



ANNUAL REPORT 2014

40TH ANNIVERSARY GALA DINNER



OFFICE OF WESTERN AUSTRALIA (INC)
WITH A GALA DINNER

FEATURING

COUNTRY BY BARRY MCGUIRE

JACOBS AND JIM MORRISON

PERFORMANCES BY

DANCE TROUPE
GLADYS DIDGERIDOO PLAYING
KEEINYARRA DANCE GROUP
AN YOUTH CREW
THE MERINDAS
YABU BAND

Celebrating 40



years of ALSWA

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OF WESTERN AUSTRALIA (INC)

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CULTURAL WARNING

Aboriginal and Torres Strait Islander readers are warned that this Annual Report contains images and names of people who have passed away.

ALSWA 2014 Annual Report (front cover) – Statue of Yagan by Sculptor Robert Hitchcock with commemorative woodburnt boomerangs by Deadly Futures students at Leederville campus of Central Institute of Technology

EXECUTIVE COMMITTEE PRESIDENT MICHAEL BLURTON

Welcome to the 2014 Annual Report of the Aboriginal Legal Service of Western Australia (Inc) (ALSWA).

I am extremely proud to present the President's Report on behalf of the ALSWA Executive Committee for another year.

My own association with this organisation goes back many years and it is an exciting time for ALSWA as we prepare for our 40th Anniversary celebrations which are planned for November 2014. This milestone will be marked with a Gala Dinner to be attended by over 350 people.



We can be so proud of our achievements over the years and there are countless people, both Aboriginal and non-Aboriginal who have remained committed to ensure that we provide access to justice and a quality legal service for Aboriginal and Torres Strait Islander community members in Western Australia.

I am very proud of our management and staff for their continued efforts in striving for justice for our peoples. Despite the uncertainty of budget cuts, our organisation has maintained a dedicated approach and continues to deliver a professional and Culturally welcoming environment for our people requiring legal support and representation.

We have a strong voice at a local level through our fifteen ALSWA offices and at a national level through our involvement with the National Aboriginal and Torres Strait Islander Legal Services (NATSILS) and we remain resilient.

My appreciation goes to our Executive Committee Members for their invaluable input and contributions to this organisation. Our 16 member Committee will be reduced to 8 members with the next Elections taking place in October 2014.

I would therefore like to personally thank our current Members for their wonderful work in representing our eight regions across Western Australia.

MICHAEL BLURTON

CHIEF EXECUTIVE OFFICER ADJUNCT PROFESSOR DENNIS EGGINGTON

Dear Members, it gives me a great sense of pride to present this financial year's Annual Report.

As is our way I pay my respects to the Wadjuk people and their Elders past and present. I also acknowledge their Country on which our head office stands.

I would also like to pay my respects to our Executive Committee members and staff for their support and hard work over the preceding twelve months.

The Annual Report is required as a reporting obligation to our funding body the Federal Attorney General's Department. It is also a general Constitutional requirement coming out of the Councils and Associations Legislation (Act). As well as these requirements the Annual Report gives us the opportunity to report back to our members on the activities and service carried out over the past twelve months.

These twelve months have not been easy for our organisation. Internally we have had to make changes to our governance structure to provide us with a more streamlined approach to financial obligations, while implementing a best practice model for ALSWA's governance.

Our Executive Committee called for a Special General Meeting to reduce our governing committee by half and remove the organisation's Director of Legal Service as the Returning Officer for ALSWA's committee elections. These changes were registered with the Consumer Protection Department of Commerce and ratified on the 11th September 2014.

Members can obtain a copy of the amended Constitution by calling our head office listed in this report.

It is not just our organisation that is facing new challenges, it is our community as a whole. Massive changes to the administration of Aboriginal and Islander Affairs has meant uncertainty, while leaving feelings of disappointment and disempowerment. The greatest issue facing our organisation is the announced funding cuts that will come into effect on the 1st July 2015. The loss of hundreds of millions of dollars across the Aboriginal Affairs portfolio is a national disgrace.

The defunding of our National Representative body, Congress, can only be seen as an attack on our long held struggles for self-determination. Our National Congress will continue to represent and advocate on our behalf, but it needs our support and every effort must be put into place to support its future.

For our organisation the impact of these funding cuts will be devastating and I am sure this will also be the case for all other service providers. The effects of these cuts can be found in this report.

Aboriginal Legal Services continue to be our front line in the fight for justice, equality and our inherent rights as Australia's First People's. Our organisation will continue to seek reparation for past wrongs against our peoples. We will always argue that the State or employers were in positions of power in relation to our peoples and that as a result, a relationship existed whereby they owed our people various duties to take care of us and safeguard our rights – they ultimately failed.



This is our “holy grail” and no matter how many legal technicalities and legal precedents hinder this endeavour we will continue to seek truth and justice for our people. The fight for Stolen Generations and Stolen Wages remains stronger than ever.

It is important to note that the current state of Aboriginal Affairs and in particular the high levels of imprisonment of our people's have drawn international attention.

Our organisation continues to play an invaluable role here in WA. Our public comment is sought after and provides a strong voice for our people. ALSWA's contribution to the Justice system should never be under-estimated. As well as our advice, advocacy and law reform work we continue to cover every court circuit in WA. This is no easy task as our court systems are crushed under the weight of an ever increasing workload.

It is my opinion that the very essence of justice is now under threat as many of our Magistrate's Courts are too overwhelmed. These courts are now managing criminality with some referring to them as a sausage factory. Unfortunately it is our people that make up the largest numbers per capita in this system.

I believe it is now imperative that our service diversifies our activities to include, family orientated healing programs, intervention and re-integration programs and more importantly, push for and be involved in prevention processes.

The Aboriginal Legal Service of WA was incorporated in January 1975. This date will see us being officially 40 years old. We have decided to celebrate this milestone event by having a Gala Dinner on 7th November 2014. Many of those people who have worked for and contributed to the development of our service will be attending. It will give us the chance to acknowledge all their efforts over many years.

Finally, I would like to again acknowledge the efforts of our staff. Our staff members work in a sometimes challenging environment. We are after all, at the coalface of the continuing impact of invasion and occupation of our lands. It is a harsh reality and our community continues to hurt and suffer. ALSWA staff do a wonderful job in the way in which they engage with this trauma.

The organisation's struggles unite us in a way that goes beyond just a place to work. If sickness, poor health and life challenges affects one of us, it affects all of us.

I want to take this opportunity to let our members know what great work our staff do, but also let our staff know that our communities also acknowledge our staff commitment to contributing to a better quality of life for Aboriginal and Torres Strait Islander community members.

I remain and always will be very proud to be the Chief Executive Officer of our great organisation.

DENNIS EGGINGTON

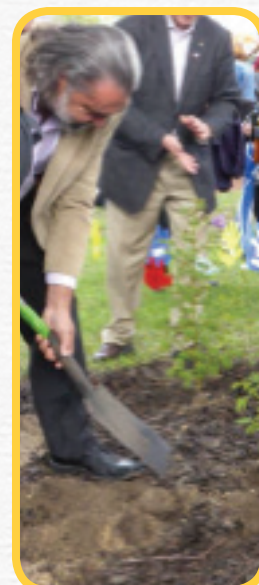
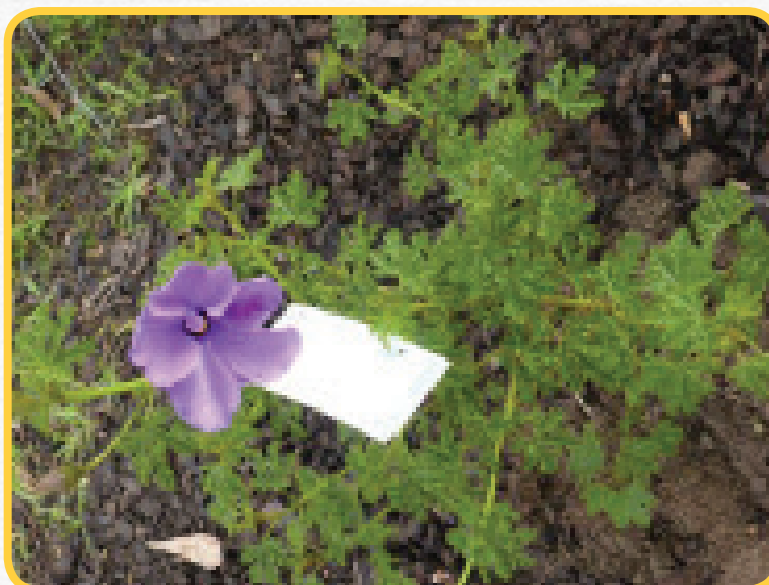




Associate Professor Ted Wilkes, Professor Colleen Hayward and Adjunct Professor Dennis Eggington on 720 ABC Perth during NAIDOC Week



Dennis Eggington, Eddie Cubillo (NATSILS), Kevin Rudd and Shane Duffy (NATSILS) pictured in Sydney in 2014



Sorry Day in Perth 2014 – Dennis Eggington Planting Native Hibiscus, the national Sorry Day emblem

ALSWA EXECUTIVE COMMITTEE OFFICE BEARERS AS AT 30 JUNE 2014



PRESIDENT

Michael Blurton (Central)

Michael Blurton is a Noongar man who has a long association with ALSWA's Executive Committee. Originally from Quairading, he is committed to working towards a better future for our people and his contributions and input to ALSWA are greatly appreciated.



VICE PRESIDENT

Murray Yarran (Central)

Murray Yarran is a Noongar man with traditional ties to the Balladong and the Swan River people. He believes that working with government in a culturally appropriate law and justice system will provide our people with a fairer and more equitable opportunity and assist in providing better opportunities and lowering incarceration rates.



SECRETARY

Lorraine Whitby (Murchison/Gascoyne)

Lorraine Whitby is a Yamatji woman from Carnarvon who has a long history of representing the interests of Aboriginal people. She is committed to working with Aboriginal and Torres Strait Islander people's to achieve a better outcome for a brighter future.



