

Victorian Aboriginal Legal Service

Annual Report

Financial Year 2020-2021





ABOUT THE ART

Artist: Dixon Patten Jnr (Bitja)

Tribes: Gunnai, Yorta Yorta, Gunditjmara, Dhudhuroa, Djab Wurrung, Wemba Wemba, Barapa Barapa, Wiradjuri, Yuin, Wadi Wadi, Wodi Wodi, Monero.

The guiding philosophy of the artwork is centred around deep-listening. An almost spiritual skill, based on respect. Aboriginal people passed on stories through storytelling. Deep listening was vital to our survival, the ability to stop, reflect, understand and then enact was key to our cultural knowledge. The hands reaching out the message sticks are showing their willingness to listen, share and teach and by doing these, we grow as a community.

This art also acknowledges the disruption to our culture(s) and acknowledges the truth of the impacts of colonisation and how that has resulted in loss of land, language, family, community and culture. These injustices have directly influenced disconnection and therefore our most vulnerable in community have seen culture and history through a deficit lens, which is opposite to the abundance and safety that our culture provides. It is through connection, knowing where you come from and realising our strengths as a people that we feel empowered.

The healing stones are included to promote healing for land, water, air and people. We all have a role to play as a society; by doing our bit for sustainability for the environment and reconciling the past, to help shape a better future for all.

The elder and the ancestors depicted remind us to stay true to our values and principals; in caring for community and country.

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ABOUT US

Welcome to the Annual Report of 2020/2021 of the Victorian Aboriginal Legal Service.

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 work 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/or Torres Strait Islander Legal Services program. We are funded through the National Legal Assistance Partnership (NLAP).

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

Promote social justice for Aboriginal and Torres Strait Islander peoples:

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

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

OUR VALUES



CHAIRPERSON STATEMENT

On behalf of the VALS' Board I am pleased to present to you our 2020-21 Annual Report.

It has been a very challenging year with the on again/off again restrictions and other adverse impacts of COVID-19 for community and our hard-working VALS team. As a Board we also had to take the extremely difficult decision to implement a new client intake freeze in May. The aim is to provide space for us to address difficulties that have arisen from the mismatch of demand for our services across Victoria with what we can safely provide within our limited resources. We are hopeful to overcome these difficulties in collaboration with government partners by the end of quarter 1, 2021/22.

Nonetheless, our VALS team continues to make a big difference for our community. This includes: helping to keep Aboriginal people coming into custody safe and with 24 hours, 7 days per week access to a VALS lawyer; providing wrap around legal assistance to people that we support to tell their story to the Disability Royal Commission; sensitively representing families as they come to understand the death of their loved one in coronial inquests; making available more community legal education on diverse topics affecting our people; and sharing our unique expertise that comes from nearly 50 years of delivering the only culturally safe legal service for our community in Victoria to inform wider policy and legislative changes in Victoria and nationally.

Working in partnership with two universities, we are also very excited to initiate the Aboriginal Community Justice Reports pilot. These reports are prepared pre-sentence and aim to identify possible underlying drivers of an individual's offending. In particular, those that may relate to impacts of trauma and colonisation uniquely experienced as an Aboriginal person. These provide a voice to the offender, their family and community. In a criminal legal system that does not work for Aboriginal and Torres Strait Islander peoples, these reports will go some way to ensuring more voice for our people within it.

In the last year, the Board welcomed new members, Herb Patten and Crystal McKinnon. We farewelled Sue Ann Hunter who needed to step down to join the Yoo-rrook Justice Commission. 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.

I thank my fellow Board members for their ongoing commitment to helping advance the effective governance of, and delivery of VALS strategic objectives.

We are fortunate to have impactful CEO leadership with Nerita Waight at the helm and then George Selvanera from June (who had joined us as Director of Executive and Corporate Services in March) to progress implementation of our vision. They are active in their pursuit of productive relationships and funding opportunities to support VALS resilience so that VALS makes more difference more of the time for our clients and wider community. They oversee a team of dedicated VALS managers and staff.

I thank all the VALS staff team on behalf of the Board for their service to the Victorian community. It is through them that Aboriginal people have more opportunity for justice and fair treatment before the law and in and out of court rooms.

Together with the Board, our staff team and ACCO and wider government and non-government partners, we look forward to advancing VALS further in the year ahead.

Des Morgan
Chairperson



CEO STATEMENT

2020/21 has been another year in which the global pandemic has disrupted all of our work and lives. The pandemic response has had a profound impact on the Victorian legal system and Aboriginal and Torres Strait Islander peoples. This includes:

- extensive delays in many judicial processes;
- restrictions on movement and contact enforced through an excessive policing response;
- on again/off again restrictions and access to services; and
- the loss of protective factors such as kicking a football with your mates, taking time out from household stresses to catch up with your friends for a cuppa and not being able to access in-person support such as for many drug and alcohol and mental health services.

Taken together, it's been hugely challenging. On one hand, we saw a welcome reduction in Aboriginal and Torres Strait Islander people coming into custody (from an average of 37 per day in 2019/20 to 32 in 2020/21). On the other, Aboriginal and Torres Strait Islander people have been disproportionately impacted by eye-wateringly high fines associated with the policing response to the pandemic, recorded incidents of family violence increased across all ages and genders and those entering custody display many more vulnerabilities.

It has meant for our 24/7 Custody Notification Service (CNS) that those dedicated, compassionate CNS officers are making more contact more often with Aboriginal people in custody. Their calls help confirm that the person is safe, medical and other needs are known and attended to and to facilitate immediate access to a VALS criminal solicitor, where required. On average, CNS officers contacted each person in custody 5.6 times, more than 50% more per person in custody compared with 2019/20.

The CNS is truly a life-saving service that contributes to reducing- still excessively high- Aboriginal deaths in custody; despite the 30-year anniversary of the Royal Commission into Aboriginal Deaths in Custody (RCDIAC) in May 2021. 30 years on and even with the COVID related drop in people coming into custody, the rate of Aboriginal and Torres Strait Islander people in Victoria in custody has doubled. Working with our Aboriginal Justice Caucus (AJC) partners, VALS continues to advocate for the full implementation of RCDIAC recommendations. Along with our AJC partners we also advocate for initiatives such as an Aboriginal and Torres Strait Islander Social Justice Commissioner to provide an independent, culturally

competent monitor of Victorian Government progress in implementing RCDIAC recommendations and those from coronial inquests.

The uncertainty of COVID and snap lockdowns have impacted VALS service delivery and our staff too. Rapid changes in Practice Directions have required all legal practice areas and community justice programs to plan workload in accordance with those Practice Directions. However, these also require maximum flexibility to adapt at any given time.

For VALS, which operates with significant funding constraints to provide culturally safe legal assistance state-wide, that has been even more challenging. It has also made recruitment and retention of staff a significant challenge; a challenge that is a key strategic priority for 2021/22. It says a lot about how committed and capable our staff and management team are that, despite this, they continued to make a massive difference for Aboriginal and/or Torres Strait Islander people in Victoria and keep innovating what we are doing. This includes:

- implementing a new Outcomes Framework that over time will enable VALS to systematically evidence the aggregate impact we have on improving our clients' life circumstances. For example, in areas such as improving wellbeing, housing security and personal safety.
- our Baggarrook staff have contributed to reducing reoffending and no woman returning to custody in their intensive support to vulnerable women at high risk of homelessness and offending as they transition from custody to the community.
- Community Justice Program securing grants to develop new resources and programs related to family violence, healthy relationships for young people and to promote awareness and inclusion of LGBTQIA young people.
- Wirraway specialist litigation unit representing families in coronial inquests.
- our Civil and Human Rights practice contributing to the design of the Stolen Generation Redress Scheme and schemes that wipe historic offending. They also provide wrap-around legal advice and support for persons that we assist at the Disability Royal Commission through an innovative partnership with the Your Story Legal Service.

- we began work to establish a rebooted Balit Ngulu, a dedicated youth justice legal and support service in the Melbourne metropolitan and Greater Shepparton areas, with thanks to the DJCS. This contributes to the nearly finalised, first-ever Aboriginal Youth Justice Strategy in Victoria.
- we began work on a new web-app that can support self-help for prospective clients and expand the availability and accessibility of community legal education. Watch out for December 2021, when the web-app (also mobile phone enabled) launches.
- we saw continued growth in criminal and family law matters, especially for clients living in regional Victoria for our Criminal Law team and a more than 30% increase in legal matters for our Family Law team.

By May 2021, the average case file numbers for our lawyers in Criminal Law and Family Law far exceeded sector recommendations. In that month, we also had the disappointing news that VALS was unsuccessful in securing funding to expand our service footprint so that Aboriginal people can access culturally safe, legal assistance where they live throughout Victoria. As a result, the VALS Board reluctantly implemented a new client intake freeze for our over-worked Criminal Law and Family Law practices. We have facilitated warm referrals to other legal assistance providers to ensure Aboriginal and Torres Strait Islander people have continued to have representation and other legal assistance as required.

It was against this backdrop that I was appointed by the Board as acting CEO while Nerita Waight took parental leave from early June 2021. A key first step for me has been to closely work with DJCS to help address the underlying causes of the new client intake freeze and to reposition the state-wide service transformation proposal. This includes seeking support for a modernised staffing structure and rewards system, opening a new office in the Barwon South West RAJAC area and to re-establish an office in Morwell. The aim is that within Q1 2021/22, we will have concluded this work and the Board can feel confident about lifting the new client intake freeze.

Work with, and negotiating with, Government is a large and often unseen part of VALS work. Our Policy, Communications and Strategy team coordinates and drives our efforts to influence a rapidly evolving policy and legislative landscape. In the last year, this includes responding to issues such as the broken bail system which is now the main reason that Aboriginal people are in custody, youth justice, raising the age of criminal responsibility, cannabis decriminalisation, pandemic powers and police and prisons accountability and oversight.

The team has developed a reputation for thought provoking webinars, expanding VALS public profile and for innovation. For instance, the team are driving the Aboriginal Community Justice Reports pilot. Based within our Community Justice Program, the pilot aims to improve sentencing processes and outcomes for Aboriginal defendants by providing courts with information about the personal and community circumstances of Aboriginal individuals before the courts, and which provide relevant sentencing options that are accompanied with appropriate supports. As I say, we are hugely fortunate to have such a committed and capable staff and management team at VALS. Similarly, the VALS Board, under the thoughtful and inclusive stewardship of Uncle Des Morgan, makes a huge contribution too. Our Board members offer constructive challenge, ideas and mean our governance and management keep improving too. For me personally, they are an invaluable source of support and guidance as I steer the ship for the duration of Nerita's leave.

We look forward to a 2021/22 where we can- hopefully- as a society learn lessons from, and move beyond, the COVID-19 response. We will keep advocating for our Building Back Better plan and systemic reform to make Aboriginal self-determination a reality and our legal system one that Aboriginal and Torres Strait Islander people can have trust and confidence in. We also look forward to our VALS Board and staff team keeping safe, well and continuing our invaluable work alongside our Aboriginal communities and clients in Victoria and nationally too.

George Selvanera
Acting CEO

BOARD OF DIRECTORS



Des Morgan
Chairperson



Pam Aplin
Secretary



Larry Kanoa
Treasurer



Amanda Dunstall
Director

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

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

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

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



Sue-Anne Hunter
Director
Retired 2021



Cienan Muir
Director



Herb Patten
Director



Crystal McKinnon
Director

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

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

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

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

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

Herb Patten is a Ganai-Kurnai, Yorta Yorta and Wiradjuri man and is a painter and gum leaf player. He is widely known throughout Australia as a professional gum leaf player and has released two CDs – How to Play the Gumleaf and Born an Aussie Son.

