

JUSTICE

CULTURE

FAMILY

**VICTORIAN  
ABORIGINAL LEGAL SERVICE**



**ANNUAL REPORT  
2018-2019**



HUMAN  
RIGHTS

LAW



## ABOUT US

Welcome to the Annual Report of 2018-2019 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.



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### IMPORTANT

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*We acknowledge and pay our respects to the custodians of the lands on which we work, collectively the Aboriginal communities of South-East Australia.*

## REPORT FROM OUR CHAIRPERSON, DES MORGAN



### UPDATE

On behalf of the VALS' Board I am pleased to present to you our 2018-19 Annual Report.

Firstly, I would like to acknowledge and pay tribute to Uncle Peter Rotumah who sadly passed away in September 2018. He has been, and will continue to be, dearly missed by the VALS community.

In this period, the Board appointed respected VALS lawyer, Nerita Waight, as our new CEO. Nerita wasted no time in actively pursuing our vision through strengthening relationships with key stakeholders, funders, and the community sector. She has pursued additional funding opportunities to position VALS for the future, all with a clear line of sight to the clients we serve.

In this period, the Board reinforced VALS policy and procedure base by approving a range of key documents including a Protected Disclosure Policy, Staff Grievances Policy, and a Risk Management Framework.

In the VALS 2016-2017 Annual Report, it was noted that while staff were undertaking community workshops that there was a growing concern about our young people

being able to access support from VALS. It was being noted by community that there were increasing amounts of young people often missed out on our service because of conflict of interest. To address this issue VALS was pleased and excited to establish the Balit Ngulu Legal Service.

Balit Ngulu was a dedicated legal service for our young people, between 10-17, that needed our support in the criminal, family law and child protection space. We were able to represent 110 children in 12 months to advance their interests and ensure they were kept safe and culturally strong. Unfortunately due to lack of ongoing funding, this service had to be closed. We will continue to advocate on behalf of this service and request funding to reestablish this vital service in the future.

Members of the VALS' Board continue to support VALS staff to achieve our organisational goals and to look to the communities in which they work for guidance on what their legal needs are at any particular point in time.

As an organisation we are always keen to receive feedback as to what is working and what is not so that we are ensuring that we work collectively to reduce the over-representation of Aboriginal people in Victorian justice system across all age groups.

The 2017-2018 year saw more positive changes in our service delivery model, using technology to support our staff to be more mobile at court and the office to meet the legal needs of our clients.

We acknowledge it has been difficult to service each court location due to the increasing numbers of Aboriginal and Torres Strait Islander people being incarcerated across the State. We hope to reevaluate our

service delivery model in future to better meet the needs of our communities.

VALS Board of Directors, VALS Managers and Team leaders took part in an organisational review to ensure that our structure was meeting the needs of staff in ensuring clear lines of communication and managerial authority that would continue to support the growth and development of VALS into the future.

This piece of work was an important step in moving VALS forward and we look forward to seeing the positive benefits this change brings to our staff, our management team and our community.

As always, I thank the VALS staff members for their ongoing dedication to the work and their service to the Victorian community in an effort to ensure that Aboriginal people are treated equitably before the law in and out of the courtrooms.

In closing, I thank my fellow Board members for their commitment to ensuring that VALS continues to take a leading role in Aboriginal justice in Victoria and look forward to the work that awaits us in the upcoming year.



## A MESSAGE FROM OUR CEO, NERITA WAIGHT – DRAFT

[Add photo of Nerita]

It has been another year of bringing our purpose to life: to address the over-representation of Aboriginal and Torres communities by ensuring that all Victorian Aboriginal and Torres Strait Islander people enjoy and exercise their legal rights and have access to appropriate legal representation in the justice system.

Our work continues to grow as we service a growing number of clients in need. This year saw the continued rise of D24 notifications being processed and reminds us that there is more work to do.

This year we strengthened our advocacy efforts to ensure that we are an active, credible and influential partner in key government and non-government forums, promoting the voices of our communities. VALS has enjoyed significant media coverage, including on SBS NITV Radio, SBS World News Radio, the 3AW Morning Show, ABC Radio, CAMMS Radio, NIRS Radio, Ballarat and Bendigo local radio stations, ABC News 24, The Guardian, and The Age.

VALS also maintained a strong policy footprint, including through submissions to the Royal Commission into the Mental Health System, and a submission to the Parliamentary Inquiry on a Legislated Spent Convictions Scheme. In addition, VALS made submissions to the Victorian Law Reform Committee Review of Committals; the Inquiry of the Commission for Children and Young People, Our Youth Our Way; and the Council of Attorney General's Review of

Family Violence Competency of Legal Practitioners.

Following the significant efforts of the family of Tanya Day, the Attorney-General gave in principle support to abolish the offence of public drunkenness. This commitment comes almost 30 years after the Royal Commission into Aboriginal Deaths in Custody recommended that this offence be repealed across Australia. To guide this work, the Victorian Government established an Expert Reference Group comprising VALS, the Victorian Aboriginal Community Controlled Health Organisation, the former Executive Director of the Brotherhood of St Laurence, and the former Assistant Commissioner and the Chief Information Officer of Victoria Police.



This Annual Report showcases VALS partnership work and features illustrative case studies. A standout was our work addressing the civil needs of Victorian Aboriginal communities with the Consumer Action Law Centre under the Integrated Practice Project. This project delivered integrated consumer, credit and debt legal related services, resulting in a 75% increase in the number of Aboriginal and/or Torres Strait Islanders receiving assistance compared to the previous year.

In this period, we changed our corporate structure from an incorporated association to a company limited by guarantee in accordance with directions set by the Commonwealth Attorney General who funds the majority of our operations. In addition, we recently conducted a Review of our Legal Services and our Legal Community Justice Program (CJP) services and structures. These reviews highlighted the need for a stronger place-based approach to service delivery, including strong leadership to allow the CJP to develop innovative

community justice programs to achieve integrated and relevant client support, lead high level stakeholder engagement, and focus on lifting service delivery.

VALS remains committed to continuing to pursue funding opportunities to reestablish Balit Ngulu – a unique dedicated Aboriginal Youth Legal Service.

We look forward to another year of tireless support for our communities and ongoing legislative and policy reform to make a difference to the lives of those we serve.

## VALS BOARD OF DIRECTORS

### **Des Morgan - Chairperson**

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 VAEI. 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 Morris: Director**

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.

### **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 several years with VACCA 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 with a variety of working experience in our community. Amanda has previously worked VALS, VACSAL and Victoria Police. Amanda is currently employed at VACCA. Amanda has, through her tireless work, shown she is passionate about social justice for Koori people.

### **Lionel Bamblett: Director**

Lionel is a Yorta Yorta man who has worked in Aboriginal Community Controlled Organisations for many years. Lionel works in the area of youth and education.

### **Larry Kanoa: Treasurer**

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, VAEI and ATSIC. Larry's current role is as an Indigenous Community Development Broker with the Victorian Office of Aboriginal Affairs.

## WE REMEMBER: UNCLE PETER ROTUMAH

In September 2018 VALS and the Victorian Community mourned the passing of Uncle Peter Rotumah.