TREASURER

Ian Tucker (Goldfields)

Ian Tucker is a Wongi man from Menzies who has a great interest in Aboriginal justice issues and ensuring that important information is accessible to his Community. He is interested in both local and statewide issues to determine what programs and initiatives are most suitable for our people.

ALSWA EXECUTIVE COMMITTEE MEMBERS AS AT 30 JUNE 2014



Beverley Thomas (Central Desert)

Beverley Thomas is from Kalgoorlie and has lived in Kanpa Community for 20 years. She has a long association with ALSWA's Executive Committee and is committed to the issues facing our people and the important role played by ALSWA.

Preston Thomas (Central Desert)

Preston Thomas is from Laverton and has lived in Kanpa Community for 20 years. He has been involved with ALSWA's Executive Committee for many years and is committed to the issues facing our people and the important role played by ALSWA.



Trevor Bedford (East Kimberley)

Trevor Bedford is a Gidja man who has lived most of his life in Halls Creek. He has been involved with a number of organisations including the Yuri Yungi Aboriginal Medical Service, the former ATSIC Wunan Regional Council and the former Ngoonjuwah Aboriginal Corporation and Halls Creek Aboriginal Corporation (CDEP). He is a respected member of the Halls Creek community and has been involved in many community activities over the years.

Faye Sambo (Goldfields)

Faye Sambo is a proud Aboriginal woman who is deeply committed to family and Community. She makes important contributions to ALSWA's Executive Committee and cares about creating a better future for our people.



Kathleen Musulin (Murchison Gascoyne)

Kathleen Musulin is from Carnarvon in the Gascoyne region, with her Cultural groups being Yamatji-Malgana/Yawuru. She is committed to family, community, the rights of Aboriginal people and supporting our young people to excel in life and is proud to represent the communities interests in legal issues. Holding a Diploma in National Indigenous Legal Advocacy in Legal Studies, she strives to assist in overcoming disadvantage for our people in all areas, including law, housing, education, training, health and Native Title.

Phyllis Simmons (Pilbara)

Phyllis Simmons is a Yamatji woman from the Karratha (Pilbara) region who is committed to women's issues and justice for our people. She has a long association with ALSWA's Executive Committee and believes in the importance of healing and rehabilitation centres and more diversionary processes.



Shane Derschow (Pilbara)

Shane Derschow was born in Geraldton but his maternal family (Bantikura Bunjima Marlpa) originates from the Pilbara where he now resides. Through his involvement with ALSWA, Shane advocates on specific legal issues within his region. Committed to family, community development and empowerment for our people, he is proud of the culturally appropriate legal service provided by ALSWA and the continued inclusiveness and diversity of the Executive Committee's sixteen members working with such an important Aboriginal Community controlled and driven service.



Arthur Slater (Southern)

Arthur Slater was born in Kellerberrin and his people are from the Ballardong tribe. He is committed to Native Title and supports the work of ALSWA and the vital role that it plays in providing legal representation and support for our people.



Kathleen Watson (West Kimberley)

Kathy Watson was born in Derby and grew up in Beagle Bay. Her father's side are Kidja from Warmun Turkey Creek in the East Kimberley and her mother's side are Nyniga from West Kimberley, Derby and her adoptive mother, looked after Kathy from three days old in Beagle Bay.



Kevin George (West Kimberley)

Kevin George has a long association with ALSWA's Committee and brings a wealth of Cultural knowledge to this role. His ongoing role and contributions to ALSWA are greatly appreciated.



EXECUTIVE OFFICER JOHN BEDFORD

The past 12 months have seen substantial challenges presented to us in terms of uncertainty about proposed funding cuts, subsequently the retention of staff and developing a new Enterprise Bargaining Agreement (EBA).

In addition to this, we have worked on a number of projects including a Court Officer Conference, further developing the Kalgoorlie Hub concept with stakeholders and undertaking and completing a Data Review which looked at the way in which we collect, use and maintain data within our organisation. The review also looked at processes around those key elements. The recommendations from that review are still under consideration, however we have already moved to adopted some elements of the review.



Finances

I am pleased to report that our funding objectives were fulfilled and our contractual obligations in terms of funding terms and conditions were met. We believe our risk management processes were correctly applied in the application of all ALSWA expenditure that occurred and during that process we were able to effectively deliver the necessary outcomes.

As at 30 June 2014 we were able to report a surplus totalling \$579,091. However, a significant part of this surplus is “committed” for various projects that were uncompleted in the reporting period and have rolled forward into 2014/2015.

Not with standing, I believe that achieving a surplus in the current economic climate is a good outcome and the result of good work undertaken by the Senior Management team with the support of our Chief Financial Officer, Ms Tina Ward who has played a significant role in the planning and administration of our finances.

Human Resources

The impact of the uncertainty in relation to proposed funding cuts has almost certainly had some impact on our ability to recruit and maintain staff. Whilst this is an ongoing concern for the short term, our current staff have continued to display a high level of professionalism in maintaining a quality service to our people.

In terms of our Human Resources, as at 30 June 2014 ALSWA had a total of 116 employees. Of that number, 37 employees are identified as Aboriginal. This represents 32% of our total workforce who identify as Aboriginal. This is certainly well above the average and we continue to strive to maintain a strong commitment to strategies to recruit Aboriginal people with the skill sets into positions within our organisation.



Bearing in mind the challenges we face in the latter half of 2014/15 in terms of proposed funding cuts to the Attorney General Department's Indigenous Legal Assistance program, we intend to approach 2014/15 by maintaining current staffing levels and continuing to recruit to existing positions as and when they become vacant.

ALSWA Receptionist Delaney Atkinson (nee Clinch) speaking on ALSWA's 'Law Matters' radio program

Adjusting our recruitment strategy and reviewing our service delivery are just two strategies that may be considered once it is known in May 2015 how proposed funding cuts will be applied by the Federal Government through the Attorney Generals Department.

I would like to thank Ms Renee Sarich our HR Manager and her team, for the support and advice that they have provided to our Senior Management team in terms of Human Resource matters. It is an area we are continually striving to improve and I believe we have made significant inroads to achieving this goal.

Administration

The Administration team have once again played a significant role in supporting the legal team in providing assistance to our people. The role of our administration team is sometimes understated in arranging travel, archiving, record maintenance, mailroom services, human resource support, Information technology support, media and providing general administrative support.



ALSWA's Tarah Phillips, Renee Sarich and Hannah Wang



Angela Bromfield, Margaret Stephens and Sue Nicholls



*Kelly Custodio, Tina Ward, Sue Nicholls,
Helen McCartney and Robert Wilson*

These “backup services” to our legal team are important and integral to our ability to deliver quality legal assistance to our communities. Every member of the administrative team plays an important role and I acknowledge their contribution and professionalism.

Although the 2013/2014 financial year has presented challenges, we are extremely proud of the achievements we have made during this time.

JOHN BEDFORD

DIRECTOR LEGAL SERVICES PETER COLLINS

Impending funding cuts to ALSWA

On the eve of last year's Federal election, the Coalition announced funding cuts of \$42 million for Aboriginal and Torres Strait Islander Legal Services across Australia.

ALSWA has since been advised that the cuts will now be in the order of \$13.4 million over three years. The Commonwealth Government has stated that these cuts are primarily aimed at defunding law reform and advocacy activities.

ALSWA's precise share of the cuts is yet to be determined and is not likely to be known until the Federal budget is delivered in May 2015. The funding cuts will then take effect from 30 June 2015.

The defunding of advocacy and law reform activities will mean that ALSWA will be precluded from using its accumulated knowledge and wisdom, gained from assisting Aboriginal people with their legal problems for over 40 years, to inform government decisions, public debate and law reform agendas.

However, the cuts will extend way beyond law reform and advocacy activities. It is inevitable that ALSWA will be forced to significantly reduce front line legal assistance service delivery across all areas of law – criminal, civil and family law – as well as across all parts of WA.

Not only are the cuts grossly unfair, they are wrongheaded and will be counterproductive. Whatever short term savings may be achieved by cutting funding will rapidly be outstripped by the massive costs associated with increased rates of unmet legal need in Aboriginal communities, greater numbers of Aboriginal people having adverse contact with the justice system and the certain increase in rates of Aboriginal imprisonment.

Aboriginal Imprisonment

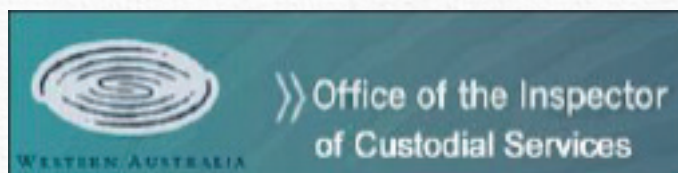
In each of my annual reports since 2005, I have commented upon the dreadful rates of Aboriginal imprisonment in Western Australia. The situation remains as dire in 2014 as it has ever been.

I would like to make particular mention in this report of the rates of Aboriginal female imprisonment. In WA, the rate of female imprisonment has increased by 40 per cent in the last five years and Aboriginal female prisoners account for most of that increase.

The disastrous impacts associated with increased rates of Aboriginal female imprisonment have been well documented and include the fracturing of family and community ties, increased rates of Aboriginal children in care, the loss of basic life skills, the "normalisation" of incarceration, hardening and brutalisation, and poor mental health outcomes.



The Office of the Inspector of Custodial Services has recently published a damning report on conditions for women in WA prisons, noting that the system was “in crisis” and that Bandyup Women’s Prison was “the most complex, overcrowded and stressed prison in the State ... and is performing poorly in terms of protecting the community by reducing recidivism”.



A line needs to be drawn in the sand. A change in approach is urgently needed. Federal and State Governments must commit to effective Aboriginal justice programs, including Aboriginal sentencing Court models, adopt Justice Reinvestment as a guiding practice, increase funding to Aboriginal and Torres Straight Legal Services and commit to a national approach to reducing Aboriginal imprisonment, especially the spiraling rates of Aboriginal female imprisonment.

