



Victorian Aboriginal Legal Service

ANNUAL REPORT

2023 -2024



Acknowledgement of Country

VALS pays our deepest respect to traditional owners across Victoria, in particular, to all Elders past, present and emerging. We also acknowledge all Aboriginal and Torres Strait Islander people in Victoria and pay respect to the knowledge, cultures and continued history of all Aboriginal and Torres Strait Islander Nations.

We pay our respects to all Aboriginal and Torres Strait Islander Elders who have maintained the struggle to achieve justice.

Across Australia, we live on unceded land. Sovereignty has never been ceded. It always was and always will be, Aboriginal land.

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About us



**Victorian Aboriginal
Legal Service**

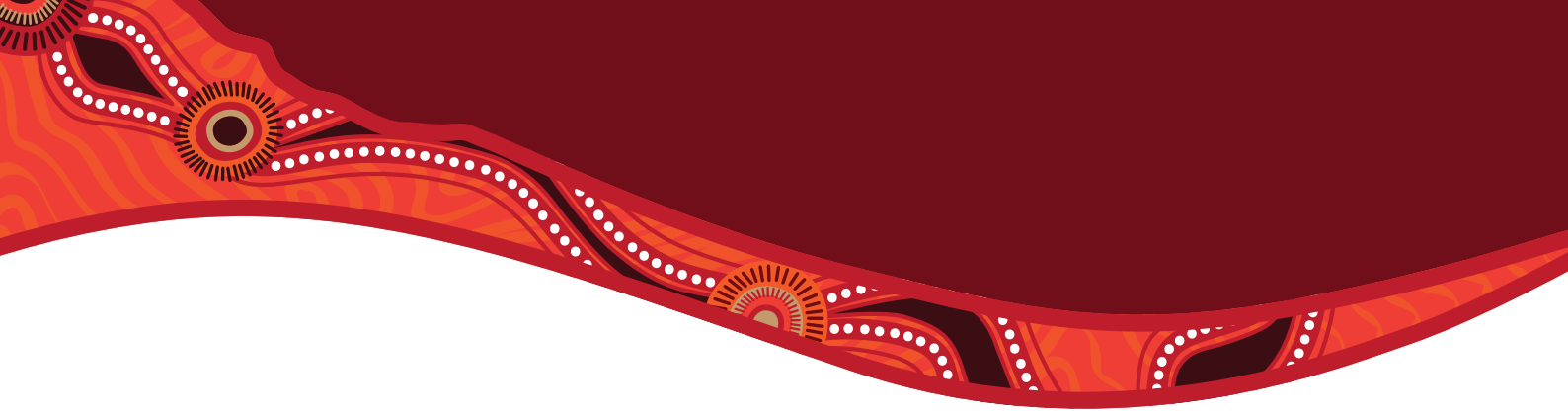


The Victorian Aboriginal Legal Service (VALS) is an Aboriginal Community Controlled Organisation (ACCO) with 50 years of experience providing culturally safe legal and community justice services to our people across Victoria.

In 2023, we're proud to launch the official logo of our 50th anniversary, 'Koori Woman of Justice'.

The artwork was designed by the deadly Natasha Corrigan, a Walabhul, Bundjalung, Dungidau/Dala and Jinibara artist born and living on Wurundjeri land.

In Natasha's words, the design is a representation of VALS' work over the past 50 years towards the Victorian Aboriginal Communities. The colours used are a depiction of our Aboriginal flag. Aboriginal symbolisms are used to showcase the journeys made by community members and VALS representatives, these symbols tell the story of our journey from one place to another or symbolically from one situation to another. They represent each person, family and organisation that has been and continue to be supported by VALS.



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 legal system; and
- Promote the review of legislation and other practices which discriminate against Aboriginal and Torres Strait Islander peoples.

We were established by Aboriginal people for Aboriginal people to address the gross over-representation of Aboriginal people in custody and to reduce Aboriginal deaths in custody. 50 years may have passed but both issues persist as overwhelming problems that affect Aboriginal and Torres Strait Islander people in Victoria, with impacts that affect our communities and cross generations.

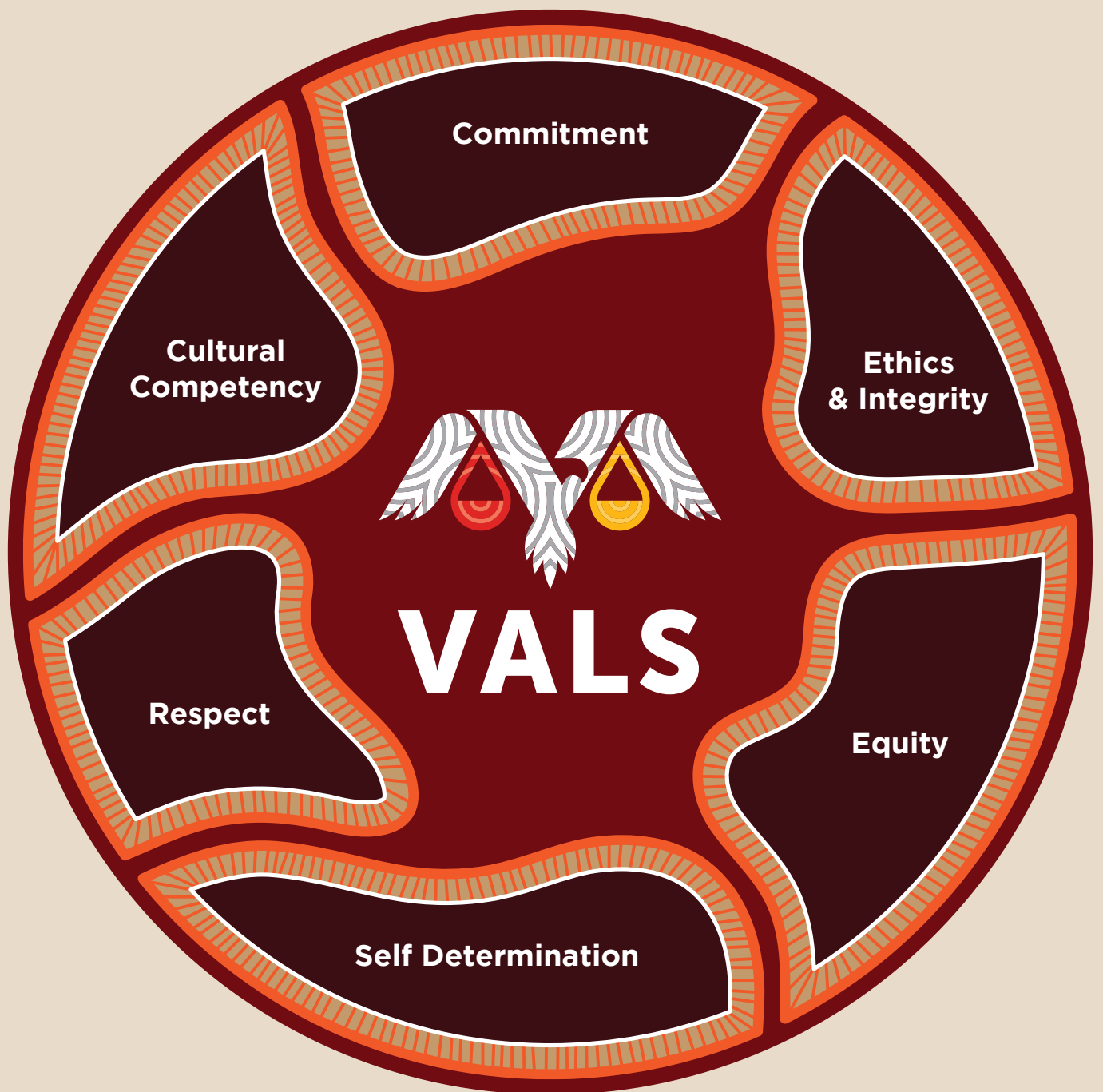
We are funded through the National Legal Assistance Partnership (NLAP) and the Victorian Government, with some additional funding made available through partners Victorian Legal Services Board, Victoria Legal Aid, Oak Foundation, and many individuals who want to see improved justice and equality for Aboriginal and Torres Strait Islander people.

Over time, VALS has expanded its services for Aboriginal and Torres Strait people. In 2022/2023, our practice areas include criminal law, family law, civil and human rights law, a dedicated youth justice service, Balit Ngulu, and Wirraway, our Police and Prison Accountability service, unique amongst Aboriginal and Torres Strait Islander legal services nationally.

As part of delivering culturally safe and accessible legal assistance, VALS provides a range of other key supports for Aboriginal and Torres Strait Islander communities in Victoria. This includes a 24/7 Custody Notification Service, Baggarrook - our transitional housing support program for women with complex needs leaving custody, one-on-one client service and family support officers, and community legal education to equip Aboriginal people with the knowledge and skills to confidently self-advocate for their rights. And we keep developing with plans to do much more.

Please note, the names of clients whose stories are included in this report have been changed to protect their identities.

Our Values



About the Artwork

The artwork focuses on a sacred tree, surrounded by etchings of protection, as it's outstretched branches are carrying the scales of justice.

These scales are represented by coolamons, made from wood from the tree above and symbolic of cradling and supporting our children.

The tree has the constant struggle to balance the coolamons while it continues to grow, reflective of our children growing and changing. Inside the tree are our ancestors, guiding the young people as they grow.

The tree sits along a riverbank, with the journey of our people and culture running through the river.

Here, our children and young people are culturally safe and protected.

*Artwork by Reanna Bono,
Wiradjuri and Wemba Wemba.*



VALS wishes to thank the children at Bubup Wilam for their artwork which we've included throughout this year's report. They were asked to reflect what justice means to them, and their responses fill us with pride and hope for the future. We also extend thanks to Bubup Wilam's educators and leadership team for making this possible.

Chairperson Statement

2023-24 was a year of great change and growth for VALS.

After many decades of service, Uncle Des Morgan retired from the Board and his role as Chairperson.

Uncle Des leaves an amazing legacy at VALS. Everyone who takes on a leadership role hopes to leave things better than when they started and Uncle Des certainly did that at VALS. His tireless work and his leadership has helped ensure that VALS is delivering more services to more of our people than ever before.

We've had a bit of a farewell tour through the year with lots of story telling and thanks being shared, but I again want to say a huge thank you from me and from the Board to Uncle Des for everything he has done for VALS. We certainly stand on the shoulders of giants, and we will strive to honour your legacy in our work on the Board in the years to come.

Taking over from Uncle Des is a huge task and I feel both honoured and very humbled to have been elected Chairperson. Having been employed at VALS some years ago and having served as Board Member and Deputy Chairperson in recent years, I know how important it is for community to not just get the culturally safe and holistic services they need, but to feel ownership of VALS.

VALS is - and has always been - a grassroots, community-controlled organisation and I will work with the Board to ensure we stay true to the history of VALS while supporting the CEO to build a modern Aboriginal legal service that meets the expectations of our clients and community.

It is amazing how fast VALS is growing. The hard work of everyone involved with the organisation has helped us receive more funding from a variety of sources so that we can open new regional offices across Victoria and hire more staff to deliver more of the services that our clients and community want.

I particularly want to note the importance of our new regional offices and the staff that are located there. We have had a tremendously positive response from communities in Morwell and western Melbourne this year, as well as Bendigo and Warrnambool in the last few years. Our clients want to be able to speak with our Client Support Officers and lawyers face to face. We are delivering on that, and it is making us a better service for those communities.

Such growth comes with many challenges and I and the rest of the Board are committed to helping ensure this growth happens in a sustainable way.

At the beginning of December last year, the Board published a statement in solidarity with Palestine. We called for an end to genocide, and end to apartheid and for an immediate and permanent ceasefire in

Gaza and across all of Israel and Palestine, in line with the Victorian Aboriginal Legal Service guiding principles and stated values of social justice, human rights and equality.

The genocide of the Palestinian people breaches all of the values VALS stands for. It breaches the anti-racist framework the VALS operates on. It breaches the United Nations treaties and declarations we use in our advocacy efforts for rights and in our fight for justice for Aboriginal and Torres Strait Islander peoples. That is why it was, and is, important for VALS to stand in solidarity with Palestinians and with the many Aboriginal and Torres Strait Islander people in Victoria that have taken action to protest the genocide being committed by the Israeli government and military in Gaza and across Israel and Palestine.

I would like to thank the Board for all their work during the year. Apryl Day, Uncle Bobby Nicholls, Cienan Muir, Erin Rose and Luke Martin as returning members, and thank you to Tarneen Onus Browne, who joined for the first time this year.

It is always a big commitment to be on a Board, and I acknowledge the time and effort you have all made over the year to contribute to the growth at VALS.

A big thank you to our tireless CEO, Nerita Waight. It is amazing to watch the mountain of work Nerita gets through every year and VALS has certainly benefitted from the many successes she has led, from funding increases to law reforms.

Nerita is supported by our diligent and hard-working Deputy CEO, Amanda Dunstall. They make a great team and I am proud that there are so many Aboriginal women in leadership positions at VALS doing fantastic work.

And thank you to all the staff at VALS for your continued efforts. Working at VALS can at times be hard, and 2023-24 threw up some difficult challenges. As we're opening new regional offices and outgrowing our Preston office, there's been a lot of ad hoc arrangements and the Board and I very much appreciate everyone's willingness to make things work and, all the while continuing to deliver the best possible service for our clients and community.

I know there's plenty ahead in the new year, and the Board and I look forward to supporting VALS to continue to go from strength to strength.

Dr Crystal McKinnon



CEO Statement

The theme for this year's annual report is 'justice for our young people: thriving, and connected', and I am privileged to be able to lead the team at VALS whose incredible work has made a real difference to the children and young people they assist each day.

We know that the colonial systems overpolice and overincarcerate our children and young people. It is one of the most direct ways of entrenching the generational disadvantage and trauma created by invasion and colonisation.

I loved my time as a family lawyer at VALS and the experiences I had working in that space has shaped a lot of my career. I established the first iteration of Balit Ngulu based on a conversation with a young client who did not believe he had any value or was worth fighting for because his family had experienced incarceration for generations and he was of the view that no one would care what happened to him. As a result, Balit Ngulu is focused on ensuring that the children and young people we represent know that we are on their side, we are there to fight for them and we care about who they are and who they want to be.

In 2021, after a hard-fought battle for government funding, we were able to relaunch Balit Ngulu and it was a relief to be able to dive back in to ensuring our children and young people had a voice in the justice system. Over the last three years, so many children and young people have come through Balit Ngulu. Not only do they get fantastic legal representation and support services - but they also get people who work to support the development and implementation of individualised support plans that provide them with a pathway out of the justice system.

One example of the work Balit Ngulu does that stuck out to me was the support they provided Alex*. Alex is a young person under 15 years old whose mob are from Victoria. Alex was involved in an incident where they threatened to kill themselves while holding a knife. Police who attended the incident pointed their firearms at Alex who immediately placed the knife on the floor and complied with directions made by the officers.

Alex was handcuffed and subjected to a field interview without legal representation, a parent or an independent

person present. They were held by police in the middle of a busy public area for over half an hour before being transported to a hospital.

Alex was charged on summons to attend court. A Balit Ngulu solicitor was present on Alex's court date and got an adjournment to review the evidence. Alex had no prior history with police and had been attending school and living with family since the incident.


The Balit Ngulu solicitor was able to convince prosecution to drop the charges, highlighting Alex had no history, the incident was extremely traumatic and embarrassing for them, they had experienced a severe mental health episode and made no threats to others.

Balit Ngulu's Aboriginal Community Engagement Worker provided supports to Alex and their family during this time, including food vouchers to help the family through a period of financial hardship. They were there to ensure that support services were working for the family and when they weren't to engage them with support services that would walk with them, they were there to provide an ear, and they were there to support the small and big wins.

Without the help of the Balit Ngulu team, Alex may have been criminalised for their mental health incident and been funnelled towards a life of contact with the criminal legal system.

Nerita is standing alongside Uncle Des Morgan, former Chairperson of VALS





I am still fighting to get more funding for Balit Ngulu. At the moment we are only funded to provide criminal legal support across parts of Melbourne and the Shepparton region. Every Aboriginal child in Victoria should have access to Balit Ngulu when they need it.

And Balit Ngulu should be able to help with any legal matter – child protection, family law, civil law. We should be a one stop shop so that our children and young people don't get palmed around endless services and lawyers that cannot address all their needs.

During the year, VALS also continued to work hard to ensure the Victorian Government's Youth Justice Bill was as strong as possible. We have put in over 5 years of work, feeding in the voices and experiences of our clients and community to help get the reforms they want.

The Bill passed in late 2024, and although the Victorian Government backflipped on a promise to raise the minimum age of criminal responsibility to 14 years old, it does include many positive reforms.

The Youth Justice Bill will increase the use of warnings, cautions and diversion to help keep our children and young people out of the carceral system and give them more opportunities to build a better life. It will also give Aboriginal organisations more opportunities to help provide services to our children and young people.