Dr Crystal McKinnon is an Amangu Yamatji academic, researcher and community organiser. She is a historian and a critical Indigenous studies scholar, who is currently working at RMIT as a Vice Chancellor's Indigenous Research Fellow in the Social and Global Studies Centre.

She has extensive governance experience having previously served for a number of years on the Boards of both Flat Out and of the Victorian Aboriginal Community Services Associated Limited, and she is currently a director on the Board of the Victorian Aboriginal Legal Service and she sits on the steering committee for the Law and Advocacy Centre for Women.

Crystal has previously worked in both the Aboriginal community organisation and the community legal centre sectors.

LEGAL PRACTICE



ABORIGINAL FAMILIES PRACTICE

Staffing and Structural changes

It has been a difficult year for staff retention. In a climate where the legal employment market is buoyant and we remain at a 20% competitive disadvantage in terms of salary, the Practice lost four lawyers; all of whom departed after actively seeking and obtaining higher offers. The Practice remains vulnerable to further staff losses, which are disruptive to service delivery and account for significant loss of invested time, resources and corporate knowledge.

That said, we have taken these losses as an opportunity to significantly restructure the Practice:

- We have provided continuity and certainty for our Mildura clients by extending Ivana Blekic's contract to June 2022.
- Grace Francese is currently acting in the senior lawyer role while Genevieve Yarak is on maternity leave. Grace has sound knowledge in family law and is an excellent mentor to our junior team. This is also an excellent opportunity to develop her leadership skills.
- Frances Lovell, who commenced with VALS as a legal secretary, commenced as lawyer in April
- Caitlan Terry commenced as a volunteer with VALS, before offered a part time contract. In mid November, Caitlan will commence on a full time basis in legal administration, and will be offered a position as a family lawyer in mid 2022 once she is admitted to practice; another example of the availability of career pathways in the Practice.
- Brittany Stanford was elevated to senior paralegal in recognition of the scope of the work she performs.
- Ruth Alur commenced as a legal secretary before being appointed as the early resolution service lawyer.
- Julie Lui, also previously a VALS volunteer has been employed as a family lawyer.

The Practice has subscribed to the Family Law Book, an invaluable on line resource for any family lawyer; which includes a real time phone precedent service.

Two lawyers are currently undertaking Independent Childrens Lawyers certification.

The Principal Managing Lawyer completed the Practice Management Course and the Trust Accounting Course, and now also holds VLA panel certifier status in child protection, family law and family violence.

The Practice has hosted a law student from LaTrobe University for a 12 day placement, and mentored a law student from Monash University.

Early Resolution Service

VALS signed a contract with VLA for \$120,000 in funding for the Early Resolution Service (ERS) for family violence matters; which commenced in May 2021. Ruth Alur has been appointed as the ERS lawyer accepting referrals from Dandenong, Melbourne, Broadmeadows, Sunshine, Werribee, Ringwood and Morwell. The service provides pre-court resolution advice and real time legal options for our clients in those locations; saving clients and the Courts time and resources.

Despite some early operational issues, the service is operating well and we expect demand to increase significantly over the coming months.

Community Legal Education

Early discussions have taken place to deliver targeted CLE's across the State. The first such CLE VALS Community Legal Information Session - Aboriginal Families Practice was delivered online on 3 August with 67 registered attendees. Further KPI targets were impacted by ongoing Covid restrictions.

Victoria Legal Aid funding

The Practice has four external contracts with VLA:

1. Child protection lawyer – Mildura
2. Child protection lawyer- Gippsland
3. Family lawyer- Melbourne
4. Early Resolution Service lawyer

All contracts are renewed annually and reviewed quarterly.

Merger of the Family Court & Federal Circuit Court

Legislation for the merger was passed in February and the Courts began operation as a single entity on 1 September 2021, with a single set of rules & regulations, and a drastically altered operating procedures.

Training into rules and operating procedures was provided to Practice team members in late August 2021.

Independent Family Advocacy Support program

The Practice uses this program as a referral partner for non-legal advocacy for Aboriginal parents with intellectual disabilities. The IFAS program refers clients to VALS should the matter progress to requiring legal representation.

Advocacy

The Practice remains active in advocating for legal issues that affect our clients:

1. Independent Childrens Lawyers
2. We have been advocating to VLA the issue of ICL's not following practice guidelines; a matter also recognised and recommended in the Parliamentary Joint Select Committee report on Australia's Family Law System.
3. *Children, Youth and Families Act (Child Protection) Amendment Bill*
4. We remain on the advisory panel for this Bill and currently advocating in conjunction with VALS policy team in relation to certain sections of the Bill which we find objectionable.
5. Family Violence - The PML is a member of the Direct Service Providers Working Group for family violence, a member of the Community Legal Centres family violence working group, and on the consultation panel for the Victorian Police draft Code of Practice for Family Violence.
6. Family Law - The Practice has contributed to the NATSILS consultation into the ALRC Family Law Inquiry, is a member of the Marram Ngala Ganbu steering committee, contributed to the Review of National Mediation Accreditation System Standards, and contributed to the Deloitte/RMIT 'Strengthening State-wide Childrens Court Response' project. The PML is also a member of the VLA Community of Practice in Family Law.

Once again, the support of those that have supported real change must not go unrecognised. To that end, and on behalf of the Practice, my sincere thanks (in no particular order) to George Selvanera, Barry Westhorpe, Trevor Plowman and Kin Leong.



CRIMINAL LAW PRACTICE

Highlights and Achievements

- Implementation of our Criminal Law Practice Service Guidelines;
- VLA continued its commitment to our practice and partnership agreement by providing a senior lawyer from their Indictable Crime team for the fifth year in row;
- Successful service delivery changes to meet the new demands of COVID-19 restrictions;
- Gained VLA Youth Crime panel membership;
- Place-based Mildura practice continues;
- Senior lawyers provided professional sector training with VLA, the LIV and the Magistrates' Court of Victoria, on Higher Court appeals, strategic litigation, amicus curiae interventions, and plea making the Koori Courts; and
- Successful defence of DPP lead sentence appeal in the Court of Appeal against Mr Codey Herrmann.

During 2020 – 2021 period, 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. Our team currently consists of 12 lawyers (including the Principal Managing Lawyer, 3 senior lawyers and 9 lawyers), 1 paralegal and 4 legal secretaries.

This year was marked by the continual opening, closing, reopening and closing of courts at extremely short notice due to COVID-19. The Criminal Law Practice remained nimble in its service response and quickly adapted and readapted to the constantly changing environment. We continued to appear in all jurisdictions, both in-person and via audiovisual links. The team confidently sought instructions, resolved and finalised matters without face-to-face contact with clients, workers, prosecutors and courts, and continued to robustly defend clients, ensure culturally safe representation and achieve good outcomes and individualised justice for clients.

We anticipate the service will be very busy in the first 2 quarters of 2022 as we, and the courts, work through the backlog of matters that have been accumulating without finalisation since early 2020. COVID-19 has significantly hampered our ability to meet with our clients face-to-face either in the community, in police cells or prison. We anticipate an increase in expenditure in brief outs as we work to move as many of our clients through the Courts efficiently, respectfully and ensure their voices and stories are heard.

The Criminal Law Practice's expertise in working for Aboriginal and/or Torres Strait Islander people is receiving wider recognition within the sector. Within the last 12 months many of our lawyers have been invited to speak and present on a number of panels and Continuing Professional Development (CPD) activities. Highlights include:

- Our Principal Managing Lawyer presented a training session with the Magistrates' Court of Victoria and the Law Institute of Victoria on plea-making in the Magistrates' Koori Court;
- We presented a CPD session with VLA on strategic litigation, the sentence appeal of Mr Codey Herrmann, and intervening as amicus curiae in Court of Appeal matters; and
- Evidence given at the Parliamentary Inquiry into Cannabis Use.

Among our priorities for the last 12 months have been:

- Ensuring continued representation in COVID-19;
- Applying for bail at first remand;
- Higher court representation; and
- Increasing the number of lawyers on Victoria Legal Aid Panels

With the ramifications of COVID-19 in prisons and the use of quarantining, effectively solitary confinement for up to and more than occasionally in excess of 14 days, to limit the spread of COVID-19 we have been strenuously applying for bail at first remand. However, we continue to not be 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. Until then Aboriginal and Torres Strait Islander people remanded into the night and weekend courts will not be represented by a VALS lawyer on first remand.

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 maintained carriage of a number of high profile, extremely serious matters, with one matter initiating a Crown appeal to the Court of Appeal. We regularly receive positive judicial feedback on our welcome expertise and culturally safe practices in the County Koori Court. The team has demonstrated discretion and professionalism when dealing with these matters, and it is to be commended that VALS has the professional capability and support to assist people when they are charged with extremely serious matters.

The criminal law team presented oral evidence to the Parliamentray Inquiry into Cannabis Use in Victoria. We were an instrumental voice in the resumption of Koori Courts during COVID-19 and the judiciary continues to remark on the high calibre of VALS Lawyers in both the Magistrates' and County Koori Courts.

Our views have formally been sought concerning:

- The Bail Justice Program;
- Bail reform; and
- Court responses to COVID-19.

Case study

We were successful in having a breach of a Serious Offender Supervision Order heard in the County Koori Court. While the offence itself is not barred from the Koori Court the offending that lead to registration in the first instance was. The breach was due to our client not being given leave by Corrections Victoria to attend sorry business. Underlying the offending was the trauma experienced by the client in their not being able to fulfill their cultural obligations. If not for the expertise and cultural competence of our lawyers the matter would have been dealt with in a mainstream court and a fair and culturally safe hearing of the underlying factors that contributed to the offending would not have occurred. This was the first time offences of this nature were heard in the County Koori Court, and it is a significant advancement for the Aboriginal and Torres Strait communities access to individualised justice that is culturally safe and respectful.

CIVIL AND HUMAN RIGHTS LAW PRACTICE

Highlights and Achievements

It has been a busy twelve months for the Civil and Human Rights practice. Stalwarts Jay Chandramohan and Rachel Gleeson left the practice, and we welcomed Managing Lawyer Alex Walters, senior lawyers Nicole Stobart and Tali Rechtman and lawyers Cyndi Tomlinson and Chris Davies, with Siobhan Doyle moving to the permanent senior lawyer role. I am indebted to the team for their incredible work, perseverance, resilience, and ability to secure great outcomes for clients through such a challenging year.

We practice in tenancy, discrimination, employment, consumer, credit and debt (through our integrated partnership with Consumer Action Law Centre (CALC)), coroner's matters including inquests, personal safety intervention orders, working with children check matters, the Disability Royal Commission (DRC) (through Your Story), institutional abuse matters with the Melbourne Response and infringements (through our clinic). We are expanding into new practice areas in 2022. Here are some key figures for the practice from the past 12 months:

- Over \$500,000 worth of fines waived for clients through our Infringements Clinic
- Approximately \$138,400 in client debts waived
- 52 clients assisted with advice and assistance to engage with the DRC
- Over 80 tenancy matters with around a dozen evictions successfully defended
- Six personal safety intervention orders successfully defended
- 12 families assisted with coronial inquests and inquiries
- \$39,284 in total compensation paid from employment matters
- Approximately \$13,000 in total compensation paid in discrimination matters

Our inquest practice has grown significantly on account of a good relationship with the Koori Engagement Team at the Coroner's Court, and we are acting in several matters across mental health and child protection that will go to inquest in 2022. Our integrated partnership with the Consumer Action Law Centre (IP project) goes from strength to strength. We have had four successful AFCA complaints against the predatory funeral insurer, Youpla, with a number on foot at the time of drafting. We launched our IP project report in May 2021, highlighting consumer, credit and debt issues affecting our clients over the past year, with a presentation by supporter, the Minister for Consumer Affairs Melissa Horne MP. The project has been recognised for its great work, with funding extended to 2023.