Justice Issues

Prohibited Behaviour Orders

ALSWA has now acted for over 60 clients who are the subject of applications for Prohibited Behaviour Orders (“PBOs”). ALSWA has opposed the making of these orders, whenever possible. It is clear that ALSWA’s approach has significantly stemmed the flow of applications for PBOs. No new PBOs have been made against ALSWA clients in 2014. Two PBOs have been cancelled and 20 applications for PBOs have been discontinued.

ALSWA has also been advised that WA Police have developed a new policy in relation to instituting PBO applications. Before making applications, consideration will now be given to whether the personal circumstances of prospective respondents, including whether they are homeless, unemployed or suffer from substance abuse and/or mental health issues.

Consideration will also be given to whether a prospective respondent has the capacity to understand and comply with the conditions of a PBO.

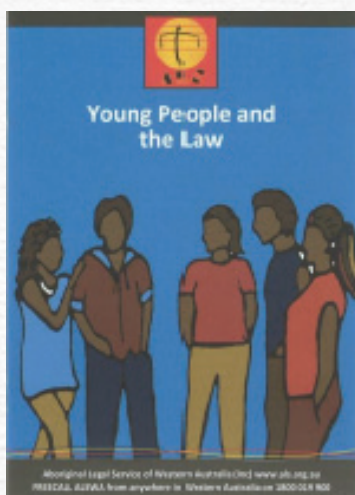
In its submission to the WA Government in relation to the statutory review of the operation and effectiveness of the Prohibited Behaviour Orders Act 2010 (WA), ALSWA noted:

“What is abundantly clear is that the PBO Act is an ill-conceived and pernicious piece of legislation, which targets the most vulnerable in our community - the homeless, those with mental health and cognitive impairments, poly substance abusers and the indigent. It acts to criminalise poverty. The continued enforcement of the PBO Act will further marginalise and exclude such people and ultimately culminate in their imprisonment. The introduction and enforcement of the PBO Act is indicative of a community which has little or no regard for the humanity of its most vulnerable citizens.”

Over policing issues

The over policing of Aboriginal youth, especially in regional and remote areas, shows no signs of abating. Two recent cases involving the same Aboriginal child highlight how dire the situation is and how little the police seem to have learned in recent years.

In one incident, a 12 year old boy was at a supermarket with two other boys. One of the other boys stole a meat pie worth \$3.50 and all boys ran out of the store when disturbed by a shopper. Police were in the area and apprehended the boys as they left the store. As the police approached, the boy who had stolen the pie tried to stuff it down his pants. The 12 year old was charged with stealing the pie, presumably on the basis that he was acting in company. The charge was subsequently discontinued by police. A couple of weeks later, the same 12 year old boy was charged with stealing a 600ml bottle of lemonade from a service station. He was in the company of four other boys when the lemonade was stolen. Three of the boys were under the age of 10 and therefore too young to be charged. All were related to the accused.



Young People and the Law – ALSWA's pamphlet specifically designed for our young people

The police saw the boy leave the store with the lemonade down his pants. They apprehended him and the boy returned the unopened bottle to the owner. The boy was arrested and taken into police custody. He was released to conditional bail, with a curfew requiring him to be at home between 7.00am and 7.00pm and a non-contact condition prohibiting him from being in the company of the four boys he was with when the lemonade was stolen.

At about 5.00pm on 18 February 2014, the boy was arrested by police after breaching the non-contact condition of his bail. The other boys had come to the boy's house on a quad bike and asked if he wanted to go for a ride. The boy was bored and jumped on the bike.

The bike was spotted by police and the boy arrested. He spent the night in the cells at a police station before appearing before a Magistrate the next day and being re-bailed.

Expensive Indigenous Case Fund – State of Western Australia v Gene Gibson

For several years, ALSWA was able to access funding from the Federal Government's Expensive Indigenous Case Fund ("EICF") to conduct complex cases.

The case of State of Western Australia v Gene Gibson highlights how extraordinarily important funding of this type can be in ensuring that ALSWA's clients are able to access high quality legal representation.

Mr Gibson was only 18 years old when he was charged with murder. He was born and raised in a remote Aboriginal community. He spoke English as his third language, but was only a partial speaker of "basic transactional English".

In August 2010, Mr Gibson was interviewed by police for about nine hours, without a qualified interpreter, in relation to an allegation of murder. An elder from his community - who held the relationship of “grandfather” to Mr Gibson - was chosen by the police to assist Mr Gibson during the interview as both a lay interpreter and an interview friend. Ultimately, Mr Gibson reluctantly made a full confession to the murder. The following day, Mr Gibson participated in a further “re-enactment” interview in which he reconfirmed his confession.

ALSWA challenged the admissibility of both interviews.

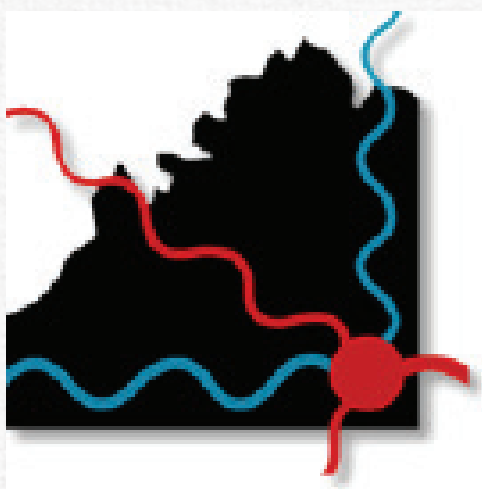
An eight day pre-trial hearing in relation to the admissibility of the interviews was conducted before Hall J at the Supreme Court at Perth.

The evidence at the pre-trial hearing demonstrated compelling lengths to which investigating police went to undermine Mr Gibson’s legal rights and secure a confession to murder. In addition, careful scrutiny by ALSWA of police documents revealed that the police were aware, prior to the interviews, of the prospect Mr Gibson may have limited English language proficiency, were alert to the possible need for an interpreter and an interview friend and were cognisant of the possible application of the provisions of the Criminal Investigation

Act 2006 (WA), Anunga Rules and associated police operational procedures relating to the interview of Aboriginal suspects in such circumstances.

ALSWA briefed the following experts, utilizing EICF monies:

1. Craig Eberhardt, barrister from the Queensland Bar;
2. Professor Diana Eades, briefed to provide expert (socio-linguistic evidence) evidence;
3. Dr David Ingram and Maria Doyle, briefed for English language proficiency assessment of Mr Gibson; and
4. Kimberley Interpreting Service, briefed to translate Aboriginal language conversations between Mr Gibson and the interview friend in the police interviews



*Kimberley Interpreting Service
Source: (KIS website)*

On 4 July 2014, Hall J delivered a 58 page written judgment in *SOWA v Gibson* [2014] WASC 240. His Honour ruled both interviews inadmissible on the grounds that the State of Western Australia had failed to establish that Mr Gibson's participation was voluntary and in the alternative, held that he would otherwise have exercised the discretion to rule both inadmissible on the ground it would be unfair to Mr Gibson to allow the State of Western Australia to admit them against him at his trial.

The ruling was of great significance to not only Mr Gibson, but more generally, in relation to ALSWA's criminal law practice, as it reaffirmed important principles regarding:

1. The right of an Aboriginal accused to an interview friend during a police record of interview and the proper role of the interview friend.
2. The right of an Aboriginal accused who speaks English as a second language to a qualified, independent interpreter.
3. The police obligation to electronically record all interrogations with an arrested suspect.
4. The proper approach to the administration of a police caution, especially through an interpreter.
5. Police impropriety in continuing to question an Aboriginal accused following an unequivocal indication from his lawyer that he wishes to remain silent.
6. Police impropriety in continuing to question an Aboriginal accused following an indication from the accused that he does not wish to answer further questions.
7. The continuing relevance of the Anunga Rules.

Subsequently, the State of Western Australia accepted a plea of guilty from Mr Gibson to manslaughter and the charge of murder was discontinued. Mr Gibson is awaiting sentence.

It would have been impossible to deal with the complex issues associated with this case and conduct Mr Gibson's defence to the same high standards, without recourse to EICF monies.

However, the Federal Government ceased funding new EICF cases in May 2012. ALSWA conducted Mr Gibson's case using unexpended EICF funds from completed cases.

In that respect, ALSWA remains deeply concerned that once unexpended EICF funds dry up, and should no new EICF monies be made available for new cases, then the inequity of arms as between prosecuting authorities and clients like Mr Gibson will mean that significant numbers of ALSWA's clients will be seriously disadvantaged in defending themselves in complex proceedings.

I wish to acknowledge the superb work undertaken by ALSWA's Dominic Brunello and barrister, Craig Eberhardt, in appearing on behalf of Mr Gibson.



ALSWA Civil/Human Rights Unit Secretary Margaret Stephens (above centre) celebrated 25 years at ALSWA during 2014 and is pictured with ALSWA lawyers L-R Alice Barter, Laura Bianchi, Alana Woldan, Nikki Dwyer, Tony Hager and Dominic Brunello

Regional offices

The demand for ALSWA's services in regional and remote WA continues to grow. Despite this, ALSWA's regional offices have maintained their strong commitment to the delivery of high quality, effective and efficient services to clients.

The situation at Karratha Magistrates Court (pictured below) highlights the pressures and stresses that ALSWA staff encounter in performing their duties in regional areas. An additional week long Magistrates circuit has been sitting every month for the last 12 months in Karratha to deal with a long standing backlog of cases.



