

Victorian Aboriginal Legal Service Co-operative Limited



2004/2005
Annual Report



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Chairperson's Report

I am happy to be able to report that VALS won the tender to provide legal services to Aboriginal and Torres Strait Islander people in Victoria for 2005-2008.

Before the introduction of the tendering process funding was made available in three or six month grants. This short term funding and the introduction of tendering created enormous uncertainty for staff.

The tendering process involved conforming to the requirements of a 240 page application form. Completing the tender application required some 300 plus pages; it was not a process that was kind to trees. After the history of reviews and accountability directed at Aboriginal Legal Services in recent years it is disappointing that the outcome has been even more paperwork via the tender process.

The tender did not introduce any new money to the Aboriginal and Torres Strait Islander Legal Services program. The program has had no significant funding increase since the early nineties. During that time the Aboriginal population has doubled. VALS argued that prior to introducing tendering it was essential to do a cost benefit analysis VALS also argued that benchmarking approach may be superior to a tendering process. Unfortunately these arguments were not accepted by the Commonwealth Government.

The tender only covers case work so additional funding submissions were required to fund Community Legal Education and policy and

research activity on a twelve month basis. Again, we have been successful with these submissions. It is bad practice and against the Royal Commission into Aboriginal Deaths in Custody Recommendations that programs are not given three year funding. The Government's tender guidelines have excised non-case work activities from the core work of an Aboriginal Legal Service. This undermines the ability of centres to be flexible in how they deal with problems and is a step backward from providing a wholistic range of services.

Apart from the issue of the organization's survival the year has been quite busy on other fronts. VALS has continued to provide advice and representation to thousands of Aboriginal and Torres Strait Islander peoples. Our Indigenous Women's Justice Forum has been quite successful. VALS has contributed to important reviews such as the Review of Implementation of Recommendations of the Royal Commission into Deaths in Custody, changes to the Family Law Act and the Child Protection legislative review.

I congratulate the staff for their hard work and commitment to achieving a fairer justice system for Aboriginal people.

*Ray Ahmat
Chairperson*

Board of Directors

Raymond Ahmat: Chairperson

Originally from Queensland, Ray has been involved in Aboriginal Affairs since coming to Victoria. He first spent two and a half years with Ngwala Willumbong in the Drug and Rehabilitation Program before moving to VALS where he spent a year as a Client Service Officer for the Shepparton area. He is Executive Manager of Rumbalara Aboriginal Co-operative where he manages the youth and community programs.

Alfred Bamblett: Director

Alf Bamblett is an Elder and leader of the Victorian Aboriginal Community and the Executive Officer at the Victorian Aboriginal Community Services Association Limited (VACSAL). For over twenty years through key policy making and management roles, Alf has held a number of Executive positions and has been instrumental in shaping many Aboriginal Community Organisations in Victoria.

Robert Pearce: Director

Robert has lived in Bairnsdale for thirty seven years. He has four daughters and twenty grandchildren. Robert has been involved in Community Development for thirty years. He is a founding member of the Gippsland East Gippsland Aboriginal Co-operative (GEGAC) which is now 33 years old. He was on the Binjirru Regional Council and with ATSI from 1993-1996.

Terrie Stewart: Director

Terrie has been involved with VALS for over ten years and actively involved in the criminal justice area for over ten years. She has held positions within VALS such as Financial Counsellor, Officer Manager, Client Service Officer and Client Service Officer Team Leader. Terrie has also held positions at the Bert Williams Centre as a Youth Support

Worker and Koorie Support Worker at Parkville Youth Residential Centre and Melbourne Juvenile Justice Centre. Terrie is currently employed as the Aboriginal Justice Worker at the Broadmeadows Koori Court.

Desmond Morgan: Director

Desmond 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, including VALS, Aborigines Advancement League, VACSAL and, Victorian Aboriginal Education Association Incorporated. He also served a six year period as an ATSI Regional Councillor, been Chair of Njernda Cooperative (Echuca) for several years and served as a member of Yorta Yorta Nations Aboriginal Corporation.

Lorraine (Bunta) Patten: Secretary

Lorraine is a Gunditjmara woman. She has been involved in Aboriginal Affairs for many years. She has been a VALS Board member in the past and was the Manager of the Gladys Nicholls Hostel in Northcote. She is the Chair of the Weeroona Aboriginal Cemetery in Greenvale. She was also an ATSI Regional Councillor for 5 years.