On the pro bono and support front, we established an internship arrangement with the ANU and continued our relationship with the Melbourne University Public Interest Law Clinic. We benefited greatly from secondment arrangements with VLA, DLA Piper, MinterEllison and Hall & Wilcox and otherwise received great pro bono support from Maurice Blackburn, MinterEllison, Russell Kennedy (Minters and RK run our pro bono VOCAT clinic), King and Wood Mallesons, DLA Piper, Corrs Chambers Westgarth, Gilbert & Tobin, Ashurst and Holding Redlich.

Finally, in September 2021, after many years of preparation, the Civil practice, with the Human Rights Law Centre, DLA Piper and pro bono barristers filed the aged pension test case in the Federal Court. Brought on behalf of lead claimant and Waka Waka elder Dennis, the case is a representative action for older First Nations' men that argues that because of the gap in life expectancy, a flat pension age (it rises to 67 in 2023), indirectly discriminates against First Nations' people under the Racial Discrimination Act 1975 (RDA). It's the first time the Closing the Gap targets have been litigated and is one of the more significant test cases in recent Australian history. If successful, it would bring forward the pension age for thousands of First Nations' people. We expect to get before the court in the second half of 2022.

WIRRAWAY – SPECIALIST LEGAL & LITIGATION PRACTICE

Highlights and Achievements

The 2020/2021 financial year has been a busy one for the Wirraway – Specialist Legal and Litigation Practice (Wirraway). However, in that period the practice has cemented itself as an important part of the VALS legal services directorate and has provided significant support to our clients across a range of matters.

Established in 2020 to respond specifically to the issues faced by Aboriginal and Torres Strait Islander people in the criminal justice system, Wirraway now takes on a range of matters including coronial inquests where there has been a death in custody, civil litigation arising out of police and prison misconduct, police and prison complaints, and strategic litigation. Particular casework milestones have included:

- Appearng for the family at the inquest into the death of Raymond Noel, who passed away from injuries sustained in a police pursuit in 2017. That inquest resulted in findings that were highly critical of police tactics and training and recommended significant reform.
- Continuing to appear for senior next of kin in the inquest into the passing of Veronica Marie Nelson Walker, who passed away in the Dame Phyllis Frost Centre in 2020. This inquest, which will commence in 2022, is a significant undertaking and will examine important issues related to bail and prison healthcare.
- Managing several other inquest files that will likely proceed to inquest throughout 2022 and 2023.
- Concluding our first major civil litigation matter, resulting in a significant settlement for the client, and preparing other matters for filing in the new year.

We have also sought to fulfil our mandate to provide specialist legal and strategic advice to other units of VALS legal services, thereby upskilling VALS' legal professionals and reducing the need to brief out matters. To that end, our lawyers are currently engaged in providing counsel services to the Civil and Human Rights Practice in several inquests managed within that team. Wirraway has also provided advice to lawyers in the Criminal Practice on how to raise arguments around use of force and illegal arrests in the course of criminal proceedings.

Wirraway has been able to achieve this despite being a small team. Throughout 2020/2021, the practice has generally had two lawyers, one legal trainee, and one paralegal available to it. We have been able to leverage that position by engaging collaboratively with other organisations in the sector on particular matters and projects, forging pro bono connections with the profession, and by building networks with the bar. This has allowed us, for example, to intervene on VALS' behalf in a Court of Appeal matter heard in October 2021 concerning the human rights implications of strip search and urinalysis procedures in Victorian prisons. We look forward to similar opportunities to participate in litigation with significant implications for VALS' clients in 2022 and beyond.

We are also looking forward to opportunities to expand the practice in the next financial year by adding lawyers who are able to take on more dedicated project work, including the establishment of a prison outreach service into Dame Phyllis Frost Centre, and the coordination of the legal services division's community legal education activities.

It has been a difficult period in which to establish and build up a new legal team but on a personal note, I am grateful for the support shown by the VALS board and management for this project. I am also grateful for the contribution of the lawyers and support staff who have made up Wirraway during this period. This includes Teea Jaya, the practice's inaugural senior lawyer, and Sarah Schwartz, the current senior lawyer/advocate within the practice, as well as Jacqueline Simondson (paralegal and legal trainee) and Chloe Wilson (paralegal). Without their professionalism, skill, dedication and compassion, Wirraway would not be in the position it is in today.

COMMUNITY JUSTICE PROGRAMS



REGIONAL CLIENT SERVICE OFFICER (CSO) PROGRAM

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

- Mildura
- Bairnsdale
- Ballarat
- Morwell
- Shepparton
- Swan Hill

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

Due to the COVID restrictions on travel and the shutdown of in person court matters VALS Regional CSOs were required to adapt to working from home and finding other ways to engage with community members requiring assistance. In their roles the Regional CSO staff support community at court by assisting clients to attend court, arrange legal representation, advocate on client's behalf and assist client in their communications with lawyers, understanding court processes and orders. This support is invaluable to those who often attend court at very distressing times. legal information when they need it and can talk to a lawyer if they need that too. This made the regional staff roles particularly challenging during both COVID restrictions and VALS client intake freeze period.

During the COVID period our VALS Regional CSO staff have been;

- Completing community referrals to VALS for family civil and criminal matters
- Keeping weekly communications with solicitors to assist where possible
- Following up with solicitors on behalf of clients (they have experienced high numbers of criminal and family matters).
- Contacting clients via telephone and undertaking letter drops to VALS clients and providing VALS contact information
- Participating in various meetings such as LAJAC, LAN, MDAS, Mallee Family Care and VicPol, courts and Covid-19 meetings online
- The Regional CSO team have been continuing to provide support to the CJP programs in relation to welfare checks to community members in lock down areas and providing support to the family violence program.
- Undertaking Welfare checks on VALS clients in hard and semi lock down areas alongside other CJP staff
- Some of the regional team members commenced their Diploma in Community Services and participated in various training opportunities such as:
 - St John Mental Health and Crisis Support Training
 - First Aid Mental Health Training
 - Trauma and Compassion Fatigue Training (VACCHO)
 - LGBTI inclusive practice- the session is to help you learn about pronouns, gender, sexuality, identities and how to create safe working spaces
 - Consumer Action Law Centre ("CALC") civil training

Regional staff further supported the CLE and Community Justice Outreach officer in attending various community led events; providing an important link between VALS legal staff and community members.

Meetings

In addition to the work undertaken the Regional CSO staff have participated in numerous meetings, such as weekly VALS Regional Staff meetings (with guest speakers), RAJAC, LAJAC meetings, LAN meetings, GLAF meetings, local COVID response meetings to attending the Royal commission into Disability, Koori Court evaluations of family violence hearings in Koori Court, meetings with our Rainbow tick creditor Rebecca Walton, Local Aboriginal Network meetings and our all CJP staff meeting. The Regional CSO staff have also commenced participating in VALS legal team weekly meetings to improve collaboration between teams and foster greater understanding of the roles of all VALS staff members. Staff have also been providing induction training for new Youth Justice workers.

••••• Case study •••••

A Regional CSO assisted a community member who has significant mental health, grief and loss and medical issues. She did not have a means of getting her medication and had very little food. Her carer was unable to aid due to the current lockdown restrictions. A CJP staff member arranged for her medication to be picked up and drove to her house and provided both the medication and food. Welfare checks have continued by community justice staff to ensure she does not breach her current CCO.

Regional staff – upcoming

There is an expected increase on our Regional CSO's one courts allow in person hearings and matters to proceed. We expect there to be a high demand on services due to the backlog of legal matters. The common discussion from regional staff is around the impact of COVID and how this has been affecting the way in which people have been working and has increased the gap with our communities gaining support and access to services. Staff are looking forward to services opening and to be able to have face to face visits and contact with clients and stakeholders where possible.

••••• Case study •••••

A Regional Client Service Officer (CSO) officer became aware a client's three children have been placed in his care by Child Protection Victoria. The client has three children each have a range of complexities, two of the children have been diagnosed with comorbid disabilities: ADHD, Autism and ODD. The daughter has significant trauma from the other parent.

The client has his own ongoing mental health issues that he is struggling with the current pandemic and its impact on the family household members mental health. The client has been trying to fix his Centrelink payments and was stressing about an upcoming house inspection on his property and has been struggling financially. The Regional CSO staff member sought spoke with the Metro Team Leader to arrange brokerage funds to aid in providing skips bins and gardening services prior to his house inspection. The brokerage was confirmed and provided.

The VALS Regional CSO advised that the client was very grateful and thankful for the assistance that was given to him and his family. He was also very appreciative and grateful to the Regional CSO for conducting regular welfare checks on the client and his family. He advised our VALS CJP worker that he has "enjoyed being able to have a conversation and for someone to be able to listen to him and not judge him." The client's case has now been finalised this week and the children are permanently with him and they have every second weekend with their other parent. Dad and the children are also linked in with a counsellor and have a paediatrician who sees the children.

CUSTODY NOTIFICATION SERVICE

VALS Client Notification program operates 24/7, 365 days. VALS Client Notification Officers (CNO's) are the first point between a community member in custody at local police station. They are responsible for undertaking welfare checks on clients who have been taken into custody and arranging legal advice. The failure to follow procedures and provide appropriate Aboriginal people are less likely than non-Indigenous people to get all the medical care they need whilst in custody. Official procedures are less likely to be followed in cases involving our mob and mental health and/or cognitive impairments is a major factor in many cases. VALS welfare checks ensure that our mob are safe, especially during the pandemic of COVID and community are extremely stressed about loved ones. VALS CNS staff have extended welfare checks to prisons and remand centres because of the ongoing impacts of the COVID pandemic.

In April 2021, Jaime Carter-Maggs was appointed to the CNS Team Leader. Jaime has the day-to-day responsibility and oversight of the CNS program. They have implemented roster changes, operational and training manuals, and materials for current and any upcoming staff. Jaime has since her appointment been focussing on building relations with external stakeholders to improve relationships and foster new opportunities for CNS staff to work with other agencies and/or organisations.

The four 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. To cater for the ongoing demand on the service, the CNS staff have overlapping shifts to assist with welfare checks on those currently in custody and any new notifications. This allows a more cultural holistic approach to our welfare checks undertaken.