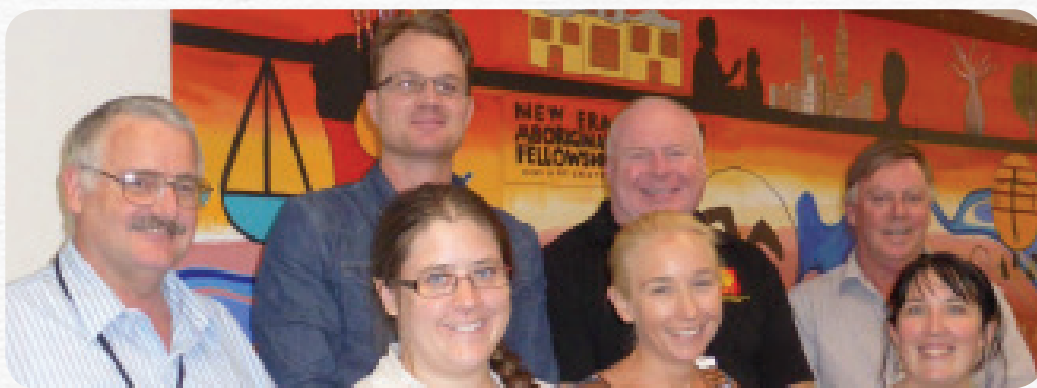
Karratha Magistrates Court

The number of matters listed each day almost defies belief. It has not been uncommon to have well over 130 adult matters listed before the Court day starts, which is then supplemented by numerous new intakes into custody during the day, which eventually make their way on to the Court list. There are often significant numbers of Children's Court matters listed each day.

The circuit has been serviced by either a lawyer from ALSWA's Hedland office or one from the Perth Criminal Law Unit. Legal Aid WA also provides one duty lawyer. Court starts sitting at 9.00am and usually

concludes after 6.00pm. Matters are often not reached and are then adjourned to the following day, after clients have waited at the Courthouse for many hours to have their matters dealt with.

Facilities for ALSWA lawyers to interview clients before they appear in Court are deplorable. Lawyers routinely have no choice but to take instructions in Court at the bar table after a matter is called, in the Court waiting area or outside. The concept of lawyer/client confidentiality is illusory in these conditions. The reality is that the Court becomes nothing more than a “sausage factory” where, despite the best endeavours of all Court users, the focus is on churning through the daily list. This is a form of dispensing justice which should not be tolerated in 2014. ALSWA has written to the State Government raising its concerns about the situation, but no changes have been instituted.



Some of ALSWA's Regional Managing Solicitors: Greg Wildie, Ben White, Eva Svanberg, Rosalind Russell-Smith, Glen Dooley (who has since left ALSWA), Michelle Huber, Russell Reading

Criminal Law Unit

ALSWA's Criminal Law Unit has maintained its excellent standard of service delivery to clients, despite enduring lengthy periods where it was understaffed and required to provide assistance to ALSWA's regional offices. The Unit has provided services across a broad range of areas, including Magistrates and Children's Court matters, indictable matters in the District and Supreme Courts, including sentencing hearings, and jury trials, and in Supreme Court appeals.

The Unit's practice in the Perth Children's Court continues to grow, with increasing numbers of juvenile clients facing serious criminal charges. Lawyers Julie Waud, Hayley O'Hara and Monica Collard have worked tirelessly in this Court.



Criminal Unit Lawyer Monica Collard, Lawyer and Court Officer Unit Manager Julie Waud and Criminal Law Unit Lawyer Hayley O'Hara

Demand for the Unit's services in relation to complex criminal matters also continues to grow. For example, the Unit has acted on behalf of 14 clients charged with murder this year. Several of these clients have been represented by ALSWA's in-house counsel Rob Owen and Dominic Brunello, who have performed admirably.



ALSWA's in-house Counsel, Dominic Brunello and Rob Owen

The collegiate atmosphere within the Unit and the dedicated commitment of lawyers and court officers has been a most impressive feature of the Unit's efforts this year.



ALSWA's Court Officers gathered in Perth for Training during 2014, including (Front Row) Julie Waud (Court Officer Unit Manager), Elvis Stokes, John Green, Stephanie Mippy and (Back Row) Murray Stubbs, Cedric Wyatt (RIP), Mark Radovanovich, Sylvia Crombie, Roy Blurton, Dennis 'Sorgi' Eggington, Steven Carter, Darlene Summers, Peter Brandy, Margaret Ugle, Kevin Blurton, Mark Little, Suzanne Randall, Charmaine Taylor



ALSWA's Criminal Law lawyers Jennifer Hon, Andy Matthews, Les Sanders, Marcus Langlois, David Robinson, Dan Rawlings

Congratulations to Hayley O'Hara on being selected as a finalist for the National Award for Outstanding Legal Representation category at the 2014 National Children's Law Awards.

Civil and Human Rights Law Unit

ALSWA's Civil and Human Rights Law Unit has strived to ensure that Aboriginal people are not racially discriminated against, are treated equally and with respect and dignity by government officials and other agencies, including police officers, prison officers, transit guards and by the community generally.

The Unit's outreach service, which involves regular visits by lawyers to regional and remote areas of WA to provide legal services in civil and human rights law, has improved access to justice for Aboriginal people living outside the Perth metropolitan area. The quality of the services provided has been significantly enhanced by the cultural and local knowledge provided by ALSWA's court officers working in ALSWA's regional offices.



L-R ALSWA's Hayley O'Hara (lawyer), Darlene Summers (Court Officer) Suzanna Randall (RCICRSA Field Officer) and Paul Gazia (Civil and Human Rights Unit Managing Solicitor)

As was noted in last year's Annual Report, ALSWA acted for the Collard family which instituted proceedings against the State of Western Australia following the involuntary removal of the Collard children from their parents between 1958 and 1961.

This has been the first and only Stolen Generation litigation instituted in WA.



*Glenys Collard and Dennis Eggington joined others to commemorate Sorry Day in Perth
(Source: Bringing Them Home WA website)*

Unfortunately, the proceedings were unsuccessful with the Supreme Court dismissing the Collard's claim.

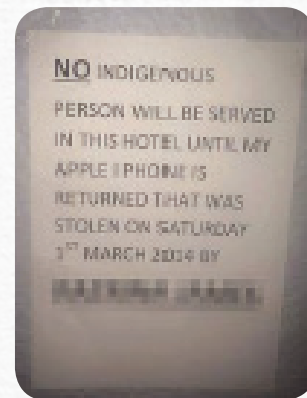
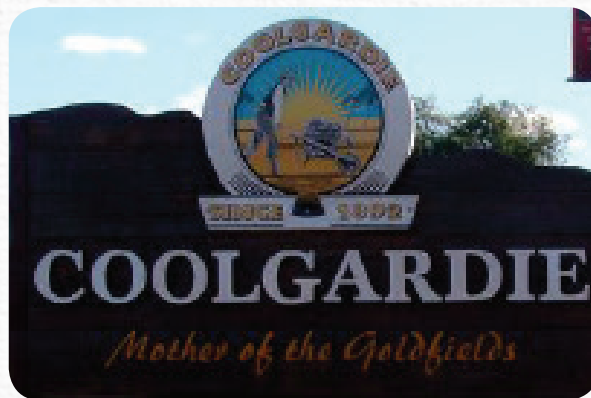
The Court found that the evidence established that the State was not subject to the duties alleged by the Collards and even if it was, the Collards had not established that the State breached those duties.



Supreme Court of Western Australia and ALSWA Civil and Human Rights Unit solicitor Nikki Dwyer who must be commended for her work on the landmark Stolen Generation litigation case

The Unit continues to act for families at Coronial Inquests, particularly in relation to deaths in custody and in the care.

Racial discrimination is an all too familiar occurrence in the lives of Aboriginal people in WA. For example, the Unit acted in a matter where a racist sign targeting Aboriginal people, was posted outside the Denver City Hotel in Coolgardie after the alleged theft of a mobile phone belonging to the publican.



ALSWA instituted proceedings in the Australian Human Rights Commission, with the matter resolving by way of a monetary payment to ALSWA's clients, accompanied by a written apology from the Denver City Hotel publican, Deborah Ovens.

Family Law Unit

ALSWA's Perth based Family Law Unit has been a lawyer short for most of the year, but has still managed to maintain a high level of service delivery in a most demanding jurisdiction.

Family lawyers have also been working in ALSWA's Kalgoorlie and Broome offices, utilising one-off funding provided by the Commonwealth Government in early 2013. These new roles have been very successful in enhancing the ability of Aboriginal people in these areas to access family law services, particularly in relation to providing representation in child protection and child welfare cases to clients who would otherwise not have access to a lawyer.

Child protection continues to be a major focus of the Unit's practice. The Department for Child Protection and Family Support ("DCPFS") continues to intervene in Aboriginal families and take Aboriginal children into State-controlled care at an increasing rate and at rates far higher than that experienced by non-Aboriginal children.

Ongoing issues of concern for Aboriginal families in care and protection cases include:

1. Separation of siblings from one another by placement of children into separate DCPFS placements;
2. Placement of Aboriginal children with non-Aboriginal foster carers;
3. Inadequate contact facilitated by DCPFS between children, parents and siblings;
4. An increasing trend towards DCPFS trying to secure long-term protection orders (until a child turns 18) despite there being other more appropriate forms of order; and
5. The willingness of DCPFS to pursue care and protection applications where allegations of inappropriate behaviour against a parent have been investigated by police and found to be unsubstantiated.

ALSWA is also involved in a review of the management of care and protection cases in the Children's Court. The aims of the review include introduction of guidelines to improve efficiency in care and protection litigation and to reduce the very long wait times for trials, which continue to increase.

After ten years with ALSWA, Family Law Managing Solicitor Mary (pictured on right) Chape retired from our legal service. Mary worked in Perth and Broome and has contributed greatly to our service and we wish her the very best for her retirement and the future.



ALSWA's law reform and policy activities

Former ALSWA criminal lawyer, Victoria Williams, has recently returned to ALSWA as a senior policy officer and has produced the following important submissions, letters and reports:

1. Submission to Royal Commission into Institutional Responses to Child Sexual Abuse Issues Paper No 7 (July 2014).
2. Submission in Response to Interim Report on the Reference Group on Welfare Reform (August 2014).
3. Submission to Federal Inquiry into Children in Out-of-Home Care (October 2014 – forthcoming).
4. Letter to Lyn MacLaren on the Criminal Investigation Amendment Bill 2014 (WA) (22 September 2014).
5. Letter to Senator Nigel Scullion on a Custody Notification Service (8 October 2014).
6. Letter to various members of the WA Opposition in relation to the Criminal Law Amendment (Home Burglary and Other Offences) Bill 2014 (WA).
7. Letter to the Office of Inspector of Custodial Services in relation to the Announced Inspection of Banksia Hill Detention Centre (4 September 2014).
8. Contributions to the NGO Shadow Report to the UN Committee Against Torture (October 2014).
9. Written response to questions from Amnesty International in relation to the over-representation of Aboriginal children in the justice system (August 2014).
10. Co-authored article for Indigenous Law Bulletin in relation to the Royal Commission into Institutional Responses into Child Sexual Abuse.