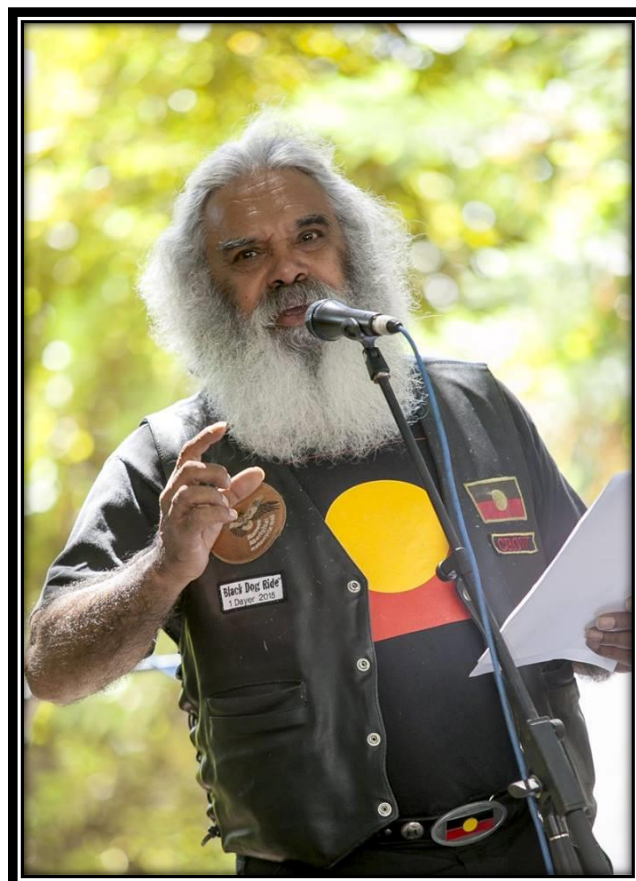
Uncle Peter devoted his working life to the Aboriginal community in the spaces of justice, families, children and community services.

Uncle Peter was known across the state as a fierce political and community advocate and was determined to see his mob thrive and achieve true self-determination.

Uncle Peter held many roles within and across our Community Controlled Organisations and government departments, with his final years with VALS as the Manager of Community Justice Programs.

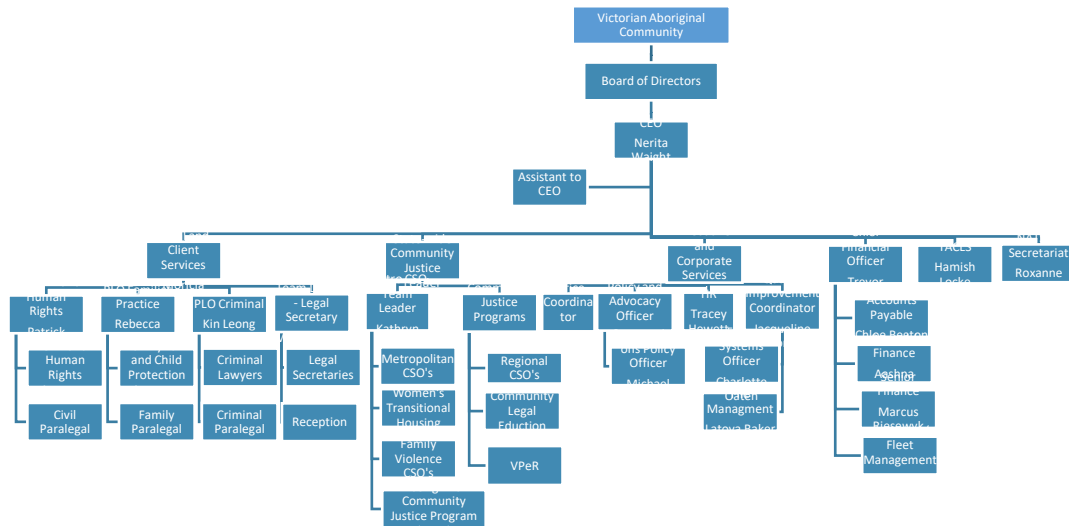
Uncle Peter played a vital role in mentoring within VALS, providing invaluable cultural support and guidance to staff across the service.

Uncle Peter was greatly loved and will be greatly missed by the VALS Board, Managers and staff.





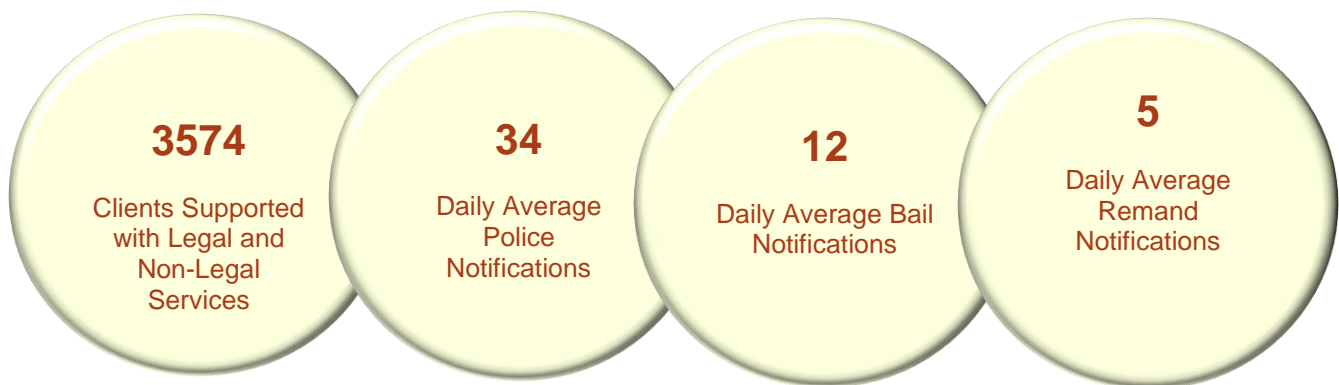
## VALS/TACLS ORGANISATIONAL STRUCTURE



## OUR PERFORMANCE

*“... while not strictly part of legal practice, however, in the most unusual and tragic circumstances of the application, it bespeaks a human and conscientious approach to the client-lawyer relationship”* — Supreme Court Judge commending VALS for arranging transport for an applicant back to country NSW.

It's been another busy year at VALS as evidenced by our growing case work and D24 police notifications, driven by policing activity and system and legislative changes such as bail and remand reforms. 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.



## LEGAL SERVICES

	Civil	Criminal	Family	Total
<b>Court/Tribunal</b>	99	1824	179	2102
<b>Dispute Resolution</b>	29	0	1	30
<b>Duty</b>	2	47	4	53
<b>Information Service</b>	70	1	29	100
<b>Legal Advice</b>	432	10	360	802
<b>Legal Task</b>	25	4	18	47
<b>Non-Legal Support</b>	11	0	3	14
<b>Other Representation</b>	178	1	9	188
<b>Referral</b>	153	3	82	238
<b>Grand Totals</b>	<b>999</b>	<b>1890</b>	<b>685</b>	<b>3574</b>

## CLIENT COMPOSITION

	Female	Male	Grand Total
<b>Child (4-17)</b>	54	78	132
<b>Youth (18-24)</b>	116	361	527
<b>Adult (25-54)</b>	1024	1465	2489

<b>Elderly (55+)</b>	218	208	426
<b>Grand Total</b>	<b>1462</b>	<b>2112</b>	<b>3574</b>

## POLICE NOTIFICATIONS

	Female	Male	Grand Total
0-17	635	1095	1730
18-24	668	1675	2343
25-34	1157	2560	3717
35-49	1098	2490	3588
50-64	189	595	784
65+	4	50	54
Unknown	35	38	73
<b>Grand Total</b>	<b>3786</b>	<b>8503</b>	<b>12289</b>

## RECORDED OUTCOMES

Recorded Outcomes	Count
Bailed	4259
Cautioned	225
DHHS - Released to family	114
DHHS - Resi Care	235
DHHS - Secure Welfare	109
DHHS Custody	102
Direct to Court	493
Further Enquiries	521
IVO/FVSN	260
No Charge	316
NOT ATSI	279
Other	353
Penalty Notice	540
Pending Summons	1896
Remanded	1887
Summons	700
<b>Grand Total</b>	<b>12289</b>

## TOP 5 POLICE STATIONS FOR NOTIFICATIONS

Station	Count
<b>1. Mildura</b>	1050
<b>2. Shepparton</b>	890
<b>3. Bendigo</b>	555
<b>4. Melbourne West</b>	462
<b>5. Geelong</b>	390

# VALS Legal Practice

## Family Law

### ***Summary of Highlights and Achievements***

- VALS now has a Child Protection Certifier for legal aid grants.
- Improved relationships with external stakeholders such as VLA Geelong, VLA Moorabbin and VLA Melbourne.
- Improved reputation within the greater Victoria regions which is evidenced by direct referrals from Private Practitioners for community members.
- Implementation of a duty lawyer service at Geelong.
- Increase in the number of child clients whom we represent.
- Increase in referrals from DHHS and VLA including being the first preference for specific regions.