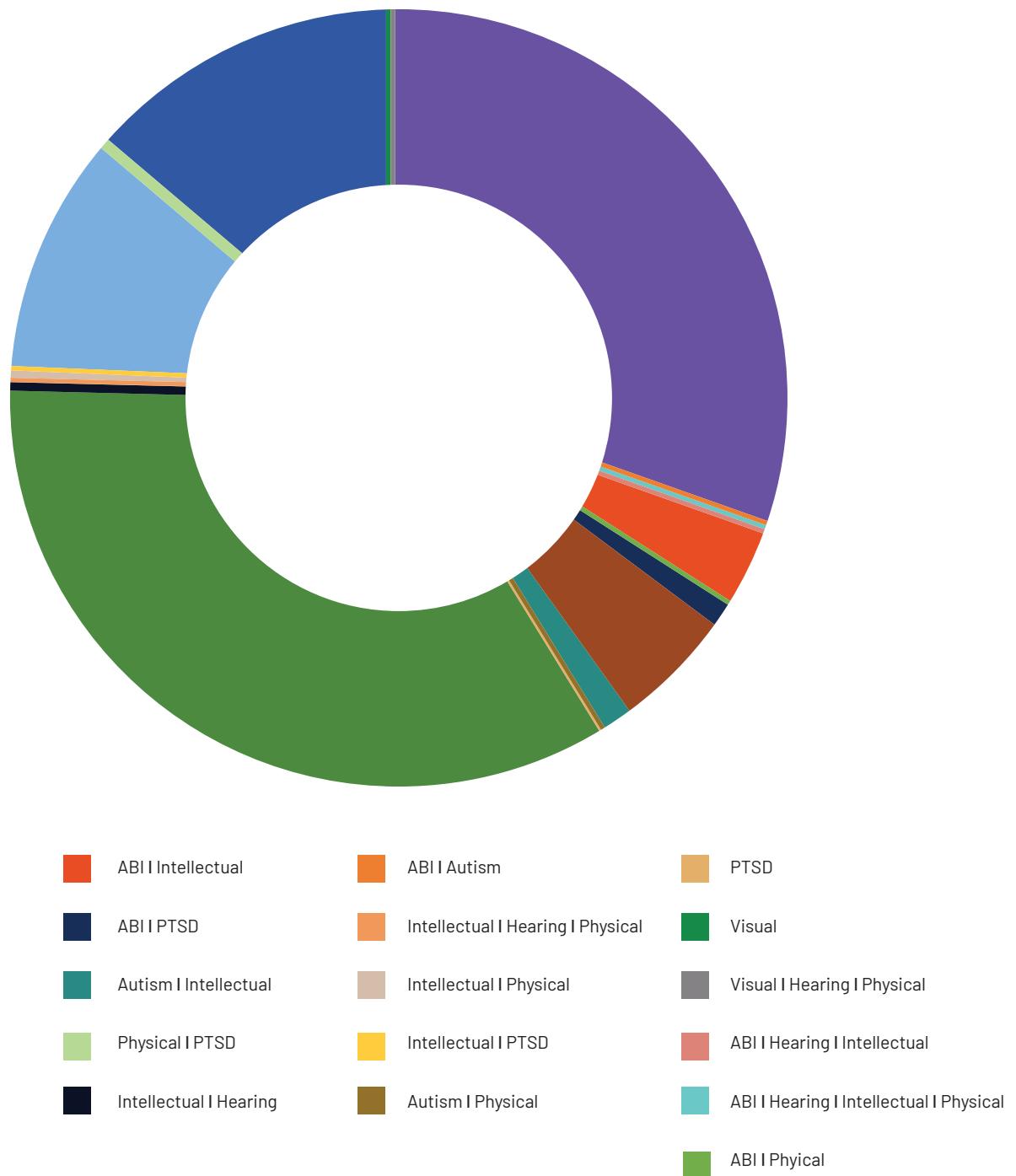
There has been a noticeable increase of vulnerability amongst those entering custody having substantially increased. In part, this reflects the diminution of protective factors through the extended lockdowns of Melbourne and Victoria. As a result, we are also identifying more compromised ability of this cohort to meet bail conditions when released so people are returning to custody because of bail breaches, not related to offending that presents community safety risks. Rather, related to poor mental health, disability and cognitive/literacy difficulties, homelessness, family violence and other markers of socioeconomic disadvantage. Between 1 July 2020 and 30 June 2021, the notification team processed 11,850 individual notifications from police stations regarding Aboriginal people in custody. The daily average the number of notifications received by VALS CNO staff daily was 32.46 per day.

There was an increase of persons in custody having to serve their prison sentences in police cells/custody. For instance, 10% of all Aboriginal men in police custody (1186) in 2020/21 being remanded. 111 (97 men, 14 women) served some or all their custodial sentence in police custody. This resulted in an increase in the number of welfare checks undertaken by CNS staff. VALS Metropolitan CNS staff undertook 65,902 contact calls this included undertaking ongoing welfare checks, making referrals, liaising with police and custody staff, arranging legal advice, contacting family members, and loved ones and responding to calls.

VALS CNO staff worked closely with Courts Victoria, CISP, BARC and VLA during this period providing additional assistance to those in custody during the court "shut down periods" and for anyone having to attend court after hours. This period of working together with the BaRC team, CISP, VLA and VALS Client Notification Program. This initiative has not only allowed all staff to work together with a better understanding of the roles we each undertake, but most importantly provided the necessary supports to those in custody at such a vulnerable and chaotic time.

Some of the solid work and outcomes achieved by VALS CNS during meant clients and community members who were unwell and not engaging with VLA, and/or support services were continued to be supported by VALS CNO staff in ongoing welfare checks and follow up processes to appropriate persons. Communication between both BaRC and VALS staff allowed the identification of additional and other welfare and custody management concerns to be identified. This assisted all staff in the support provided and offered to each person in custody. This further allowed VLA to be aware of the issues facing each person who attended court. As we are aware these risk and custody management issues are not always known to those representing clients and were of assistance to the court and Magistrates so that they were made aware. This communication also led to such matters being adjourned to undertake further assessments, this was particularly important with clients needing Forensicare assessments. This ensures our a more holistic approach to support services.

Disability Indicator 2020 - 2021



••••••• Feedback •••••••

A family who was recently assisted by our CJP staff were extremely grateful for the calls and inquiries made on their behalf and the support VALS CJP staff provided. The mother of this prisoner said.

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

Welfare Checks

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

CNO and CJP staff continue to undertake community, lock down areas, prisons, and welfare checks on people in police custody (both police cells and prisons). VALS CNO staff have extended the number of welfare checks undertaken and are continuing to "educate" Victoria Police officers about process and procedures in relation to safety in custody. They are calling officers and stations out for not following the right processes and ensuring that the next time they are required to contact VALS they will do so. Our staff are feeling confident in their understanding to question why a person has not been seen by a Forensic Medical Officer (FMO) or been provided their medication or started a detox. Staff have also pushed Victoria Police to ensure that persons in custody have been seen by Ambulance Victoria or taken to local hospitals.

These checks have been instrumental in ensuring the safety of those in custody during an extremely difficult period. VALS staff members. Staff have also been providing induction training for new Youth Justice workers.

••••••• Case study •••••••

VALS community justice staff were able to assist an elderly resident in the housing towers during lock down. Staff became aware from speaking with the Elder that she could not reach any of the food she was provided, and due to medical dietary issues required special milk. Furthermore, she could only recall a little of the information provided to her during lockdown, so she was not sure how to get assistance. She would normally have a carer to come in and assist with daily care and meal preparation. Family were concerned that the elderly resident had not showered for a significant period and could not stand long enough to prepare any meals. The carer had not been provided as promised for five days at this time. The community justice staff continued to do welfare checks until the lockdown ended. They were able to assist the Elder by ensuring her family knew what assistance she was provided. VALS community justice staff arranged for priority intake and police to attend her residence and move her food so she could eat and check on her wellbeing. The elderly resident was very grateful for the support and response. VALS continued their welfare checks until the elderly community member was safe and linked with services.

FAMILY VIOLENCE CSO PROGRAM

The Family Violence Client Support Officers are a dedicated team of case workers that assist clients throughout their legal matter with their Family or Civil Lawyer, providing holistic support to limit the amount of re-traumatisation to the client where possible and provide appropriate referrals to access local community support programs and emergency relief monies. This program has allowed VALS FV-CSO staff to work closely with some clients until their legal matters have resolved and they have been assisted by the FV-CSO program to refer and link them with relevant support agencies. As a result of the referrals and assistance provided clients have advised they feel well connected and supported and no longer require FV services through VALS.

The CSO FV program experienced some hurdles, VALS client intake freeze, COVID pandemic and restrictions, staffing departures and recruitment made this past year challenging. Despite many lockdowns and restrictions and barriers VALS FV-CSO program-maintained support to the current 14 clients who were current clients and were engaged and were receiving supports. During this period, they were also assisted by Tarneen Onus-Williams and VALS Regional CSO staff also provided additional support to this program by providing case-management, referrals, and welfare checks. This has been of great assistance to ensure that those most vulnerable clients are supported. There has been some incredible work done in this space. During this reporting period, Charmain Anton who is the Regional Swan Hill CSO commenced working in the FV-CSO program in a dual CSO/Family Violence worker.

The VALS Family Violence CSO Program staff engaged community through various online platforms and meetings to assist our program in the development of new resources. This work has progressed well despite the hurdles our FV CSO staff have faced, including the pandemic and related lockdowns.

For example, the FV-CSO staff are currently working on the Family Violence Videos project consulting with community organisations and community members within the northern metro region, collecting survey and data to create appropriate materials and videos for educating those engaging with Aboriginal communities who identify within the LGBTIQA+ and/or Aboriginal Youth cohort; and/or those Aboriginal community members who have disabilities. The quantitative and qualitative data will identify the six areas our VALS CJP staff will focus on to create videos for delivering at education sessions.

Numerous surveys have been completed by ACCO's at VALS request for this project. There have been some clear issues identified within the Elders, LGBTIQA+, young people and persons with disability communities that are now the focus of producing the videos and educational materials. Such issues included Elder abuse, perpetrator accountability, emotional and psychological as one brochure, verbal and financial abuse as one and violence against LGBTIQA+ people. It is VALS CJP teams hope that these materials will assist our most vulnerable community members in advocating and understanding their rights around family violence and provide a cultural framework for the wider community to understand how many mainstream materials do not currently consider the intersect between Aboriginality, family violence, disability, and identity.

VALS Family Violence CSO program has seen a noticeable increase in young people who have been referred to this program. The ages of the children referred just for the child have ranged between 11 to 17 years of age. These children are presenting with multiple complex needs (self-harming, mental health, intellectual disabilities, and other complex needs. The CJP Leader is working with staff to identify individual staff and team needs in relation to training and supports to ensure they feel confident and capable in their roles and individual positions. This is crucial for ongoing support to those facing family violence particularly young people who are experiencing additional barriers due to their vulnerabilities.

••••••• Case study •••••••

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

••••••• Case study •••••••

VALS FV-CSO program received a referral for a 14-year-old child. This young person has a formal diagnosis of an intellectual disability, Autism and ADHD. The child presented with behavioral and hygiene issues, trauma, physical abuse. There was a history of physical abuse and serious allegations of family violence, denial of food and other protective factors that were significantly impacting on this young person, his wellbeing and mental health.

The FV-CSO worked with this young person after he was removed from his family home and placed with extended family. There were various issues impacting on this child's placement. They were not provided any structure in relation to their daily activities and/or needs. The manifestation of this young person's disability and lack of needs been met was significantly impacted on his behavior at school. Services tried to engage this young person's parents; however, there was little to no engagement and the young person's needs was not met in relation to his wellbeing, disability, dietary, health, hygiene and education requirements.

This young person was referred to VALS family team in relation to his child protection placement matters. VALS family lawyer referred this young person to the FV-CSO program for support. Both teams and staff worked together to engage this young person and provided him an opportunity to express his wishes in relation to his placement. As a result, he felt safe to express his desire to return to his previous placement with extended family members. He was given ongoing support at all DHHS and child protection hearings and family court matters. He was supported throughout this process by VALS FV-CSO who kept contact and visited this young person regularly. This allowed the young person to build a relationship in a cultural space that was safe to them.

VALS FV-CSO ensured that services and supports were made for this young person. On the last visit the young person was settled, talkative, attending school and was healthier and eating regularly. Staff observed he appeared both settled and safe in his placement and the services, referrals and supports made were contributing to improving this young person's health and wellbeing.