ALSWA also gave evidence at the Senate Select Committee hearing into the Abbott Government's Commission of Audit.

ALSWA's Pro Bono Partners

The willingness of the law firms listed below has significantly enhanced ALSWA's capacity to provide legal services to the Aboriginal community, especially in the area of civil and human rights law:

Lavan Legal, Mallesons Stephen Jaques, Allens Linklaters, Ashurst, K and L Gates, Clayton Utz, DLA Piper, Freehills, and Corrs Chambers Westgarth

I would also like to acknowledge the pro bono contributions of the following barristers: Greg McIntyre SC, Peter Callaghan SC, Peter Quinlan SC, Laurie Levy SC, Matt Howard SC, Scott Corish, Maria Saraceni, Ian Marshall and Eric Heenan.

Acknowledgments

I would like to thank ALSWA's senior management team – Dennis Eggington, John Bedford and Robyn Ninyette – for their help and support.

Barrister Bob Richardson, who fought fearlessly for ALSWA and its clients over many years, remains unwell and ALSWA again extends its best wishes to Bob.

ALSWA also lost a greater fighter on behalf of Aboriginal people when barrister Lachie Carter passed away late last year. Lachie was counsel in the Ward Inquest and performed magnificently. Lachie will be missed by all at ALSWA and our thoughts go out to his family on their loss.

ALSWA lawyer, Glen Dooley, resigned after four years as the managing lawyer of ALSWA's Kununurra office. Glen has worked as a lawyer for Aboriginal Legal Services in both WA and the Northern Territory for well over 20 years – a remarkable effort.

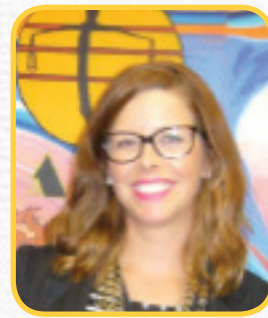
PETER COLLINS

Congratulations!

Congratulations to our staff members, all of whom continue to make us proud with their ongoing commitment to this organisation and our Aboriginal and Torres Strait Islander Community members.

Alice Barter won the 2013 JV Barry Medal for achieving the top marks in the Master of Criminology in 2013 at the University of Melbourne;

Pia Castelli won the 2014 University of Western Australia's Faculty of Law Prize in Human Rights and Equal Opportunity Law;



Pictured Above: Alice Barter, Rosalind Russell Smith with Peter Collins and Dennis Eggington and Pia Castelli

Hayley O'Hara was a Finalist in the 2014 Children's Law Awards which were established by the National Children's and Youth Law Centre to acknowledge and encourage the protection of the rights of children by lawyers and; Rosalind Russell Smith, won the Andrew Hodge Award for the 2013 WA Young Criminal Lawyer of the Year.



ALSWA Lawyer Hayley O'Hara with Ms Megan Mitchell, National Children's Commissioner at Sydney law firm King & Wood Mallesons when Hayley was a finalist in the National Award for Outstanding Legal Representation category.

COMMUNITY LEGAL EDUCATION / MEDIA / POLICY

Jodi Hoffmann and Paul Gazia

Throughout this reporting period, ALSWA maintained a strong focus on Community Legal Education focusing on early intervention and prevention initiatives.

Betty Campbell was employed as ALSWA's Community Legal Education Officer, leaving this position in December 2013.

During her time at ALSWA, Betty organised monthly in-house workshops at ALSWA for attendance by community members and representatives from external agencies. These workshops were well received and provided a great opportunity for the sharing of information and general networking.

Workshops in regional Western Australia were also organised and run through ALSWA's Human and Civil Rights Unit.

ALSWA PAMPHLETS

Our pamphlet range continues to be requested by individuals and organisations. These are accessible in hard copy or available for download on the ALSWA website at www.als.org.au

LAW MATTERS RADIO PROGRAM NOW BROADCAST NATIONALLY ON NIRS

Our "Law Matters" fortnightly radio program is now heard nationally!

ALSWA produces and presents this program, which commenced in 2010 and broadcasts out of the 100.9FM Noongar Radio studios in Perth. We are greatly appreciative of the support of Noongar Radio and National Indigenous Radio Service (NIRS) which provides ALSWA with the forum to discuss important issues relating to the justice system and promote the support that is available to Aboriginal and Torres Strait Islander peoples. Over the past financial year, our "Law Matters" guests have included:

Joseph Wallam and Andrew Harvey (Office of the Inspector of Custodial Services), Lindon Coombes (National congress of Australia's First Peoples), Delia Rickard (ACCC), Greens Senator Rachel Siewert, Janette Dines (RCIRCSA), Marc Newhouse (DICWC), Noel Hayes (CAALAS Board), Ken Lechleitner (CAALAS), Mechelle Wilson (Noongar Radio), Peter Dawson (Recognise), Focus on White Ribbon Day, Shane Duffy (NATSILS), Associate Professor Ted Wilkes, Professor Fiona Stanley, Annette Bellingeri (Kimberley Consumer Protection, Department of Commerce, Patricia Adjei (Viscopy) Hayley Ellison (Family Law lawyer), Nikki Albert (Aboriginal Family Law Services), Paula Gerber (Castan Centre for Human Rights Law), Karla Hart (CIT), along with ALSWA staff members including: Dennis Eggington, Peter Collins, Sarouche Razi, Nikki Dwyer, Betty Campbell, Paul Gazia, Helen McCartney, Miriam Kelly, Shayla Gibbons, Murray Stubbs, Zoe Gilders, Glen Dooley, Jonathon Crabtree, Suzanne Randall.

An interview with the late Mr. Cedric Wyatt, ALSWA Court Officer was also broadcast and repeated in a Tribute program, and remains on our website, with the permission of Mr. Ben Wyatt.



Professor Fiona Stanley and Associate Professor Ted Wilkes and Paul Gazia (Managing Solicitor, ALSWA Civil and Human Rights Unit)

Community Legal Education (CLE) Activities

Community Legal Education (CLE) activities progressed from 1 July 2013 to 30 June 2014 with regional CLE taking place in regional Communities including Meekatharra, Wyndham, Kalumburu, Fitzroy Crossing and Balgo.

ALSWA also hosted and presented monthly seminars, which included Consumer Affairs and scamming, Royal Commission into institutional Responses to Child Sexual Abuse (RCIRCSA) Care and protection in Department of Child Protection matters.

ALSWA Stalls at Community Events

Our attendance at community events throughout the year is vital in ensuring that our information and services are accessible outside of our offices. Over the past financial year, we held stalls at numerous Community events, including during NAIDOC Week, at the Fremantle and at various Seniors WA Aboriginal events.

In the period from September 2013, the Civil Law Outreach Service (CLOS) commenced in the East Kimberley, the West Kimberley, and the Pilbara. In 2014, the CLOS extended and now includes the Goldfields, Southern region, Gascoyne and Midwest with the service rolling out to the wheatbelt later in the year.

Community Legal Education Events

ALSWA attended and ran stalls at numerous events and locations including: Meekatharra Hospital, during NAIDOC Week at the Opening Ceremony, NAIDOC Netball Carnival and NAIDOC events at Armadale, Mirrabooka, Senior's Activity, and Leederville C.I.T. and Information Days at Northam, Armadale and in the Peel Region and the annual Senior's have a Go Day, along with Survival Day and the Wardarnji Festival.

Other events included: Burnna Yurral Aboriginal Corporation Pre Employment event Perth, Consumer Affairs Seminar on Unsolicited sales and scams, Law Society Social Justice Opportunities Evening, East Kimberley Circuit in Kununurra, Wyndham and Kalumburu – Sarouche Razi and Betty Campbell; 2- 7 September 2013

- Regional CLE (Fitzroy Crossing) – Racial Discrimination – Sarouche Razi and Betty Campbell; 15 October 2013
- Regional CLE (Balgo) – Criminal Injuries Compensation – Sarouche Razi and Betty Campbell; 17 October 2013
- Family Law Seminar – Care and Protection 101 – Jonathon Reid and Betty Campbell; 31 October 2013
- NAIDOC Celebrations – Central Institute of Technology (Northbridge and Leederville) – Betty Campbell; 20-21 November 2013
- Legal Rights and Responsibilities – Victoria Park Youth Accommodation – Alice Barter; 4 December 2013

Civil Law Outreach Service (CLOS)

In September 2013 the Aboriginal Legal Service of WA (Inc) (ALSWA) commenced a civil and human rights circuit for regional Western Australia. Lawyers and advocates have been, and continue to visit regional areas throughout the State to undertake casework and advocacy, and provide community legal education in the areas of civil law and human rights. The service works with local stakeholders and regional ALSWA Offices to engage with communities in a holistic and culturally appropriate manner.

ALSWA lawyers have been visiting their region every two months, with some minor exceptions, with the regions being: West Kimberley, East Kimberley, Pilbara, Goldfields, Midwest & Gascoyne and Southern Region. It is planned that, where practicable, the new Community Legal Education Officer will visit each region twice a year averaging 1 regional visit per month.

Currently, Paul Gazia is charged with the responsibility to contact each of the Executive Committee members in each region every time a solicitor is to visit their particular area. This is set to change, as each lawyer is going to be expected to develop and maintain their own working relationship with the Executive Committee member(s) in their particular area.

Community Legal Education and CLOS

Topics covered during CLE sessions include: criminal injuries compensation, human rights and racial discrimination, and consumer affairs.

Monthly CLE Information Sessions

In May 2013, ALSWA commenced monthly legal information sessions. These sessions were targeted at both community members and service providers. The sessions created an opportunity for open dialogue in the Perth community. Whilst we had a CLE Officer at ALSWA, the sessions were an excellent opportunity for ALSWA to build relationships with other community networks and demonstrate its commitment to social justice for Aboriginal people.