Through the 2018-19, the Family Law team has grown which has assisted the team to support clients throughout Victoria. Expansion of the Family Law team occurred in early 2019 by way of two junior lawyers. We will be further supported by another family law solicitor who commences with VALS in November, and the re-establishment of the VLA secondee position. The family law team is currently 162 clients and we are utilising our Family Violence Client Service Officers to better assist and support our clients.

VALS acknowledges the continuing support of Victoria Legal Aid (VLA) in supporting the VALS Family Law team.

The Family Team has worked hard to promote VALS regionally and has recently commenced a child protection duty lawyer service in Geelong. Together with the implementation of the duty service at Geelong, VALS Family Team has increased its outreach to clients and services in the Geelong region. This is a fantastic step for our community in the Barwon region.

The Family Team have contributed to policy work including the Royal Commission into Mental Health System in relation to family violence competencies of legal practitioners and the Commission for Children and Young People inquiry into overrepresentation of Aboriginal children in the youth justice system.

The Family Team has been participating in the Aboriginal Family Law List Steering Committee. Our team are very excited about the implementation of this list and the role that VALS will play in appearing as duty lawyer when this list is in operation.

The Family Team has been participating in the Shepparton Specialist Family Violence Court Steering Committee. The Shepparton Specialist Family Violence Court launched late this year and is highly regarded by community.

A key concern and focus in the Family Law space, specifically Child Protection, is the Department of Health and Human Services handling of many indigenous matters. We are experiencing an increasing number of intakes from extended family members who have limited rights and options in respect of applications brought by the Department.



### **Case Study**

We have been assisting a longstanding client with her DHHS matter. Previously we assisted her to obtain a Family Preservation Order. Unfortunately the client disengaged with services and was fully non-compliant with the conditions of the order. Our client returned to NSW, leaving her children in Country Victoria, in two different placements. Our client has now re-engaged and has checked herself into a 3 month detox program in Sydney. We were able to obtain recent instructions and our solicitor attended a Conciliation Conference on behalf of our client. It is likely that DHHS will settle on a Family Reunification Order which is a fantastic result for our client.

## **Criminal Law**

### ***Summary of Highlights and Achievements***

- VALS appointed a LIV Accredited Criminal Law Specialist.
- VALS is represented on the Victoria Legal Aid Indictable Crime panel, allowing us to secure VLA funding on the most serious criminal law matters.
- VALS was successful in applying for the VLA Youth Crime Panel, allowing us to secure VLA funding in most criminal matters in the Children's Court jurisdiction.
- VLA strengthened its commitment to our practice and partnership agreement by providing a senior lawyer from their Indictable Crime team for the third year in row, this time, for the first time, at VLA's expense.
- VALS recruited a full-time Senior Criminal Lawyer in Mildura, facilitating better community engagement and access to legal representation in the northwestern region by a legal practitioner who lives in the region.

During 2018-19, the criminal law team 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 VLA office, we cover great distances, predominantly working remotely to provide actual, in-court representation in every court in Victoria. By the final quarter of 2019, the criminal team attained a full complement of lawyers and support staff; the first time in 12 months. Our team currently consists of 13 lawyers (including the Principal Legal Officer, 3 senior lawyers and 9 lawyers), 1 paralegal and 4 legal secretaries.

Among our priorities for the last 12 months have been:

- Raising our profile in the regional courts by, as staffing levels permit, attending our allocated court days regardless of whether we have an existing client requiring representation or not;
- As much as possible, sending the same lawyer to the same court for each appearance;
- Increasing applications for grants of aid from VLA by applying whenever a client is eligible; and
- Avoiding briefing out Koori Courts in the Magistrates' and County Courts.

We continue to face a significant increase in our workload due to the bail reforms. A far greater number of our clients are in custody and remain so until the finalisation of their matters. In a nutshell, the initial granting of bail at the point of arrest has been severely curtailed, and the threshold tests for the granting of bail by a Magistrate have risen exponentially so clients are more likely to be remanded in the first instance and then remain remanded in custody until sentenced. This means that many people are often spending most, if not all, of their time in custody as remand prisoners with extremely limited access to programs. Ultimately they receive a term of imprisonment for time served in relation to a matter which they should not receive a term of imprisonment, and not benefiting from a therapeutic order as the served term of imprisonment has been so onerous as to exhaust all other sentencing options.

The increase of clients in custody also places greater emotional and physical strain on our lawyers. As time pressures become more acute, the time consumed to obtain instructions via jail visits and teleconferences strains the emotional well-being and morale of the team as more clients are both in prison and sentenced to prison.

Unfortunately, we are not adequately resourced by funding bodies to service the night and weekend courts. We will continue to lobby the Victorian State Government to provide VALS with additional funding resources to service these courts.

The professional growth and capacity building of the Criminal Law team has seen an increase in our advocacy in the higher courts for pleas and bail applications. We have applied for bail and have been successful twice this year in the Supreme Court. In the most recent application, after granting bail, the Judge commended VALS for arranging transport for the applicant back to country NSW, that while "not strictly part of legal practice, however, in the most unusual and tragic circumstances of [the] application, it bespeaks a human and conscientious approach to the client-lawyer relationship". This is not only emblematic of the increase in the criminal law team's capacity to appear in the higher jurisdictions, but also the holistic service VALS provides on a daily basis in every court in the state.

This human and conscientious approach is further reflected in an audit by the criminal law team in May that revealed that the average time a lawyer spends taking a client from first mention to plea and sentence in the Magistrates' Koori Courts is 14 hours per matter across 52 individual matters. The audit not only revealed the amount of time spent in court, but perhaps more importantly, the significantly greater time spent making and encouraging referrals to community-based support organisations.

The criminal law team submitted a formal written submission to the Victorian Law Reform Commission's review of the committals and pre-trial procedures in indictable crime matters. We will also prepare a written submission into the Commission for Children and Young People's inquiry on over-representation of Aboriginal and Torres Strait Islander children and young people in the youth justice system.

Furthermore, our views have formally been sought concerning:

- The expansion of Koori Courts;
- Family violence fast tracking in the Magistrates' Court;
- VLA's summary and indictable programs through the *Better justice, everyday* project, and their respective planning days;
- The Queensland Sentencing Advisory Council review of community-based orders; and
- The Royal Commissions into Violence, Abuse, Neglect and Exploitation of People with a Disability; and into Victoria's Mental Health System.

## Civil Law

### Case Study

We provide duty work for daily remands at courts and unrepresented clients in Koori Court. An unrepresented community member in Koori Court approached our service on the day of court after being advised by his previous lawyers that he wouldn't require representation. He had a long history with multiple findings of guilt and some significant terms of imprisonment. He faced a mandatory licence loss and potential for another short term of imprisonment. He was clearly a person who required legal representation.

He is a devoted father, having recently regained custody of his children, and a gifted artist whose talent was sadly revealed in custody. His improved family circumstances required his continued presence in the community, not custody, and his ability to drive his children to school, some 30 minutes away was paramount. Through our advocacy, we were able to defer his sentence to allow him time to deal with the loss of his licence and not jeopardise any opportunities for his children to attend school and community events. He demonstrated his ability to put plans in place, found support in the community he didn't know he had, and further highlighted to the court and the elders his successful rehabilitation.

Ultimately, he did not receive a term of imprisonment and his art is now permanently displayed in the Koori Court.

### Summary of Highlights and Achievements

- VALS was instrumental in the Victorian Government's announcement to decriminalize public drunkenness.
- VALS secured pro bono support from law firm Hall and Wilcox who now provide a lawyer one day a week to focus on infringements work.

This period has seen the civil team continue to expand and enhance its service delivery across a range of crucial legal areas.