There is still a lot of transformation we want in youth justice and we are looking forward to supporting community to drive that transformation through the Treaty process.

VALS also helped secure important reforms to bail changes thanks to our work with Uncle Percy Lovett, the partner of Veronica Nelson. The new bail laws saw a 14% decrease in the number of Aboriginal people held on remand in the first few months – that's over one hundred times where our people stayed out of prison.

VALS has been delivering training about the new bail laws across the legal system to ensure the biggest impact for our clients and community.

In the year ahead, VALS will be working on Justice Treaty, designing a decolonisation pilot for former carceral facilities, developing a self-determined alternative to the child protection system and improving cultural capability across the legal sector.

These are big projects that have come out of the justice yarns we have had with community across the state, through the truths they shared in Yoorrook and through their advocacy. They have the potential to deliver transformative change for community through embedding approaches to justice that are centred in our ways of being, knowing and doing. I know it will be hard work, but we know they are counting on VALS to help make that change a reality and I know we can do it together – after all we have been doing it for more than 50 years.

A huge thank you to the Board for their ongoing support and guidance as we expanded our regional footprint and engage in dynamic advocacy. A special thanks to outgoing Chair, Uncle Des Morgan, and our new Chair, Dr Crystal McKinnon – I appreciate everything you do to support our communities' calls for justice and your unwavering strength in holding government to account.

And I cannot be thankful enough to all the staff at VALS. This is tough work. People rely on us in their most desperate and vulnerable moments. It is made even harder when you have to make every resource stretch as far as it can. I see the great work you do and I hear the praise for your work from clients and community. You make VALS what it is and I hope you take pride in that work.

Yours sincerely,

Nerita Waight

Board of Directors



Crystal McKinnon

Chairperson

Dr Crystal McKinnon is an extensively published academic and expert speaker and presenter on subjects related to Indigenous People's civil rights, sovereignty and experiences of the criminal legal system. Crystal is a member of various academic bodies and is involved in academic administration, university governance and wider participation in the Boards of various not-for-profit organisations.



Cienan Muir

Founder of INDIGINERD

Deputy Chair

Cienan Muir is a Yorta Yorta and Ngarrindjeri man who grew up in Northcote, going to Thornbury Primary and then Northcote High, before completing a social sciences degree. When Cienan was younger, he lived in Echuca, Moama and Mooroopna. A big advocate for ensuring our young people have the voice and the opportunity to make the changes they want to see in the future, this is seen through his work with the Koorie Youth Council. Cienan has a passion for Indigenous creativity, storytelling and representation within the popular culture arena, hosting Australia's first ever Indigenous Comic Con, presenting and facilitating many panels and workshops on Indigenous representation, and growing his business, INDIGINERD, into a much-loved icon.

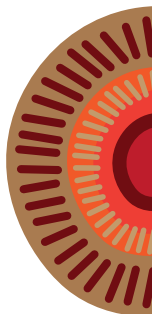


Tarneen Onus Browne

Secretary

Tarneen Onus Williams is a proud Gunditjmara, Yorta Yorta person through their mother and Bindal and Meriam person through their father. Tarneen is living on the unceded land of the Wurundjeri peoples.

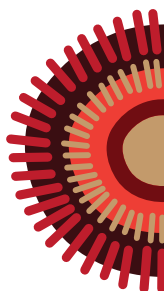
Tarneen is a community organising lead at Australian Progress, previously VALS community legal educator, a community organiser for Warriors of the Aboriginal Resistance working on Invasion Day, Black Deaths in Custody and Black Lives Matter. They're also a writer and filmmaker that has been published in IndigenousX, The Urban List, Crikey, NITV and RightNow. Tarneen's film "young mob questioning treaty" has been screened internationally at ImagineNATIVE in Toronto and Tampere Film Festival in Finland.



Apryl Day

Executive Officer and Founder of the Dhadjowa Foundation
Treasurer

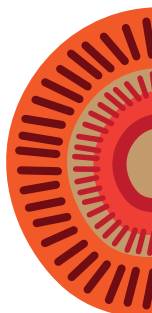
Apryl is a proud Yorta Yorta, Wemba Wemba and Barapa Barapa woman. She is a community organiser and campaigner, and a member of both WAR VIC and Pay the Rent. She is the daughter of Aunty Tanya Day – a proud Yorta Yorta woman who died in custody in 2017. Apryl and her family successfully led the campaign to end the criminalisation of public drunkenness in Victoria and is at the forefront of the fight for police accountability and justice matters. Apryl is the Executive Officer and Founder of the Dhadjowa Foundation, a national grassroots organisation that provides strategic guidance and support to amplify the campaigning of families, and to fight for justice for all families of Aboriginal and Torres Strait people who've died in custody.



Luke Martin

Solicitor, Peninsula Community Legal Centre
Member

Luke is a lawyer and MD candidate, who is honoured to live in Naarm (Melbourne) on the Wurundjeri lands of the Kulin nations. He has worked in International mergers and acquisitions, equities, intellectual property, tax, government advisory, and Indigenous health research. Luke is a Palawa man who is passionate about empowering Aboriginal voices to work with government and businesses to help bridge the gap in law, health and economics.



Erin Rose

Budj Bim World Heritage Executive Officer
Member

Erin Rose is Gunditjmara from South West Victoria. Erin has worked in the justice sector for several years providing cultural and reintegration support to Aboriginal people in the justice system, before this she worked across a number of Aboriginal Community Organisations providing advocacy and support. Currently, Erin is the Budj Bim World Heritage Executive Officer at Gunditj Mirring Traditional Owners Aboriginal Cooperation overseeing the management and protection of the Budj Bim Cultural Landscape and its values.



Bobby Nicholls

Chairperson, Hume RAJAC
Member

Uncle Bobby is a proud Yorta Yorta, Dja Dja Wurrung, and Wadjabalok man and the nephew of Sir Douglas Nicholls. Uncle Bobby has been an active Aboriginal community member for most of his working life, including being on the Board and a member of many ACCOs including the Aborigines Advancement League, the Victorian Aboriginal Child Care Agency, Aboriginal Housing Board of Victoria and has worked in both community and government. He is currently the Chairperson of the Hume Regional Aboriginal Justice Advisory Committee.

Justice

for our young people: thriving and connected

This year's theme 'justice for our young people: thriving and connected.' reflects VALS' staunch advocacy for our community over the past 50 years and for our future generations.

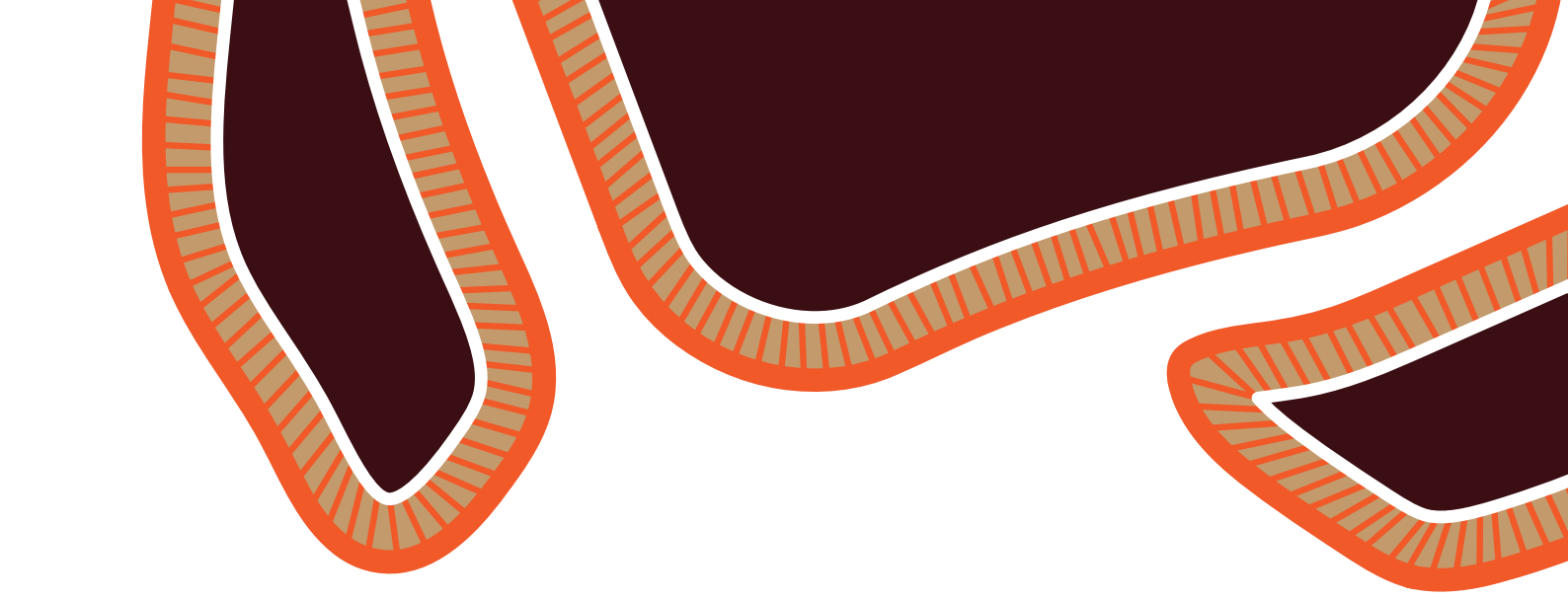
This year, following the culmination of over five years of consultation and advocacy with the legal sector and key stakeholders including the Aboriginal Justice Caucus, West Justice and the Human Rights Law Centre in particular, we welcomed the introduction of the Youth Justice Act. We developed key advocacy briefs which we used in lobbying including 'Getting youth justice right: supporting our children to thrive'. We strongly believe this Act will better protect our children and young people.

The introduced Bill includes several reforms that we should be proud of. This includes:

- Improvements to warnings, cautions, and diversions;
- Steps towards Aboriginal self-determination;
- Raising the minimum age of criminal responsibility to 12 years old;
- Codifying *doli incapax*, the presumption that children under 14 years old are incapable of criminal intent;
- Banning solitary confinement and the use of spit hoods; and
- Expansion of restorative justice options.

These inclusions will have a positive impact on diverting young people away from the criminal legal system – a system that, as widely acknowledged through Victoria's truth-telling process, continues to harm and traumatise our people.

Despite these positive steps towards justice, there is more that the Victorian Government could do to ensure our children and young people have the best possible chance at a safe and healthy life. VALS was dismayed by the Government's decision to walk away from its promise to raise the age of criminal responsibility to 14 by 2027, alongside not including a presumption of bail for children. About half of the Aboriginal children in youth prisons have been denied bail after being charged with minor offending and being subject to the same bail tests as adults. VALS remains steadfast in our position that child bail reform should be included in this Bill. In line with our Blueprint for Bail Reform - Poccum's Law, there should be a presumption of bail for all children and young people. This will prevent further criminalisation of our kids.



We strongly oppose the inclusion of new police powers that allow them to engage with children aged 10 and 11 in a way that risks further criminalisation. Responses to concerning behaviours from this cohort must be self-determined and centred in addressing their wellbeing, healing and rehabilitation in a trauma informed and therapeutic approach.

We will continue to advocate that the age of criminal responsibility should be raised to 14 without exceptions, with no new police powers. The Government originally committed to raising the age to 14 once an alternative service model has been established, but ACCOs and the Aboriginal community have been delivering effective models for a long time. We are ready to work with the Government to codify them, and make self-determined, trauma-informed models available to all children and young people.

We are deeply disappointed and disheartened by the Bill's inclusion of an electronic monitoring trial on children. We know that electronic monitoring doesn't work and is a waste of public money. It will not address the underlying issues that lead to offending behaviour.

We have continually warned the Government that these provisions will only cause further problems, and that criminalising young people is not the solution.

The full benefit of these reforms will only become a reality if the Victorian Government invests in the services children need, services like Balit Ngulu, the only dedicated legal service for Aboriginal children in the state. If Balit Ngulu's expansion was funded we would be able to assist many more young people, in a trauma-informed, holistic approach.

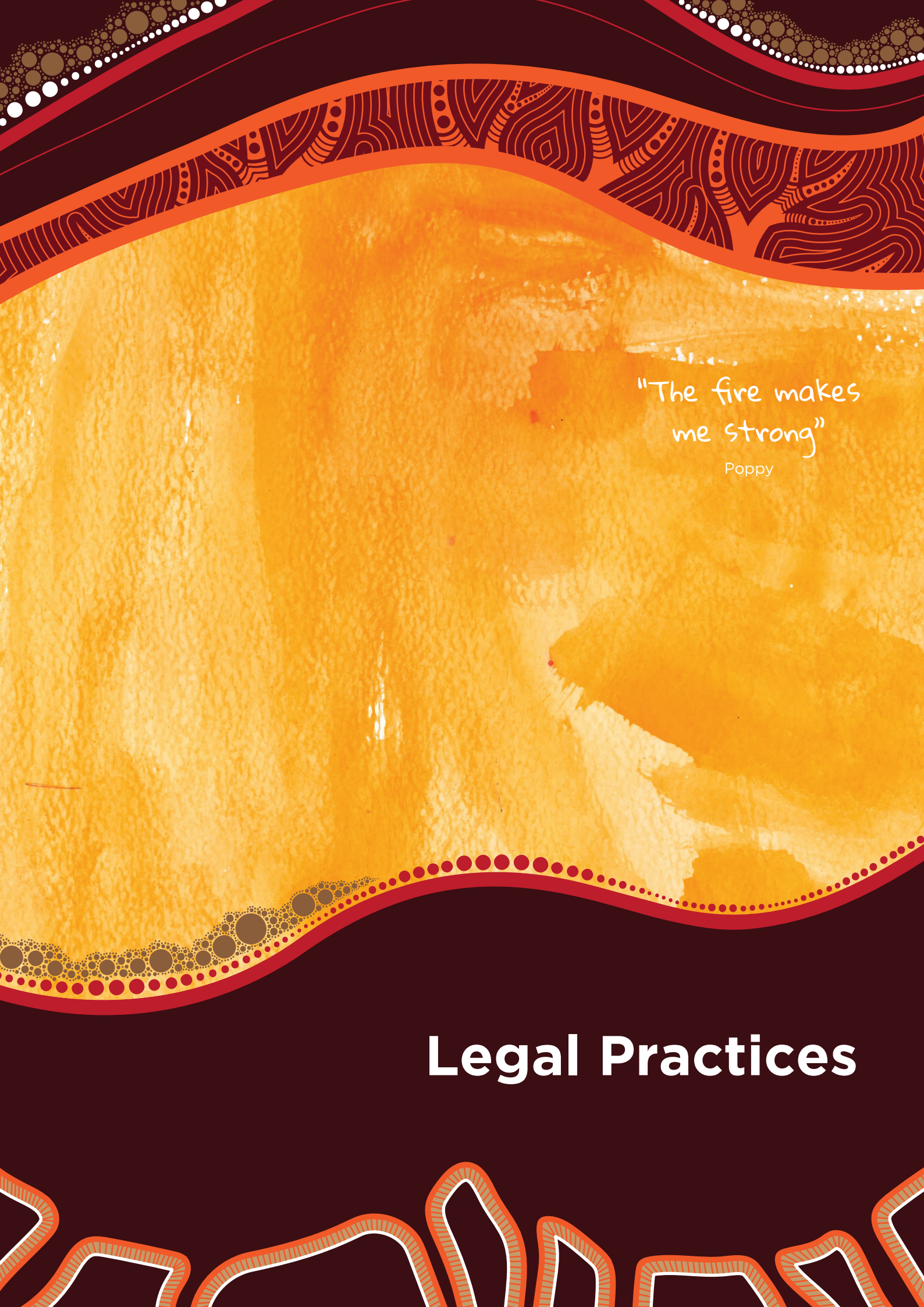
The new Youth Justice Act is not the end of the journey and Victoria's politicians should begin working on more significant reforms, including:

- Raising the minimum age of criminal responsibility to at least 14 years old and the minimum age of detention to at least 16 years old;
- Implementing Poccum's Law which would make bail laws simple and fair;
- Expanding the Koori Children's Court;
- Banning isolation and routine strip searches in youth prisons; and
- An independent police complaints body.

Our young people deserve access to a self-determined and culturally safe legal system. A system that holds young people accountable, but also provides wrap-around, trauma-informed supports that connects them with their community and culture so they grow up strong in their identity.

Our people, including our children and young people, thrive when we are resourced to be able to self-determine our own futures. VALS will continue to fight for the rights of our children and young people to be adhered to, as defined under the United Nations Convention on the Rights of the Child, and the United Nations Declaration of the Rights of Indigenous Peoples. Our children are our future, and through treaty negotiations we know that we are securing a future in which they can thrive, and aspire to and realise their dreams.





"The fire makes
me strong"

Poppy

Legal Practices

Aboriginal Families

Our **Aboriginal Families Practice** provides legal advice and representation to clients in family law and child protection matters. We aim to ensure that families can remain together, and children are kept safe. We are consistent advocates for compliance with the Aboriginal Child Placement Principle in situations where children are removed from their parents' care.