The following sessions were run during the last financial year, but we cannot run them again until we employ a CLE Officer to coordinate them:

- 15 August 2013: Sam Di Scerni, WA Regional Director, ACCC and Sarouche Razi, Senior Solicitor, ALSWA - Consumer Rights and Scams; ALSWA Boardroom
- 31 October 2013: Jonathon Reid, Family Lawyer, ALSWA – Care and Protection 101: Children's Court 101; ALSWA Boardroom
- 6 December 2013: Helen Milroy, Commissioner for the Royal Commission into Institutional Responses to Child Sexual Abuse – Royal Commission into Institutional Responses to Child Sexual Abuse; Allens Linklaters Offices, Perth

Conclusion

CLE remains an extremely important part of the work of ALSWA. This is in part due to the fact that many Aboriginal people are not fully aware of their rights unless there is ongoing and proactive engagement with the community about all of the work that ALSWA does.

The CLE Officer's role has, since CLOS commenced in September 2013, become increasingly important in liaising with the Aboriginal community of regional Western Australia, in addition to the Perth Metropolitan area.

ABORIGINAL LEGAL SERVICE OF WESTERN AUSTRALIA 40TH ANNIVERSARY

On the 7th of November 2014, the Aboriginal Legal Service of Western Australia (ALSWA) celebrated its 40th anniversary with a Gala Event in Perth. Attended by over 360 people, the milestone gathering brought together Community and legal fraternity representatives, who shared their stories and reflected upon a service which means so much, to so many.

Adjunct Professor Dennis Eggington has been the CEO of the ALSWA for 18 of its 40 years and is extremely proud of the organisation's long history of striving for justice for Aboriginal and Torres Strait Islander peoples. His commitment to ALSWA was applauded and acknowledged by all speakers.

"If we turn the clock back to the late 1960's and early 70's, it was a time of great social change. However, both before and during this time, our people were being targeted by police, appearing in court without representation and being locked up far too frequently. It is only because of the dedicated efforts of so many people in those early years that legal support and representation became available for our people at a time when it was so desperately needed" said Mr. Eggington.



The Astral Ballroom at Crown Perth where the celebrations took place



Woodburnt Boomerangs by 'Deadly Futures' students at Leederville's Central Institute of Technology were a beautiful keepsake for guests

The Astral Ballroom at Crown Perth shimmered with excitement, as familiar faces greeted each other, and reconnected with fellow staff and supporters from over the years.

As Dennis Simmons played didgeridoo, guests made their way to their seats before being officially Welcomed to Country by Elder Barry McGuire, with the Gya Ngoop Keeinyarra Dance Group. Mr. McGuire's Welcome was beautifully delivered in language and his warmth and humility set the scene for a very special evening.



Dennis Simmons and Barry McGuire who gave the Welcome to Country



The Gya Ngoop Keeinyarra Dance Group

Next was the vibrant Urban Youth Crew, a young hip hop outfit who lit up the stage with their routine. All the while, MC's Narelda Jacobs and Jim Morrison perfectly fulfilled their role through their engaging presence and genuine understanding and appreciation of the importance of ALSWA and this historical event.



The Urban Youth Crew

Dennis Eggington welcomed and thanked everyone for sharing in the celebrations, acknowledging that while ALSWA's role was challenging at times, it was an incredible organisation to work for. "From our humble beginnings with volunteers working out of a small office, we have emerged as a peak body with fifteen offices, providing a vital statewide service, without which, the court system in WA would grind to a halt. And for those who have shared our journey, our lives have been enriched in the knowledge that we have not only provided such an important service for our people, but have also accumulated an extremely large and valued ALSWA family over those years" he said.



ALSWA's Executive Committee President Michael Blurton and CEO Dennis Eggington

Part of that family is Michael Blurton, ALSWA Executive Committee President. Addressing the crowd, he said he was proud to have had such a long involvement with ALSWA, which provided much needed support for our people.

Professor Colleen Hayward, Head of Kurongkurl Katitjin, Edith Cowan University's Centre for Indigenous Education and Research is a former ALSWA Deputy CEO. During her speech she reflected upon ALSWA in the 1990's, following on from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) and the return to ALSWA of the greatly respected and fondly remembered late CEO Rob Riley. "Rob's impact on the ALSWA as well as on Aboriginal and non-Aboriginal Australia through his tenacious advocacy will not easily be forgotten, and nor should it.

His passing put a sharp focus on the Stolen Generations and none of us present at the 1995 Manguri opening of NAIDOC will ever forget when he told his story. In fact, the ALSWA took a leading role in giving voice to so many whose voices had previously been unheard, leadership through the “Telling Our Stories” collections and its solid testimony into the Bringing Them Home “Inquiry”.

Colleen recalled ALSWA's work as a Native Title Representative Body which became the first Representative Body to gain a Native Title win on mainland Australia through the Miriuwung Gajerrong Determination. “We were also active in national debates around recognition including through the 1997 Reconciliation Convention, when people in the audience turned their backs on John Howard and his mean-spirited lack of leadership around Aboriginal issues, and the only one showing true, fair and honourable leadership seemed to be then Governor-General William Dean”.

During these years Colleen was also proud to see many ALSWA lawyers become magistrates and ALSWA's Court Officers gain greater recognition for their outstanding work with many moving on to study law.



Professor Colleen Hayward and Associate Professor Ted Wilkes

Associate Professor Ted Wilkes of Curtin University's National Drug Research Institute is a former ALSWA President and described the occasion as “a wonderful celebration”. “Celebrating 40 years of the Aboriginal Legal Service of WA brought home the memory of many of our champions, some who are no longer with us. It allowed us to celebrate their memory and recognise their wonderful effort. Our rights and the fight for our rights is an ongoing fight. Current CEO Dennis Eggington, current staff and current Board members of the ALSWA must continue in the vein of those before us” said Ted, who spoke about ALSWA during the 1980's.

During a break in speeches, the audience was treated to a performance by The Merindas, Australia's premier Indigenous female Motown trio while guests danced the night away to the Yabu Band after the completion of formalities.



The Merindas



The Yabu Band

Fred Chaney AO, 2014 Senior Australian of the Year was a key player in the early ALSWA/New Era Aboriginal Fellowship days of the 1970's and says it was a decade driven by a shared determination to deal with gross injustices. "It is worth remembering the origin in New Era Aboriginal Fellowship (NEAF) with its engagement of sympathetic non-Aboriginal people with leaders like Elizabeth Hanson, Elizabeth Isaacs, Jack Davis, Don Farmer, and Ken Winder. NEAF spawned the legal service and the medical service. The Justice committee, chaired by Bob French, led the way" said Fred.



Fred Chaney AO

Reflecting upon ALSWA's first decade, which included the Skull Creek scandal and subsequent Royal Commission, Fred said that he drew many lessons about how to achieve justice from that time.

"The importance of working with men and women of good will without regard to colour or creed, how important it is to harness the spirit of the volunteer, that the legal service is just one part of the jigsaw that we need to end injustices and incarceration, that social and economic change is vital alongside formal justice and that these issues are partisan among people who are concerned with justice".

Fred said that it had been a privilege to have shared in a small part of the ALSWA journey and recalled the quality of field officers including Ivan and David Yarran and Sue Gordon, and lawyers including Western Australia's High Court judges, Graham McDonald, Peter Dowding and John Huelin.



Gningala Yarran-Mark spoke passionately about her inspirational parents (pictured in the background image)

The final speaker for the evening was Gningala Yarran-Mark, whose father and uncle (David and Ivan Yarran) were some of ALSWA'S first field officers. Gningala spoke of the enormous impact that her parents and family had on her during her younger years and shared their inspirational stories, gratefully acknowledging how much they had contributed to her own journey through life. Commencing a law degree at age 31, this proud mother of five, a former Associate to Justice French at the Federal Court and State Prosecutor, inspired us all as she shared some of her own trials, tribulations and triumphs over the years.



Sculptor Robert Hitchcock with the Yagan Sculptures

“What an incredible celebration” said Dennis Eggington as final bids were placed in the silent auction for sculptures of Noongar Warrior Yagan, donated to the event by Sculptor Robert Hitchcock. “We can all be so proud of our achievements. The dedicated efforts of everyone gathered for this milestone event, along with our greatly respected absent families and friends from years gone by, have contributed so much to a fairer justice system that has, and will continue to provide access to justice for Aboriginal and Torres Strait Islander peoples in Western Australia” said Mr. Eggington.

With great sadness, we acknowledge the passing
of some of our ALSWA staff 'family' during 2014. Rest in Peace.



Cedric Wyatt

An incredibly well known and respected Community member, Cedric Wyatt brought a wealth of knowledge and experience to our organisation over many years. He was a former ALSWA CEO, a Field Officer during our early years, and in more recent times, a Court Officer working in both Laverton and Perth (Children's Court). A strong advocate who dedicated his life to advancing the rights of our people, Cedric Wyatt's strength, character, sense of humour and dedication will be greatly missed by us all.

Bernadette 'Berni' Lockyer

Although she left ALSWA in 2010, Bernadette 'Berni' Lockyer will be remembered by many people through her Community and ALSWA involvement. Our former ALSWA Women's Support Officer, she was an extremely valued member of our team who was greatly committed to assisting community members, and working tirelessly to support and advocate for women in our community. Such a strong woman, Berni will always be remembered.



Gabriel Patrick

A former ALSWA Managing Solicitor, Gabriel Patrick spent over 18 years with ALSWA and made many staff and community friendships before retiring in 2006. Originally from Sri Lanka, he assisted many community members and worked tirelessly to assist our clients and stand up for the rights of our people. Gabriel had a wonderful sense of humour and will be remembered always.

Excerpt from Peter Collins Director of Legal Services Report.

ALSWA also lost a greater fighter on behalf of Aboriginal people when barrister Lachie Carter passed away late last year. Lachie was counsel in the Ward Inquest and performed magnificently. Lachie will be missed by all at ALSWA and our thoughts go out to his family on their loss.