Our coronial inquest work has been a feature over the past 12 months. VALS was heavily involved in the coronial inquest into the death of Yorta Yorta woman Tanya Day, working closely with her family, and the Human Rights Law Centre. Our coronial work, together with the tireless advocacy by Tanya Day's children, whose strength and fight has been inspiring to thousands of people, led to the Victorian Government announcing in late August that they would be moving to decriminalize public drunkenness and selected VALS as one of four members of an expert advisory panel. The civil team is now collaborating with the policy worker and CEO in continuing to guide the government around a health-based response to public drunkenness. We continue to support the family in their continued fight for justice and accountability for her death.

The civil team also assisted with a coronial inquest into the death of Harley Larking. This case centered on issues around inpatient care in the Northern Hospital's psychiatric unit, with VALS seeking recommendations to bolster the role of Aboriginal mental health workers in that setting. We are hoping these recommendations will be made by the Coroner and picked up by the Royal Commission into Mental Health.

The development of our pro bono relationships continues to benefit VALS and its clients. We are currently on our fourth rotation of 6 monthly secondees from the firm DLA piper. These secondees come to VALS free of charge, and essentially provide an additional lawyer to the team who can take on matters across all our areas of practice. This arrangement will continue for a further 12 months. We also launched an employment law project with King and Wood Malletsons, whereby VALS civil team lawyers can seek guidance and advice from KWM's employment law experts to assist us in running termination related employment matters. This has resulted in some very successful outcomes for clients and has assisted us to build our own internal capacity.

Our joint project with Consumer Action Law Centre is also going from strength to strength. Siobhan Doyle, the VALS lawyer we recruited using this project funding, is doing an amazing job at outreach events across the state and is feeding into CALC's policy work in the consumer credit and debt space. This project was recently approved for a further 12 months (\$200k funding), which means Siobhan will be able to stay at VALS until 2021 at least.

We are continuing our work in the infringements space, noting significant issues with Victoria's infringements system that have slowed down enforcement and client engagement. Despite this, we have secured pro bono support from law firm Hall and Wilcox who now provide a lawyer one day a week to focus on infringements work. We will recruit additional volunteers as the system comes back online.

We have made multiple significant policy contributions on a range of issues, including the Royal Commission into Mental Health, spent convictions scheme, and have taken a key role with other agencies in advocating for an independent police complaints system in Victoria.

2019-2020 promises to be an even busier period, as the civil team continues to grow and focus our energy on areas of law that the community need us to be working in.



### Case Study

A young Yorta Yorta man sought to have his criminal matters adjourned to the nearest Koori Court for sentencing. The sitting Magistrate refused this request, indicating he would receive a culturally appropriate service in mainstream Magistrates' Court. The criminal team contacted VALS civil about this. Ultimately, VALS' civil team ran successful judicial review proceedings in the Victorian Supreme Court, setting aside the Magistrates' decision, which allowed the young man's matters to be transferred to the Koori Court. This decision has improved access to the Koori Court for all Aboriginal Victorians. The use of Victoria's Charter of human rights in this case also led to the first detailed judicial consideration of Aboriginal cultural rights under the Charter.

## Community Justice Programs

### *Summary of Highlights and Achievements*

- The VALS Board reviewed the Community Justice Program structure to achieve integrated and relevant client support, lead high level stakeholder engagement, and focus on lifting service delivery.



### **Regional Client Service Officer (CSO) Program**

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

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

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.

Regional CSOs spend the majority of their time traveling across the state to various regional courts, supporting people prior to, at and after court. The CSOs also provide important follow-up appointments with clients to assist lawyers in progressing legal matters and identifying appropriate support services for clients. They undertake community legal education, making sure people living in their region have access to legal information when they need it, and can talk to a lawyer if they need that too.

### **Custody Notification Officers**

Staff:

- Kathryn Morris (Metro Team Leader)
- Gary Bamblett
- Jaime Carter-Maggs
- Full Time Role - Vacant
- Rotation of 7 Casual Weekend CSOs

The Custody Notification Officers (CNO's) are key to the operation of the State's CNO system. 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.

The three fulltime CNO's work a 24-hour roster from Monday - Friday afternoon, and the casual staff work a roster from Friday evening to Monday morning. 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.

Between 1 July 2017 to 30 June 2018, the notification team processed over 11,100 individual notifications from police stations regarding Aboriginal people in custody. 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 CSO Program received in excess of 55,500 phone calls during this period.

The Metropolitan CSO Program is also instrumental in providing employment pathways for our people. Through our Casual Weekend CSO section, several Aboriginal people have gained full time employment at VALS as Lawyers, Client Service Officers, Paralegals, Local Justice Workers, and Admin Support.

## **Family Violence CSO Program**

### **Staff:**

- Tanisha Ellis
- Lisa Arnold
- Jaiden Graham

2017-18 saw the introduction of a new Community Justice Program, the Family Violence Client Support Officers (FVCSOs).

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.

The Family Violence Client Support Officers come to VALS with a variety of social work and case work experience from across the health and community service sectors. This has meant that in the short time since the teams establishment, FVCSOs have had a large impact on the management of cases and the range of supports provided to our clients because of the wealth of knowledge and stakeholder connections that they bring.

## **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:

- Shepparton
- Echuca
- Swan Hill/Robinvale
- Mildura
- Horsham
- Portland/Heywood
- Warrnambool
- Geelong
- Bendigo
- Ballarat
- Northern Metropolitan
- Dandenong

Although the initial contact point when Aboriginal people are arrested continues to remain a vital focus, ACJPs have been involved in a range of other activities including:

- 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 and emergency/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.

## VPeR

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.

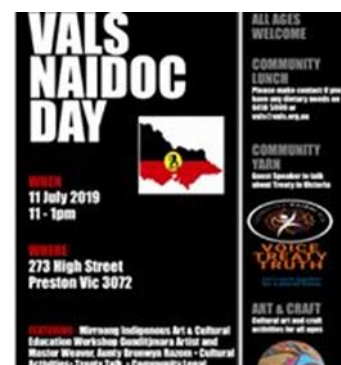
In this period, we advocated on behalf of our people with services such as Centrelink, Department of Justice and Community Safety, Family Support Services, Office of Housing, Department of Health and Human Services, drug and alcohol treatments services, health and mental health practitioners and other relevant services and supports. We assess the needs of our clients that encompass legal, education, employment, housing, income, mental and physical health, as well as a range of other social issues. This work extends to client's children, carers and spouses, with the aim of providing a holistic service that encompasses the family unit.

We continue to network and advocate for our clients' needs, including identifying service gaps and highlighting funding opportunities and services to better support our clients.

## VALS Community Legal Education Program



The Community Legal Education program continues to operate Statewide, delivering legal information sessions to community and attending community events with the Justice Bus. Though funding has been an issue this past year to have events cover the whole state of Victoria, VALS continues to look for funding opportunities to increase innovative ways for CLE to educate and help Aboriginal communities to know their rights.



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, for example:

- |                       |                   |
|-----------------------|-------------------|
| • Child Protection    | Debt issues       |
| • Child Access        | Rental            |
| • Grandparents rights | Funeral insurance |
| • Intervention Orders | Wills             |





An important element of CLE is networking with other agencies to bring specialized information to Community groups. Workers from mainstream agencies need to be compassionate and caring to people's problems. Partnerships with other Legal agencies such as Victorian Legal Aid and other Community Legal Centre's provides additional support when VALS cannot provide staff for outreach due to work commitments. VALS CLE works together with other Legal CLE officers and Aboriginal Legal Aid Field Officers on projects to increase legal awareness and give legal options to community members needing legal help.



Outreach engagement is an essential part of VALS CLE and it's 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. VALS have wonderful engaging Solicitors who outreach throughout the year and CLE is very grateful for our legal teams to find time to do these sessions. Both community members and solicitors enjoy these sessions as they 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.



CLE is looking forward to 2020 as further projects are in the works to be launched across the state and there will be further engagement in other regions of Victoria. VALS endeavors to obtain more funding to help the CLE program undertake more outreach in the coming year as knowledge is power.

# TACLS Report

## ***Summary of Highlights and Achievements***

- Re-allocation of staff to establish a central reception point for a smoother intake process with custody notifications and enquiries coming through one location.
- TACLS signed another 12-month MOU with the Legal Aid Commission of Tasmania.
- TACLS established a video-conferencing system to allow lawyers to hold legal advice clinics and community legal education workshops to remote areas of Tasmania.