Deidre King: Director

Deidre is a Gunditjmara woman. She is currently employed as Program Manager at the Aborigines Advancement League Incorporated. She has a wide range of experience and involvement in Koorie community affairs. She is a current Director of VACSAL, Victorian Aboriginal Child Care Agency, Melwest CDEP and a member of the Northern & Western Metropolitan Family Violence Action Group as well as Chairperson of the HACC Metropolitan Network.

Chief Executive Officer's Report

It is common to be asked why there needs to be an Aboriginal Legal Service? One answer to this is that there is value in having a service which specializes in assisting Aboriginal people.

The different cultural background and different history of accessing the law means that many Aboriginal people will choose the Aboriginal legal service rather than a mainstream service.

Some Government and Parliamentary reports are starting to recognize the primary role that Aboriginal Legal Services have in helping Aboriginal people use the law or access legal assistance. This doesn't mean that mainstream services are irrelevant. Some Aboriginal people will choose mainstream services and some will be forced to use mainstream services where there is a conflict of interest involving VALS or the Indigenous Family Violence Prevention Legal Service. It is important that the primary role of Aboriginal Legal Services is recognized; that they are properly funded and that mainstream services become more culturally inclusive. The question of Indigenous or mainstream service should not be an either or question but a case of recognizing that both are necessary. The question that should be asked is how both types of service can best keep improving their work.

The skepticism about why do we need an Aboriginal Legal Service surfaces periodically in Government agendas. This skepticism about the value of Aboriginal Legal Services underpins the recent Commonwealth Government policy of tendering out Aboriginal Legal Services. If Aboriginal Legal Services were treated with equal respect to other legal aid providers instead of a tender process there would have been a negotiated three year funding agreement in place. Instead there has been drip feed funding (twelve month and three month) and then the uncertainty of a competitive tendering regime.

In addition to our normal workload in 2004-2005, the requirement to competitively tender for funds added considerably to the Service's work load. I am happy to report that we were the successful tenderer.

There is still no satisfactory explanation as to why Aboriginal Legal Services have been singled out for this more onerous form of allocation of funding. It is not something that is required of Legal Aid Commissions or Community Legal Centres or Indigenous Family Violence Prevention Legal Services. And as we reported in last year's Annual Report, the tendering policy is being pursued without there being any cost benefit analysis of its value.

VALS has continued to provide a 24 hour response to

people in police custody via our Client Service Officers and provides casework assistance to over 3000 Aboriginal and Torres Strait Islander people.

One third of our solicitors do family and civil law work, the other two thirds do criminal law. Almost 40% of solicitor time is spent on matters involving female clients.

The continued expansion of Koori Courts is a positive step although there continue to be concerns expressed by community members about the fact that it is necessary to plead guilty to get to the Koori Court. The Koori Court not only involves Koorie Elders and Respected Persons it also provides a slower approach to determining a sentence. This has helped to bring about a lower re-offending rate. It has also added to VALS work load.

Again, the question is sometimes raised; "Why do you need a Koori Court?" One answer is that they work more effectively than mainstream courts.

The people who question the need for a Koori Court often fail to ask questions about other significant differences in the Justice system. Why are Koorie young people given a caution less often than non-Koories? Why do far less Koories receive the benefit of the Magistrate's Court diversion program than non-Koories? It is all very well to say that the criminal justice system treats everyone equally but in practice all systems have flaws, blindspots and unintended consequences. The Koori Court is a step to addressing some of the problems.

In the Criminal justice area it needs to be kept in mind that the idea of innocent until proven guilty sits side by side with a system increasingly designed to get people to plead guilty. Successful not guilty pleas are fairly rare in the Magistrate's Court. However, our lawyers have had some success in winning not guilty pleas. We also have achieved a good result with our appeals against sentence or against conviction. Two thirds of these appeal cases are successful.

During the year VALS contributed to discussion and made submissions about the development of a Family Violence Court, changes to the Family Violence legislation, changes to the Family Law Act, changes to Child Protection law, Changes to the Community Development Employment Program, changes to protect employment rights of people with a criminal record, the proposal to abolish suspended sentences and many other issues.