Key Achievements

Over the reporting period, the Aboriginal Families Practice has assisted an estimated 1650 clients in the areas of family violence, child protection and family law. Just over 62 per cent of those clients came to us for child protection and/or family law assistance, advice or representation. Just under 10 per cent of our clients were children.

We have made a positive impact on the current future lives of just over 400 Aboriginal children by advocating for their best interests. We support many families impacted by family violence. We continue to hold significant concerns regarding the practice of Child Protection, where they do not adhere to the Aboriginal Child Placement Principle.

And when those administrative decisions are poorly made, we now have the support and ability to conduct administrative reviews through VCAT.

We've expanded our reach by having local lawyers in local offices as part of the Regional Hub model. Lawyers that know their people, their regions and the services available. Two of those regional leads come with experience working in the Department of Families Fairness and Housing, which brings great strength to our advocacy for our clients.

We're reaching areas that have historically had very little access to legal services. Areas where the behaviour of Police and child protection have gone unchecked.

Now more than ever, we're supporting community members with family violence matters, where police are misidentifying the mother as the person using violence; an action that almost invites child protection to become involved.

We are also shifting children's matters away from the state, and utilising the Family Court instead. We have found that the decisions are more transparent and practical solutions are made that really are in the best interests of a child.

Advocacy

Over the reporting period the Aboriginal Families Practice was involved in, and supported advocacy through the following working groups, forums and policy submissions:

Working Groups

- CLC Family Violence working group
- Strengthening referral pathways for the Early Resolution Service working group
- Orange Door Pilot program working group
- Specialist Children's Court working group
- Family Violence Justice Network
- Out of Home Care Legal Clinic Advisory Group
- Women, Victims and Families Collaborative working group
- Cross Border Access to Justice

Forums

- Co-presented at the SNAaIC conference in Darwin
- Presented at the VLA experts forum in relation to misidentification in family violence matters

Policy Submissions

- Child Protection Permanency review
- Family Law Amendment inquiry
- Enduring Powers of Attorney and Elder Abuse
- Yoorrook Justice Commission submission in relation to family violence, and provided evidence at public hearing
- Family Law Roundtable on Aboriginal Legal & Family Violence Services
- ALRC submission on Justice Responses to Sexual Violence

Looking forward

The Aboriginal Families Practice looks forward to further strengthening our regional presence by working more closely and effectively with proposed regional community service officers (CSOs). CSOs form the vital link between lawyer and client, and regional hub project's service delivery will be greatly enhanced by their presence and community knowledge. This year, we have also begun to provide legal assistance in regional towns where previously it has been limited or non-existent. As capacity increases, we look forward to providing services to community members where they need it.

Case study

VALS Aboriginal Families Practice represented a father of two young children who were subject to a child protection order application. He had not lived with the mother for over a year, and the children were removed from the mother due to AOD issues. The father was referred to us through another ACCO.

He did not attend the first mention of the matter before a judicial registrar, as he had not been served with the application and only found out through a third party. The State insisted they were unable to locate him, despite him being known to them, and the requirement for service was dispensed with.

The state argued there was no suitable family member for the children to be placed with, so they were considering placing the children with a non-Aboriginal carer.

The father was very clear in his desire to have his children with him, he wanted to be involved in this decision-making process and be named as a party in the proceeding. The court refused the requirement for service on the father; and thereby denied his right under the *Children Youth and Families Act* to be a party. Parents are a party to child protection proceedings as a right, not by leave.

VALS drafted and submitted an appeal of the decision. The appeal was successful and the father is now a party to the proceedings.

A number of our senior lawyers were involved in this matter, which we ran internally without engaging external counsel. Not only is this a testament to the depth of knowledge and passion within the Aboriginal Families Practice, but had the decision not been challenged, a legitimate avenue to placing a child with a parent would have been lost, and the child would have been placed in out of home care.

The case further highlights the often-inflexible approach to litigation taken by the State, even where that approach overrides the best interests of a child.

Civil and Human Rights Law

The Civil and Human Rights team works for the community in several areas, our work is often proactive and preventative. We fight to protect peoples' rights in important parts of their life like housing, consumer protections, mental health and employment. The work we do helps divert people away from the criminal legal system and keep young people out of the youth justice system.

The Civil and Human Rights Practice conducts casework in tenancy, victims of crime compensation, discrimination, employment, coronial matters, mental health tribunal, working with children check matters, the Yoorrook Justice Commission, disaster relief, infringements and consumer, credit, and debt (through an integrated partnership with Consumer Action Law Centre). Our aim is to never turn a client away: even if we can't act, we will give advice, referrals, information and seek out assistance of colleagues in the sector to ensure clients are helped with their civil justice issues.

During this financial year the VALS Civil Team assisted clients with 1630 different matters, with 117 of those matters being for young people. Our team acted for and advised young people on a variety of issues including housing, Working with Children Checks, victim compensation, and credit and debt and Personal Safety Intervention Orders (PSIO). We take a particular interest in PSIO matters involving young people and we prioritise representing young people in PSIO matters and diverting them from the criminal legal system.

Our Infringements Clinic has been busier than ever with the Sheriff increasing their enforcement action this financial year. We assisted 112 clients, 10 of whom were Aboriginal young people, with advice and representation in the Magistrates' Court. We were successful in having over \$300,000 of infringements waived.

During this financial year VALS helped secure over \$500,000 in compensation for clients in a variety of matters including employment, discrimination and consumer credit and debt. We assisted clients to have nearly \$300,000 in debts waived. Removing the stress of debts and fines, helps our clients focus on the important parts of life like their family, their community and culture.

Advocacy

- We now operate a fully staffed Mental Health Legal Service which represents clients throughout Victoria who are under community and inpatient orders. We advocate for client's rights and ensure their cultural beliefs are respected and taken into account in their health care.
- We are a partner in the new Victims Legal Service. We provide a culturally safe service to victim survivors of violent crimes to help them obtain compensation and counselling to assist them to heal.
- One of our biggest practice areas is housing. We regularly represent clients and their families in possession order matters at VCAT. This year we assisted 237 clients with 36 of those matters involving a VCAT proceeding. Our advocacy has prevented many families becoming homeless at a time of severe housing insecurity.
- We are a member of the 'Save Sorry Business' campaign which finally saw a resolution to the Aboriginal Community Benefit Fund (ACBF)/ Youpla saga. The Federal Government has announced the 'Youpla Support Program', which will be paying Youpla or ACBF policies holders an amount to help pay for sorry business. This has been a long-fought campaign lead by Aboriginal advocates.

- The Lotjpa Legal Service has continued to provide advice and representation to community members making Submissions before Yoorrook. VALS assisted 65 clients and helped many draft their submissions to Yoorrook.
- Our team continues its partnerships with the Consumer Action Law Centre, our Health Justice Partnership with VAHS and our work with Disaster Legal Help.

Looking forward

The Civil team looks forward to embedding our new legal services mentioned above and promoting them to the community. We are excited to significantly increase our outreach activities now we have three Regional Practice Leads servicing West Melbourne, Bendigo and Warrnambool. We know that the best way to service the community is to listen and learn about what they need so we can provide practical assistance for everyday legal issues.

Case study

The Civil and Human Rights Practice assisted Marika with Guardianship and Administration orders.

Marika is a young 20 year old Aboriginal woman who grew up in foster care after her mother died at a young age. She experienced significant trauma when she was a child and now experiences severe mental illness and has spent several extended periods of time in a youth psychiatric facility. Marika is supported by 24-hour NDIS workers and disability accommodation.

When Marika turned 18, the Department of Families, Fairness and Housing (DFFH) applied for Guardianship and Administration Orders to be made for Marika, believing that she was not capable of making her own decisions. The applications were later supported by her NDIS and mental health treating teams.

VALS successfully challenged these applications on the basis that insufficient evidence was provided to demonstrate that Marika lacked capacity to make her own decisions. VALS also supported Marika to connect with a financial counsellor and set up automatic payments to ensure her rent and bills were covered. Without VALS assistance, it is likely that Marika's financial and other key life decisions would continue to be made by the state and that she would have no opportunity to have agency and self-determination.

VALS' Criminal Practice also assisted Marika to successfully defend minor criminal charges regarding the alleged theft of a telephone to ensure that she did not enter the criminal legal system.

Balit Ngulu

Balit Ngulu is our dedicated legal practice for Aboriginal children and young people, providing support in criminal matters as well as intervention orders (where the intervention order has related criminal charges). Balit Ngulu is designed to be trauma informed and provide holistic support for our clients. Balit Ngulu works to ensure young people have as limited contact with the criminal legal system as possible.

Over the last financial year, Balit Ngulu secured ongoing funding through the Department of Justice in line with their commitment under Wirkara Kulpa – Aboriginal Youth Justice Strategy. Funding insecurity was a significant challenge for Balit Ngulu and its staff and the instability of funding was unsettling to navigate through.

Expansion of Balit Ngulu service catchment and client eligibility in 2024

From the outset, sustainable expansion and serviceability of the program has been a key focus for Balit Ngulu. There has been significant and continued investment, training and mentoring provided to staff, particularly our junior lawyers and ACE workers. In August 2023, Balit Ngulu's service catchment expanded to also include Sunshine Children's Court (serviced by Preston office) and Echuca Children's Court (serviced by Shepparton office). The statistics gathered from VALS Custody Notification Team highlighted a need for our holistic and culturally safe legal and non-legal services in these areas.

In the last quarter of 2023, Balit Ngulu serviced courts in Melbourne, Broadmeadows, Heidelberg, Ringwood, Sunshine, Shepparton, Echuca, Wodonga, Wangaratta.

An additional six courts were introduced into the service catchment in January 2024, including Frankston, Dandenong, Werribee and the Neighbourhood Justice Centre in the metro region, plus Seymour and Benalla in the Hume region. These new additions take the total number of courts serviced by Balit Ngulu to fifteen.

Balit Ngulu continues to accept referrals from outside these catchment areas on a case-by-case basis. Recently, referrals have been accepted for exceptionally vulnerable child clients from outside the catchment area who legal aid has not been able to assist due to conflicts of interest and young adult clients (18 - 21 years old) who would not be eligible for legal aid assistance.

Balit Ngulu and VALS broadly have identified a service gap for young Aboriginal adults who require assistance with criminal charges listed in the Magistrates' Court but who may not be eligible for legal aid funding due to an unlikelihood that their charges will result in a custodial sentence. Balit Ngulu on a case-by-case basis take carriage of matters for new clients aged 18 – 21 who do not have a substantial criminal history and would benefit from a holistic program and case management that is offered by our ACE workers.

The expansion both in service location and eligibility has allowed us to improve access to our services and better outcomes for Aboriginal young people seeking Balit Ngulu support.

Disability Assessment Response Team Program

In July 2023, Balit Ngulu commenced working in partnership with Melbourne City Mission (MCM) to deliver Disability Advice and Response Team (DART) service across five courts. The VALS DART worker assists the Children's Court to identify when a young Aboriginal or Torres Strait Islander person has a disability and to enable the presiding judicial officer to be better informed about the young person's disability. VALS DART worker has been available to the criminal division of the Children's Court of Victoria as well as Marram-Ngala Ganbu (Koori Family Hearing Days) at Broadmeadows and Shepparton.

As of September 2024, the program has been operations for 12 months of the 2-year pilot. In this time the DART workers, together with the allied health team, have supported 27 young people. 11 young people were referred for disability assessments, 1 was referred to Early Childhood Early Intervention supports in their community and is in the final stages of receiving supports via their local office with their carer.

Increased advocacy for alternative and therapeutic approaches

Early intervention is the primary focus of the program and diverting young people away from the criminal legal system remains a key priority.

After intake, Balit lawyers and ACE workers contact the client to determine what supports are needed and whether any referrals need to be made from the outset to address current issues. This may be related to education, AOD counselling or residential rehab, mental health counselling, men's behavioural change program, family violence support or ongoing case management.

Following our initial engagement with the client, it often becomes apparent that our client hasn't been afforded any opportunity to engage in early intervention programs or afforded an opportunity to be diverted away from the criminal legal system at the first instance. In the last 12 months of 2023, Balit Ngulu successfully returned over 35 police briefs back to station level for young people to be issued a police caution instead of their matter progressing through to a court outcome. On several occasions, the caution request was refused and required further advocacy and escalation within the appropriate channels within Victoria Police. It's important to note that advocating for a police caution is not legally aidable and therefore the work Balit Ngulu does is unique and incredibly valuable.

Further, a formal caution escalation pathway does not currently exist, however in 2023, Balit Ngulu and VLA worked together with Victoria Police to develop an informal pathway to raise individual matters with Commander Galliot in Victoria Police for matters to be further reviewed and considered for caution requests. Balit Ngulu has seen an increased number of cautions issued following this informal arrangement.

There's a strong focus on building rapport and trust with our clients. On many occasions, Balit Ngulu lawyers and ACE workers are the first contact for the young person and their families when any further issues arise including fines, IVOS or further contact with Victoria Police, on a number of occasions the existing relationship and rapport with clients has led to Balit Ngulu being able to advocate for a caution prior to charges being laid.

In January 2024, Balit Ngulu have on a case-by-case basis, taken carriage of matters for clients aged 18 – 21 who do not have a substantial criminal history and would greatly benefit from a wholistic program and case management that is offered by Balit Ngulu ACE workers.

The 'Youth Crime Prevention and Early Intervention Project' in the West seeks to reduce rates of youth offending and re-offending in Wyndham and Brimbank among young people aged 10-24 years by increasing the use of police pre-charge warnings, cautions and diversion recommendations, streamlining referrals to legal and non-legal support, and providing community legal and non-legal education to young people and their families. Through stronger stakeholder relationships we have been able to secure cautions for clients that even fall outside the catchment criteria (but are geographically close to) which has seen young adults diverted out of the criminal legal system.

Looking forward

Having expanded Balit Ngulu's service region, the focus for the next 12 months is ensuring that Balit Ngulu continues to provide the same level of support across its entire service region that had been provided to Balit Ngulu's previous catchment area.

We will continue to advocate for Balit Ngulu to be expanded across regions, and into the Child Protection space as we know this will best support our client's needs. To do this effectively we need additional ACE workers and the appointment of a Managing Lawyer.

Balit Ngulu Case Study: Successful bail application in the Supreme Court of Victoria

Re application for bail by PI [2023] VSC 481

PI* was taken into custody following breach of bail conditions. In the absence of further offending, Victoria Police made an application to revoke PI's bail, this application was granted by the Presiding Magistrate. Following this refusal of bail, Balit Ngulu lawyers listed an application for bail in Supreme Court of Victoria.

Balit Ngulu ACE worker continued to support PI in the community. The care team was well serviced with appropriate cultural and therapeutic supports, ACE worker assisted with vocational opportunities - e.g., white card, court assistance and cultural support. These were the identified gaps in the current care plan and within the care team.

In Her Honour Justice Incerti decision to grant bail and Her Honour noted the following; that breaking the cycle of offending does not occur in custody and that the availability of new wrap around supports in the community should be utilised and could be the difference for the young person turning their life around.

This decision has been published and will serve as an authority that other lawyers across the state can rely on in their advocacy for Aboriginal children and bail applications.

Criminal Law Practice

Our **Criminal Law Practice** provides legal assistance and representation for Aboriginal people involved in court proceedings. This includes bail applications; representation for legal defence; and assisting clients with pleading to charges and sentencing. We aim to understand the underlying reasons that have led to the offending behaviour and ensure this informs the best outcome for our clients.

- The Crime Team continue to produce outstanding results for clients in a culturally sensitive and competent way. Our lawyers are in court most days, connecting with our clients and other stakeholders and are recognised by the profession as outstanding lawyers who provide a first-class service resulting in excellent legal outcomes.
- New bail laws – the crime team continue to be recognised as the experts especially in relation to the new reforms and the expanded 3A considerations. Both the PML and the ML were heavily involved in the training rollout phase of the laws in March 2024. Once the changes came through, the criminal team were able to effectively advocate for our clients using those new laws, including representing a client in multiple successful Supreme Court decisions.

- BARC funding – in the second half of 2023 we received confirmation that we would receive some funding to expand our services into the remand court. This funding has allowed us to employ an additional three lawyers and ensure that Aboriginal clients who are remanded have increased access to a VALS lawyer and bail application at first remand.