*FINANCIAL REPORTS
FOR THE YEAR ENDED
30 JUNE 2014*



FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

STATEMENT BY CHAIRPERSON/CHIEF EXECUTIVE OFFICER

In our opinion:

The accounts and schedules set out on pages 6 to 16 present fairly the consolidated financial position of the Aboriginal Legal Service of Western Australia (Inc) at 30th June 2014 and the results of its operations for the year ended 30th June 2014, in accordance with the basis of accounting described in Note 1 to the accounts and are based on proper accounts and records.

The grants received from the Attorney Generals Department (AGD) for the financial year 2013/2014 have been used towards the achievement of goals for which they were provided and all conditions included in the AGD letter of offers have been complied with.

Dated at Perth this 19th day of November 2014


PRESIDENT


CHIEF EXECUTIVE OFFICER

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

CERTIFICATE OF COMPLIANCE

This Schedule is established in respect of the 2013/2014 financial year.

Provider: Aboriginal Legal Service of WA (Inc)

Contact Officer: John Bedford

Telephone: (08) 9265 6666

- (i) Services have been provided in accordance with the requirements of the contract, including the Policy Directions;
- (ii) The terms and conditions of the Contract have been met;
- (iii) The annual Report and Audited Financial Statements are attached.

Signed for and on behalf of the Aboriginal Legal Service of Western Australia

By


Dennis Eggington
Chief Executive Officer


Michael Blurton
President

In the presence of


Leon Stielow
Chief Financial Officer (Relief)

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014



INDEPENDENT AUDITOR'S REPORT ON THE CONSOLIDATED FINANCIAL ACCOUNTS

Report on the Financial Report

We have audited the attached consolidated financial accounts comprising the Balance Sheet, the Statement of Comprehensive Income, Statement of Changes in Equity, Cash Flow Statement, Information for AGD purposes, Notes to and Forming part of the Accounts and attached Schedules to the Accounts of the Aboriginal Legal Service of Western Australia (Inc) consolidated financial accounts for the year ended 30 June 2014.

Managements' Responsibility for the Financial Report

The Management of Aboriginal Legal Services of Western Australia (Inc.) are responsible for the preparation and fair presentation of the financial report, and have determined that the basis of preparation described in Note 1, is appropriate to meet the requirements of the Attorney General Department and is appropriate to meet the needs of the members. Management's responsibility also includes such internal control as management determine is necessary to enable the preparation of a financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We have conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Sydney
Melbourne
Brisbane
Perth
Adelaide
Auckland

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CHARTERED ACCOUNTANTS & ADVISORS

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014



INDEPENDENT AUDITOR'S REPORT ON THE CONSOLIDATED FINANCIAL ACCOUNTS

Auditor's Opinion

In our opinion, the financial report of the Consolidated Financial Accounts for the year ended 30 June 2014 is properly drawn up:

- a) So as to give a true and fair view in accordance with the accounting policies in Note 1 to the financial report;
- b) Are based on proper accounts and records and are in agreement with those accounts and records and are in accordance with information and explanations obtained;
- c) Adequate financial controls have been maintained by the entity;
- d) In accordance with applicable Accounting Standards and other mandatory professional reporting requirements. As the entity is not a reporting entity Accounting Standards have only been applied as described in Note 1 to the financial report; and
- e) All assets with a written down value exceeding \$2,000 are included in the asset register and have been insured with an approved insurer.

Basis of Accounting

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist The Aboriginal Legal Services of Western Australia (Inc) Consolidated Financial Accounts, to meet the requirements of the Attorney General Department. As a result, the financial report may not be suitable for another purpose.

A handwritten signature in blue ink that reads "William Buck".

William Buck Audit (WA) Pty Ltd
ABN 67 125 012 124

A handwritten signature in blue ink that reads "Corley Manifis".

Corley Manifis
Director

Dated this 19th day of November, 2014

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

BALANCE SHEET FOR THE YEAR ENDED 30 JUNE 2014

	Note	2014 \$	2013 \$
CURRENT ASSETS			
Cash	2	6,795,177	6,821,572
Receivables	3	473,145	378,647
Total Current Assets		<u>7,268,322</u>	<u>7,200,219</u>
NON-CURRENT ASSETS			
Property, furniture and equipment	1(B), 4	4,811,680	4,836,068
Leasehold improvements	1(B), 5	100,111	46,806
Motor Vehicles	1(B), 6	9,439	13,625
Total Non-Current Assets		<u>4,921,230</u>	<u>4,896,499</u>
TOTAL ASSETS		<u>12,189,552</u>	<u>12,096,718</u>
CURRENT LIABILITIES			
Accounts payable	1(D), 7	516,140	682,877
Provisions	8	1,807,348	1,533,096
Unexpended AGD/ATSIS Grants	10	1,420,507	2,543,364
Total Current Liabilities		<u>3,743,995</u>	<u>4,759,337</u>
NON-CURRENT LIABILITIES			
Provisions	9	276,453	113,447
Long Term Loan – 7 Aberdeen Street	9	365,292	436,791
Total Non-Current Liabilities		<u>641,745</u>	<u>550,238</u>
TOTAL LIABILITIES		<u>4,385,740</u>	<u>5,309,575</u>
NET ASSETS		<u>\$7,803,812</u>	<u>\$6,787,143</u>
Accumulated Funds:			
Retained surplus		5,397,350	5,101,843
Asset Revaluation Reserve		701,618	701,618
Long Service Leave Reserve		550,000	550,000
Asset Replacement Reserve		416,140	250,000
Redress Reserve		183,682	183,682
EICCF Incomplete Case Reserve		531,927	-
Residential Property Reserve		23,095	-
TOTAL FUNDS		<u>\$7,803,812</u>	<u>\$6,787,143</u>

The accompanying notes form part of and are to be read in conjunction with these
Consolidated Financial Accounts

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

PROFIT & LOSS STATEMENT FOR THE YEAR ENDED 30 JUNE 2014

	<u>Note</u>	<u>2014</u> \$	<u>2013</u> \$
<u>INCOME</u>			
Grants		13,048,792	12,168,405
Interest		373,027	354,520
Other income		1,592,222	661,144
Profit/(Loss) Sales of Assets		75	(21,749)
		<hr/>	<hr/>
		15,014,116	13,162,320
		<hr/>	<hr/>
<u>EXPENDITURE</u>			
Salaries		9,315,890	8,650,934
Depreciation		431,799	401,579
Other operating expenses		4,687,336	3,700,736
		<hr/>	<hr/>
		14,435,025	12,753,249
		<hr/>	<hr/>
Net surplus for year	11	<hr/> \$579,091	<hr/> \$409,071

The accompanying notes form part of and are to be read in conjunction with these Consolidated Financial Accounts

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

CASH FLOW STATEMENT THE YEAR ENDED 30 JUNE 2014

		2014 Inflows (Outflows)	2013 Inflows (Outflows)
<u>Cash flows from operating activities:</u>			
AGD Funds		13,048,792	12,168,405
Interest received		373,027	354,520
Other receipts		799,351	661,144
Payments to suppliers and employees		(13,719,611)	(12,054,700)
		<hr/>	<hr/>
Net cash (used in)/from operating activities	A	501,559	1,129,369
		<hr/>	<hr/>
<u>Cash flows from investing activities:</u>			
Payments for property, plant and equipment		(528,029)	(273,532)
Proceeds from sale of property, plant and equipment		75	26
		<hr/>	<hr/>
Net cash used in investing activities		(527,954)	(273,506)
		<hr/>	<hr/>
Net increase/(decrease) in cash held		(26,395)	855,863
		<hr/>	<hr/>
Opening balance of cash held		6,821,572	5,965,709
		<hr/>	<hr/>
Cash balance at the end of the year	(2)	<u>\$6,795,177</u>	<u>\$6,821,572</u>
A Reconciliation of net cash provided from operating activities to net Income / (Deficit) for the year			
Net income for year		579,091	409,071
Loss/(Profit) on sale of assets		(75)	21,749
Depreciation		431,799	401,579
Provisions		437,258	(101,502)
Receivables		(94,497)	(140,211)
Creditors and Accruals		(166,737)	119,969
Unexpended Funds (inc. previous years)		(1,122,857)	418,714
Changes to Reserve		437,577	-
		<hr/>	<hr/>
Net cash (used in)/from operating activities		<u>\$501,559</u>	<u>\$1,129,369</u>

NOTES TO AND FORMING PART OF THE ACCOUNTS THE YEAR ENDED 30 JUNE 2014

1. STATEMENT OF ACCOUNTING POLICIES

A) BASIS OF ACCOUNTING & CONSOLIDATION

These financial statements are 'Special Purpose Financial Statements' that have been prepared in order to satisfy the terms and conditions of the Grant. No accounting standards have mandatory applicability.

The consolidated financial accounts comprise the accounts of the Aboriginal Legal Service of WA (Inc) and other entities which received grants from the Attorney Generals Department (AGD) for which the Aboriginal Legal Service of WA (Inc) acts as grantee and is responsible for. Details of the contribution to the consolidated net surplus/(deficit) by each entity is included in Note 11.

The accrual basis of accounting has been applied. All reports have been prepared on the historical cost basis.

B) NON-CURRENT ASSETS

Non-Current Assets have been recorded in the financial statements on the basis of cost and accumulated depreciation. Land and Buildings were revalued in April 2013 and are shown at fair value and accumulated depreciation. All assets are depreciated on a straight-line basis where their future economic benefits are expected to be consumed by the organization. Assets under \$2,000 are written off in the year of purchase.

Useful lives for each class of depreciable asset are:

Capital Property Improvement	4 years
Computer equipment	3 years
Office equipment	4 years
Motor Vehicles	4 years
Leasehold Improvements & Renovations	4 years
Residential Property Improvement	5 years
Furniture and fittings	5 years
Buildings	25 years

C) GOING CONCERN

The financial report has been prepared on a going concern basis, which assumes continuity of normal business activities and the realization of assets and the settlement of liabilities in the ordinary course of business. The Aboriginal Legal Service of Western Australia Inc. has been granted a Funding Agreement from the Attorney General's Department for the period 1 July 2011 to 30 June 2015 to continue operations of the provision of Indigenous legal assistance. There is an expectation that the Attorney General's Department will continue funding the organization from 1 July 2015 to 30 June 2017. ALSWA has sufficient net assets to continue operations and is looking to alternative sources of revenue. As such, the Committee considers it appropriate for the financial report to be prepared on a going concern basis.

