, Victoria 3350
PO Box 516
Bellarat, Victoria 3350

Mildura Office
171 Pine Avenue
Mildura, Victoria, 3500.
PO Box 10354
Mildura, Victoria 3502.

Monwell Office
20 George Street
Monwell, Victoria 3940.

Shepparton Office
Unit 3, 292 Maude Street
Shepparton, Victoria 3630
PO Box 1983
Shepparton, Victoria 3630

Swan Hill Office
135A Campbell Street
Swan Hill, Victoria 3585.
PO Box 1319
Swan Hill, Victoria 3585.

29 October 2020

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

DIRECTORS' DECLARATION

The Board of Directors' of South East Australian Aboriginal Justice Services Limited declare that in the director's opinion:

a) The financial statements and notes for the year ended 30 June 2020 satisfy the requirements of the Corporations Act 2001 and the Australian Charities and Not-for-profits Commission Act 2012.

b) There are reasonable grounds to believe that the Entity is able to pay all of its debts as and when they become due and payable.

This statement is made in accordance with the Corporations Act and the subsection 60.15(2) of the Australian Charities and Not-for-profits Commission Regulation 2013.

Uncle Des Morgan

Director

Uncle Larry Kanoa

Director



Collins & Co Audit Pty Ltd

127 Paisley Street
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Australia

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SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED A.B.N. 45 926 675 900 INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS

Opinion

I have audited the accompanying financial report of South East Australian Aboriginal Justice Services Limited (the company), which comprises the statement of financial position as at 30 June 2020, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, notes comprising a summary of significant accounting policies and other explanatory information and the statement by the Board of Directors.

In my opinion, the accompanying financial report of South East Australian Aboriginal Justice Services Limited is in accordance with Division 60 of the ACNC Act 2012, including:

- i. giving a true and fair view of the company's financial position as at 30 June 2020 and of its performance and cash flows for the year ended on 30 June 2020; and
- ii. complying with Australian Accounting Standards and Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2013.

Basis of Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of my report. I am independent of the Company in accordance with the auditor independence requirements of the ACNC Act 2012 and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled our other ethical responsibilities in accordance with the Code.

I confirm that the independence declaration required by the ACNC Act 2012, which has been given to the directors of the Company would be on the same terms if given to the directors as at the time of this auditor's report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Report

Management is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, and for such internal control as management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, management is responsible for assessing the Corporation's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Corporation's financial reporting process.



Collins & Co Audit Pty Ltd

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Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the registered entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the responsible entities.
- Conclude on the appropriateness of the responsible entities use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the registered entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the registered entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal controls that I identify during my audit.

Frederik Ryk Ludolf Eksteen CA
ASIC Auditor Registration Number 421448

Collins & Co Audit Pty Ltd, 127 Paisley Street, FOOTSCRAY VIC 3011

Dated this 29th day of October 2020

"Fantastic presentation – would you be able to do a teams presentation of this to my group sometime – I think it would be great to hear from you directly."

- Department of Justice

"Your policy team are such champions and the quality of their work was really evident in the VGAAR analysis"

- Julian Pocock - Executive Officer - Aboriginal Executive Council (AEC)

"I wish you fellas were around when he was younger, when the police were roughing him up and we didn't know what was happening or how he was, it would have been good having a service like yours back then."

- Family assisted by Community Justice Program team

"I just wanted to extend my gratitude again to all of you for coming to our planning day and contributing so generously. It was without question the highlight of everyone's day. It was wonderful to have the opportunity to better understand the work you all do but also develop our own understanding and skills in how we work with our own Aboriginal and Torres Strait Islander clients. I appreciate how busy you all must be particularly as it approaches year end and know that time away from the office results in backlog. Please do not hesitate to reach out if we can assist or support you all in any way. Many thanks for your time last week."

- Victorian Legal Aid

"I enjoyed being able to have a conversation and for someone to be able to listen to me and not judge me"

- Person who had received support from a Regional Client Support Officer



VALS