Advocacy

- We have upskilled some of our Senior Lawyers to run contested hearings that are not eligible for a grant of aid and would ordinarily not be able to run, a circumstance that often pressures a client to plead guilty. The contests that have been run in-house have resulted in outstanding results for our clients and an important upskill of our senior legal practitioners.
- A significant part of our practice relates to withdrawal of charges that arise out of police conduct (or misconduct) and arrests that are often found to be unlawful. We continue to hold police to account for their racist targeting of our clients.
- Our team have been involved in higher court matters that have resulted in landmark rulings including the first Supreme Court bail application decision that considered the amendments in 3A (the amendments regarding specific considerations for Aboriginal People). The Judge in that case granted bail and made the following landmark observation:

- *[57] The crucial phrase in this provision, and the phrase that must be given careful consideration if these reforms are to be as 'significant' as intended, is take into account. It is a somewhat innocuous phrase and appears another 18 times throughout the Act. However, in this section, we cannot allow the process of taking into account the Aboriginality of an applicant to become anything less than the radical transformation to the decision making process that was called for by the Yoorrook for Justice Report and following the tragic death of Veronica Nelson. It cannot simply become a box-ticking exercise on the way to considering the other statutory elements in the bail flow chart. It must inform every consideration and the perception of every aspect of the applicant's application and encourage us to not contribute to incarceration levels unless there is a good reason to do so. It requires the decision maker to look beyond the personal circumstances of the applicant and to the entrenched disadvantages of a class of people of which the applicant is a part.*



Case study

Our young Aboriginal client was aged between 18 and 20 during much of the alleged offending. In addition to their young age, the client presented with an intellectual disability and a substance abuse disorder. They lived at a remote location where interaction with the same police members was common, and the matters were listed in a regional court.

Over the course of several years, the client was charged by police over 10 times. Due to the client's vulnerabilities, the matters were not dealt with and the client continued to have negative interactions with police.

VALS became involved and a lawyer was allocated to this client's region. Throughout several interactions, they gained the trust of the young person and were able to begin to analyse the alleged offending. They witnessed the improper policing and targeting of this young person firsthand. Strategically, they were able to resolve many of the matters. However, they identified that police misconduct was a factor in some of the offending and booked that matter in for contest. Ultimately, that contest was successful which resulted in the acquittal of many charges. Following the withdrawal of those charges, the lawyer was able to secure a drug rehabilitation bed for the client and they were sentenced. The client is now outside the criminal legal system and in the therapeutic space receiving the care that they need.

The case study demonstrates not only the excellent and expert level of legal service young clients can expect, but also the personal and culturally competent approach that VALS lawyers take with clients.

Looking forward

Our team is currently the largest it has ever been. With these additional resources we are looking forward to expanding our client base and continuing to develop in house expertise in the higher court jurisdiction.

Wirraway Police and Prison Accountability Practice

The Wirraway Police and Prison Accountability practice at VALS provides legal advice, representation, referrals and information about police and prison accountability matters to members of the Aboriginal and Torres Strait Islander community in Victoria.

The Wirraway practice can assist with matters that involve:

- Police misconduct, such as unlawful arrest, unlawful stops and searches and excessive use of force
- Discrimination against Aboriginal and Torres Strait Islander people by police or prison authorities
- Prisoners' rights, including failure to provide appropriate healthcare in prison, unlawful strip searches and being held in solitary confinement
- Deaths in custody, including coronial inquests

Key Achievements

Coronial Inquests into deaths in custody

This financial year the Wirraway Practice has acted for six Aboriginal families in coronial inquests and investigations into police contact deaths and deaths in custody. In each Inquest, we have worked with experienced Counsel and have taken the time to ensure that each passing is thoroughly investigated, including obtaining expert evidence and making detailed submissions on the Scope of Inquests. We are a respected party before the Coroner's Court and have meaningful relationships with the Koori Engagement Team through regular meetings.



Sarah Schwartz, Shaun Austin and Jo Schoenfelder

On 31 October 2023, we jointly appeared with Robinson Gill, briefing Counsel Stella Gold, in the Supreme Court of Victoria to represent Uncle Percy Lovett and Aunty Donna Nelson in the appeal by Dr Sean Runacres against the findings in the Inquest into the Passing of Veronica Nelson. We successfully worked with Robinson Gill to achieve costs protection for our clients in this matter, which enabled their participation.

Prison accountability

This financial year, VALS Wirraway Practice has focused on supporting several Aboriginal young people in youth justice centres in Victoria to advocate against them being placed in harmful isolation and solitary confinement. These practices have lasting impacts on Aboriginal children's development, health and wellbeing, educational participation and cultural connection. This has involved legal representation, work with the Policy and Advocacy

Practice, and advocating at the highest levels of youth justice and to the Minister. We will continue to work with Aboriginal young people until the practice of isolation of children is abolished.

VALS now has a developed prison healthcare advocacy project in which we provide urgent advice and advocacy for Aboriginal people in prison to advocate for them to receive the healthcare they need in custody. Through this project, we have achieved wins in ensuring our clients see specialists they need, that they receive prescriptions, and that prisons are held to account and improve their systems following failures.

VALS has also successfully advocated for clients in prison to be transferred to locations close to their families, to be removed from solitary confinement conditions, and to be provided the disability supports they need in custody.

Police accountability

In our police accountability practice, the greatest harms we see are in relation to police violence and abuses of power relating to children. The Wirraway Practice works closely with the Balit Ngulu Team to provide advice on police powers issues in criminal matters, and to represent children to obtain compensation for police abuses of power. We have achieved many wins in this work, including successful IBAC investigations finding police wrongdoing, as well as supporting clients to achieve compensation. While monetary damages can never undo the harm of violent policing on young people, it does send a message that their treatment was wrong, and empowers young people to be able to heal from these violent practices.

Our police accountability practice has significantly expanded this year through a strong partnership with Allens Arthur Robinson, who seconds lawyers to VALS to conduct police torts litigation. The Wirraway Practice supports these lawyers and through having a large team, we have been able to litigate matters that we previously wouldn't have had the resources to litigate.

The Wirraway Practice also serves as internal counsel for VALS' legal practice teams in relation to police powers matters. This year, we provided a number of presentations and trainings to other teams within VALS about police and prison accountability.

Advocacy

We work closely with the Policy, Communications and Strategy Team to uplift our client's stories and advocate on police and prison accountability issues which impact our clients. This has included sector-wide advocacy for a police ombudsman, advocacy in partnership with VACCHO for culturally appropriate healthcare in custody provided by ACCHOs, advocacy in relation to youth justice to see the end of solitary confinement, and advocacy for improved coronial processes.

As one example, on 6 March 2024 the Victorian Ombudsman tabled in Parliament a scathing report on substandard prison healthcare for Aboriginal and Torres Strait Islander people. This report stemmed from discussions that the Wirraway and Policy, Communications and Strategy Team had with the Ombudsman about poor quality prison healthcare for our clients. The Wirraway practice worked closely with the Ombudsman's investigation team in their preparation of the report and fed into the Ombudsman's report, including by providing the Ombudsman with case studies of our client's experiences in prisons. The final report reflects many of our client's stories and expresses the major failings we see every day in the prison healthcare system. The Ombudsman made five recommendations which demonstrate the need for Aboriginal Community Controlled Organisations to be involved in both the design and oversight of prison healthcare,

as well as in providing primary healthcare services in prisons. VALS released a media release regarding the report which was picked up by media outlets including ABC, the Guardian, the Australian and the Age. We will continue to push for changes to be made in line with the report and the Inquest findings in Veronica Nelson's Inquest.

Looking forward

In the next year, we will continue to expand our work with young people in custody to advocate for an end to harmful practices of isolation and solitary confinement. This includes through partnering with law firms, legal representation, and individual advocacy on behalf of our clients. Through our work with DJCS, young Aboriginal people entering custody will now be provided with VALS contact details and a freecall number for VALS. This will mean we can support clients, alongside the Balit Ngulu team, when they first enter custody at their most vulnerable stage.



Smoking ceremony at the vigil for Heather Calgaret

Case study

Heather Calgaret, a proud Yamatji, Noongar, Wongi and Pitjantjatjara mother of four, passed away in custody at Sunshine Hospital in November 2021 after being found in a critical condition at Dame Phyllis Frost Centre Prison by her sister, Suzzane. She loved her culture and enjoyed painting and writing. She was the rock of her family, had a great sense of humour, and was beloved by everyone who knew her. Heather was found unconscious one day after being administered a first 8mg dose of Buprenorphine. Heather had been eligible for parole for almost one year prior to her passing. Heather was the mother of four beautiful children. She gave birth to her youngest child in custody, who was taken away from her mere days after the birth. Following the removal of her child, Heather's mental health significantly declined. Her children now grow up without their beloved mother.

VALS' Wirraway Practice has been working with Heather's family, including the carer of her children, since she was found unconscious in custody. This has included advocacy with Sunshine Hospital prior to her passing, organising vigils for the family, sharing Heather's children's story in policy submissions, and advocating with the Coroner's Court for her Inquest to examine systemic issues in regard to healthcare and parole. VALS and Heather's family successfully argued for Heather's Inquest to examine Victoria's parole system and its impact on Aboriginal women like Heather, the cultural appropriateness of the care she received in custody, and whether she was provided adequate support as a mother, to connect with her children, and following the removal of her child in custody. This was the first time a Victorian Coroner has examined the state's parole process in relation to a passing since the toughening of parole laws.

From 29 April 2024 to 24 May 2024, the Wirraway Practice acted in the Coronial Inquest into her passing, including serving as acting solicitors and junior counsel. This involved producing four expert reports which were critical to the Court considering healthcare issues relating to Heather's passing, as well as systemic issues relating to the removal of her children and parole. Critically, it also involved ensuring that Heather's voice, and the voices of her family and children, were heard throughout the Inquest, including through witness evidence.


The Wirraway Practice worked closely with the Policy, Communications and Strategy Team throughout the Inquest, who supported the family to engage with media, and produced beautiful content for social media to share Heather's story and the story of her children.

This was also the first Inquest in which we had a dedicated Aboriginal Family Advocacy and Support Officer, Joanne Schoenfelder. This role made the world of difference to the family in being holistically supported throughout the Inquest and ensuring that Heather's family's voices were heard in the Inquest. Jo ensured Heather's family were linked in with services, sat with them throughout the Inquest, advocated for Court processes to be culturally appropriate for the family, and helped all family members to tell their stories throughout the Inquest to the Court and to the media.



Vigil for Heather Calgaret

The team has already shared Heather's story in our prison healthcare, and advocacy in relation to mothers in prison, to achieve outcomes for other clients which will prevent further harm to Aboriginal women. VALS has successfully advocated for the only Aboriginal mother who has her child in custody to be able to continue to care for her child through the mums and bubs program. This was the result of preparing a detailed application and a potential appeal, all while Heather's passing was being investigated. That mother will now be able to maintain her connection to her children, and avoid the trauma and violence of separation.

A watercolor painting of a person, possibly a child, sitting or lying down. The figure is rendered in soft, blended colors of yellow, orange, and red, with greyish-blue areas suggesting clothing or shadows. The figure is enclosed within a thick, hand-painted red circle. The background is white, and the entire composition is framed by decorative borders at the top and bottom. The top border features a series of concentric, wavy lines in red and orange, with a pattern of small white dots and larger brown dots. The bottom border consists of a solid red line with a row of small white dots just above it, and a pattern of larger brown dots below that. The bottom-most section of the page has a dark red background with stylized, wavy white and orange lines.

"Seeing the flag
makes me happy"

Kari

Community Justice Programs

Baggarrook

Our **Community Justice Programs** (CJP) team is core to the delivery of culturally safe legal assistance for our community at VALS. The CJP team staffed by Aboriginal and Torres Strait Islander people who provide culturally safe services to our clients and community. This includes the Custody Notification System, Community Legal Education, Victoria Police Electronic Referral System (V-PeR), Regional Client Service Officers and the Baggarrook Women's Transitional Housing program.

The Baggarrook program is an intensive support program for women transitioning from custody that are at high risk of homelessness. Based on initial pilot work, VALS has continued to make improvements to the Baggarrook service delivery model in partnership with Aboriginal Housing Victoria (AHV) and Corrections Victoria (CV). CV refers potential participants, AHV provides the transitional housing inclusive of tenancy management and VALS has support workers on site Monday to Friday to equip participants with greater coping skills, self-sufficiency and facilitate their longer term independence. This includes to address the underlying reasons for criminal offending. In addition to one-on-one information, advice and assistance, including referrals, support workers help broker access to other relevant support. This includes to move into suitable, long-term accommodation.

Key Achievements

- In the past 12 months, the Baggarrook program has housed seven women into long term secure housing.
- No participant has returned to prison whilst being engaged with the Baggarrook program.
- Baggarrook staff have increased their outreach to both DPFC and Tarrangower to strengthen the relationship with both CV staff, and women in custody, this in turn has increased the referrals that come into Baggarrook, as well as the Community Justice Program more broadly.
- Baggarrook has also worked to strengthen relationships with stakeholders, particularly in the West Metro region to support the women reintegrating into the community.
- Provided eight women with safe transitional housing post incarceration, individual support plans in a culturally safe and appropriate service.
- One Participant has remained out of custody for more than 24 months – this represents the longest period of remaining out of custody in almost 20 years.
- One Participant has secured stable employment and had a child who previously had a long history of involvement in the justice system.
- One Participant has achieved stable long-term housing after a lifetime of homelessness.
- One Participant received parole on the basis of the Participant entering the Program post-release. This highlights the profile that Baggarrook holds in the Courts, and with Magistrates.

Baggarrook Case Study

Mary*, an Aboriginal woman of significant resilience, was first referred to the Baggarrook program in July 2022. Prior to her referral, Mary experienced homelessness and multiple inpatient stays at mental health facilities. Her life has been marked by extensive family and community violence, which has profoundly impacted her mental and physical health, leading to exacerbated alcohol and other drug (AOD) misuse. Mary lives with several mental health diagnoses, further complicating her lived experience. Her frequent contact with police and the removal of her six children by Child Protection before her imprisonment are additional layers of her complex background. Notably, Mary herself grew up with Child Protection involvement, continuing the cycle of systemic interaction with the state across generations.

Since August 2022, Mary has been residing at Baggarrook, receiving holistic and sustained support far beyond the average program duration due to her complex needs. The Courts have re-bailed Mary to Baggarrook, recognising the comprehensive care she receives through the program. Baggarrook has facilitated numerous referrals for Mary, addressing her mental health, AOD misuse, and the impact of family violence. Despite these external supports, Baggarrook remains the most consistent and involved support program in Mary's life. The program continues to strongly advocate for supported accommodation tailored to Mary's needs, aiming to provide her with a stable environment that would best enable her to remain in the community with ongoing support.

Mary continues to receive dedicated advocacy and support from the Baggarrook program as she navigates her complex challenges. The program's culturally responsive approach has been crucial in addressing not only her immediate needs but also the deeper, systemic issues that have shaped her life. By focusing on long-term solutions, Baggarrook is helping Mary transition back into the community with the support she requires to break the cycle of intergenerational trauma and the lasting impacts of colonisation.

This case underscores the importance of culturally informed, trauma-aware practices in supporting individuals like Mary. The holistic, sustained engagement by Baggarrook has provided a lifeline, offering a sense of stability and continuity that is often lacking in the lives of those with similar backgrounds. The ongoing advocacy for appropriate housing and tailored support highlights the need for culturally responsive programs that not only address immediate needs but also consider the broader social and historical context impacting clients like Mary.

Custody Notification Service

The CNS program is the first point of contact to an Aboriginal community organisation when an Aboriginal person is in police custody, meaning this program is vital in ensuring the best outcomes can be achieved for our community members. Often the advocacy work undertaken by the CNS team is pivotal in ensuring that community members are accessing legal advice early and in a timely manner, and medical treatment and overview where required. The CNS team have been crucial in assisting to help identify any barriers that may impact on a person's ability to receive a culturally safe and appropriate supports whilst in police custody.

Key Achievements: Strategic Enhancements for Custody Notification Officers (CNOs) and Service Operations:

1. Targeted recruitment strategy: Development and execution of a focused recruitment plan to attract Aboriginal staff with the skills and values aligned to CNO requirements.
2. Specialised training and empowerment: Implementation of targeted training programs to strengthen CNOs' capability to operate independently and apply proactive problem-solving skills.
3. Leadership and workforce management: Introduction of innovative strategies to enhance overall team efficiency and internal team culture.

4. Optimised scheduling for seamless service: Development of a unified and streamlined roster system to maintain consistency and coverage across the 24 hour week.
5. Regular communication and collaboration: Establishment of structured monthly team meetings to enhance relationships, streamline practice, strengthen knowledge sharing, and strive for continuous improvement.
6. Comprehensive onboarding and training: Implementation of an enhanced onboarding process with specialised training pathways for newly recruited team members.
7. Advocacy and support for vulnerable populations: Ongoing advocacy and diligent follow-up to ensure the needs of vulnerable community members in custody are consistently met.

The impact of this program cannot be underestimated. An example of this is where a client's charges were recently withdrawn, largely due to the work of the CNO team when that client was in custody. Despite considerable fitness concerns of the client, a police interview proceeded ahead despite the concerns raised, and the person was charged when clearly they were unfit to be questioned. This issue was raised in court, and VALS in-depth welfare comments were shared as part of the proceedings. VALS' Criminal Lawyer who supported our client through this reflected,

"I wanted to say thank you for the work you do, and that it truly has a direct impact in many ways!"