I would like to congratulate the Board and the staff for their continued achievements in spite of facing some difficult challenges.

Chief Executive Officer's Report

Client Service Officers

The Client Support Unit is staffed by ten Client Service Officers (CSOs), six of whom are based in non-metropolitan offices and the other four staff at the Fitzroy office.

The Metropolitan CSOs are on an on-call roster which operates after-hours, weekends and Public Holidays and respond to notifications from Victoria Police (E*Justice Notifications) of Aboriginal and Torres Strait Islander persons detained in custody. In total more than 70% of VALS' CSO work is delivered to rural based clients.

In 2004-2005, VALS welcomed Karen Boon and Henry Button to the role of Client Service Officer and said farewell to Justin Downing, Willie Pepper and Ray Clarke

During the year several CSOs were involved in Regional Aboriginal Justice Advisory Committees (RAJACs) around Victoria. The CSOs are to be congratulated for their hard work and skill building links with other organisations.

Frank E. Guivarra
Chief Executive Officer

Staff (2004-2005)

Chief Executive Officer

Frank E Guivarra

Corporate and Financial Services Unit

Executive Officer – Sam Firouzian

Legal Practice – Executive Officer

Jennifer Clark (until August 04)

Legal Practice - Acting Executive Officer

Graeme Davis (until February 05)

John Sutton

Criminal Section

Urfa Masood (until August 04)

David Podger (until December 04)

Francis Hill – Bairnsdale (until January 05)

Samantha Brown (until May 05)

Renee Wilson

Tessa Theocharous

Jill Prior

Cilla Brookes

Civil Section

Michele Zaccaro

Family Law Section

Cath Devine (until August 04)

Leah Billeam (until October 04)

Dennis Barry

Sarah Rozenbes

Client Support Unit - Client Service Officer

Metropolitan

Justin Downing (until April 05)

Bradley Boon

Henry Button

Rosemary Lovett

Regional

Wayne Bell - Heywood

Ray Clarke – Mildura (until June 05)

Karen Boon – Morwell

David Atkinson - Shepparton

Wayne Walsh - Swan Hill

Lyn Morgan - Bairnsdale

Administration

Administration Officer – Lance Zampaglione

Support

Samuel Gentile

Legal Secretaries

Michelle Tapp (until October 04)

Barbara Hoogedeure (until December 04)???

Diane Jones (until Jan 05)

Raeleen Hibbens (until February 05)

Julie Freeman (until February 05)

Shelley Lillyst (until March 05)

Helen Webber

Vicki Burke

Staff (2004-2005)

Filing Clerk

Teresa Hofilena

Receptionist

Gary Bamblett

Research, Planning and Development Unit -

Executive Officer

Robin Inglis

Research Officer

Greta Jubb

Community Legal Education Officer

Loretta O'Neill

Indigenous Women's Justice Forum - Project Officer

Melissa Morgan (until July 04)

Auditor

Eric Townsend

E Townsend & Co

Chartered Accountant

CLIENT SUPPORT UNIT

Bradley Boon *Melbourne*

I am a proud Kurnai man, born and bred in Gippsland. I moved to Melbourne in 1995 where I worked for Telstra for 3 years, Victorian Indigenous Australian Health Service as Adult Mental Health Worker for 1_ years and Victorian Aboriginal Legal Service as a Client Service Officer for the past four years. Being a part of a large family has not only made me proud and passionate about my family, culture and work but has made me realise that the path I have chosen is not just a job any more but an important part of my life, which affects me personally when dealing with the community. I see myself as not only contributing to the Victorian Aboriginal Legal Service but to the local Victorian Indigenous Australian community itself.



I assist in community sport. I find helping my community is rewarding work.

Justin Downing *Melbourne*

I am a Aboriginal man proud of my Yorta Yorta heritage. I was born and raised in Melbourne. I have previously worked at the Aboriginal Health Service on the Young Peoples Project. This position required me to interview young Koori children in and around metropolitan Melbourne on issues that they're confronted with today, such as peer group pressure, drug & alcohol issues etc. I have been employed with VALS as a Client Service Officer for 2 1/2 years. I get great satisfaction in helping my community in the justice system and raising awareness for all the young Aboriginal children growing up in Victoria.