TACLS has now reached its fourth year in operation under the auspice of VALS and continues to grow. The 2017-18 was a time to reflect which structures and system were working well, and one that need to be adjusted to assist in streamlining service delivery for the staff and for the community members.

The reporting year saw the re-allocating of staff to establish a central reception point. When TACLS first formed, the Launceston office would take its own calls, as would Hobart. However, this meant that when community were contacting TACLS it could lead to confusion as to the location of the staff member they were wishing to speak to and had the possibility of leading to a greater chance errors could be made.

TACLS have re-routed the phone system so that incoming calls now go to a central receptionist, located in Launceston office, and calls can internally be put through to the relevant person. This change has resulted in a smoother intake process, with custody notifications and enquiries coming through one location.

The Hobart office continues to provide legal services across the area of criminal and civil law with the support of 3 lawyers, a CSO and 2 administrative support officers.

The Launceston office continues to grow in staffing numbers to meet the increasing demand of the northern areas of the State. Staff within the Launceston office provide legal services across the area of criminal and civil law with the support of 5 lawyers, a CSO and 4 administrative support officers.

The family law program stretches across both offices, with the family lawyer based in Hobart and regularly travelling to Launceston and Burnie.

TACLS signed on to another 12-month MOU with the LACT, agreeing to collaborate wherever possible. It is intended that TACLS and the LACT continue to share professional knowledge, expertise and resources, identify opportunities for joint training, share statistical information and promote each other's services with the legal services sector, government and the community.

TACLS was made aware towards the end of the reporting period that the LACT reported the number of LACT duty lawyer services provided to Aboriginal people are coming down over time.

During the reporting period The Department of Justice within Tasmania conducted a review into the Tasmanian Legal Assistance Sector in which TACLS actively participated. While TACLS does not receive any State funding, a reduction in funding to the CLC sector in Tasmania would have a very negative impact on Aboriginal people in Tasmania and likely see a significant strain placed on our service.

TACLS continues to be an ex-officio member of the Tasmanian Regional Aboriginal Communities Alliance (TRACA) and to take cultural advice and guidance from TRACA. In August 2017 TACLS signed

an MOU with TRACA to formalise the relationship between the two organisations. The MOU objectives are:

- To create a partnership to improve the access and equity of Aboriginal and Torres Strait Islander peoples to high quality and culturally appropriate legal assistance services.
- To foster professional cooperation through personal contact points and regular stakeholder meetings.
- To deal with Tasmanian matters whilst dealing with Aboriginal people's dignity and rights whilst accessing legal assistance services.
- To improve the health and justice outcomes for Aboriginal and Torres Strait Islander peoples.
- To work together to identify law reform and advocacy issues facing Aboriginal communities in Tasmania and work together on solutions to those issues.

An exciting moment of the 2017-18 year was the arrival and set-up of a video-teleconferencing system that will allow lawyers to hold legal advice clinics and community legal education workshop via the tele-conferencing system to remote areas of Tasmania through local community service with the capabilities.

A point of pride for the TACLS legal service is that service provision operates on a model that maximises the skills of the legal team members, only briefing counsel in particularly complex matters, such as for trials, or on occasions that a TACLS lawyer cannot be present. Each lawyer takes their matter from its beginning to its conclusion.

Where a matter is set down for trial the lawyer may brief but is required to junior on the trial. In this way TACLS can become less reliant upon briefing the private bar and develop its own legal team and therefore be more cost effective. This model also provide opportunity for staff to provide internal mentoring and learning opportunities, supporting co-workers develop their legal skills.

TACLS staff members continue to explore opportunities within the community to participate in providing Community Legal Education workshops. Through this reporting year TACLS provided CLE workshops at;

- Risdon Prison,
- Ashley Youth Detention Centre,
- Tagara Lia
- Leprena,
- Karadi,
- Six Rivers, and
- Circular Head Aboriginal Corporation (CHAC)

## Looking to the future

The year ahead will be characterised by opportunities to strengthen our place-based services across the state to ensure we meet growing demand and improve access to vital legal services to vulnerable communities.

SEAAJS has registered the trading name of the Tasmanian Aboriginal Community Legal Service (TACLS) since 2015. As at 1 July 2020, SEAAJS/VALS will no longer be auspicings the running of this services, the funding will be provided to another local Tasmanian group to operate the service. VALS has established a Transition Group to support this process. VALS will re-design our/SEAAJS Logos and refresh our website in the new year.

VALS will also continue to pursue funding opportunities to reestablish Balit Ngulu – a dedicated Aboriginal Youth Legal Service.

VALS will continue upskilling our workforce with relevant skills and qualities, including Disability Cultural Awareness Training for staff. We recently held Disability Cultural Awareness Training, Sexual Harassment and Discrimination training, Fire Warden and First Aid Training, to ensure we have a healthy and supportive workplace for all.

The year ahead will also see the release of our new Strategic Plan and a refresh of our organisational Values to ensure we are well positioned for the challenges ahead. Underpinning our strategic plan will be a strong policy and advocacy agenda, including:

- Engaging with the Disability Royal Commission;
- Exploring a Police Accountability project to provide a voice to community members who have been subject to police misconduct or brutality;
- Supporting the repeal of the offence of public drunkenness and replacing it with a holistic health-based response;
- Supporting the implementation of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT);
- Supporting the Stolen Generation Redress and Legislated Spent Convictions Schemes; and
- Lobbying the Victorian State Government to provide VALS with additional funding to assist in servicing the night and weekend courts.



## Victorian Aboriginal Legal Service

Free call: 1800 064 865

Melbourne Office:  
273 High Street, Preston, 3072

Regional Offices:  
Ballarat - 403 Main Road, Ballarat, 3350  
Bairnsdale - Shop 13, Riviera Plaza 80 Main Street, Bairnsdale, 3875  
Heywood - 22 Hunter Street, Heywood, 3304  
Mildura - 71 Pine Avenue, Mildura, 3502  
Morwell - 16 George Street, Morwell, 3840  
Shepparton - Suite 1, 98 Nixon Street, Shepparton, 3875  
Swan Hill - 139A Campbell Street Swan Hill, 3585

[www.vals.org.au](http://www.vals.org.au)

Like us on Facebook



Follow us on Twitter - #thevalsmob



## Tasmanian Aboriginal Community Legal Service

Free call: 1800 064 865

Hobart Office:  
Suite 402, Level 4, 152 Macquarie Street, Hobart

Launceston Office:  
Level 1, Office 1A, 67-69 Brisbane Street, Launceston

<http://tacls.org.au/>

Like us on Facebook



Follow us on Twitter - #thetacslmob



**SOUTH EAST AUSTRALIAN ABORIGINAL  
JUSTICE SERVICES LIMITED**

**FINANCIAL REPORT**

**FOR THE YEAR ENDED 30 JUNE 2019**

# **SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

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# **SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

## **DIRECTORS' REPORT**

Your Directors present this report, together with the audited financial statements of the South East Australian Aboriginal Justice Services Limited trading as The Victorian Aboriginal Legal Service (VALS) for the year ended 30<sup>th</sup> June 2019.

### **DIRECTORS**

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

Desmond Morgan (Chairperson)	Irene Morris	Leigh Saunders
Lionel Bamblett	Amanda Dunstall	Larry Kanoa

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: Irene Morris.

### **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;
- 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;
- 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.

# **SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

## **DIRECTORS' REPORT (Cont'd)**

### **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 \$774,451 after a depreciation charge of \$304,577.

### **SIGNIFICANT CHANGES**

There are no significant changes that occurred in the state of affairs during the 2018-19 financial year.

### **AFTER BALANCE DATE EVENTS**

There have been no matters or circumstances that have arisen since the end of the financial year which have significantly affected, or may affect, the operations of the VALS, the results of those operations or the state of affairs of VALS in the subsequent financial year.

### **FUTURE DEVELOPMENTS AND RESULTS**

Likely developments in the operations of VALS 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.