Advocacy Initiatives

1. Standardised welfare checks: Consistent welfare checks are now conducted at the same time across all days of the week, ensuring reliable support for those in custody.
2. Enhanced communication with Victoria Police: Ongoing efforts to ensure police are fully informed about individuals' disabilities, cognitive issues, or mental health conditions to improve care and response.
3. Timely response to community inquiries: Strengthened processes for following up on direct calls from community members of custody, ensuring timely and responsive service.

Strategic Focus for the Future

1. Commitment to continuous improvement: The Custody Notification Service program remains focused on ongoing enhancements, driven by feedback and evolving needs.
2. Expanding capacity: Exploring opportunities to expand the casual staff pool to better meet service demands.
3. Advanced training and skill development: Investing in specialised training for staff in areas like case noting, mental health, and crisis intervention to further elevate service quality.

Community Service Officers

Our Community Service Officers (CSOs) are key connectors for our clients and local communities to VALS legal assistance. CSOs assist clients to attend court, arrange legal representation, advocate on the client's behalf, and assist them in their communications with lawyers and to understand court processes and orders. This support is invaluable to those who often attend court and/or need legal assistance which is often a traumatising and triggering experience for our community.

Advocacy:

- CSOs ensure clients receive culturally safe and supportive non legal services.
- Each CSO specialises in either Family Law or Criminal Law to provide tailored advocacy and cultural support alongside each specific legal service that VALS offer.
- The CSO's specialist non-legal role helps address barriers Aboriginal and/or Torres Strait Islander people face in engaging with Criminal, Family and Civil Justice processes
- CSOs work across the state with ACCOs, ACCHOs, Government and Non-Government agencies to ensure warm referrals and non-legal supports are in place.

Focus on the Future:

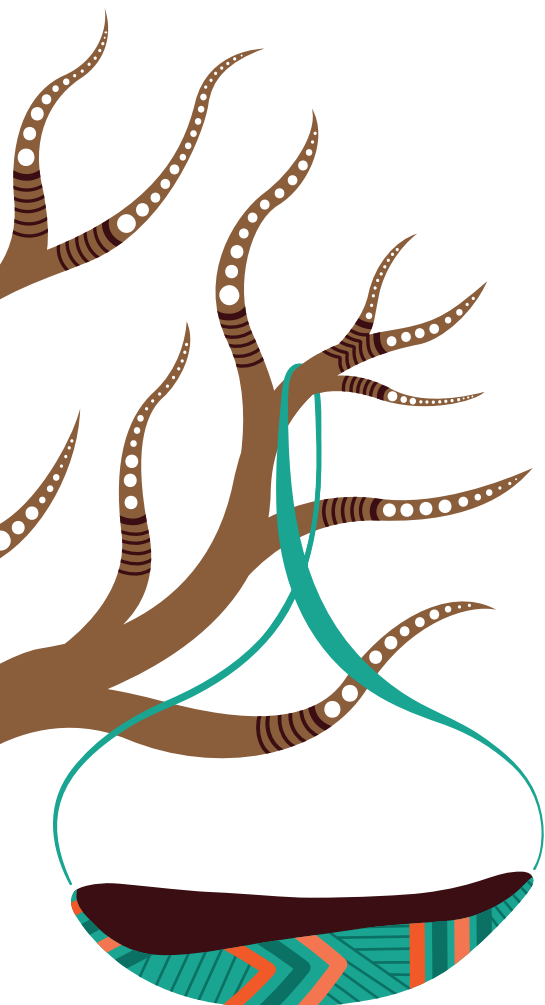
- Strengthening teamwork through skill development and shadowing, particularly targeting the supported onboarding through the onboarding process.
- Expanding to have two specialised CSOs (Family Law and Criminal Law) at each hub location for broader service coverage and support. This heavily bolsters the reach of support that VALS is able to offer regardless of where community requires cultural support in Victoria.

Reflection on the impact of CSOs

The impact of the role of the CSO's is highlighted in this feedback from a Magistrate in Warrnambool. In the context of the recent plea hearing for a VALS client, the presiding Magistrate, publicly commended the advocacy efforts of the VALS CSO, specifically highlighting one of our representatives as "quite an extraordinary person." This recognition underscores the exceptional dedication and professionalism demonstrated in supporting our clients.

The acknowledgment reflects the high standard of care and commitment that our team brings to every case, ensuring that the needs and voices of our clients are effectively represented. We take great pride in this feedback and remain grateful for the ongoing support and collaboration within our team.

Such praise reinforces our commitment to delivering the highest quality of service to our community, and we look forward to continuing to make a meaningful impact in the lives of those we serve.



Victoria Police E-Referral V-PER

The VALS V-PER program plays a crucial role in assisting community members with non-custody issues referred by Victoria Police during non-crisis incidents. These referrals, known as V-PER notifications, are consented and are often received at a time of heightened emotional stress for clients. V-PER notifications are consented referrals during non-crisis incidents. The program also accepts referrals through community-based pathways, ensuring broader community access to culturally safe support. The V-PER program provides culturally safe and holistic support to Aboriginal and Torres Strait Islander clients at critical moments. By maintaining strong relationships with police, ACCOs and other agencies, the program ensures that clients receive culturally relevant services that align with their needs and preferences.

Key Achievements

- In 2023/24, the program managed a significant number of referrals, primarily from Victoria Police and community organizations. The referrals predominantly addressed issues such as family violence, mental health, substance misuse, homelessness, and requests seeking therapeutic counselling, including grief support. The program's advocacy efforts focus on accurately identifying issues, establishing warm connections, and facilitating referrals to existing programs and services that address clients' needs.

V-PER Case Study

The V-PER team were working with an Aboriginal Gunai/Kurnai woman with four children aged seven to 16. Three of the children have Autism Spectrum Disorder, and all have ADHD. The family is currently facing significant housing instability following a targeted arson attack outside their home on earlier this year. For safety reasons, the mother and her children were forced to leave the house, and they are currently staying with her sister.

The son had been involved in the youth justice system. The daughters moved in with one of their fathers. This leaves our client to manage the complex needs of her son alone. Due to these challenges, she has had to reduce her working hours to accommodate her children's schooling and activities.

The referral identified key support needs including housing, counselling, family support, and youth intervention services. The referral also explored options for connecting the mother to an Aboriginal Community Controlled Organisation (ACCHO) to ensure culturally appropriate support.

Referrals were successfully made to the ACCHO service provider for housing assistance, family support, NDIS services, mental health support, and youth-focused programs. The V-PER team coordinated with the ACCHO to monitor the effectiveness of the referrals and ensure our client and her family were able to access the services provided and were getting the support they needed.]

This case highlights the importance of culturally appropriate services and the value of connecting vulnerable families to Aboriginal Community Controlled Legal Services that understand their unique circumstances and needs.

Focus for the Future

- The V-PER program will continue expanding its networks to strengthen referral pathways and maintain relevant program knowledge across the state, especially with the increasing demand for community supports during the November to January period, which accounted for more than a third of the referrals this financial year.
- Emphasis will be placed on making timely contact with affected Aboriginal community members, identifying their needs, and connecting them to appropriate services or programs.
- The program will focus on promoting VALS through networking and liaising with other Aboriginal organizations and agencies to stay informed about programs that can support the Victorian Aboriginal community.

"The Aboriginal Flag"

Yuri



Raffael





"This is my house and
it makes me strong"

Raffael

"This is broccoli and this
mkaes me strong"

Wani



Aboriginal Community Justice Reports

The Victorian Aboriginal Legal Service runs the Aboriginal Community Justice Report (ACJR) Project, funded with an Australian Research Council grant, in partnership with the Australasian Institute of Judicial Administration, University of Technology Sydney and Griffith University. It uses a process termed “re-storying”, or truth telling, which places “Aboriginal storying in sentencing [that] promotes the principles of truth-telling by placing the power in the hands of the Aboriginal person and their community to tell the story.”¹ The ACJR Project was established as a response to consistent patterns of bias and stereotypes in pre-sentence reports written about Aboriginal people. This program is unique in Australia, and builds in Aboriginal led reports into criminal sentencing with the aim to reduce the overrepresentation of Aboriginal and Torres Strait Islander Peoples in the criminal legal system.

How the project started

The partnership between VALS and UTS was cemented from decades of collective advocacy for the rights of Aboriginal people in the criminal legal system, including providing responses to law reform inquiries, undertaking study tours and Professors Thalia Anthony and Larissa Behrendt supporting VALS on deaths in custody inquests. In 2019, we were successful in an Australian Research Council Linkage Project that funded the inception of the ACJRs and its evaluation. The innovative research-in-action model enables the ACJR project to enable and generate direct outcomes for the Aboriginal community in Victoria. Professor Thalia Anthony supervises Djallarna Hamilton, VALS’ ACJR Program Manager and reviews ACJRs prior to court submission. Professor Anthony also evaluates the project to build learnings into the project development, so it is an iterative process. VALS takes a key role in overseeing the design and ethics of the project, providing ongoing strategic input and supporting ACJR Aboriginal staff and clients. Djallarna reflects that “working on this project is so meaningful, because we get to see real tangible outcomes for our community. I see what it means for the individuals we work with, alongside their families to tell their story, and feel heard through the sentencing process.”

The project commenced in 2021 after consultation with Aboriginal Caucus of the Aboriginal Justice Forum, the legal profession, Koori Court Elders and Victorian Justice Department, including the Koori Justice Unit. Since then, almost 20 ACJRs have been prepared for the Victorian County Court and Magistrates Court, predominantly in Melbourne. Each report involves at least 10 meetings with the Aboriginal defendant, their family and Elders to prepare the report and support their healing.

The Reports are modelled on Canada’s Gladue Reports and adapted for the Victorian context. A case worker is available to each person who participates in order to provide culturally safe support and care throughout the process.

The overall outcome of ACJR is that disproportionate impacts of existing justice policies and legislation are identified and remedied. This model has been positively evaluated by UTS at the interim stage in late 2023 and with a final evaluation to be completed in due course.

¹ T. Anthony, A. Lachsz and N. Waight, “The role of ‘re-storying’ in addressing over-incarceration of Aboriginal and Torres Strait Islander Peoples,” (17 August 2021).

How the program operates

Pre-sentence reports are used in every state and territory to assist courts in determining appropriate sentences. They give judicial decision-makers contextual information on the individual appearing before the court – such as their background, circumstances, needs and aspirations. The model only operates in Country Court in Victoria, in Melbourne and Gippsland, but it has been positively cited in Supreme Court.

Aboriginal community justice reports seek to provide a more complete picture of a person's life and circumstances. They endeavour to amplify the aspirations, interests, strengths, connections, culture, and supports of the individual, as well as the adverse impact of colonial and carceral systems on their life.²

The project is also being run in Queensland, through Five Bridges Aboriginal and Torres Strait Islander Community Justice Group. A key component of an ACJR is that it focuses on the individual's strength being rooted in their culture, challenging the traditional sentencing process which often looks at Aboriginality through a deficit lens – which, in turn, can have negative impacts on an Aboriginal person's sentencing outcome. ACJR's provide an opportunity for Aboriginal people and their family to share their story in a culturally safe approach. The strengths of the individual are then used to establish alternatives

to incarceration that are community-based and healing-focused. 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 include:

- a more holistic account of individual circumstances, including as they relate to a person's community, culture and strengths;
- community-based options.

Outcomes of the ACJR Project

Some of the outcomes identified in the preliminary evaluation were that Aboriginal defendants felt supported and humanised in sentencing, that the sentencing hearing engaged meaningfully with the Aboriginal defendant's background, culture and prospects. The ACJR process also saw a reduced sentence of imprisonment, with 44 per cent of Aboriginal people involved received a community-based order and 40 percent being released into the community with time served.

A Victorian Judge, during their sentencing remarks of a case, described the reports as “a wider lens that brings perspective on the collective experiences of the individual, family and community, as well as a relevant history of colonisation and its impacts.”³

They also remarked that it “provides a greater opportunity for you and your loved ones, those close to you, to tell your story yourselves, rather than have others tell it.”⁴

As VALS CEO Nerita Waight reflects, the reports promote the principles of truth-telling by “placing the power in the hands of the Aboriginal person. The ACJR Project gives our clients a space to work with their family and loved ones in a culturally safe space to determine the best options for their rehabilitation.”⁵

Based on the success of this project, the Victorian Government committed to fund the ACJR project from mid-2024. The strong collaboration between VALS and UTS means they will continue to work together to extend this program throughout Victoria. The Yoorrook Justice Commission in Victoria recommended the expansion of the ACJR project in their Yoorrook for Justice Report, and VALS and UTS are keen to see this implemented immediately.

“We want this project to be extended into all courts as a mechanism to support a strengths-based approach in sentencing. Judicial decision-makers should have access to relevant information regarding a person's Aboriginal background and Aboriginal-specific sentencing options.”⁶ Nerita Waight, VALS CEO.

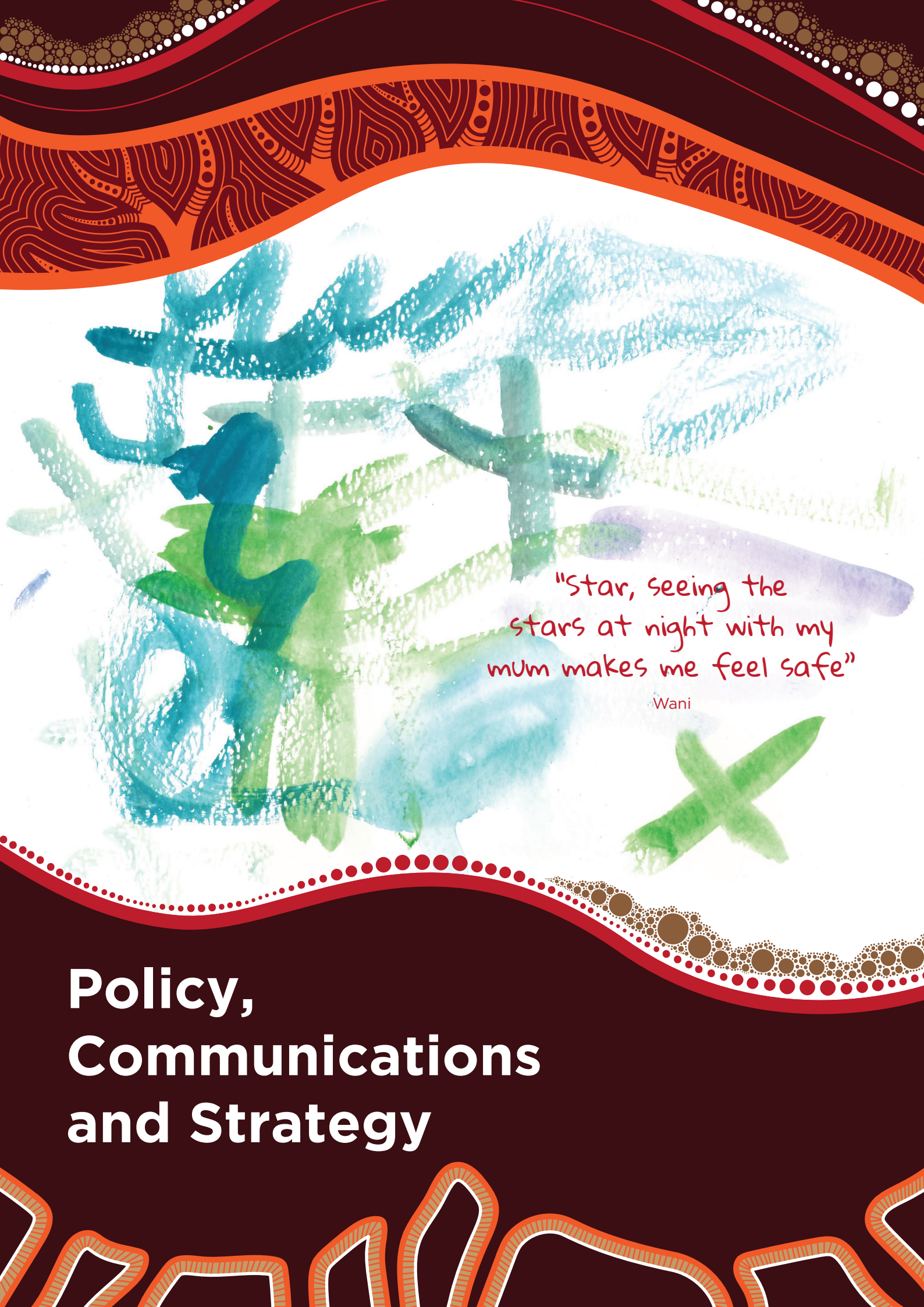
² T. Anthony, A. Lachsz and N. Waight, “The role of ‘re-storying’ in addressing over-incarceration of Aboriginal and Torres Strait Islander Peoples,” (17 August 2021).

³ Giovanni Torre, ‘Aboriginal Community Justice Reports aim to drive truth-telling, empowerment and rehabilitation’ (National Indigenous Times) June 27, 2023

⁴ Ibid

⁵ Ibid

⁶ Ibid.