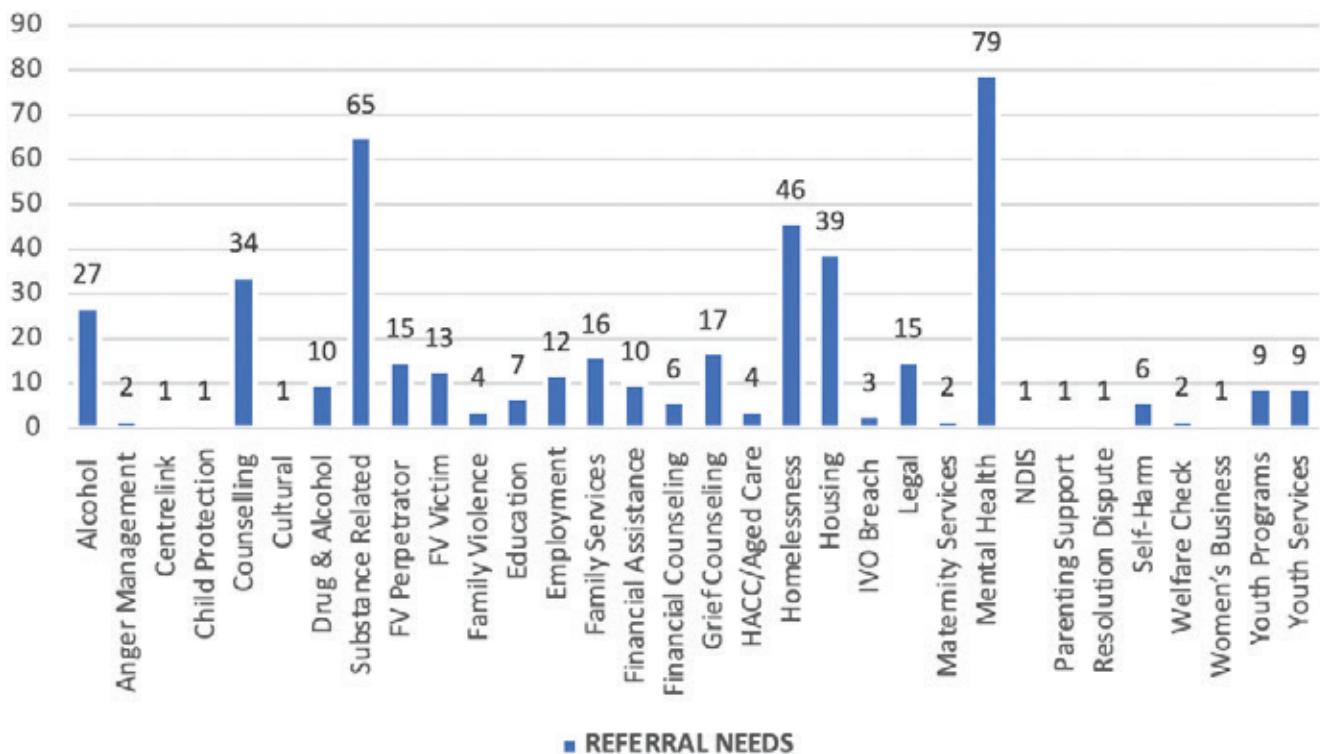
The holistic approach taken in relation to this young person shows the significance of having someone help advocate and provide community opportunities to feel safe and speak up, can make a significant difference to the quality of someone's life.

VICTORIA POLICE EREFERRAL (V-PER) SYSTEM

VALS supports any of our mob when they interact with Police Officers, PSO's, SOCIT, Highway Patrol etc regarding non custody issues, when an electronic referral (V-PeR) is requested, it is sent to VALS to process. VALS works with clients then to support them during what is often a highly emotional time, providing culturally safe and holistic support to ensure that their needs are met beyond legal service provision alone, often working with other ACCOs and community organisations to ensure that the client is safe, supported and cared for. VALS staff are trained extensively in social work, community services and other associated disciplines. V-PeR notifications are consented referrals during non-crisis incidents.

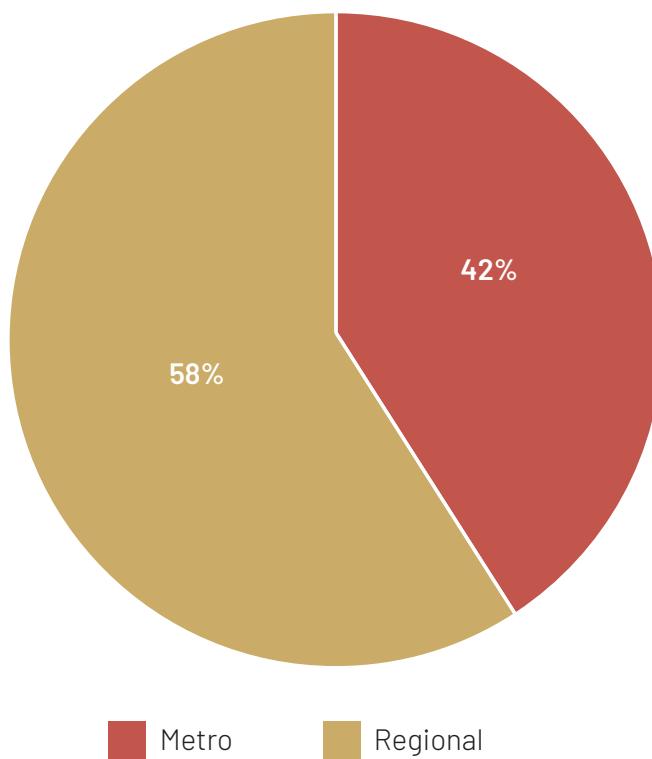
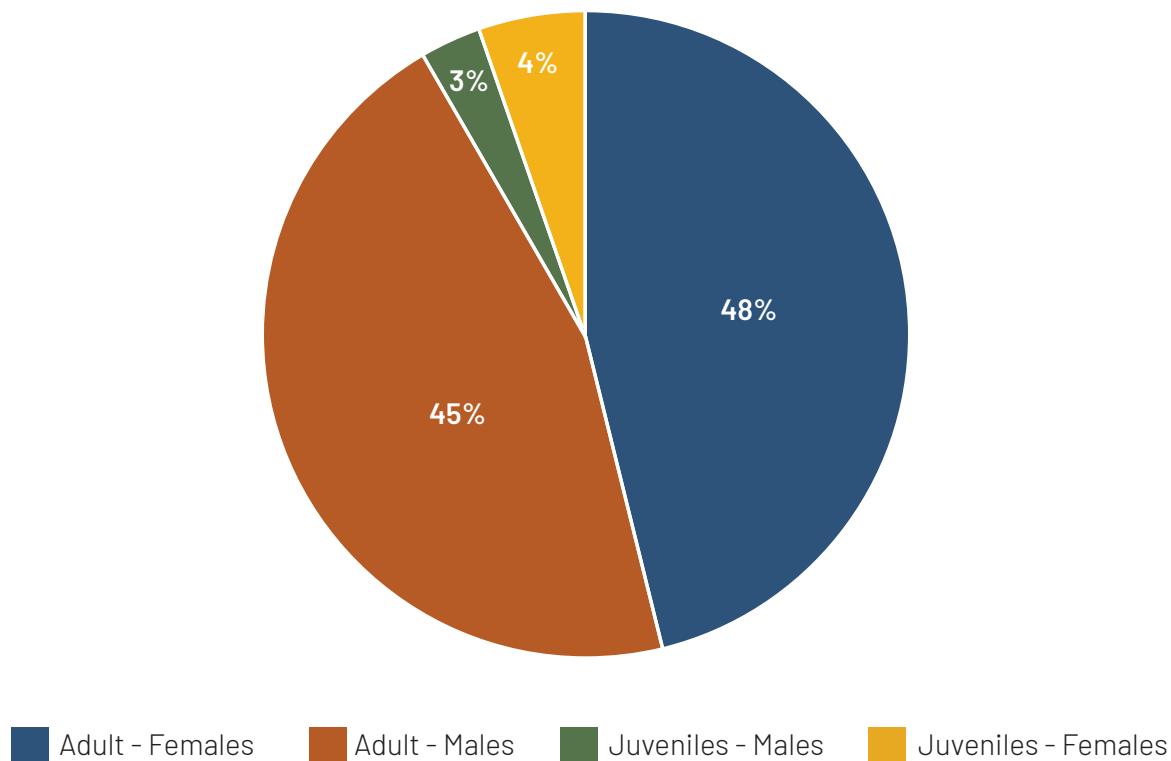
VALS V-PER program received 249 referrals. These referrals consisted of 187 referrals by Victoria Police and 36 referrals from external community organisations. There were twenty-six participants referred who were unable to be assisted due to various factors such as, incorrect contact details provided, not Indigenous and/or did not wish to engage with support services. The main referrals made have been in relation to mental health, substance issues, homelessness, housing, and counselling services. This was followed by a need for referrals and supports for alcohol and grief counselling. The referrals received shows a diversity of complex needs community members are currently facing and require support.

Victoria Police Referrals to V-PER



There were 129 females (10 female juveniles) referred and 120 males (7 males juveniles). Regional participant referrals made up 58%, whilst metropolitan participant referrals accounted for 42% of the total referrals.

Gender - V-PER Referalls



V-PER Meetings

In addition to the V-PER referrals, Jane has responded to community inquiries and attended meetings with both internal and external stakeholders. These include weekly VALS Regional Community Justice Staff meetings with Marram Ngala Ganbu Steering Committee, Indigenous Voice Consultations, V-PER Reference Group Meetings; Shepparton LAN's Meeting; Hume RAJAC and VALS and VAHS(AOD) meeting.

BAGGARROOK PROGRAM

Highlights and Achievements

- Staff collected Christmas toys for the women to be able to provide to their children and extended families they have contact with. Additional toys will be distributed through other VALS program areas in need. There were during this period two vacant properties and 3-4 women whom we are assessing for eligibility to enter the program.
- In November the Baggarrook program held a weaving workshop was arranged at Baggarrook and we hope to hold more programs in the future on a regular basis.
- VALS CJP staff have been contacted by various ACCOS and Elders wanting to be involved in the program once restrictions ease.
- One of our previous tenants is now working full time with The Torch and making great progress in all areas of her life.
- Christmas lunch was held with the VALS staff and women at the property.
- Two participants are currently organising themselves to move into their new properties
- One participant recently commented that she was extremely grateful for the assistance in seeking an intervention order on her behalf, as she does not believe she could have done it herself
- Participants have enjoyed having VALS staff regularly at the property and have sat down and engaged for long periods of time
- Participants expressed their gratefulness in relation to the support they have received over the COVID, Christmas and ongoing lockdown periods from staff who have ensured they have what they needed.
- It has been a great opportunity for VALS staff spending more time at the property to not only "get a feel" for what is happening but have more opportunities in an informal way to engage and build relationships with the women. One even brought a pair of jeans into the office and ask two VALS staff members if they could sow. Our Statewide Community Justice Programs Leader who has been present at the property, sowed the pants for the tenant so they could go down the street to purchase more clothes. This was great bonding experience for all involved.
- Key outcomes include reduced offending and all women moving into or are in the process of moving into suitable long-term housing. VALS is working with AHV and Corrections to refresh processes and tenancy arrangements for a new tranche of women joining the program expected in December 2021.
- Baggarrook staff completed Family Violence foundation and MARAM training online in November.
- Various CJP staff members will be undertaking the Heidelberg Specialist Family Violence Court Training.

VALS have also worked in partnership to change the service delivery model of Baggarrook. VALS Baggarrook staff and Community Justice Programs management are working together to ensure that any changes to the programs service delivery is reflected in all policies, processes, procedures, supports and the provision of case management in addressing support needs. The delivery of a cultural safe holistic service is central to any change and future direction of this program.

Baggarrook program supports in a culturally safe and responsive way, highly vulnerable Aboriginal women at high risk of homelessness as they transition to the community from prison. Program partners include Corrections Victoria that determines eligibility, Aboriginal Housing Victoria (AHV) which provides the transitional housing inclusive of tenancy management and VALS which has support workers working Monday- Friday at the property to assist participants build coping skills and self-sufficiency, including addressing the underlying reasons for criminal offending. In addition to 1:1 information, advice and assistance, the support workers help broker access to other relevant support.