Henry Button *Melbourne*

I was born in Echuca and grew up on Cumeragunja Mission. I have Yorta Yorta and Wiradjeri heritage. In my work at VALS I aim to be a role model and be an example for others. I have never been in trouble with the police and try to encourage others that they can achieve positive things in their lives. My work is rewarding and I hope I am a positive influence on the Aboriginal community.



David Atkinson *Shepparton*

I am a descendent of the Bangarang Tribe and I am a proud Aboriginal man and proud of who I am. I have been working in this position as a Client Service Officer for six years now and I still enjoy what I do. I also was on the board at the Rumbalara Co-op as a director for one year and then as a Chairperson for another year, which in itself was a whole new experience for me. I liaise with Clients in court in Shepparton, Echuca, Bendigo, Benalla, Wangaratta, Seymour, Cobram, and Wodonga. Networking with Corrections Victoria, Victorian Police, Rumbalara, Centrelink, Juvenile Justice, Sheriff Office, C.J.P. etc



Rosemary Lovett *Melbourne*

I am a Gunditjmara woman. Apart from a short break of three years working in the Indigenous Australian community I have been at VALS since 1989. I enjoy work as a Client Service Officer. Outside of my work at VALS



Staff (2004-2005)

Wayne Bell *Heywood*

Employed for over ten and a half years with the Victorian Aboriginal Legal Service and a member of the Aboriginal Community Justice Panel for more than 12 years. Member of the Regional Aboriginal Justice Agreement Committee, both Barwon South – West and Grampians region. Member of South – West Koori Court Reference Group. Attends Courts in Portland, Warrnambool, Colac, Geelong, Ballarat, Maryborough, Ararat, St. Arnaud, Stawell, Horsham, Nhil and Hamilton. Liaises with Corrections Victoria, Victoria Police, Drug and Alcohol workers, Prisons, Police cells, Juvenile Justice, Sheriff's Offices, etc.



Wayne Walsh *Swan Hill*

I was born and raised in Swan Hill. I belong to the local Wamba Wamba community. After completing my VCE I studied at the University of Melbourne and I graduated in 2003 with a Bachelor of Arts degree in the area of criminology. Since then I have worked for the Victorian Aboriginal Legal Service Co-operative Ltd. I believe I contribute to VALS by providing local knowledge of local Koori people and their culture in the Swan Hill area. My work experience has highlighted that local knowledge is essential to providing a legal service to local Koori people.



Lyn Morgan *Bairnsdale*

I am an Aboriginal woman. I have been employed with VALS for over 11 years. Before this I was employed with the Education Department for four years, prior to that I was a nurse at the local hospital for 14 years. This position as a CSO is the most challenging one of all. I must admit that over the past 11 years the knowledge I have gained is unbelievable – knowing the local community with different contact has a big advantage – they are all like family.



Ray Clarke *Mildura*

I am originally from Balranald, NSW but I grew up in Mildura. I am a proud Muti Muti man. I started work as a CSO 12 years ago and am responsible for liaising with clients throughout the Loddon-Malley region as well as with the Sunraysia Courts. I have also been a member of the Aboriginal Housing Board for the last



ten years and am involved with Warroakoo Station, which was set up ten years ago as an alternate to jail in our region. I enjoy working within the local community and interacting with the local Indigenous Australians.

Karen Boon *Morwell*

I am a proud young Kurnai woman from Gippsland. I was born and bred in Moe and then, about a year ago, I moved to Melbourne to work, which opened my eyes up to a whole new world.



When this position came up I thought it would be a great opportunity to take what I had learnt, during my time in Melbourne, back to my community to give as much support as possible and try to make a difference in my new role as Client Service Officer with VALS.

Share the Knowledge Day

VALS Community Legal Education Officer, Loretta O'Neill, attended Share the Knowledge Day on 24 February 20 05 in Drouin.

(Karen Boon, Morwell Client Service Officer and Loretta O'Neill, Community Legal Education Officer)



Legal Practice Report 2004/2005

Staff

The financial year July 2004 to June 2005 has seen at times dramatic upheaval and instability in staffing turnover and levels. The year saw the departure of six Criminal Lawyers; Executive Officer Jenny Clark, Acting Executive Officer Graeme Davis, Francis Hill from the Bairnsdale office, Samantha Brown, Urfa Masood and David Podger. Senior Family Law Solicitor, Cath Devine also departed as did Leah Billeam who was seconded by Victoria Legal Aid. Most of these vacancies are yet to be filled.