"Star, seeing the
stars at night with my
mum makes me feel safe"

Wani

Policy, Communications and Strategy

Policy, Communications and Strategy



Mildura Community Engagement Forum

Throughout the reporting period, the Policy, Communications and Strategy (PCS) team continued to build VALS' reputation and influence as a strong voice for systemic reforms that will empower Aboriginal and/or Torres Strait Islander peoples. The PCS team has grown significantly which has increased our capacity and we have seen a significant increase in demand for work. The PCS team collaborates with staff from across VALS to ensure the voice of our clients and the community is at the heart of our work and drives our calls for systemic reform. We have strengthened our community engagement work, which informs and strengthens our advocacy. Our regular and consistent engagement and advocacy with government and key stakeholders, through regular meeting, working groups, governance forums ensures that VALS' policy

papers, factsheets, policy and law reform submissions, and briefings alongside our media and digital platforms and webinars, reflect the voices of our community and VALS key policy asks.

The Policy team's work has ensured that VALS is leading reform efforts including the decriminalisation of public intoxication, oversight of the bail reforms, advocacy surrounding the Youth Justice Act and the need to raise the age of criminal responsibility to 14 years of age, to implement independent detention oversight and independent police oversight, end prison expansion and develop models of decarceration, child protection reform and justice treaty. Overwhelmingly this work culminates in a collective drive to create a better future for our children and young people, and the generations to come.

A Strong Voice

The PCS team have met with Members of Parliaments in both Victoria and federally throughout the year, particularly around issues including youth justice, police and prison accountability, bail reform and the decriminalisation of public intoxication. We have also supported our CEO and Executive attend delegations in Canberra as part of the NLAP negotiations, and advocating for issues including health justice and OPCAT. Our team has continued to strengthen VALS' relationships with many MPs who are increasingly advocates for our reform agenda.

The PCS team have continued to strengthen VALS' digital platforms reach and engagement with community, our allies and supporters. We have grown our email list, followers and engagement across all social platforms. Our webinars have been incredibly successful, and have built a stronger support base and engagement on our policy platform. This year we have held three, our annual Invasion Day webinar, which this year focussed on treaty and First Nations' justice had over 1000 registrations and over 700 people attended on the day. We also held a webinar looking at the work of Balit Ngulu titled 'Empowered Futures for our Children and Young People and our third for the year was called 'Healthcare Not Handcuffs: An Aboriginal-led Health Response to Public Intoxication'. All these can be found on our YouTube channel.

We utilise VALS' website as a mechanism of showcasing our advocacy work. Growing the reach and engagement of our VALS' digital platforms has consolidated impact of our advocacy work, strengthened VALS' reputation. This in turn has driven an increase in online donations which goes directly to supporting the work that we do at VALS. The PCS team has helped VALS gain important media attention for VALS and our CEO for key issues including youth justice, particularly electronic monitoring and assisted clients to speak to the media in an empowering way, as we did with the family of Heather Calgaret.

This year our team worked with Little Rocket Creative Agency to develop the VALS 50 Year Anniversary Documentary titled 'Our Mob, Our Way, Our Law'. The documentary looks back at the growth of VALS over the last half-century, celebrates the strengths and achievements of Aboriginal communities in Victoria. It celebrates the stories of Elders such as Uncle Jim Berg, Uncle Alf Bamblett, Auntie Bunta, and Uncle Des Morgan, and so many others who helped make VALS what it is today. The documentary also looks forward to what the future might hold as we move towards Treaty. This was a significant undertaking which was made possible through the support of the National Indigenous Australians Agency which funded a portion of this project.

Expert Respected Advice

The Policy team has undertaken significant work in advising the Victorian Government and Parliament on much-needed justice reforms, including through public and confidential processes. This includes preparing and presenting substantial submissions to Yoorrook Justice Commission on health and healthcare, housing and homelessness, education, family violence and economic prosperity. We also provided response to inquiries on issues including; National Legal Assistance Partnership, Committal Reforms, Anti Vilification, Child Protection Permanency Review, FOI Act Review, Justice Responses to Sexual Violence, Achieving greater consistency in laws for financial enduring powers of attorney.

Our continued dedicated work has helped secure VALS' reputation for delivering high-quality policy research that reflects the experience of our clients and the needs of our communities. Having a strong reputation has helped VALS gain greater influence with the sector and government.

The team has supported our CEO, Executive Team and Board and the work of VALS be featured in numerous media outlets including radio, mainstream newspapers, television news and analysis coverage on issues including youth justice with a particular focus on raising the age of criminal responsibility and electronic monitoring, NLAP negotiations, police accountability, coronial inquests, truth-telling and treaty.

Community Engagement Project

Over the 2023/24 year, the VALS Community Engagement Team has grown in size, and expanded the scope of projects it delivers. We have hosted a range of events across Victoria, including:

- Community forums
- Community BBQs and afternoon teas
- Community Legal Education (CLE) sessions

Our Community Engagement Team continues to build connections and relationships with Aboriginal and mainstream organisations across Victoria. Our CLE Officer is regularly on the road and attending community events across the state, and increasing knowledge of the services VALS provides. We have continued to develop strong relationships with partner organisations. This is reflected in our increasing engagement in events organised by other organisations, and the co-delivery of CLE sessions. VALS offers CLE through variety of mediums, and in partnership with other organisations, embedding legal information sessions through a multitude of engagement strategies.

A big focus of our CLE in 2023/24 has been the decriminalisation of public intoxication. Our team has worked hard to share information with community about the reforms, and what they mean in practice. We have delivered multiple in-person CLE sessions to community, as well as an online Webinar. We have also developed print CLE resources with the intention of

WHAT WE ACHIEVED

20 Government submissions

2 x Policy Papers

2 x Fact Sheets

30 Media Releases

3 webinars which can be viewed on our YouTube site

Launching VALS 50th Anniversary Documentary



distributing them to Aboriginal organisations and spaces across Victoria. We have benefited from the relationships and expertise of our colleagues in other ACCOs, and have co-delivered multiple CLE sessions about the reforms and the new health response to public intoxication.

The team has delivered several events in various locations over the year, including a Bail Conference with the Office of Public Prosecutions and Victoria Legal Aid, speaking to the legal profession on the changes to the Bail Act which were introduced this year. We have seen the immediate and immeasurable impact of in person events. We have on multiple occasions, been able to provide referrals, intake and support for community members who have attended our events. Throughout the course of delivering events, we have been able to speak directly with community about what the CLE needs are in each regional community. This has allowed us to strategize and map out a year ahead of CLE resources to address the CLE needs identified.

Social Media Platforms

We have grown our socials reach across our social platforms, in particular Instagram and LinkedIn.

Best Performing Post Pictured on left

Post Date: 7 November 2023 **Platform:** Instagram **Likes:** 1,086

Comments: 9 **Impressions:** 6,211

Link: <https://www.instagram.com/p/CzUqquRP1I-/>

Our community events also create a line of direct feedback to the organisation from community. We have provided summaries of and feedback and learnings from events to the Executive Team, which has informed VALS practice and approach.

Supporting The Rest Of The Organisation

A core function of the Policy team is supporting the rest of VALS with their work. For instance, helping lawyers write policy recommendations for government inquiries, submissions to coronial inquests and assisting legal teams with media management strategy and support for their clients. We have provided design work and promotional materials for several public events. Our digital platform engagement and reach has also supported recruitment opportunities at VALS.

Looking Forward

In the coming year, the PCS team will dedicate more resources to proactive work on priority issues for VALS and the community, this includes Justice Treaty, child protection reform and a Decolonising Malmsbury Project we are progressing in partnership with Djaara and the Koorie Youth Council. A proactive approach allows us to set the reform agenda on priority issues and so enable us to have greater impact. The Policy team is also working on ways to better support clients to self-advocate. Amplifying the voice of our clients and empowering them is at the forefront of all our efforts and is a priority for continuous improvement. This will include issues around bail reform, the public health model for public intoxication, youth justice reform including raising the age of criminal responsibility, our engagement with the Yoorrook Justice Commission, continuing our community engagement work and supporting the work towards negotiating a Justice Treaty.



"This is mummy dragon and
this makes me strong"

Djakara

Research and Evidence Development

Research and Evidence Development

VALS has created a new Research and Evidence Development Unit. The unit, which will be grown over time, will develop VALS' capacity on both the research and evaluation fronts. This includes:

- developing a self-determining, strategic research agenda that advances VALS' strategic directions;
- documenting VALS' expectations for research partnerships;
- forging key strategic research partnerships that meet VALS' expectations;
- securing research funding to implement our agenda;
- establishing in-house research advisory group to review research proposals in terms of ethics, feasibility, and alignment with our strategic directions;
- building the capacity of VALS to better monitor and evaluate its services and tell the stories of its impact (this includes outcomes and measurement frameworks, program logics, data plans, tools, information management system improvement and processes);
- translating and disseminating learning from priority research and evaluation projects to inform program improvement, innovation and policy advocacy.

A First Nations Cultural Capability Framework and resources for the Victorian legal profession

All Aboriginal people living in Victoria deserve legal assistance and representation which empowers them to make informed choices, respects, appreciates, and upholds their cultural rights and needs, and contributes to improved legal outcomes. It is well established that Aboriginal people in Victoria frequently experience inadequate interactions with legal practitioners, organisations, and the justice system, and that this lack of culturally appropriate and responsive advocacy and support often translates to poor outcomes. A foundational step in building cultural capability across the entire Victorian legal profession is development of a First Nations Cultural Capability Framework that identifies the knowledge, attitudes and skills that employees and leadership need to perform their duties and obligations in a culturally responsive and appropriate way. It is being designed for all legal professionals across Victoria – including solicitors, paralegal staff, principals, barristers and magistrates. VALS, in partnership with Victorian Legal Assistance and the Law Institute of Victoria, assumed leadership responsibility for the development of this Framework in early 2024, and will complete the first phase.

The Framework will also address the needs and rights of Aboriginal employees working within Victorian legal firms and organisations. Aboriginal employees of both mainstream and Aboriginal community-controlled organisations should expect to be culturally safe and respected, and supported to build their capacity as legal professionals and leaders in the legal sector.

The Framework represents a commitment to long-term, fundamental change across the legal sector, and will provide the platform for development of a suite of training and other resources over time.

Looking forward

In the medium term the key focuses are expected to be:

- Together with our project partners, LIV and VLA, building effective buy-in to the First Nations Cultural Capability Framework, and positioning VALS to deliver high impact training for Aboriginal cultural capability uplift across the legal profession;
- Getting priority research projects scoped and underway with strong strategic partners;
- Understanding the program logics and corresponding data collection needs of each and every VALS service;
- Improving VALS' key information management system – Actionstep – so that it does a better and easier job of providing VALS with reliable data for management monitoring and practice improvement, evaluation, research and advocacy.

Executive and Corporate Services

Key Achievements

Corporate Services includes quality, information, and facilitates management, human resources, and information technology. VALS have invested in Corporate Services over the past year as part of VALS expansion, and to ensure development of organisational systems essential to supporting service delivery and monitoring compliance.

Human Resources

The number of staff working at VALS at the end of the financial 2023-2024 period is 167, 62 of whom are Aboriginal. Overall staff numbers have increased from 134 for the same period in 2022-2023.

The success of VALS volunteer program continues, with 19 volunteers going into paid employment with VALS in the financial year 2023-2024. We also continue to host students from TAFES and universities as detailed below in our volunteers section.

Information Technology

The 2023-2024 financial year has been a transformative period for VALS, marked by significant technological investments. VALS strategically enhanced our digital infrastructure through upgrading laptops, Microsoft licensing, office connectivity, and cloud solutions.

In line with VALS growth, VALS consolidated Managed Services Providers (MSP) and commenced the implementation of a comprehensive IT roadmap. This roadmap aims to enhance the security, reliability, and efficiency of our systems, and its implementation is already delivering positive change. A key focus in the coming months is leveraging the full suite of advanced security features offered by Microsoft's Nonprofit (NFP) premium package to further protect our operations and data.

VALS continued investment in scalable IT solutions ensures that VALS staff are equipped with the best technology to perform their roles efficiently and securely, thereby enhancing VALS ability to deliver exceptional services to our communities.

Quality

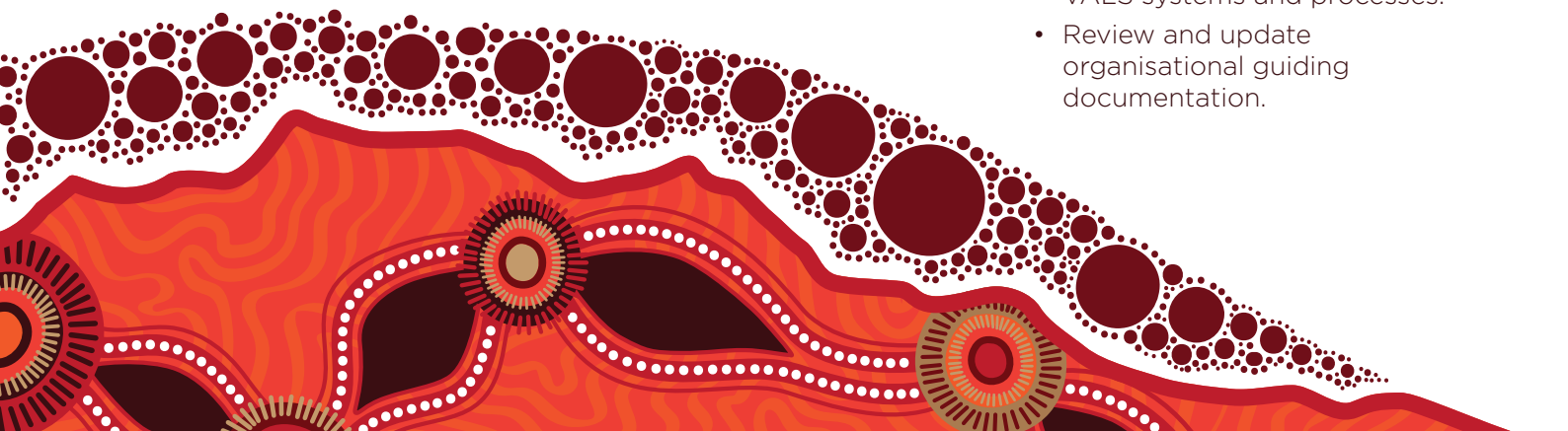
A data project is underway to update and tailor VALS client record management system to collect data essential for monitoring service outputs, client outcomes, reporting against funding agreements, and reduce the manual labour intensive tasks associated with data extract and analysis.

Additional security measures for accessing the client record management system were introduced this year.

Looking forward

The focus for the Corporate Services teams going forward is to:

- Strengthen the client record management system and implement improvements, for efficient data analysis and reporting to inform decision making, and monitor service delivery outcomes and funding obligations.
- Progress the IT Road Map to ensure VALS information technology supports quality client service delivery.
- Acquire and implement Human Resources record management system.
- Develop and implement VALS Intranet
- Apply and implement quality management principles to VALS systems and processes.
- Review and update organisational guiding documentation.



Volunteers

This year we are celebrating the many fantastic volunteers that support VALS work and strengthen our capacity to deliver a high level of service to community, this includes our esteemed Board Members.

During the 2023/2024 period over 190,000 hours were accumulated in volunteering hours at VALS.

Our proudest moment has been securing paid scholarships for our Aboriginal and Torres Strait Islander volunteers, which helps cover transportation and other costs involved in volunteering at VALS.

Volunteers have supported every program at VALS, and the volunteer program continues to assist our talent recruitment strategy with 19 volunteers going onto paid employment within VALS since the last financial period (37 in total since 2022).

Following the implementation of the VALS Youth Volunteer policy, three 15-year-old to 17-year-old Aboriginal students commenced placement at VALS, along with several other youth students.

One Aboriginal youth students' placement has been two days per week for the full year of 2024 (structured Workplace Learning – VCAL). This is VALS first venture into this commitment, and since the placement, the students' school grades, engagement, and attendance at school has increased.

VALS has a commitment to disability inclusivity, and this year we hosted a young wheelchair user, with cerebral palsy. They will be back at VALS in 2025 to follow their criminal law career aspirations.

The volunteer program also expanded its relationships with Universities and TAFES, completing our first two community services placements (100+ hours) in both Bendigo and Warrnambool offices.