VALS support workers have provided in-person and remote support throughout COVID restrictions, which has seriously limited access to other support services for the women. Support workers have dealt with incidents arising between the women and/or associated with them. This includes in relation to breaches of tenancy agreements. Support workers have maintained relationships with the women throughout when they would normally have withdrawn.

COVID has impacted on the service delivery provided for this program. More welfare checks have been undertaken on the women to ensure their safety. Staff have been present at the site each day between the hours of 9am and 5pm. The increase of staff presence has had a positive impact on relationships. VALS have continued to work with the program partners to ensure that the needs and services of the women are still met. This has been supported through ongoing regular contact via emails, telephones, and regular online meetings. Staff have been provided work permits as workers of an essential service to ensure the delivery of the program continues. Staff have continued to maintain a presence at the physical property. This support means the women are following their conditions of any CCO, Parole or bail requirements, and staff can identify anyone potentially at risk that may need to reengage with particular support services prior to any breaches.

Staff have ensured that all women have been provided with safety supplies. Staff have kept regular contact with each client to monitor their progress and support needs. This has resulted in the participants been able to meet their Parole or Correctional Order requirements of engagement and reporting. Staff have assisted by ensuring technology and resources have been made available and they are present to support the women in these processes and obligations. This is a significant step in reducing further contact with the criminal justice system.

Upcoming program initiatives

- The Baggarrook program will be evaluated, and it is expected that the learnings from the first year of operation will be reviewed and evaluated.
- It is anticipated that the Baggarrook program will change the nature of the programs tenancy to ensure that women who participate in the program are fully supported and engaged.

VALS Baggarrook staff will be seeking to strengthen and build their current relationships with stakeholders and engage other services to work in partnerships and in the delivery of programs.



VALS COMMUNITY LEGAL EDUCATION PROGRAM

The Community Legal Education Program (CLE) operates Statewide to deliver legal information sessions to community and attending community events with the Justice Bus.

Funding has been an ongoing issue to ensure coverage across 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. The COVID pandemic required our CLE and the Community Justice Project Officer to change the way that VALS engage community in providing community legal education.

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. With the 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.

With the restrictions in place across Victoria VALS CLE program and the Community Justice Program staff continued to work closely with our legal teams to identify local CLE needs in our communities and tailored CLE information sessions and programs specifically to those locations. VALS CLE and Community Justice Project Officer prepared and networked with other agencies and organisations to have legal information sessions introduced into their programs.

Some of those topics and sessions included:

- Know your rights (stop and search, questioning, request for ID or fingerprinting/photographs and personal information)
- Consumer matters (mobile phone issues, rent to buy (Pay day loans)
- Managing debt- Prevention of mental stress, triggers for Family Violence and damaging credit history
- Funeral insurance
- Family law sessions - Child Protection and Access to grandchildren family law sessions
- Police complaints
- Discrimination, Disability complaints
- Wills, Powers of Attorney and Guardianship providing information on changes in these area
- Social media and cyber bulling- lateral violence in Community
- Youth- Dealing with police and your rights
- Youth -Dealing with Discrimination Schools
- Youth- Respectful relationships making young people aware what is a good and bad relationship to prevent potential cycle of victims and perpetrators

The CLE team created CLE materials to deliver information online to community members. VALS CLE focused on areas such as exploring and advising around community safety of how to use social media in everyday life. This aimed at raising awareness around credit, debt, loans, repayments, unpaid bills, fines. It was prevention focused on some systemic issues faced by community (substance issues and family violence for example) and took into consideration information collected on with the view to target service gaps; needs and information pertaining to COVID-19; its impact on the community and COVID's impact on prisons. Our VALS CLE officer in conjunction with our VALS Civil Team was given approval from the Australian Securities and Investments Commission ("ASIC") to use information their Money Smart website (<https://moneysmart.gov.au/indigenous>). This allowed VALS to use some of the already available resources dealing with Money (Moola) issues. Furthermore, it provided VALS an opportunity to partner with ASIC allows VALS to give valuable tips and handy hints to help community members utilise their money in a positive and use it as a preventative tool against DEBT problems.

The CLE staff, community justice staff and management worked closely with all legal teams on topics to present to community based upon needs they have seen through work being completed. CLE staff were able to collaborate with our VALS Family Law team to provide sessions with vulnerable men's groups and families in Mildura, Robinvale and Swan Hill. This resulted in referrals to legal teams for ongoing assistance. VALS CLE and Community Justice staff provided a lunch to Elders in Bairnsdale and met with Lake Entrance and Lake Tyers community stakeholders to further build relationships. Meetings were held with many of the RAJAC, youth, education, and project workers across all the local Aboriginal Co-ops from Sale and Lake Entrance.

In a massive collaboration, our CLE staff held back-to-back sessions for young people and their families in understanding their rights when interacting with police. We had our criminal legal team, Wirraway, CJP, Disaster relief and partners at YRIPP all contribute to education sessions held with the ASHE school. The sessions were well attended and provide opportunities for young people to raise issues and build relationships.

As restrictions ease VALS CLE program will continue its community engagement. The coming year will see our CLE program produce some exciting videos and materials for the community. In the coming year VALS CLE team are working on such projects as the Aboriginal Youth Engagement - Stronger Me, Stronger Us project; ASHE program, Cyber Safety, RAJAC community projects, Webinars, Training videos for Bail Justices and YRIPP training and the HEY GRANT videos and materials.

LGBTIQA+ Aboriginal Youth GRANT:

VALS CJP were successful in their application for a HEY GRANT and have been awarded \$10,000 to run an LGBTIQA+ youth event/activity. Our desire is to empower our young people to have a voice in relation to their experiences and barriers they face when engaging services and seeking supports. This project will be youth led with the focus to social strengthen and engage the social connections of LGBTIQA+ Aboriginal youth. VALS CJP staff are intending on facilitating youth led discussion around barriers, discrimination, racism and legal and social justice issues faced by young people. We will work with young people to produce videos and clips to create a community legal education video that will be distributed widely amongst organisations and community support services that engage young Aboriginal youth. We hope that this project will foster relationships and networks for our young people and instil them with pride and enhance their rights to self-determination.



ABORIGINAL COMMUNITY JUSTICE PANELS (ACJP) PROGRAM

The ACJP was established in 1988 in response to the Royal Commission into Aboriginal Deaths in Custody. The ACJP operates 24 hours a day, seven days a week, supported by local volunteers who provide cultural and practical support to Aboriginal persons who are taken into custody to ensure their safety. The majority of ACJP activity is undertaken after hours when other services are not open.

The primary roles of the ACJP Panels

Victoria Police are required to notify the ACJP when an Aboriginal person is taken into custody. The ACJP Volunteer attends the Police station and conducts a welfare check to ensure the person in custody is safe, that relevant medical information is shared, and that families are notified of the person's whereabouts.

At times, an Aboriginal person in custody can be released into the care of the ACJP Volunteer who will ensure they continue to be safe in the days following release. This support can continue for some weeks depending on the person's circumstances.

Aligned with the principle of self-determination, the ACJP is a service run by the Aboriginal community for the Aboriginal community, and in conjunction with its core service of ensuring safety and welfare in custody, is involved in other culturally safe crime-prevention and early intervention strategies across Victoria. These strategies include, but are not limited to, working to improve the relationship between the local police and Aboriginal community through regular meetings and a variety of community engagement initiatives.

The ACJP also participate in a range of consultative and advisory mechanisms including Aboriginal Justice Forum, Aboriginal Justice Caucus, Justice Collaborative working groups, Regional Aboriginal Justice Advisory Committees, Local Aboriginal Justice Action Groups, Indigenous Family Violence Regional Advisory Groups and Family Violence Police Protocols local steering groups, Aboriginal Police Reference Group, LAECG, Drug and Alcohol, Aboriginal health and wellbeing, corrections, courts, sheriffs, Youth Justice, police local, regional and state and local welfare groups.

There are currently thirteen ACJPs across Victoria in the following localities each main site covers police stations that are also around these areas:

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

Other activities the ACJP undertake include:

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 Aboriginal Justice Caucus, AJF, LAJAC, IFVRAG, LAECG, Aboriginal Health and Well-Being, Drug and Alcohol, Corrections, Sheriffs', and Police.

VALS provide administrative support to this program. The ACJP is currently in the process of reviews and expanding their site locations. VALS CNO staff and the ACJP members work closely together to ensure the safety of those in custody.

COMMUNITY JUSTICE PROGRAM STAFF PROJECTS

Disaster Relief Program

VALS CJP was successful in receiving funding to create resources and materials for community when dealing with Disasters VALS has employed a Program Coordinator and a Civil Lawyer to deliver the Disaster Relief project. This project provides advice and acts for Aboriginal and Torres Strait Islander clients and communities affected by disasters. Support to address family violence related needs is a core component of this program. Due to lockdown, staff have been unable to undertake outreach. Both have continued to develop relationships with stakeholders and to improve referral pathways. This includes through attending working groups, meetings with stakeholders and making changes to the VALS Disaster Legal Help Check.

Aboriginal Community Justice Reports Project

The Victorian Aboriginal Legal Service is undertaking this Project, funded with an Australian Research Council grant, in partnership with the Australasian Institute of Judicial Administration, University of Technology Sydney and Griffith University. The project is also being run in Queensland, through Five Bridges Aboriginal and Torres Strait Islander Community Justice Group.

The Reports are modelled on Canada's Gladue Reports and adapted for the Victorian context. In Victoria, 20 Aboriginal Community Justice Reports will be produced. A case worker will be made available to each person who participates in order to provide support and care.

The Project aims to:

- Reduce the overincarceration of Aboriginal and Torres Strait Islander people;
- Improve sentencing processes and outcomes for Aboriginal and/or Torres Strait Islander defendants.
- Information in the Reports will include:
- a more holistic account of individual circumstances, including as they relate to a person's community, culture and strengths;
- community-based options.

VALS proposed trialling Aboriginal Community Justice Reports, a pre-sentence, community written report, which aims to gather information about underlying impacts on any Aboriginal offender.

- 'The purpose of preparing such reports is to identify possible underlying drivers of the individual's offending, in particular, those that may relate to the impacts of trauma and colonisation uniquely experienced as an Aboriginal person... [it] also provides a further voice to the offender, their family and community, and thus greater involvement in, and engagement with the justice system.'

More information regarding suitability of this project can be found on VALS website.

POLICY, COMMUNICATIONS AND STRATEGY



The Team

Throughout the year, the Policy, Communications and Strategy team (Policy Section) expanded to five staff members. The Policy Section now has extensive experience in Indigenous and human rights research and public policy development in various contexts across the world.

The work of the Policy Section is always informed by working with staff across VALS to ensure we are centring the issues that are most important to our clients and the community. These collaborative efforts on government submissions, briefings, media releases, and speaking notes are key to the quality and effectiveness of our work.

The Policy Section has been focusing on influencing relevant stakeholders, such as government actors, legal services and ACCOs, to raise the profile of VALS' advocacy and the impact of our work.

A Strong Voice

The Policy Section has been increasing the advocacy capacity of VALS. There has been significant demand within the community and media to hear what VALS has to say, in recognition of the expertise across the organisation as an Aboriginal Community Controlled Organisation providing legal and community services. We have also devoted significant efforts to supporting the CEO build relationships with governments at both a political and departmental level.

There has been an increase in overall media activity, with an increased output of media releases and interviews. We have had front page stories on local newspapers and been the focus of national level stories. Notably, we received significant media coverage in May for our Victorian Budget bid and Bail reform campaign.

There has been a large increase in followers and interactions across VALS' social media channels. The Policy Section has been working hard to maintain this momentum by producing content on a regular basis, with consistent messaging around our core advocacy areas.