Criminal Law Section

The Criminal Lawyers as at the end of the financial year are:

1. John Sutton (Executive Officer of Legal Practice);
2. Jillian Prior;
3. Tessa Theocharous;
4. Renee Wilson;
5. Cilla Brookes

Tessa Theocharous handles West Gippsland Region (Moe); the Swan Hill Region is unassigned; Renee Wilson handles the Hume Region; Jillian Prior is responsible for the Murray River Region (Mildura and Robinvale region) and John Sutton continues to handle the Western District in addition to his responsibilities as Executive Officer. The Metropolitan courts are shared by all staff.

Family Law Section

The Family Lawyers as at the end of the financial year are:

1. Denis Barry;
2. Sarah Rozenbes (Victoria Legal Aid)

Cath Devine left us after a relatively short engagement as Senior Family Law Solicitor. Leah Billeam returned to Victoria Legal Aid after several years of secondment from them. We have continued to receive the support of Victoria Legal Aid through the secondment of Sarah Rozenbes to the family law section.

Civil Law Section

The Civil Law staff is unchanged, as Michele Zaccaro remains the sole Civil Solicitor.

Key Developments and Achievements

Koori Court

A Koori Court is scheduled to commence in the Mildura region in July 2005. The Mildura Koori Court will join the Koori Courts in Shepparton, Broadmeadows, Warrnambool, Portland and Hamilton which have been operating with considerable success to date. All Koori Courts are reported to have seen a drop in the re-offending or recidivism rates for indigenous clients.

Family Violence Division

In June, Family Violence Divisions of the Magistrates Court were opened based in Heidelberg and Ballarat. These structures are aimed at dealing with family violence issues more comprehensively and aimed at involving a wider range of support services and better coordination of those services.

It is to be hoped that the State government will consider providing additional funding to this service and other indigenous services so that they can better service both the new Koori Court and Family Violence Divisions.

Commonwealth Tender Process

In April 2005, the Commonwealth Attorney-General announced the success of VALS tender for the provision of legal aid services for indigenous Australians in Victoria. This has brought to an end a period of considerable difficulty and uncertainty for our organization and clients.

*John Sutton
Executive Officer –
Legal Practice*

Research, Planning & Development Unit Report

The Research Planning and Development Unit provides information, advice, referral and support and advocates for improved laws, legal system operation, diversion and prevention strategies. Additionally the Unit has a number of organisational support roles in relation to preparation of funding submissions, library and file management.

The Research Planning and Development Unit lost a Community Legal Education position but otherwise retained core staff in 04-05. As there has been great uncertainty about whether and for how long funding would for the Service would be available we have been lucky to have this level of stability in a very challenging year.

Highlights of the 2004-2005 year

The Unit has continued to work with Koorie communities via its Community Legal Education Project work, Indigenous Women's Justice Forum Project and liaison with VALS Client Service Officers and legal staff.

The service has made a number of submissions to State and Commonwealth Government about policy and legislative change and these are listed below. The range and number of proposed changes presents a challenge for us in responding to these matters. Often the proposals developed by Governments have given little attention to Aboriginal issues or needs.

Sadly funds for the Indigenous Women's Justice Forum were exhausted in 2005. We said farewell to project worker Melissa Morgan and many thanks for her very effective work.

The last forum was co-ordinated by Greta Jubb and over 100 people attended. The project was evaluated as part of the Department of Justice's Review of the Community Initiatives Funding program. The project received a very positive report.

The service is also involved in Federation of Community Legal Centre committees, the Ministerial Round Table on Juvenile Justice and the Criminal Justice Coalition. VALS is involved in the Group Conferencing Committee and on

Committees associated with the Victorian Aboriginal Justice Agreement.

VALS helped develop a joint regional community legal education pilot with several Government agencies such as the Office of Public Advocate, Energy and Water Ombudsman Ombudsman's Office, Consumer Affairs and Dispute Settlement Centre.

VALS has also become a member of the Young Peoples Independent Person Program which is a pilot project which operates in a number of areas to provide independent persons to attend police interviews with young people under eighteen when their parents are not contactable.