### **ENVIRONMENTAL ISSUES**

VALS operations are not regulated by a significant environmental regulation under a law of the Commonwealth or of a State or Territory.

### **OPTIONS**

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

# **SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

## **DIRECTORS' REPORT (Cont'd)**

### **INFORMATION ON DIRECTORS**

#### **Des Morgan: Chairperson**

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, 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 Yorta Nations Aboriginal Corporation.

#### **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.

#### **Leigh Saunders: Director**

Leigh Saunders is a proud Bangerang and Yorta 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. Leigh resigned from the Board on 6 May 2019.

#### **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: Secretary**

Irene is a Wurundjeri Elder who has been employed within Aboriginal Community Controlled Organisations for nearly 30 years. Irene has provide support and education on corporate governance structures and corporate responsibilities across the state to; Aboriginal community organisations, co-ops 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.

#### **Lionel Bamblett: Director**

Lionel is a Yorta Yorta man who has worked in Aboriginal Community Controlled Organisations for years. Lionel works in the area of youth and education. Lionel resigned from the Board on 25 January 2019.



# **SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

## **DIRECTORS' REPORT (Cont'd)**

### **MEETING OF DIRECTORS**

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

	No. of eligible to attend	No. attended
Desmond Morgan	6	6
Leigh Saunders	5	2
Larry Kanoa	6	5
Irene Morris	6	6
Amanda Dunstall	6	5
Lionel Bamblett	2	2

### **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 VALS.

### **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.

### **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 22 October 2019

 Director

 Director

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES  
LIMITED**

**AUDITORS' INDEPENDENCE DECLARATION**

**UNDER SECTION 60-40 OF THE AUSTRALIAN CHARITIES AND NOT-FOR-PROFITS COMMISSION ACT 2012 AND THE CO-OPERATIVES NATIONAL LAW (VICTORIA) TO THE DIRECTORS OF VICTORIAN ABORIGINAL LEGAL SERVICE CO-OPERATIVE LIMITED**

I hereby declare, that to the best of my knowledge and belief, during the financial year 30 June 2019 there have been:

- (i) no contraventions of the auditor independence requirements as set out in the Co-operatives National Law (Victoria) and the Australian Charities and Not-for-profits Commission Act 2012 (ACNC Act) in relation to the audit; and
- (ii) no contraventions of any applicable code of professional conduct in relation to the audit.

**Name of Firm**                      E Townsend & Co



**Name of Auditor**              Eric Townsend   ACA  
Chartered Accountant

**Address:**                          15 Taylor Street  
ASHBURTON VIC 3147

**Date**                                  10<sup>th</sup> of October 2019

***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

**STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME  
FOR THE YEAR ENDED 30 JUNE 2019**

	Note	Year to date 30 June 2019	Period 17 January to 30 June 2018
<b>Revenue including Government Grants</b>	<b>2</b>	<b>10,605,668</b>	<b>3,923,045</b>
Auditors' remuneration	3	29,400	9,050
Depreciation and amortisation expenses		304,577	116,400
Employee benefits expenses		6,281,238	3,192,332
Outside Briefs		231,586	127,181
Other expenses		2,976,274	1,261,501
Finance Costs – Interest		8,142	876
<b>Total Expenditure</b>		<b>9,831,217</b>	<b>4,707,340</b>
Surplus (Deficit) before income tax		774,451	539,870
Income Tax		-	-
Surplus (Deficit) after income tax		774,451	539,870
Other comprehensive income		-	-
<b>Total comprehensive income for the year attributable to members of the entity</b>		<b>774,451</b>	<b>539,870</b>

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.

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

**STATEMENT OF FINANCIAL POSITION  
AS AT 30 JUNE 2019**

	Note	30 June 2019 \$	30 June 2018 \$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	5	6,978,148	6,436,215
Trade and other receivables	6	1,434,692	498,753
Other current assets	7	-	-
<b>TOTAL CURRENT ASSETS</b>		<u>8,412,840</u>	<u>6,934,968</u>
<b>NON-CURRENT ASSETS</b>			
Property, plant and equipment	8	<u>6,481,029</u>	<u>6,562,510</u>
<b>TOTAL NON-CURRENT ASSETS</b>		<u>6,481,029</u>	<u>6,562,510</u>
<b>TOTAL ASSETS</b>		<u>14,893,869</u>	<u>13,497,478</u>
<b>CURRENT LIABILITIES</b>			
Trade and other payables		1,152,728	860,151
Grant income carried forward	10	4,871,712	3,744,133
Short-term provisions payable	9	<u>407,223</u>	<u>1,073,589</u>
<b>TOTAL CURRENT LIABILITIES</b>		<u>6,431,663</u>	<u>5,677,873</u>
<b>NON-CURRENT LIABILITIES</b>			
Long-term provisions payable	9	425,588	557,437
Long-term contingency provision	14	<u>181,973</u>	<u>181,973</u>
<b>TOTAL NON-CURRENT LIABILITIES</b>		<u>607,561</u>	<u>739,410</u>
<b>TOTAL LIABILITIES</b>		<u>7,039,224</u>	<u>6,417,283</u>
<b>NET ASSETS</b>		<u>7,854,645</u>	<u>7,080,195</u>
<b>MEMBERS EQUITY</b>			
Reserves	11	6	6
Retained earnings		7,854,639	7,079,481
<b>TOTAL MEMBERS EQUITY</b>		<u>7,854,645</u>	<u>7,079,487</u>

The above statement should be read in conjunction with the attached notes.

***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

**STATEMENT OF CHANGES IN EQUITY  
FOR THE YEAR ENDED 30 JUNE 2019**

	Share capital \$	Retained Earnings (Deficit) \$	Reserves \$	Total \$
<b>Balance at 16th January 2018</b>	354	7,864,130	6	7,864,490
Share Capital transferred to Retained Earnings	(354)	354		-
(Deficit) attributable to members for the period 17th January 2018 to 30th June 2018		(784,295)	-	-784,295
<b>Balance at 30th June 2018</b>	-	7,080,189	6	7,080,195
Surplus attributable to members for the year ended 30 June 2019	-	774,451	-	774,451
<b>Balance at 30 June 2019</b>	-	7,854,640	6	7,854,646

The above statement should be read in conjunction with the attached notes.

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

**STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED 30 JUNE 2019**

	Note	Year to date 30 June 2019	Period 17 January to 30 June 2018
		\$	\$
<hr/>			
<b><u>CASH FLOW FROM OPERATING ACTIVITIES</u></b>			
Receipts of Grants		11,454,424	3,989,298
Legal costs recovered		42,331	38,101
Other Income		80,804	57,320
Donations		20,295	7,730
Interest received		99,480	99,461
Payments to suppliers, employees & disbursements		(10,927,023)	(4,674,221)
		<hr/>	<hr/>
<b>Net cash generated from (used in) operating activities</b>	<b>12</b>	<b>770,311</b>	<b>(482,312)</b>
 <b><u>CASH FLOWS FROM INVESTING ACTIVITIES</u></b>			
Sale of property, plant & equipment		24,745	34,449
Purchase of property, plant & equipment		(253,123)	(328,662)
		<hr/>	<hr/>
<b>Net cash generated from (used in) investing activities</b>		<b>(228,378)</b>	<b>(294,213)</b>
 <b>Net Increase (decrease) in cash held</b>		 <b>541,933</b>	 <b>(776,525)</b>
Cash at the beginning of the financial period		<b>6,436,215</b>	<b>7,212,740</b>
<b>Cash at the end of the financial period</b>	<b>5</b>	<hr/> <b>6,978,148</b>	<hr/> <b>6,436,215</b>

The above statement should be read in conjunction with the attached notes.



## ***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

### **NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019**

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The financial statements cover South East Aboriginal Justice Services Limited 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, Corporations Act 2001 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 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 2019**

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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 2018 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.

**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.

## ***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

### **NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019**

---

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

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.

#### **Leases**

Leases of fixed assets where substantially all the risks and benefits incidental to the ownership of the asset, but not the legal ownership that are transferred to the cooperative, are classified as finance leases.