The Policy Section has also been developing new communications tools. We have hosted several webinars and edited them so that they can be posted on the VALS YouTube channel that we have set up, including a webinar on the Optional Protocol to the Convention against Torture and a webinar to launch VALS' Aboriginal Community Justice Reports project. These webinars were attended by community and a broad range of stakeholders, including judges and magistrates, Victoria Police, and other service providers. The Policy Section has also co-ordinated and published a new community and stakeholder newsletter. The newsletter is published approximately every two months and gives a broad overview of the key work of VALS over the preceding few months. We have also expanded our engagement with community members on key policy issues through informative factsheets.

Expert Respected Advice

The Policy Section has been building VALS' reputation as a crucial representative voice for Aboriginal and Torres Strait Islander people in legal, social justice, and public policy discourse. This work has been underpinned by the publishing of high-quality research and discussion papers.

VALS is seen as an authority on important campaigns such as bail reform, Raise the Age, decriminalisation of public intoxication and Aboriginal Deaths in Custody. We are regularly consulted on these issues at a range of forums, including roundtables that we regularly attend. The work of the Policy Section has meant that we are often leading these campaigns in Victoria, producing evidence-based, thoroughly researched policy positions that are informed by VALS' practice.

In February 2021, Building Back Better: COVID-19 Recovery Plan, was published on the VALS website. Building Back Better is a comprehensive policy document with 148 recommendations for the Victorian and Australian governments. The Policy Section co-ordinated with staff across VALS to include issues that were important to our clients and the broader community.

The Policy Section supports and leads a lot of behind-the-scenes advocacy and strategic work to bolster VALS' efforts to enact systemic reforms. The Policy Section has worked closely with departments, Ministers and working groups on a regular basis as part of these efforts.

Supporting the rest of the organisation

The Policy Section prioritises its role supporting the work of other teams and coordinating work across VALS.

We have worked closely with lawyers across the service to support their clients in responding to media enquiries. Particularly in relation to coronial inquests, we have supported clients to use media to raise awareness and amplify their advocacy for their loved ones. We have also worked with other teams in VALS to incorporate their clients' experiences as case studies for media and policy documents, centring their experiences.

The Policy Section have supported VALS' fundraising activities, particularly online. Our growing digital platform has helped increase donations raised through the VALS website. This included an end of financial year fundraising campaign utilising social media and emails to help raise almost 8 times the usual monthly donations via the website.

The Policy Section has also supported the Executive and Corporate Services team with new recruitment strategies. Feedback and results indicate that this work has contributed to an increase in the number and quality of applications for job listings.

Next Steps

The Policy Section is looking at opportunities to support community advocates to be a powerful force for systemic reforms. We are considering options for panel of Aboriginal and Torres Strait Islander people with lived experience of the justice system. This panel would inform the work of the Policy Section on a regular basis and the Policy Section would support panellists in their advocacy efforts.

The Policy Section will also be exploring opportunities to have young Aboriginal and Torres Strait Islander people join the team and have the opportunity to work in an environment where they can learn policy and advocacy skills.

Policy Section numbers

- 12 Government submissions and policy papers
- 34 Media Releases
- 6 webinars and podcasts on our new YouTube site
- 2 Community Newsletters
- 3900 Facebook followers,
- 3750 Twitter followers,
- 1500 Instagram followers,
- 250 LinkedIn followers

Quotes

"The Aboriginal Justice Caucus stand in solidarity with the Victorian Aboriginal Legal Service – it is disappointing that the Victorian Government did not adequately fund VALS in the 2021-22 Budget to deliver their proposed placed-based model."

"VALS deliver a vital, high quality and culturally safe legal service. It is vital that the Victorian Government adequate resource all specialist legal services, including VALS, who are integral in reducing the number of Aboriginal people locked in the criminal justice system and preventing further avoidable Aboriginal deaths in custody."

- Aunty Marion Hansen, Aboriginal Justice Caucus Co-Chair

"The Victorian Government ought to appropriately fund the Victorian Aboriginal Legal Service as an essential service so that they are able to deliver their services across the whole state of Victoria.

"The cost of not investing in essential services such as VALS is likely to result in more Aboriginal deaths in custody."

- Christopher Harrison, Aboriginal Justice Caucus Co-Chair

FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2021

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES
LIMITED**

DIRECTORS' REPORT

Your Directors present this report, together with the audited financial statements of the Co-operative for the year ended 30th June 2021.

DIRECTORS

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

Desmond Morgan (Chairperson)	Pam Aplin	Amanda Dunstall
Larry Kanoa	Eddie Cubillo	Sue-Anne Hunter
Cienan Muir	Herb Patten	

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: Pam Aplin.

OBJECTIVES

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

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

STRATEGY FOR ACHIEVING OBJECTIVES

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

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

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 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 \$785,750 after a depreciation charge of \$315,930.

SIGNIFICANT CHANGES

VALS relinquished the operation of Tasmanian Aboriginal Community Legal Service TACLS on 30/06/2020 to a Tasmanian based entity Tasmanian Aboriginal Legal Services. The final transfer of funds was effected in June 2021. Other than this, no other significant changes in the company's state of affairs occurred during the financial year.

AFTER BALANCE DATE EVENTS

A matter has continued to evolve since 30 June 2021 that has significantly affected, or may significantly affect:

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

The COVID19 pandemic is likely to induce significant changes in the state of affairs of the Co-operative during the financial period ended 30 June 2022. The Board of Directors will take all necessary measures to preserve capital and shepherd the company through this uncertain period.

FUTURE DEVELOPMENTS AND RESULTS

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

OPTIONS

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

INFORMATION ON DIRECTORS

Des Morgan: Chairperson

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

Pam Aplin: Director

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

Amanda Dunstall: Director

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

Larry Kanoa: Director

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

Eddie Cubillo: Director

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

Sue-Anne Hunter: Director

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

Cienan Muir: Director

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

Herb Patten: Director

Herb is a respected Aboriginal Elder within the community who has connections to Gunai/Kurnai, Yorta Yorta and Wiradjuri people. Herb has successfully completed a Diploma in Aboriginal Arts and is a musician and master player of the gum leaf.

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES
LIMITED**

MEETING OF DIRECTORS

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

	No. of eligible to attend	No. attended
Desmond Morgan	7	7
Pam Aplin	7	6
Amanda Dunstall	7	6
Larry Kanoa	7	7
Eddie Cubillo	2	2
Sue-Anne Hunter	4	5
Cienan Muir	7	7
Herb Patten	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 the company.

PROCEEDINGS ON BEHALF OF THE ENTITY

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

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

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES
LIMITED**

AUDITORS INDEPENDENCE DECLARATION

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

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

Signed at Preston on the Day of November 2021

 Director

 Director

TOWARDS A VISION SHARED



**Collins&Co
Audit Pty Ltd**

127 Paisley Street
Footscray VIC 3011
Australia

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Fax (03) 9689 6605
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**AUDITOR'S INDEPENDENCE DECLARATION
TO THE DIRECTORS OF
SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED
A.B.N. 45 926 675 900**

I declare that to the best of my knowledge and belief, in relation to the audit for the financial year ended 30 June 2021 there have been:

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

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

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

Dated this 12th day of November 2021

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2021**

	Note	30 June 2021	30 June 2020
Revenue including Government Grants	2	11,165,968	12,599,162
Auditors' remuneration	3	15,000	15,000
Depreciation and amortisation expenses		315,930	436,896
Employee benefits expenses		6,895,734	7,214,374
Outside briefs		56,560	255,536
Other expenses		3,086,356	3,776,969
Finance costs – interest		10,638	27,926
Total Expenditure		10,380,218	11,726,701
Surplus / (Deficit) before income tax		785,750	872,461
Income Tax		-	-
Surplus/ (Deficit) after income tax		785,750	872,461
Other comprehensive income		-	-
Total comprehensive income for the year attributable to members of the entity		785,750	872,461

No income Tax is payable by the Entity.

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

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2021**

	Note	30 June 2021 \$	30 June 2020 \$
CURRENT ASSETS			
Cash and cash equivalents	5	13,591,608	9,771,311
Trade and other receivables	6	3,298,021	1,391,821
Other current assets	7	76,648	32,706
TOTAL CURRENT ASSETS		<u>16,966,277</u>	<u>11,195,838</u>
NON-CURRENT ASSETS			
Property, plant and equipment	8	6,364,857	6,701,932
TOTAL NON-CURRENT ASSETS		<u>6,364,857</u>	<u>6,701,932</u>
TOTAL ASSETS		<u>23,331,134</u>	<u>17,897,770</u>
CURRENT LIABILITIES			
Trade and other payables		1,094,393	657,425
Grant income carried forward	10	11,161,916	6,951,037
Other borrowings	13	79,596	67,611
Short-term provisions payable	9	679,550	573,122
TOTAL CURRENT LIABILITIES		<u>13,015,455</u>	<u>8,249,195</u>
NON-CURRENT LIABILITIES			
Other long-term borrowings	13	76,519	174,117
Long-term provisions payable	9	544,331	565,379
Long-term contingency provision	14	181,973	181,973
TOTAL NON-CURRENT LIABILITIES		<u>802,823</u>	<u>921,469</u>
TOTAL LIABILITIES		<u>13,818,278</u>	<u>9,170,664</u>
NET ASSETS		<u>9,512,856</u>	<u>8,727,106</u>
MEMBERS EQUITY			
Reserves	11	6	6
Accumulated funds		9,512,850	8,727,100
TOTAL MEMBERS EQUITY		<u>9,512,856</u>	<u>8,727,106</u>

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2021**

	Share capital	Accumulated funds (deficit)	Reserves	Total
	\$	\$	\$	\$
Balance at 1 July 2019	-	7,854,639	6	7,854,645
Surplus attributable to the company for the year ended 30 June 2020		872,461	-	872,461
Balance at 30 June 2020	-	8,727,100	6	8,727,106
Surplus attributable to the company for the year ended 30 June 2021	-	785,750	-	785,750
Balance at 30 June 2021	-	9,512,850	6	9,512,856

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

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 2021 are provided where appropriate.

Critical Accounting Estimates and Judgments

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

Key estimates – Impairment

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

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

Income Taxation

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

Property, Plant and Equipment

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

Property

Freehold land is reported at cost.

Leased Assets

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

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

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

Depreciation

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

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

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

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

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

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

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

Financial Instruments

Recognition, initial measurement and derecognition

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

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

Financial Instruments

Recognition, initial measurement and derecognition

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

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

Measurement and recognition of leases as a lessee

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

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

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

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

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

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

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

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

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.

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

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.

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 2021

AASB 15 Revenue from Contracts with Customers

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

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

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

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

Accounting for Leases under AASB 16

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

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

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

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

Accounting for Leases under AASB 16 (continued)

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

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

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

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

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

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.