Key Tasks of the Unit

- Provide information to the Chief Executive Officer and Board about Government policy and programs
- Provide information to the public, including media and human service organisations about VALS and issues affecting Koories.
- Provide Community Legal Education to Koorie community members.
- Do research about policy changes and issues affecting the Koorie community.
- Record details of all client matters; create files and maintain and improve the VALS database.
- Library maintenance including updating all legal loose leaf services.
- Represent VALS at meetings with Government departments and other organisations
- Contribute to VALS' ongoing activities and development via assistance with funding submissions and training issues.
- Provide quarterly reports to ATSI on the service's activities.

Research, Planning & Development Unit Report

Staff

Thanks to all the staff who worked in the Unit:

- Teresa Hofilena has been at VALS for nine years and coordinates the filing and data entry area. She continues to deal with an ever increasing volume of files.
- Loretta O'Neil is now the sole Community Legal Education worker and she continues to provide information and work collaboratively with a range of other organisations.
- Greta Jubb has continued to provide great support, energy and ideas to the unit in her position of Research Officer.

Submissions

- 2004-2005 VALS Submission to the Department of Justice: Response to the Remaking of the Evidence (Recorded Evidence) Regulations 1994 (August 2004)
- VALS Submission to the Department of Communications, Information Technology and the Arts: Response to the Indigenous Television Broadcasting Service Review - Digital Transmission Discussion Paper (September 2004)
- VALS Submission to the Scrutiny of Acts and Regulations Committee: Response to the Major Crime (Investigations Powers) Bill 2004 (October 2004)
- VALS Submission to the Victorian Parliament Law Reform Committee: Response to the Warrant Powers and Procedures Discussion Paper - July 2004 (October 2004)
- VALS Summary of Response to the Warrant Powers and Procedures Discussion Paper - July 2004 (October 2004).
- VALS Submission to the Department of Justice: Response to the Uniform Spent Convictions / A Proposed Model Discussion Paper - August 2004 (October 2004)
- VALS Submission to the Department of Human Services: Response to 'Protecting Children: Ten Priorities for Children's Wellbeing and Safety in Victoria' (October 2004)

- VALS Submission to the Victorian Parliament Law Reform Committee: Response to Inquiry into Warrant Powers and Procedures (November 2004)
- VALS Submission to the Victorian Parliament Law Reform Committee: Response to Inquiry into Warrant Powers and Procedures. Additional Information (December 2004)
- VALS Submission to the Department of Justice in relation to 'Access to Civil and Human Rights for Indigenous people'.
- VALS submission to the Department of Justice in response to: Proposed References on the Laws of Evidence and the Bail Act 1977 (29 October 2004)
- VALS Submission to the Department of Justice in response to: Justice Legislation (Sexual Offences and Bail) Bill
- VALS submission to in response to: Possible Crimes Act 1958 amendments to allow finger scans to be admitted as evidence in court and to validate Forensic Procedure Orders made under section 464(ZF)(3) Crimes Act 1958. (submitted 29.03.05)

Papers provided at Conferences

- VALS Paper presented at the 'Law Institute of Victoria Biennial Criminal Law Conference': Indigenous Law and Justice: New Challenges (12 September 2004)
- VALS Paper presented at the 'Home Truths Conference, Stop Sexual Assault and Domestic Violence - A National Challenge': Intervention in Sexual Assault and Domestic Violence Experienced by Indigenous Australians (16 September 2004)
- VALS Paper presented at the 'Victorian Aboriginal Child Care Agency Aboriginal Child Abuse Conference (Families are Forever - Build Them Strong!)': Child Protection Legislation Changes (8 October 2004)

Robin Inglis

Executive Officer-Research, Planning and Development.

Finance & Corporate Service Unit

The Financial & Corporate Services Unit is responsible for maintaining the financial framework and structure which supports all operational areas of VALS. This involves ensuring that VALS meets its statutory obligations and maintains a reliable system of internal controls which is designed to reasonably ensure that all transactions are authorised in accordance with approved management procedures, and all transactions are properly recorded, and the assets of VALS are safeguarded.

VALS principal cost is staff salaries, with other major expenses being outside briefs, motor vehicle running, telephone and travel. Taken together these expenses account for 96% of the recurrent funding provided to VALS by AT SIS in 2004/05. A full analysis of Income and Expenditure is provided in the Annual Financial Statements.