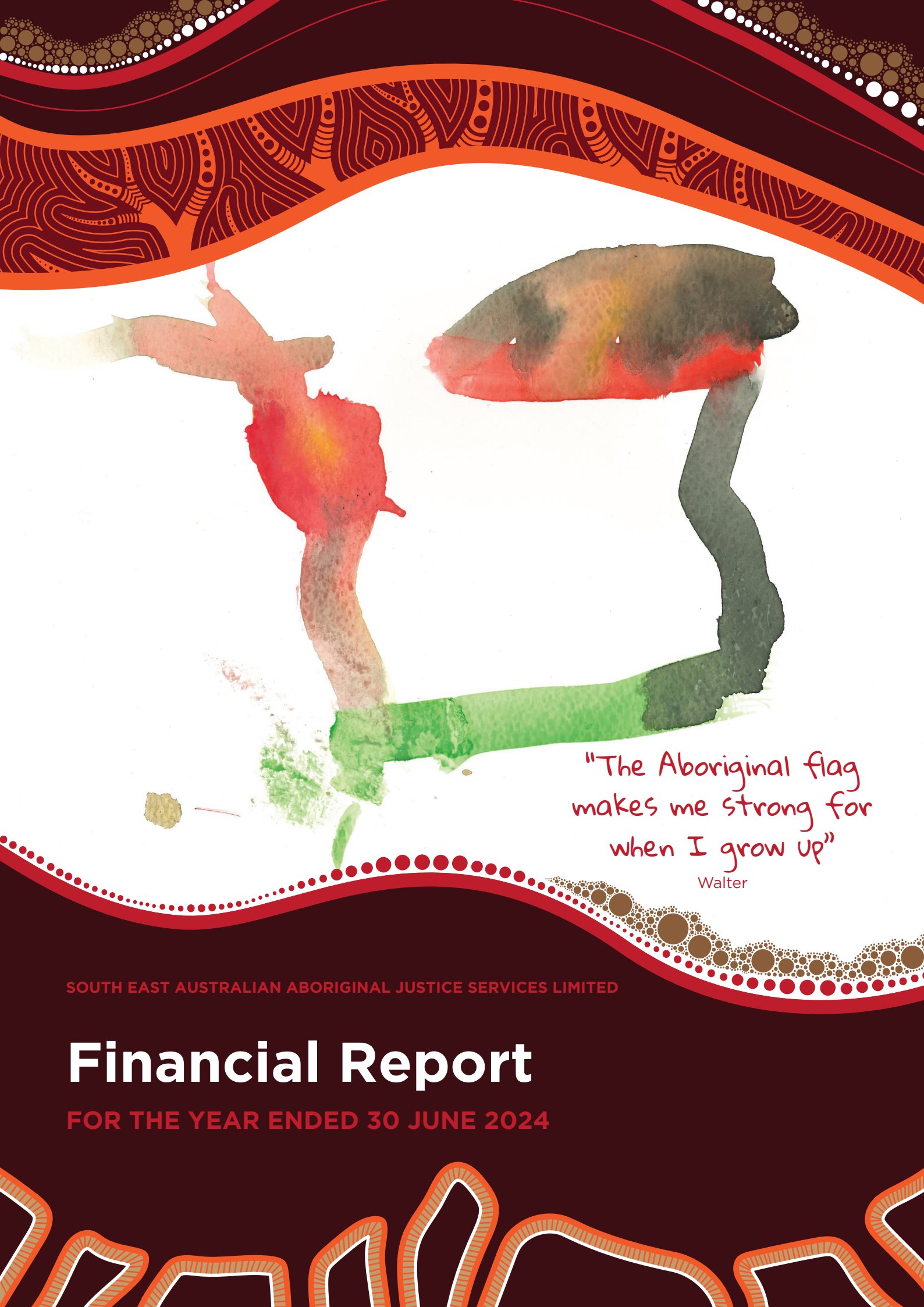
Our infrastructure supports increased with four HP laptops being purchased by Melbourne University, and two being purchased by the Aboriginal Justice Caucus Project, all for the volunteer program. This has strengthened our capabilities with hosting student placements.

Our Volunteer Coordinator has presented at conferences and workshops, and we, again, celebrated our volunteers during National Volunteer Week.

In 2023/2024 the volunteer program achieved the following highlights:

- Over 190,000 hours accumulated in volunteering hours at VALS in 2023-24 EOFY.
- Secured paid scholarships for Aboriginal and Torres Strait Islander volunteers.
- Hosted 222 volunteers (since November 2021). With most volunteers placed in the Criminal Law, Civil and Human Rights Law Teams, and the Client Advocacy Program.

- Per month, we averaged 47 volunteers, with an average of six Aboriginal and Torres Strait Islander volunteers per month.
- Youth Program expanded to full year placements for VCAL student
- 19 volunteers went into employment at VALS during June 2023 and July 2024 period.
- Since November 2021, five volunteers graduated Law School and worked as Lawyers at VALS.
- Hosted an international university volunteer placement.
- Our Aboriginal Justice Caucus Project team joined our other departments hosting volunteers
- Several volunteers have gone onto paid employment outside of VALS, with the experience gained here being invaluable in their career progression.
- Dayle Jones, VALS Volunteer Coordinator was on the Advisory Panel for Volunteering Victoria's 2024 Conference and was on the Moderator Panel for Volunteering Victoria's 2024 Volunteering Awards.
- Volunteers in the Client Advocacy Program spoke with hundreds of current and former clients of VALS, writing case studies supporting both VALS Regional Hubs, and VALS Victims of Crime area, while also providing referrals to Lotjpa, and our Criminal Law team for a Cultural Capability Framework with LIV.



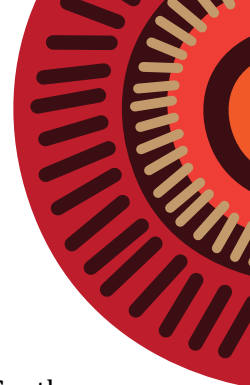
"The Aboriginal flag
makes me strong for
when I grow up"

Walter

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

Financial Report

FOR THE YEAR ENDED 30 JUNE 2024



DIRECTORS' REPORT

Your Directors present this report, together with the audited financial statements of the South East Australian Aboriginal Justice Services Limited for the year ended 30th June 2024.

DIRECTORS

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

Crystal McKinnon (Chairperson)	Cienan Muir
Luke Martin	Erin Rose
Apryl Day	Robert Nicholls
Tarneen Onus Brown (from 16/02/24)	Alan Thorpe (to 10/03/24)
Desmond Morgan (to 16/2/24)	

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: Tarneen Onus Brown.

OBJECTIVES

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

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

STRATEGY FOR ACHIEVING OBJECTIVES

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

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

PRINCIPAL ACTIVITIES

Deliver a 24 hour, 7 days a week legal service to the Victorian Aboriginal and/or Torres Strait Islander community and promote social justice, 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 entity earned a net surplus of \$2,494,446 after a depreciation charge of \$623,038.

SIGNIFICANT CHANGES

No other significant changes in the company's state of affairs occurred during the financial year.

AFTER BALANCE DATE EVENTS

No matter has evolved since 30 June 2024 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.

FUTURE DEVELOPMENTS AND RESULTS

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

OPTIONS

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

INFORMATION ON DIRECTORS

Crystal McKinnon: Chairperson

Dr Crystal McKinnon is Vice Chancellor's Indigenous Research Fellow, Social and Global Studies Centre, RMIT University. Crystal is an extensively published academic and expert speaker and presenter on subjects related to Indigenous People's civil rights, sovereignty and experiences of the criminal legal system. Crystal is a member of various academic bodies and is involved in academic administration, university governance and wider participation in the Boards of various not-for-profit organisations.

Cienan Muir: Deputy Chairperson

Cienan 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

Apryl Day: Director

Apryl Day is a proud Yorta Yorta, Wemba and Barapa Barapa woman. She is a community organiser and campaigner, and a member of both WAR VIC and Pay the Rent. She is the daughter of Tanya Day – a proud Yorta Yorta woman who died in custody in 2017.

Des Morgan: former 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 Councillor and past Chair of NGERNDA (Echuca) for several years and a member of Yorta Nations Aboriginal Corporation.

Luke Martin: Director

Luke is a community solicitor who is studying medicine. Luke is a Member of the Clinical Council, South Eastern Primary Health Network and has extensive governance experience and as an Aboriginal congressman, advisor, lecture and negotiator. Luke was a co-founder and former head of the Indigenous Health Research Unit, Indigenous Health Translation Unit, University of Melbourne, Monash University, Victorian Institute of Forensic Medicine.

Erin Rose: Director

Erin Rose is the Budj Bim World Heritage Executive Officer at Gunditj Mirring Traditional Owners Aboriginal Corporation. Erin has extensive professional experience in the delivery of Aboriginal community engagement programs and within the Victorian justice system. This includes in program management and within Corrections Victoria.

Robert Nicholls: Director

Robert has an extensive history of working with Aboriginal organisations. Originally working with the Aboriginal Advancement League, Robert then worked as the Aboriginal Welfare Program with Community Services Victoria CSV prisons before moving to Aboriginal Housing Board Victoria. Robert has on the Boards of various organisations, President of Aboriginal Advancement League, Chairperson of VACCA and is currently Chairperson of for the Hume Region, Regional Aboriginal Justice Advisory Committee.

Tarneen Onus Brown

Tarneen is a proud Gunditjmara, Bindal, Yorta Yorta and Meriam person. Tarneen is also queer and non-binary currently living on the unceded land of the Wurundjeri peoples.

Tarneen is a community organiser for Warriors of the Aboriginal Resistance working on Invasion Day, Black Deaths in Custody and Stop the forced closures of Aboriginal Communities and more. They are a filmmaker and writer and have been published in IndigenousX, Crikey, NITV and RightNow. Tarneen's film "young mob questioning treaty" has been screened internationally at Imagine NATIVE in Toronto and Tampere Film Festival in Finland. Tarneen works as the First Nations Community Organising Lead at Australian Progress

Alan Thorpe: Director

Alan has over 25 years' experience working with the Aboriginal Community in Victoria. He is the Director and Facilitator of Dardi Munwurro (Strong Spirit), which is funded by the Department of Human Services and the Department of Justice to deliver approximately 20 leadership programs to vulnerable Aboriginal men.

MEETING OF DIRECTORS

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

	No. of eligible to attend	No. attended
Crystal McKinnon	7	8
Desmond Morgan	4	4
Cienan Muir	8	8
Luke Martin	5	8
Erin Rose	5	8
Apryl Day	6	8
Robert Nicholls	2	8
Tarneen Onus Brown	2	5
Alan Thorpe	2	4

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.


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 16th Day of November 2024


_____ Director


_____ Director

TOWARDS A VISION SHARED



**Collins & Co
Audit Pty Ltd**

127 Paisley Street
Footscray VIC 3011
Australia

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

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

I declare that to the best of my knowledge and belief, in relation to the audit for the financial year ended 30 June 2024 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 17th day of October 2024

**STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2024**

	Note	30 June 2024	30 June 2023
Revenue including Government Grants	2	19,691,180	13,567,218
Auditors' remuneration	3	19,351	16,013
Depreciation and amortisation expenses		623,038	435,408
Employee benefits expenses		13,210,573	9,894,789
Outside briefs		144,149	64,286
Other expenses		3,091,893	2,552,801
Finance costs – interest		107,730	61,145
Total Expenditure		17,196,734	13,024,442
Surplus /(Deficit) before income tax		2,494,446	542,776
Income Tax		-	-
Surplus/ (Deficit) after income tax		2,494,446	542,776
Other comprehensive income		-	-
Total comprehensive income for the year attributable to members of the entity		2,494,446	542,776

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.

**STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2024**

	Note	30 June 2024	30 June 2023
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	5	41,830,539	22,861,867
Trade and other receivables	6	913,891	16,355,650
Other current assets	7	129,213	93,586
TOTAL CURRENT ASSETS		42,873,643	39,311,103
NON-CURRENT ASSETS			
Property, plant and equipment	8	8,472,487	7,884,670
TOTAL NON-CURRENT ASSETS		8,472,487	7,884,670
TOTAL ASSETS		51,346,130	47,195,773
CURRENT LIABILITIES			
Trade and other payables		914,192	2,373,860
Grant income carried forward	10	34,015,174	31,263,000
Other borrowings	13	186,283	157,561
Short-term provisions payable	9	1,051,970	946,285
TOTAL CURRENT LIABILITIES		36,167,619	34,740,706
NON-CURRENT LIABILITIES			
Other long-term borrowings	13	1,299,581	1,241,542
Long-term provisions payable	9	955,715	784,756
Long-term contingency provision	14	181,973	181,973
TOTAL NON-CURRENT LIABILITIES		2,437,269	2,208,271
TOTAL LIABILITIES		38,604,888	36,948,977
NET ASSETS		12,741,242	10,246,796
MEMBERS EQUITY			
Reserves	11	6	6
Accumulated funds		12,741,236	10,246,790
TOTAL MEMBERS EQUITY		12,741,242	10,246,796

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

**STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2024**

	Share capital \$	Accumulated funds \$	Reserves \$	Total \$
Balance at 1 July 2023	-	9,704,014	6	9,704,020
Surplus attributable to the company for the year ended 30 June 2023		542,776	-	542,776
Balance at 30 June 2023	-	10,246,790	6	10,246,796
Surplus attributable to the company for the year ended 30 June 2024	-	2,494,446	-	2,494,446
Balance at 30 June 2024	-	12,741,236	6	12,741,242

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

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2024**

	Note	30 June 2024 \$	30 June 2023 \$
<u>CASH FLOW FROM OPERATING ACTIVITIES</u>			
Receipts of government grants		33,859,081	7,811,521
Legal costs recovered		152,769	37,502
Other income		4,437,945	757,770
Donations		285,586	334,226
Interest received		1,333,713	571,796
Payments to suppliers, employees & disbursements		(19,803,725)	(12,634,027)
Net cash generated from (used in) operating activities	12	<u>20,265,369</u>	<u>(3,121,212)</u>
<u>CASH FLOWS FROM INVESTING ACTIVITIES</u>			
Sale of property, plant & equipment		61,985	23,455
Purchase of property, plant & equipment		(1,358,682)	(1,380,243)
Net cash generated from (used in) investing activities		<u>(1,296,697)</u>	<u>(1,356,788)</u>
Net Increase (decrease) in cash held		18,968,672	(4,478,000)
Cash at the beginning of the financial period		<u>22,861,867</u>	<u>27,339,867</u>
Cash at the end of the financial period	5	<u>41,830,539</u>	<u>22,861,867</u>

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

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

The financial statements cover South East Australian Aboriginal Justice Services Limited (SEAAJSL) as an individual entity. It is a company incorporated and domiciled in Australia.

1. Summary of Significant Accounting Policies

Basis of Preparation

The general purpose financial statements have been prepared in accordance with the Australian Charities and Not-for-profits Commission Act 2012 and Australian Accounting Standards and Interpretations of the Australian Accounting Standards Board. The Entity is a not-for-profit entity for financial reporting purposes under Australian Accounting Standards.

Material accounting policies adopted in the preparation of these financial statements are presented below and have been consistently applied unless otherwise stated.

Reporting basis and conventions

The financial statements, except for the cash flow information, have been prepared on an accrual basis and are based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and financial liabilities. The amounts presented in the financial statements have been rounded to the nearest dollar.

Accounting Policies

Revenue recognition

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

When the entity receives operating grant revenue, it assesses whether the contract is enforceable and has sufficiently specific performance obligations in accordance to AASB 15.

When both these conditions are satisfied, the Entity:

- identifies each performance obligation relating to the grant
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations.

When the entity receives a capital grant, it recognises a liability for the excess of the initial carrying amount of the financial asset received over any related amounts (being contributions by owners, lease liability, financial instruments, provisions, revenue or contract liability arising from a contract with a customer) recognised under other Australian Accounting Standards.

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

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

Revenue recognition(continued)

Interest income is recognised using the effective interest method.

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

Cash Flows

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 2023 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.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

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.

For any new lease type contracts, the entity 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 entity 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 entity
- the entity 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 entity has the right to direct the use of the identified asset throughout the period of use.

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

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

Initially, the lease liability is measured at the present value of the lease payments still to be paid at commencement date. The lease payments are discounted at the interest rate implicit in the lease. If this rate cannot be readily determined, the Entity uses the incremental borrowing rate. Initially, the lease liability is measured at the present value of the lease payments still to be paid at commencement date. The lease payments are discounted at the interest rate implicit in the lease. If this rate cannot be readily determined, the Entity uses the incremental borrowing rate.

Lease payments included in the measurement of the lease liability are as follows:

- fixed lease payments less any lease incentives;
- variable lease payments that depend on an index or rate, initially measured using the index or rate at the commencement date;
- the amount expected to be payable by the lessee under residual value guarantees;
- the exercise price of purchase options, if the lessee is reasonably certain to exercise the options;
- lease payments under extension options if lessee is reasonably certain to exercise the options; and
- payments of penalties for terminating the lease, if the lease term reflects the exercise of an option to terminate the lease

The right-of-use assets comprise the initial measurement of the corresponding lease liability as mentioned above, any lease payments made at or before the commencement date as well as any initial direct costs. The subsequent measurement of the right-of-use assets is at cost less accumulated amortisation and impairment losses.

Right-of-use assets are depreciated over the lease term or useful life of the underlying asset whichever is the shortest. Where a lease transfers ownership of the underlying asset or the cost of the right-of-use asset reflects that the Entity anticipates to exercise a purchase option, the specific asset is depreciated over the useful life of the underlying asset.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

Financial Instruments

Recognition, initial measurement and derecognition

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the Entity becomes a party to the contractual provisions to the instrument. For financial assets, this is the date that the Entity commits itself to either the purchase or sale of the asset (i.e. trade date accounting is adopted).