2 Revenue	30 June 2021	30 June 2020
	\$	\$
Operating Activities		
Grant income		
<u>Attorney General Department</u>		
VALS	5,438,000	5,405,095
TACLS	-	2,550,812
NATSILS	304,200	313,000
NATSILS - Legal Advisory Service - Disability	<u>1,441,926</u>	<u>1,615,885</u>
	<u>7,184,126</u>	<u>9,884,792</u>
NIAA	<u>1,205,000</u>	<u>-</u>
	<u>1,205,000</u>	<u>-</u>
VIC Department of Justice	5,497,027	2,646,031
VIC Other Departments	<u>917,295</u>	<u>210,000</u>
	<u>6,414,322</u>	<u>2,856,031</u>
- plus unspent grants brought forward	6,951,037	4,871,712
- less fund balance disbursed/transferred	(2,163,583)	-
- plus grants received in advance	1,611,857	531,000
- less unspent grants carried to future period	<u>(11,161,916)</u>	<u>(6,951,037)</u>
	<u>(4,762,605)</u>	<u>(1,548,325)</u>
Grant income	10,040,843	11,192,498
Legal aid income	59,601	77,988
Legal costs recovered	<u>25,882</u>	<u>1,840</u>
Total revenue from operating activities	10,126,326	11,272,327
Other Revenue		
- Other income	430,485	813,224
- donations	482,668	409,415
- interest received	126,488	104,196
Total other revenue	1,039,641	1,326,835
Total revenue	11,165,968	12,599,162

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

	30 June 2021	30 June 2020
3 Remuneration of Auditor	\$	\$
During the financial year the following fees were paid or payable for services provided by:		
Frederik R. L. Eksteen		
Auditing of the financial statements and acquittals	15,000	15,000
Other services	-	-
	<hr/>	<hr/>
4 Revenue and Expense items		
Bad and doubtful debts		
There were no bad debts provisions made for the reporting period (2020: \$Nil).		
Operating Lease expenses		
Operating lease, contracted lease payments	81,219	192,097
	<hr/>	<hr/>
5 Cash and Cash Equivalents		
Reconciliation of cash		
Cash at the end of the financial period as shown in the cash flow statement is reconciled to the related items in the statement of financial position as follows:		
Current Assets		
Cash on Hand	122	311
Cash at Bank		
Recurrent	813,894	419,136
Term Deposit	-	2,000,000
Cash Management	12,742,592	7,351,864
Trust Account Funds	35,000	-
	<hr/>	<hr/>
	13,591,608	9,771,311

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

6 Trade and Other Receivables	30 June	30 June
	2021	2020
	\$	\$
Current		
Trade Debtors	2,970,913	1,218,053
Less: Provision for Impairment of receivables	-	-
Other receivables	<u>327,108</u>	<u>173,768</u>
	<u>3,298,021</u>	<u>1,391,821</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	Past due but	Past due but	Past due but
		trading	not impaired	not impaired	not impaired
		terms	<30days	31-90 days	>90 days
		\$	\$	\$	\$
2021					
Trade and term receivables	2,970,913	2,523,907	27,500	-	419,506
Other receivables	327,108	327,108	-	-	-
Total	<u>3,298,021</u>	<u>2,851,015</u>	<u>27,500</u>	<u>0</u>	<u>419,506</u>
2020					
Trade and term receivables	1,218,053	583,747	-	381,146	253,160
Other receivables	173,768	173,768	-	-	-
Total	<u>1,391,821</u>	<u>757,515</u>	<u>0</u>	<u>381,146</u>	<u>253,160</u>

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

7 Other Current Assets	30 June 2021	30 June 2020
	\$	\$
Current		
Prepayments	76,648	32,706
	76,648	32,706
8 Property, Plant and Equipment	30 June 2021	30 June 2020
	\$	\$
Land		
- at cost	4,117,566	4,117,566
	4,117,566	4,117,566
Total Land		
	4,117,566	4,117,566
Buildings		
- At cost	1,794,602	1,794,602
Less: Accumulated depreciation	(361,615)	(316,744)
	1,432,987	1,477,858
Total Buildings		
	1,432,987	1,477,858
Total Land and Buildings		
	5,550,553	5,595,424
Motor Vehicles at cost	498,929	589,272
Less: Accumulated depreciation	(212,336)	(199,275)
	286,593	389,997
Office Furniture and Equipment at cost	193,254	245,561
Less: Accumulated depreciation	(138,296)	(156,535)
	54,958	89,026
Plant & Equipment – at cost	437,443	404,658
Less: Accumulated depreciation	(253,695)	(231,736)
	183,748	172,922
Computer equipment at cost	502,211	556,845
Less Accumulated depreciation	(356,623)	(332,388)
	145,588	224,457
Right-of-use Asset at cost	273,891	302,931.00
Less Accumulated depreciation	(130,474)	- 72,825.00
	143,417	230,106
Total Property, Plant and Equipment	6,364,857	6,701,932

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

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

	Land	Building	Motor Vehicle	Furniture & Fittings	Plant & Equipment	Computer Equipment	Right-of-use Asset	TOTAL
Carrying amount at 30 June 2019	4,117,566	1,434,507	343,415	110,771	212,779	261,991	-	6,481,029
New Acquisition	-	86,065	185,202	0	2,914	81,482	374,148	729,811
Disposal/Traded	-	-	(72,012)	-	-	-	-	(72,012)
Depreciation	-	(42,714)	(66,608)	(21,745)	(42,771)	(119,016)	(144,042)	(436,896)
Carrying amount at 30 June 2020	4,117,566	1,477,858	389,997	89,026	172,922	224,457	230,106	6,701,932
New Acquisition	-	-	-	-	-	58,271	30,227	26,618
Disposal/Traded	-	-	(37,267)	(20,838)	(14,618)	(27,927)	(35,611)	(136,261)
Depreciation	-	(44,871)	(66,137)	(13,230)	(32,827)	(81,169)	(77,696)	(315,930)
Carrying amount at 30 June 2021	4,117,566	1,432,987	286,593	54,958	183,748	145,588	143,417	6,364,857

9	Provisions Payable	30 June	
		2021	2020
	Short Term Provisions Payable	\$	\$
Employee Entitlements – Annual Leave	538,938	496,569	
Employee Entitlements – Long Service Leave	140,612	76,553	
Employee Entitlements – Other Entitlements	-	-	
Employee Benefits –Current	679,550	573,122	
Employee Benefits – Non current			
Employee Entitlements – Long Service Leave	57,444	111,759	
Employee Entitlements – Sick Leave	486,887	453,620	
Employee Entitlements – Other Entitlement	-	-	
Employee Benefits –Non current	544,331	565,379	
Total provisions payable	1,223,881	1,138,501	
Opening balance	1,138,501	832,811	
Net provisions raised/(reduced) during year	85,380	305,690	
Balance at end of period	1,223,881	1,138,501	

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

	30 June 2021	30 June 2020
	\$	\$
10 Financial Liabilities		
Current – Short term financial liabilities		
Grant funds unspent	11,161,916	6,951,037
	11,161,916	6,951,037
11 Issued Capital and Reserve		
Statutory Reserve	6	6
12 Cash Flow Information		
Reconciliation of Cash Flow from Operations with Profit/(Loss) after Income Tax		
	30 June 2021	30 June 2020
<u>Profit / (Loss) after tax</u>		
Non-cash flows in profit after tax	785,750	872,461
Depreciation & Amortization	315,930	436,896
(Gain) / Loss on Disposal of property, plant & equipment	100,648	6,876
Increase / (Decrease) in provisions	(231)	547,418
Increase / (Decrease) in contingency	-	-
Increase/(Decrease) in Grant carried forward	4,210,879	2,079,325
Changes in assets and liabilities,		
Decrease/(Increase) in receivables	(1,906,200)	42,871
Increase / (Decrease) in payables & accruals	436,968	(495,303)
(Increase) / Decrease in prepayments	(43,942)	(32,706)
Disposal of Right of Use Asset	35,611	-
Cash flow from operations	3,935,413	3,457,838

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

Lease Liabilities		30 June 2021	30 June 2020
		\$	\$
Current			
Lease liability - leased premises		79,596	67,611
		79,596	67,611
Non-current			
Lease liability - leased premises		76,519	174,117
		76,519	174,117
 Capital Expenditure commitments			
Capital Expenditure commitments contracted for:			
- Plant & Equipment purchases			
- Capital Expenditure projects			
Payable		-	-
- no longer than 1 year			
- longer than 1 year but not longer than 5 years			
- grater than 5 years			
14 Contingent Liabilities & Contingent Assets			
Commonwealth Government for Caveat on property		181,973	181,973
Estimates of the potential financial effect of contingent liabilities that may become payable are:		181,973	181,973

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 2021**

15 Events After the Balance Sheet Date

30/06/2021 - NIL

30/06/2020

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

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

The contractual arrangements associated with AGD required VALS to transfer the net assets held for TACLS to the new operator TALS.

During 2020/21 the following net assets were transferred to TALS.

	30 June 2021
	\$
Financial assets	
Cash and cash equivalents	2,163,583
Total financial assets	2,163,583

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

As the impacts of COVID-19 and necessary restriction continue into 2021-2022 across Victoria, VALS will continue to monitor the impacts on its activities and service delivery.

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

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 2021	30 June 2020
	\$	\$
Financial assets		
Cash and cash equivalents	13,591,608	9,771,311
Trade and Other Receivables	3,298,021	1,391,821
Total financial assets	<u>16,889,629</u>	<u>11,163,132</u>
Financial liabilities		
Financial liabilities at amortised cost		
- Trade and other payables	1,094,393	657,425
- Lease liabilities	156,115	241,728
Total financial liabilities	<u>1,250,508</u>	<u>899,153</u>

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

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 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 2021**

Financial liability and financial asset maturity analysis

	Within 1 year		1 to 5 years		Over 5 years		Total	
	2021	2020	2021	2020	2021	2020	2021	2020
	\$	\$	\$	\$	\$	\$	\$	\$
Financial liabilities due for payment								
Trade and other payables (excluding employee benefit provisions and deferred income)	1,094,393	657,425	-	-	-	-	1,094,393	657,425
Lease liabilities	156,115	241,728	-	-	-	-	156,115	241,728
Total expected outflows	1,250,508	899,153	-	-	-	-	1,250,508	899,153
Financial assets cash flows realisable								
Cash and cash equivalents	13,591,608	9,771,311	-	-	-	-	13,591,608	9,771,311
Trade and other receivables	3,298,021	1,391,821	-	-	-	-	3,298,021	1,391,821
Total anticipated inflows	16,889,629	11,163,132	-	-	-	-	16,889,629	11,163,132
Net inflow (outflow) on financial instruments	15,639,121	10,263,979					15,639,121	10,263,979

(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 2021**

Price Risk

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

(d) Foreign currency risk

The entity is not exposed to fluctuations in foreign currency.

Net Fair Values

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

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

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

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2021**

18 Key Management Personnel Compensation

	30 June 2021	30 June 2020
	\$	\$
The total of remuneration paid to key management personnel (KMP) of the entity during the period is as follows	624,399	567,080
Short-term employee benefits	105,947	67,434
Post-employment benefits	-	-
Other long-term benefits	96,074	66,491
Termination benefits	-	-

19 Related Party Transactions

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

20 Registered Office

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

273 High Street
Preston, Victoria, 3072

**SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES
LIMITED**

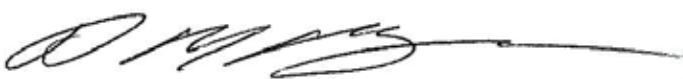
DIRECTORS' DECLARATION

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 2021 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: 10th November 2021



Director

Director

TOWARDS A VISION SHARED



Collins & Co Audit Pty Ltd

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SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

A.B.N. 45 926 675 900

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS

Opinion

I have audited the accompanying financial report of South East Australian Aboriginal Justice Services Limited (the company), which comprises the statement of financial position as at 30 June 2021, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, notes comprising a summary of significant accounting policies and other explanatory information and the statement by the Board of Directors.

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

- i. giving a true and fair view of the company's financial position as at 30 June 2021 and of its performance and cash flows for the year ended on 30 June 2021; and
- ii. complying with Australian Accounting Standards and Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2013.

Basis of Opinion

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

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

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

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

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

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

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

TOWARDS A VISION SHARED



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Auditor's Responsibilities for the Audit of the Financial Report

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

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

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

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

Frederik Ryk Ludolf Eksteen CA
ASIC Auditor Registration Number 421448

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

Dated this 12th day of November 2021



VALS