Reports are provided by means of monthly Financial Reports to the Board of Directors, quarterly reports to AT SIS and Annual Reports to Members. Each one is provided with various analyses according to their needs and statutory obligations.

VALS is primarily funded by AT SIS by means of quarterly grant payment in advance. Payments are made only if satisfactory Financial Reports have been submitted in accordance with VALS' Program Funding Agreement. There are additional terms and conditions that require VALS to undertake a range of accountability procedures. During the past

financial year VALS received additional funds for specific projects, and these are accounted for separately.

The Commonwealth Government provides funding to VALS for Emergency Relief to those in need of financial or food assistance. Assistance is only provided after an assessment process of each application.

There has been no change in accounting procedures during the year

VALS budgets for break-even and endeavours to end the year just under the budget in order to protect the capital base of the organisation and to ensure that we have sufficient funds to meet the needs of unplanned events.

The Balance Sheet shows a strong stability position as at 30 June 2005 with a ratio of 2.48 in the value of current assets over current liabilities. Capital expenditure was modest during the year, and it is anticipated that this will remain the same during 2005/2006.

Sam Firouzian
Executive Officer
Financial & Corporate Services Unit



Samantha Brown's farewell. Left to Right Frank Guivarra, Renee Wilson, Sarah Rozenbes, John Sutton, Cilla Brooks; Front: Jill Prior Samantha Brown and Tessa Theocharous

VICTORIAN ABORIGINAL LEGAL SERVICE CO-OPERATIVE LTD
ANNUAL REPORT 2004 - 2005
CONSOLIDATED
STATEMENT OF FINANCIAL POSITION
FOR THE YEAR ENDED 30 JUNE 2005

	Note	2005 \$	2004 \$
CURRENT ASSETS			
Cash	15	1,785,137	1,169,074
Receivables	4	613	1,149
Prepayments		20,371	18,442
TOTAL CURRENT ASSETS		1,806,121	1,188,665
NON-CURRENT ASSETS			
Property, Plant & Equipment	5	1,044,391	1,075,638
TOTAL NON-CURRENT ASSETS		1,044,391	1,075,638
TOTAL ASSETS		2,850,512	2,264,303
CURRENT LIABILITIES			
Payable & Accruals		294,780	297,881
Provisions	6	168,604	174,160
Unexpended Funds Carried Forward	7	264,007	117,206
TOTAL CURRENT LIABILITIES		727,391	589,247
TOTAL LIABILITIES		727,391	589,247
NET ASSETS		2,123,121	1,675,056
MEMBERS FUNDS			
Members Share Capital	8	304	304
Reserves	9	6	6
Members Fund		2,122,811	1,674,746
TOTAL MEMBERS FUNDS		2,123,121	1,675,056

Financials

VICTORIAN ABORIGINAL LEGAL SERVICE CO-OPERATIVE LTD
ANNUAL REPORT 2004 - 2005
CONSOLIDATED
STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30 JUNE 2005

	2005	2004
INCOME	\$	\$
Grants		
Attorney-General's Department	2,565,106	2,515,698
Other C'wealth & State Govt.Dept.	56,124	80,428
Transfer from Last year Current Liability	117,206	140,549
	<hr/> 2,738,436	<hr/> 2,736,675
Other Income		
Member Subscriptions	35	56
Bank Interest	58,003	44,708
Reimbursements Received	6,783	6,005
Legal Costs Recovered	182,620	73,272
Legal Aid Reimbursed	175,677	35,268
Donations	4,000	3,445
Profit/-Loss on sale of Non-current Assets	7,754	(2,573)
	<hr/> 434,872	<hr/> 160,181
Sum of Income	3,173,308	2,896,856

Financials

VICTORIAN ABORIGINAL LEGAL SERVICE CO-OPERATIVE LTD
ANNUAL REPORT 2004 - 2005
CONSOLIDATED
STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30 JUNE 2005