Finance leases are capitalised by recording an asset and a liability at the lower of the amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

Leased assets are depreciated on a straight-line basis over the shorter of their estimated useful lives or the lease term.

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

Lease incentives under operating leases are recognised as a liability and amortised on a straight-line basis over the life of the lease term.

#### **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 2019**

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**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 2019**

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#### **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 2019**

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#### **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.

#### **AASB 16 Leases**

This standard is applicable to annual reporting periods beginning on or after 1 January 2019. The standard replaces AASB 117 'Leases' and for lessees will eliminate the classifications of operating leases and finance leases. Subject to exceptions, a 'right-of-use' asset will be capitalised in the statement of financial position, measured at the present value of the unavoidable future lease payments to be made over the lease term. The exceptions relate to short-term leases of 12 months or less and leases of low-value assets (such as personal computers and small office furniture) where an accounting policy choice exists whereby either a 'right-of-use' asset is recognised or lease payments are expensed to profit or loss as incurred. A liability corresponding to the capitalised lease will also be recognised, adjusted for lease prepayments, lease incentives received, initial direct costs incurred and an estimate of any future restoration, removal or dismantling costs. Straight-line operating lease expense recognition will be replaced with a depreciation charge for the leased asset (included in operating costs) and an interest expense on the recognised lease liability (included in finance costs). In the earlier periods of the lease, the expenses associated with the lease under AASB 16 will be higher when compared to lease expenses under AASB 117. For classification within the statement of cash flows, the lease payments will be separated into both a principal (financing activities) and interest (either operating or financing activities) components. For lessor accounting, the standard does not substantially change how a lessor accounts for leases. The entity will adopt this standard from 1 January 2019 but the impact of its adoption is yet to be assessed by the company.



***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2019**

**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.

<b>2 Revenue</b>	<b>Year to date 30 June 2019</b>	<b>Period 17 January to 30 June 2018</b>
	<b>\$</b>	
<b>Operating Activities</b>		
Grant income		
<u>Attorney General Department</u>		
VALS	4,974,190	2,172,700
TACLS	2,567,423	1,118,209
NATSILS	395,000	134,164
	<u>7,936,613</u>	<u>3,425,073</u>
VIC Department of Justice	2,453,094	736,196
VIC Other Departments	789,376	285,437
Family Violence Protection	-	-
	<u>3,242,470</u>	<u>1,021,633</u>
- plus unspent grants brought forward	3,744,133	3,465,847
- plus grants received in advance	322,447	(442,348)
- less unspent grants carried to future period	(4,871,712)	(3,744,133)
	<u>(805,132)</u>	<u>(720,633)</u>
<b>Grant income</b>	<b>10,373,951</b>	<b>3,726,072</b>
Legal aid income	38,483	31,571
Legal costs recovered	-	3,066
<b>Total revenue from operating activities</b>	<b>10,412,434</b>	<b>3,760,709</b>
<b>Other Revenue</b>		
- Other income	73,458	55,145
- donations	20,295	7,730
- interest received	99,480	99,461
<b>Total other revenue</b>	<b>193,233</b>	<b>162,336</b>
<b>Total revenue</b>	<b>10,605,668</b>	<b>3,923,045</b>

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2019**

	Year to date 30 June 2019	Period 17 January to 30 June 2018
<b>3 Remuneration of Auditor</b>		\$
During the financial year the following fees were paid or payable for services provided by E Townsend & Co, The auditor of the entity.		
Auditing of the financial statements and acquittals	29,400	9,050
Other services	-	-

**4 Revenue and Expense items**

**Bad and doubtful debts**

There were no bad debts provisions made for the reporting period and for the previous financial year.

**Operating Lease expenses**

Operating lease, contracted lease payments	213,302	144,370
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**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:

	30 June 2019	30 June 2018
<b>Current Assets</b>		\$
Cash on Hand	1,078	496
<u>Cash at Bank</u>		
Recurrent	3,823,984	99,027
Term Deposit	0	3,473,316
Cash Management	3,153,067	2,106,197
Salary packaging	10	471
Emergency Relief	9	6,708
Externally Controlled Funds		750,000
	<b>6,978,148</b>	<b>6,436,215</b>

***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2019**

<b>6 Trade and Other Receivables</b>	<b>30 June 2019 \$</b>	<b>30 June 2018 \$</b>
<b>Current</b>		
Trade Debtors	1,301,053	446,298
Less: Provision for Impairment of receivables	-	-
Other receivables	133,639	52,455
	<u>1,434,692</u>	<u>498,753</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 31-60 days	Past due but not impaired >90 days
<b>2019</b>					
Trade and term receivables	1,301,053	340,669	658,924	300,000	1,460
Other receivables	133,639	133,639	-	-	-
<b>Total</b>	<b>1,434,692</b>	<b>474,308</b>	<b>658,924</b>	<b>300,000</b>	<b>1,460</b>
<b>2018</b>					
Trade and term receivables	446,298	132,246	-	84,135	229,917
Other receivables	52,455	52,455			
<b>Total</b>	<b>498,753</b>	<b>184,701</b>	<b>-</b>	<b>84,135</b>	<b>229,917</b>

***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2019**

<b>7 Other Current Assets</b>	<b>30 June 2019</b>	<b>30 June 2018</b>
	<b>\$</b>	<b>\$</b>
<b>Current</b>		
Prepayments	-	-
	-	-
<b>8 Property, Plant and Equipment</b>	<b>30 June 2019</b>	<b>30 June 2018</b>
	<b>\$</b>	<b>\$</b>
<b>Land</b>		
- at cost	4,117,566	4,117,566
<b>Total Land</b>	<b>4,117,566</b>	<b>4,117,566</b>
<b>Buildings</b>		
- At cost	1,708,537	1,708,537
Less: Accumulated depreciation	(274,030)	(231,317)
<b>Total Buildings</b>	<b>1,434,507</b>	<b>1,477,220</b>
<b>Total Land and Buildings</b>	<b>5,552,073</b>	<b>5,594,786</b>
<b>Motor Vehicles at cost</b>	<b>585,217</b>	<b>623,071</b>
Less: Accumulated depreciation	(241,802)	(169,514)
<b>Total Motor Vehicles</b>	<b>343,415</b>	<b>453,557</b>
<b>Office Furniture and Equipment at cost</b>	<b>259,483</b>	<b>254,409</b>
Less: Accumulated depreciation	(148,712)	(122,417)
<b>Total Furniture &amp; Equipment</b>	<b>110,771</b>	<b>131,992</b>
<b>Plant &amp; Equipment – at cost</b>	<b>412,358</b>	<b>402,110</b>
Less: Accumulated depreciation	(199,579)	(146,521)
<b>Total Plant &amp; Equipment</b>	<b>212,779</b>	<b>255,589</b>
<b>Computer equipment at cost</b>	<b>535,072</b>	<b>300,844</b>
Less Accumulated depreciation	(273,081)	(174,258)
<b>Total Computer equipment</b>	<b>261,991</b>	<b>126,586</b>
<b>Total Property, Plant and Equipment</b>	<b>6,481,029</b>	<b>6,562,510</b>

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2019**

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

	Land	Building	Motor Vehicle	Furniture & Fittings	Plant & Equipment	Computer Equipment	TOTAL
<b>2018</b>							
Carrying amount at 16 January 2018	4,117,566	1,494,343	428,527	116,584	172,352	55,928	6,385,300
<b>2017-18</b>							
New Acquisition	-	-	103,620	30,185	103,826	91,032	328,663
Disposal/Traded	-	-	(35,053)	-	-	-	(35,053)
Depreciation	-	(17,123)	(43,537)	(14,777)	(20,589)	(20,374)	(116,400)
Carrying amount at 30 June 2018	4,117,566	1,477,220	453,557	131,992	255,589	126,586	6,562,510
<b>2019</b>							
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	343,416	110,771	212,779	261,991	6,481,029