Financial instruments (except for trade receivables) are initially measured at fair value plus transaction costs, except where the instrument is classified "at fair value through profit or loss", in which case transaction costs are expensed to profit or loss immediately. Where available, quoted prices in an active market are used to determine fair value. In other circumstances, valuation techniques are adopted.

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.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

Financial Instruments (continued)

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.

Derivative instruments

Derivative instruments are measured at fair value. Gains and losses arising from changes in fair value are taken to the income statement unless they are designated as hedges.

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.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

Impairment of Assets

At the end of each reporting period, the entity reviews the carrying amounts of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the asset's carrying amount. Any excess of the asset's carrying amount over its recoverable amount is recognised in profit or loss.

Where the assets are not held primarily for their ability to generate net cash inflows – that is, they are specialised assets held for continuing use of their service capacity – the recoverable amounts are expected to be materially the same as fair value.

Where it is not possible to estimate the recoverable amount of an individual asset, the Entity estimates the recoverable amount of the cash-generating unit to which the asset belongs.

Where an impairment loss on a revalued individual asset is identified, this is recognised against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that class of asset.

Employee Provisions

Short-term employee provisions

Provision is made for the Entity's obligation for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries, sick leave and annual leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

Other long-term employee provisions

Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures, and are discounted at rates determined by reference to market yields at the end of the reporting period on high quality corporate bonds that have maturity dates that approximate the terms of the obligations. Upon the remeasurement of obligations for other long-term employee benefits, the net change in the obligation is recognised in profit or loss as part of employee provisions expense.

The Entity's obligations for long-term employee benefits are presented as non-current employee provisions in its statement of financial position, except where the Entity does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current employee provisions.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

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.

Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities, which are recoverable from or payable to the ATO, are presented as operating cash flows included in receipts from customers or payments to suppliers.

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. Provisions recognised represent the best estimate of the amounts required to settle the obligation at the end of the reporting period.

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.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

Comparative Figures

Where required by Accounting Standards, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

When the Entity retrospectively applies an accounting policy, makes a retrospective restatement or reclassifies items in its financial statements, a third statement of financial position as at the beginning of the preceding period, in addition to the minimum comparative financial statements, must be disclosed.

Critical Accounting Estimates and Judgments

The directors evaluate estimates and judgements incorporated into the financial statements 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 Entity.

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.

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.

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.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

2 Revenue	30 June 2024	30 June 2023
	\$	\$
Operating Activities		
Grant income		
Attorney General Department		
VALS	2,843,068	3,051,024
OTHER NLAP	2,046,757	329,000
NATSILS	(1,001,186)	(59,148)
	<u>3,888,639</u>	<u>3,320,876</u>
 NIAA	 <u>838,750</u>	 <u>806,250</u>
	838,750	806,250
 Victoria		
Department of Justice and Community Safety	9,168,413	7,168,265
Other Departments	2,511,877	1,517,501
	<u>11,680,290</u>	<u>8,685,766</u>
 - plus unspent grants brought forward	31,263,000	21,737,020
- less fund balance disbursed/transferred	-	-
- plus grants received in advance	243,000	8,651,309
- less unspent grants carried to future period	(34,015,174)	(31,263,000)
	<u>(2,509,174)</u>	<u>(874,671)</u>
 Grant income	 <u>13,898,505</u>	 <u>11,938,221</u>
 Legal aid income	136,064	34,093
Legal costs recovered	2,817	-
Total revenue from operating activities	<u>14,037,386</u>	<u>11,972,314</u>
 Other Revenue		
- Other income	4,034,495	688,882
- donations	285,586	334,226
- interest received	1,333,713	571,796
Total other revenue	<u>5,653,794</u>	<u>1,594,904</u>
 Total revenue	 <u><u>19,691,180</u></u>	 <u><u>13,567,218</u></u>

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

	30 June 2024	30 June 2023
3 Remuneration of Auditor	\$	\$
During the financial year the following fees were paid or payable for services provided by:		
Frederik R. L. Eksteen of Collins & Co Audit Pty Ltd		
Auditing of the financial statements and acquittals	19,351	16,013
Other services	-	-
	<hr/>	<hr/>
4 Revenue and Expense items		
Bad and doubtful debts		
There were no bad debts provisions made for the reporting period (2023: \$Nil).		
Operating Lease expenses		
Operating lease, contracted lease payments	301,825	151,708
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	13	13
<u>Cash at Bank</u>		
Recurrent	(36,765)	3,212,050
Term Deposit	8,000,000	5,000,000
Cash Management	33,867,291	14,649,804
Trust Account Funds	-	-
	<hr/>	<hr/>
	41,830,539	22,861,867

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

6 Trade and Other Receivables	30 June 2024 \$	30 June 2023 \$
Current		
Trade Debtors	481,434	16,003,175
Less: Provision for Impairment of receivables	-	-
Other receivables	<u>432,457</u>	<u>352,475</u>
	<u><u>913,891</u></u>	<u><u>16,355,650</u></u>

Credit risk – Trade and Other Receivables

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

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

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

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

	Total	Within trading terms	Past due but not impaired <30days	Past due but not impaired 31-90 days	Past due but not impaired >90 days
	\$	\$	\$	\$	\$
2024					
Trade and term receivables	481,434	163,915	-	232,870	84,649
Other receivables	432,457	432,457	-	-	-
Total	<u><u>913,891</u></u>	<u><u>596,372</u></u>	<u><u>0</u></u>	<u><u>232,870</u></u>	<u><u>84,649</u></u>
2023					
Trade and term receivables	16,003,175	4,834,980	11,160,498	-	7,697
Other receivables	352,475	352,475	-	-	-
Total	<u><u>16,355,650</u></u>	<u><u>5,187,455</u></u>	<u><u>11,160,498</u></u>	<u><u>-</u></u>	<u><u>7,697</u></u>

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

7 Other Current Assets	30 June 2024	30 June 2023
	\$	\$
Current		
Prepayments	129,213	93,586
	<u>129,213</u>	<u>93,586</u>
8 Property, Plant and Equipment	30 June 2024	30 June 2023
	\$	\$
Land at cost	4,117,566	4,117,566
Total Land	<u>4,117,566</u>	<u>4,117,566</u>
Buildings at cost	1,993,991	1,885,805
Less: Accumulated depreciation	(502,387)	(455,341)
Total Buildings	<u>1,491,604</u>	<u>1,430,464</u>
Total Land and Buildings	<u>5,609,170</u>	<u>5,548,030</u>
Motor Vehicles at cost	891,261	586,239
Less: Accumulated depreciation	(256,014)	(243,443)
Total Motor Vehicles	<u>635,247</u>	<u>342,796</u>
Office Furniture and Equipment at cost	539,903	241,459
Less: Accumulated depreciation	(184,066)	(171,190)
Total Furniture & Equipment	<u>355,837</u>	<u>70,269</u>
Plant & Equipment at cost	668,719	658,528
Less: Accumulated depreciation	(411,515)	(349,204)
Total Plant & Equipment	<u>257,204</u>	<u>309,324</u>
Computer equipment at cost	797,693	763,109
Less Accumulated depreciation	(571,945)	(496,936)
Total Computer equipment	<u>225,748</u>	<u>266,173</u>
Right-of-use Asset at cost	1,746,520	1,613,565
Less Accumulated depreciation	(357,239)	(265,487)
Total Computer equipment	<u>1,389,281</u>	<u>1,348,078</u>
Total Property, Plant and Equipment	<u>8,472,487</u>	<u>7,884,670</u>

SOUTH EAST AUSTRALIAN ABORIGINAL JUSTICE SERVICES LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

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 2022	4,117,566	1,477,565	349,869	84,950	208,201	185,755	576,477	7,000,383
New Acquisition	-	-	71,637	2,245	153,038	194,559	958,763	1,380,242
Disposal/Traded	-	-	(15,288)	(351)	(397)	(5,849)	(38,662)	(60,547)
Depreciation	-	(47,101)	(63,421)	(16,575)	(51,519)	(108,292)	(148,500)	(435,408)
Carrying amount at 30 June 2023	4,117,566	1,430,464	342,797	70,269	309,323	266,173	1,348,078	7,884,670
New Acquisition	-	108,185.00	439,344	298,851	10,192	88,408	413,702	1,358,682
Disposal/Traded	-	-	(42,393)	(88)	-	(1,420)	(103,926)	(147,827)
Depreciation	-	(47,045)	(104,501)	(13,195)	(62,311)	(127,413)	(268,573)	(623,038)
Carrying amount at 30 June 2024	4,117,566	1,491,604	635,247	355,837	257,204	225,748	1,389,281	8,472,487

	30 June 2024	30 June 2023
9 Provisions Payable	\$	\$
Short Term Provisions Payable		
Employee Entitlements – Annual Leave	925,724	796,671
Employee Entitlements – Long Service Leave	65,461	65,801
Employee Entitlements – Other Entitlements	60,785	83,813
Employee Benefits –Current	1,051,970	946,285
Employee Benefits – Non current		
Employee Entitlements – Long Service Leave	175,531	107,362
Employee Entitlements – Sick Leave	780,184	677,394
Employee Benefits –Non current	955,715	784,756
Total provisions payable	2,007,685	1,731,041
Opening balance	1,731,041	1,345,064
Net provisions raised/(reduced) during year	276,644	385,977
Balance at end of period	2,007,685	1,731,041

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

	30 June 2024	30 June 2023 \$
10 Financial Liabilities		
Current – Short term financial liabilities		
Grant funds unspent	34,015,174	31,263,000
	<u>34,015,174</u>	<u>31,263,000</u>
11 Issued Capital and Reserve		
Statutory Reserve	<u>6</u>	<u>6</u>
12 Cash Flow Information		
Reconciliation of Cash Flow from Operations with Surplus/(Deficit) after Income Tax		
	30 June 2024	30 June 2023
Surplus /(Deficit) after income tax	2,494,446	542,776
Non-cash flows in profit after tax		
Depreciation & Amortization	623,038	435,408
(Gain) / Loss on Disposal of property, plant & equipment	(18,084)	(1,569)
Increase / (Decrease) in provisions	363,405	1,180,427
Increase/(Decrease) in Grant carried forward	2,752,174	9,525,980
Changes in assets and liabilities,		
Decrease/(Increase) in receivables	15,441,759	(15,809,218)
Increase / (Decrease) in payables & accruals	(1,459,668)	896,769
(Increase) / Decrease in prepayments	(35,627)	69,553
Disposal of Right of Use Asset	103,926	38,662
Cash flow from operations	<u>20,265,369</u>	<u>(3,121,212)</u>

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

13 Lease Liabilities	30 June 2024	30 June 2023
	\$	\$
Current		
Lease liability - leased premises	186,283	157,561
Non-current		
Lease liability - leased premises	1,299,581	1,241,542
Total	1,485,864	1,399,103

Capital Expenditure commitments

Capital Expenditure commitments contracted for:

- Plant & Equipment purchases
- Capital Expenditure projects

-

-

Payable

- no longer than 1 year
- longer than 1 year but not longer than 5 years
- greater than 5 years

14 Contingent Liabilities & Contingent Assets

Commonwealth Government for Caveat on property	181,973	181,973
Estimates of the potential financial effect of contingent liabilities that may become payable are:	-	-
	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.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

15 Events After the Balance Sheet Date

30/06/2024

The Victorian Aboriginal Legal Service was contracted by the Commonwealth Attorney Generals Department (AGD) to Auspice NATSILS and it's associated programs, this arrangment ceased on the 30/06/2022.

As at 30 June 2024 the Victorian Aboriginal Legal Service continued to hold \$115,094 related to the former NATSILS auspice arrangement. The remaining amount is expected to be transferred in to NATSILS in the 2024-25 Financial year.

	30 June 2024	30 June 2023
	\$	\$
Financial assets		
Net Assets held	115,094	999,566
Total financial assets	<u>115,094</u>	<u>999,566</u>

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.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

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 2024 \$	30 June 2023 \$
Financial assets		
Cash and cash equivalents	41,830,539	22,861,867
Trade and Other Receivables	913,891	16,355,650
Total financial assets	42,744,430	39,217,517
Financial liabilities		
Financial liabilities at amortised cost		
- Trade and other payables	914,192	2,373,860
- Lease liabilities	1,485,864	1,399,103
Total financial liabilities	2,400,056	3,772,963

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

Financial risk management policies

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

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

Specific Financial Risk Exposures and Management

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

(a) Credit risk

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

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

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

(b) Liquidity risk

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

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024

Financial liability and financial asset maturity analysis

	Within 1 year		1 to 5 years		Over 5 years		Total	
	2024	2023	2024	2023	2024	2023	2024	2023
	\$	\$	\$	\$	\$	\$	\$	\$
Financial liabilities due for payment								
Trade and other payables (excluding employee benefit provisions and deferred income)	914,192	2,373,860	-	-	-	-	914,192	2,373,860
Lease liabilities	1,485,864	1,399,103	-	-	-	-	1,485,864	1,399,103
Total expected outflows	2,400,056	3,772,963	-	-	-	-	2,400,056	3,772,963
Financial assets cash flows realisable								
Cash and cash equivalents	41,830,539	22,861,867	-	-	-	-	41,830,539	22,861,867
Trade and other receivables	913,891	16,355,650	-	-	-	-	913,891	16,355,650
Total anticipated inflows	42,744,430	39,217,517	-	-	-	-	42,744,430	39,217,517
Net inflow (outflow) on financial instruments	40,344,374	35,444,554					40,344,374	35,444,554

(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.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

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.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2024**

18 Key Management Personnel Compensation

	30 June 2024	30 June 2023
	\$	\$
The total of remuneration paid to key management personnel (KMP) of the entity during the period is as follows:	792,483	787,311
Short-term employee benefits	111,595	110,068
Post-employment benefits	-	-
Other long-term benefits	199,199	173,225
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

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 2024 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: 16 November 2024



Director



Director



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 2024, 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 2024 and of its performance and cash flows for the year ended on 30 June 2024; 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.



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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 17th day of October 2024



Funders and Supporters Acknowledgement

We would like to thank all our funders alongside individual and corporate donors who have supported the delivery and growth of VALS services and advocacy throughout the year. We would like to pay special mention to the following funders:

- Victorian State Government
- National Legal Assistance Partnership
- Victorian Legal Service Board + Commission
- Victoria Legal Aid
- Oak Foundation

We would also like to acknowledge the pro bono support provided by the following legal firms over the past year.

- Allens
- Aptum Legal
- Ashurst
- Barry Nilsson
- Clayton Utz
- Colin Biggers and Paisley
- Corrs Chambers Westgarth
- DLA Piper
- Gagens
- Gilbert & Tobin
- Gilchrist Connell
- Hall & Willcox
- Holding Redlich
- King and Wood
- Maurice Blackburn
- MinterEllison
- O'Farrell Robertson McMahon
- Victoria Legal Aid

We wish to extend our thanks to the Victorian Aboriginal Community Controlled sector and community leaders for the collective pursuit of justice and advocating for the rights of Aboriginal children, young people, families and adults to be realised, protected and upheld.

To the allies who work and walk alongside us, in particular the Community Legal Sector, thank you for your continued support.

If you, or the organisation you work for would like to support VALS and the work that we do, please visit our website to make a donation.





**Victorian
Aboriginal
Legal Service**

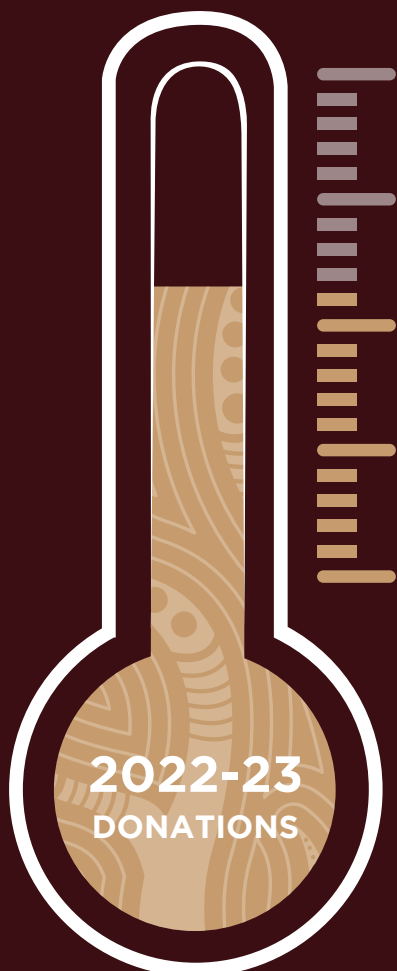
Donate to VALS

Thank you to everyone who has supported VALS over the past year. Supporting VALS' work enables us to continue to provide culturally safe legal support to Aboriginal and/or Torres Strait Islanders in Victoria. If you, or the organisation you work for would like to support VALS and the work that we do, please visit our website to make a donation.

\$285,586



\$334,226





"Carrots make me strong"

Jnr



**Victorian
Aboriginal
Legal Service**



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