EXPENDITURE	2005	2004
	\$	\$
Salaries	1,235,447	1,373,566
Superannuation	110,530	124,563
Workcover	17,297	21,405
Annual Leave Accrual Expense	27,174	16,857
Long Service Leave Accrual Expense	(978)	(2,232)
Motor Vehicles - Fuel	35,157	36,058
Motor Vehicles - Leases & Repairs	68,641	71,108
Repairs & Maintenance - Buildings	4,718	6,162
Repairs & Maintenance - Plant	11,718	1,946
Repairs & Maintenance - Computers	7,543	3,807
Depreciation - Furn Fittings & Equip	36,941	48,763
Depreciation - Motor Vehicles	24,664	18,924
Depreciation - Buildings	18,657	18,657
Audit Fees	9,250	9,250
Equipment hire	7,595	8,082
Outside Briefs & Medical Reports	434,121	386,807
Test Case-Mathew Charles	27,924	146,300
Bank Charges	1,678	1,748
Cleaning	24,868	26,017
Insurance	17,493	20,178
Annual General Meeting Expenses	4,565	4,376
Directors Meeting Expenses	1,450	1,349
Other Meeting Expenses	3,217	3,183
Postage	11,770	14,277
Rates	10,888	10,691
Rent	28,730	21,801
Telephone	72,113	89,272
Staff Training	200	970
Library Expenses	11,406	13,177
Security	6,775	8,227
Storage	3,591	3,845
Staff Amenities	4,029	3,908
Recruitment Advertising	2,790	1,276
Fringe Benefit Tax	11,394	9,194
Practicing Certificates	2,586	3,559
Subscriptions	6,112	5,139
Food Vouchers	-	150
Legal Fees	2,720	1,386
Sundries	30,702	74,328
Electricity & Gas	15,425	14,015
Printing & Stationery	22,510	27,144
Travel	87,825	90,406
	2,461,236	2,739,639
Current Liability Carried Forward	264,007	117,206
Sum of Expenditure	2,725,243	2,856,845
OPERATING SURPLUS/-DEFICIT BEFORE INCOME TAX	448,065	40,011

VICTORIAN ABORIGINAL LEGAL SERVICE CO-OPERATIVE LIMITED

DECLARATION OF DIRECTORS

The Board of Directors of the Victorian Aboriginal Legal Service Co-operative Limited declares that the financial statements and notes:

- (a) accord with the Co-operatives Act 1996
- (b) comply with Australian Accounting Standards, and
- (c) present fairly the financial position of the Co-operative as at 30 JUNE 2005 and the results of its operations and its cash flows for the year ended on that date.

In the Directors opinion there are reasonable grounds to believe that the Co-operative will be able to pay its debts as and when they become due and payable.

Signed on behalf of the Board at Fitzroy this ...23rd.. day of ...September.... 2005



.....
DIRECTOR



.....
DIRECTOR



VICTORIAN ABORIGINAL LEGAL SERVICE
CO OPERATIVE LIMITED

AUDITOR'S REPORT

To the Members,

In my opinion the accompanying financial statements, on pages 1 to 31, being Statement of Financial Performance, Statement of Financial Position, Cash Flows Statement and notes to the accounts are properly drawn up in accordance with the provisions of the Co-operatives Act 1996, including:

- a) giving a true and fair view of:
 - (i) The state of affairs of the Co-operative at 30th June, 2005 and of the results and cash flows of the Co-operative for the year ended on that date, and
 - (ii) The other matters required by Section 238 of the Co-operatives Act 1996 to be dealt with in the financial statements; and
- b) complying with applicable Accounting Standards and other mandatory professional reporting requirements.

The accounting records and other records, and the registers required by the Act to be kept by the Co-operative have been properly kept in accordance with the provisions of that Act.

I have been given all information, explanations and assistance necessary for the conduct of the audit.

Dated at Frankston this 23rd day of September 2005

Eric Townsend
REGISTERED COMPANY AUDITOR (Reg.No. 8400)
E. Townsend & Co.
Suite 4/Level 1
405 Nepean Highway, Frankston, Vic., 3199.
Telephone : (03)781 4666

Mildura Koori Court Training



Left to right: Magistrate Ann Collins, VALS Board member and Koori Court Officer Terri Stewart, Chief Justice Marilyn Warren, Judge Paul Grant, Koori Court Liaison worker, Daniel Briggs; +Front row Uncle Col Walker and Aunty Rochelle Patten and Magistrate Dan Muling.

**Victorian Aboriginal Legal Service Co-operative Limited
6 Alexandra Parade Fitzroy, Victoria 3065**

Phone 03 9419 3888

Fax 03 9419 6024

Email vals@vals.org.au