	30 June 2019	30 June 2018
<b>9 Provisions Payable</b>		
Employee Benefits – Current	\$	\$
Employee Entitlements – Annual Leave	346,119	464,842
Employee Entitlements – Long Service Leave	49,193	160,546
Employee Entitlements – Other Entitlements	11,912	448,201
<b>Employee Benefits – Current</b>	<b>407,223</b>	<b>1,073,589</b>
<b>Employee Benefits – Non current</b>		
Employee Entitlements – Long Service Leave	90,980	145,388
Employee Entitlements – Sick Leave	334,607	412,049
Employee Entitlements – Other Entitlement	-	-
<b>Employee Benefits – Non current</b>	<b>425,588</b>	<b>557,437</b>
<b>Total provisions payable</b>	<b>832,811</b>	<b>1,631,026</b>
Opening balance	1,631,026	1,093,519
Net provisions raised/(reduced) during year	(798,215)	537,507
<b>Balance at end of period</b>	<b>832,811</b>	<b>1,631,026</b>

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2019**

	<b>30 June 2019</b>	<b>30 June 2018 \$</b>
<b>10 Financial Liabilities</b>		
Current – Short term financial liabilities		
Grant funds unspent	4,871,712	3,744,138
	<u>4,871,712</u>	<u>3,744,138</u>
<b>11 Issued Capital and Reserve</b>		
Statutory Reserve	<u>6</u>	<u>6</u>
<b>12 Cash Flow Information</b>		
Reconciliation of Cash Flow from Operations with Profit/(Loss) after Income Tax		
	<b>Year to date 30 June 2019</b>	<b>Period 17 January to 30 June 2018</b>
<u>Profit/(Loss) after tax</u>		
Non-cash flows in profit after tax	774,451	539,870
Depreciation & Amortization	304,577	116,400
(Gain) / Loss on Disposal of property, plant & equipment	5,282	604
Increase / (Decrease) in provisions	(798,215)	272,750
Increase / (Decrease) in contingency	-	-
Increase/(Decrease) in Grant carried forward	1,127,579	278,286
Changes in assets and liabilities,		
Decrease/(Increase) in receivables	(935,940)	(377,723)
Increase / (Decrease) in payables & accruals	292,577	11,667
(Increase) / Decrease in prepayments	-	-
<b>Cash flow from operations</b>	<u><b>770,311</b></u>	<u><b>841,853</b></u>



***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2019**

<b>13 Capital and Leasing Commitments</b>	<b>30 June 2019</b>	<b>30 June 2018</b>
	<b>\$</b>	<b>\$</b>
Operating Lease Commitments		
Non-cancellable operating leases contracted for but not capitalized in the financial statements:		
Payable – minimum lease payments		
- no longer than 1 year	164,194	110,429
- longer than 1 year but not longer than 5 years.	62,449	66,433
- greater than 5 years		
<b>Capital Expenditure commitments</b>		
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		
<b>14 Contingent Liabilities &amp; Contingent Assets</b>		
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.

***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2019**

**15 Events After the Balance Sheet Date**

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.

**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 2019	30 June 2018 \$
<b>Financial assets</b>		
Cash and cash equivalents	6,978,148	6,436,215
Trade and Other Receivables	1,434,692	498,753
<b>Total financial assets</b>	<b>8,412,840</b>	<b>6,934,968</b>
<b>Financial liabilities</b>		
Financial liabilities at amortised cost		
- Trade and other payables	1,152,728	860,151
- Grant funds unspent	4,871,712	3,744,133
<b>Total financial liabilities</b>	<b>6,024,440</b>	<b>4,604,284</b>

***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2019**

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**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 2019**

**Financial liability and financial asset maturity analysis**

	<b>Within 1 year</b>		<b>1 to 5 years</b>		<b>Over 5 years</b>		<b>Total</b>	
	<b>2019</b>	<b>2018</b>	<b>2019</b>	<b>2018</b>	<b>2019</b>	<b>2018</b>	<b>2019</b>	<b>2018</b>
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Financial liabilities due for payment</b>								
Trade and other payables (excluding employee benefit provisions and deferred income)	1,152,728	860,151					1,152,728	860,151
Grant funds unspent	4,871,712	3,744,133					4,871,712	3,744,133
<b>Total expected outflows</b>	<b>6,024,440</b>	<b>4,604,284</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,024,440</b>	<b>4,604,284</b>
<b>Financial assets cash flows realisable</b>								
Cash and cash equivalents	6,978,148	6,436,215					6,978,148	6,436,215
Trade and other receivables	1,434,692	498,753					1,434,692	498,753
<b>Total anticipated inflows</b>	<b>8,412,840</b>	<b>6,934,968</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8,412,840</b>	<b>6,934,968</b>
<b>Net inflow (outflow) on financial instruments</b>	<b>2,388,400</b>	<b>2,330,684</b>					<b>2,388,400</b>	<b>2,330,684</b>

**(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 2019**

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#### **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.

#### **Sensitivity analysis**

The following table illustrates sensitivities to the entity's exposure in interest rates and equity prices (if equities held). The table indicates the impact on how profit and equity values reported at the end of the reporting period would have been affected by changes in the relevant risk variable that management considers to be reasonably possible. These sensitivities assume that the movement in any particular variable is independent of other variables.

		Profit		Equity
		\$		\$
<u>Period ended 30th June 2018.</u>				
+ or - 2% in interest rates	+/-	69,466	+/-	69,466
+ or - 10% in listed investment	+/-	nil	+/-	nil
<u>Period ended 30th June 2019.</u>				
+ or - 2% in interest rates	+/-	63,061	+/-	63,061
+ or - 10% in listed investment	+/-	nil	+/-	nil

#### **(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 2019**

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**18 Key Management Personnel Compensation**

	<b>30 June 2019</b>	<b>30 June 2018</b>
	<b>\$</b>	<b>\$</b>
The total of remuneration paid to key management personnel ( KMP) of the entity during the period is as follows	663,415	267,243
Short-term employee benefits	26,091	144,635
Post-employment benefits	-	
Other long-term benefits	22,854	56,280
Termination benefits	-	101,396

**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

***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

**DIRECTORS' DECLARATION**

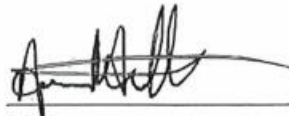
The Board of Directors' of South East Australian Aboriginal Justice Services Limited declare that in the directors opinion:

a) The financial statements and notes for the year ended 30 June 2019 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.

Dated on: 22 October 2019



Director



Director

# ***SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED***

## **INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICE LIMITED**

### **Opinion**

I have audited the financial report of the South East Australian Aboriginal Justice Services Limited (the Entity) trading as the Victorian Aboriginal Legal Service and the Tasmanian Aboriginal Community Legal Service which comprises the Statement of Financial Position as at 30 June 2019, the Statement of Profit or Loss and Other Comprehensive Income and Statement of Cashflows for the year ended 30 June 2019 and the Statement of Changes in Equity for the year ended 30th June 2019, notes to the financial statements including a summary of significant accounting policies and the declaration by those charged with governance.

In my opinion, the accompanying financial report gives a true and fair view of the financial position of the Entity as at the 30 June 2019, and its financial performance and its cash flows for the year ended 30 June 2019 then ended in accordance with Australian Accounting Standards, the Corporations Act 2001 and Division 60 of the Australian Charities and Not-for-profits Commission regulation 2013.

### **Basis for 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 Entity in accordance with 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 my other ethical responsibilities in accordance with the Code. 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 Entity'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 Entity's financial reporting process.



## **SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED**

### **Auditor's responsibility 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 my 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 the 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 the 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 Entity's internal control.

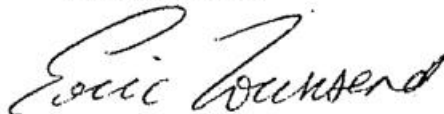
Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

Conclude on the appropriateness of management's 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 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 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 Entity to cease or 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 deficiencies in internal control that I identify during my audit.

**Name of firm** E Townsend & Co



**Name of Auditor** Eric Townsend

**Address** 15 Taylor Street, Ashburton Vic 3147

Dated this 10<sup>th</sup> October 2019