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2014

D) COMPARATIVE INFORMATION

Certain comparative information has been re-classified to ensure consistency with current year's disclosure.

E) ACCOUNTS PAYABLE

Accounts Payable, including accruals not yet billed, are recognized when the obligation arises to make future payments as a result of a purchase of assets or services. Accounts payables are generally settled within 30 days.

F) SICK LEAVE

The provision for sick leave is calculated according to the probability of entitlement and this value is reflected in the current provision account.

G) ASSET REVALUATION RESERVE

The Asset Revaluation Reserve was subject to change in April 2013 when independent valuations were obtained for the class of Land and Buildings and the assets were revalued at their fair value.

H) EMPLOYEE BENEFITS

A liability is recognized for benefits accruing to employees in respect of wages and salaries, annual leave, long service leave and sick leave. Long service leave is ascertained on a basis of longevity of service. Short term employee benefits are measured at their nominal value at reporting date.

I) LONG TERM LOAN

The Aboriginal Legal Service of WA ground floor offices in 7 Aberdeen Street, Perth were purchased during the 2009/2010 financial year.

J) UNEXPENDED FUNDS

Unexpended grants are current liabilities which are incurred by unspent grant funds received each year or carried forward funds at reporting date. These funds are accounted for separately to ensure accuracy and meet contractual obligations.

K) RETAINED EARNINGS ADJUSTMENT

The balance of retained earnings has been adjusted by \$107,444 during the financial year to reconcile the amount of AGD grant funding brought forward from the 2013 financial year to the AGD grant acquittal of 2013 grant funds.

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2014

	<u>2014</u>	<u>2013</u>
	\$	\$
2. <u>CURRENT ASSETS - CASH</u>		
Payroll Account	1,161	1,405
Cash Management Accounts	4,902,674	5,068,594
Branch Imprest	3,285	3,085
General Accounts	462,702	640,897
BWA – Security Deposit	26,248	25,400
Long Service Leave Reserve	804,289	625,878
Other Reserves	594,818	456,313
	<u>\$6,795,177</u>	<u>\$6,821,572</u>
	<u>2014</u>	<u>2013</u>
	\$	\$
3. <u>CURRENT ASSETS – RECEIVABLES</u>		
Prepayments	75,466	71,139
Organizational Trust	4,879	4,879
Others - General	40,988	43,113
Accrued Income	351,812	259,516
	<u>\$473,145</u>	<u>\$378,647</u>
4. <u>NON-CURRENT ASSETS – PROPERTY, FURNITURE & EQUIPMENT</u>		
Land and Buildings		
At cost: revaluation April 2013*	4,435,000	4,435,000
Capital Improvements	203,175	-
Accumulated depreciation	(218,677)	(36,300)
Total land and buildings	<u>\$4,419,498</u>	<u>\$4,398,700</u>
Furniture and Equipment		
At cost	1,293,724	1,215,530
Accumulated depreciation	(901,542)	(778,162)
Total furniture and equipment	<u>392,182</u>	<u>437,368</u>
Total Property, Furniture and Equipment	<u>\$4,811,680</u>	<u>\$4,836,068</u>

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2014

	<u>2014</u> \$	<u>2013</u> \$
5. <u>NON-CURRENT ASSETS</u>		
Leasehold Improvements and Renovations		
At cost	955,117	855,236
Accumulated depreciation	(855,006)	(808,430)
	<hr/>	<hr/>
Total Leasehold Improvements	\$100,111	\$46,806
	<hr/>	<hr/>
6. <u>NON-CURRENT ASSETS</u>		
Motor Vehicles at cost	16,745	16,945
Accumulated depreciation	(7,306)	(3,120)
	<hr/>	<hr/>
Total Motor Vehicles	\$9,439	\$13,625
	<hr/>	<hr/>
7. <u>CURRENT LIABILITIES – ACCOUNTS PAYABLE</u>		
Sundry accruals	39,632	86,486
Other Creditors	165,278	489,237
Accounts Payable	311,230	107,154
	<hr/>	<hr/>
	\$516,140	\$682,877
	<hr/>	<hr/>
8. <u>CURRENT LIABILITIES - PROVISIONS</u>		
Annual Leave	882,603	796,416
Long Service Leave	318,698	432,118
Sick Leave	338,364	289,562
Fringe Benefit Tax	15,000	15,000
Employee	252,683	-
	<hr/>	<hr/>
	\$1,807,348	\$1,533,096
	<hr/>	<hr/>

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2014

	<u>2014</u> \$	<u>2013</u> \$
9. <u>NON-CURRENT LIABILITIES</u>		
Long Service Leave	276,453	113,447
Loan – 7 Aberdeen Street	365,292	436,791
	<hr/> \$641,745	<hr/> \$550,238
10. <u>CURRENT LIABILITIES – UNEXPENDED FUNDS</u>		
Expensive Criminal Case Fund	-	887,023
Property Purchases	-	55,703
Myer – Yinhawangka	18,000	-
Main Legal Aid Grant	802,109	541,483
Kalgoorlie Property Trust	392,037	383,541
One-Off Funding	205,320	662,579
Documentary Project	-	7,500
Employee of the Year	3,041	5,535
	<hr/> \$1,420,507	<hr/> \$2,543,364
11. <u>CONTRIBUTION TO SURPLUS/(DEFICIT)</u>		
Main Legal Aid Grant	-	107,444
Lotterywest	446,484	-
Net Other AGD and Non-AGD Grants	132,607	301,627
	<hr/>	<hr/>
Net surplus for year	579,091	409,071
	<hr/>	<hr/>

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

INFORMATION FOR AGD PURPOSES FOR THE YEAR ENDED 30 JUNE 2014

12. COMMITMENTS AND CONTINGENCIES

	<u>2014</u>	<u>2013</u>
	\$	\$
Rental property commitments across various sites are:		
Less than one year	217,742	\$482,737
Greater than one year but less than five years	321,062	\$13,625
Greater than five years	-	-
Total commitments	<u>\$538,804</u>	<u>\$496,362</u>

13. LOAN LIABILITY

The Aboriginal Legal Service of Western Australia was able to obtain a long term bank loan for the purchase of the offices on the lower floor of 7 Aberdeen Street in Perth.

CURRENT LIABILITIES – UNEXPENDED FUNDS

	<u>2014</u>	<u>2013</u>
	\$	\$
Expensive Criminal Case Fund	-	887,023
Property Purchases	-	55,703
Main Legal Aid Grant	802,109	541,483
Kalgoorlie Property Trust	392,037	383,541
One-Off Funding	205,320	662,579
Documentary Project	-	7,500
Employee of the Year	3,041	5,535
Myer – Yinhawangka Trust	18,000	-
	<u>1,420,507</u>	<u>2,543,364</u>

Adjustment to statutory accounts

Unexpended Funds	(1,420,507)	(2,543,364)
Operational Surplus(for AGD purposes)	<u>579,091</u>	<u>409,071</u>
Net surplus per Comprehensive Income Statement	<u>\$579,091</u>	<u>\$409,071</u>

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2014

INFORMATION FOR AGD PURPOSES FOR THE YEAR ENDED 30 JUNE 2014

CONSOLIDATED ALS(WA) - ALL AG GRANTS				
	FULL YEAR BUDGET	YTD BUDGET	YTD	VARIANCE TO DATE
PROVIDER INCOME				
Surplus/Deficit from previous year	2,152,323	2,152,323	2,259,787	(107,444)
Commonwealth	13,012,580	13,012,580	13,012,580	-
Commonwealth - Extra funds	55,900	55,900	55,900	-
State	-	-	-	-
Service Generated Income	-	-	-	-
- Interest	175,000	175,000	373,027	(198,027)
- Membership	-	-	-	-
- Community Legal Education	-	-	-	-
- Costs Recovered & Retained	200,000	200,000	252,832	(52,832)
- Fundraising / Donations	1,100	1,100	-	1,100
- Sundry Income	(555,022)	(555,022)	(437,581)	(117,441)
- Program Income	81,646	81,646	44,641	37,005
Capital Grant b/fwd	-	-	-	-
A. Total Provide Income	15,123,527	15,123,527	15,561,166	(437,639)
B. Provider General Purpose Income				
PROVIDER EXPENSES				
Salaries	8,963,690	9,078,690	8,291,052	787,638
Superannuation	832,430	772,430	751,301	21,129
On Costs	532,664	664,164	629,514	34,650
Rent	816,484	831,484	753,933	77,551
Repairs and Maintenance	40,145	40,145	33,829	6,316
Other Premises Costs	(64,608)	66,108	65,993	115
Staff Training	137,646	77,646	69,010	8,636
Staff Recruitment	152,000	152,000	146,362	5,638
Communications IT	130,000	210,000	200,898	9,102
Office Overheads	633,764	645,764	571,212	74,552
Insurance	153,000	153,000	115,918	37,082
Finance, Audit & Accounting	37,500	41,500	41,334	166
Library, Resources & Subscriptions	200,000	241,000	245,554	(4,554)
Travel	678,321	678,321	652,857	25,464
Client Disbursements	738,361	368,361	367,797	564
Leases - Vehicles	594,200	519,200	415,559	103,641
Royal Commission Expenses	-	-	64,873	(64,873)
Minor Equipment	10,000	10,000	9,407	593
Depreciation	-	-	440,155	(440,155)
Other	385,581	570,581	566,390	4,191
Capital	-	-	117,747	(117,747)
C. Total Provider Expenses(ex Cap)	15,100,394	15,120,394	14,432,948	687,446
D. Total Provider Expenses	15,100,394	15,120,394	14,550,695	569,699
E. Surplus/(Deficit)	23,133	3,133	1,010,470	(1,007,338)
G. Funds received from Other Bodies				
Opening Unexpended			2,259,787	(2,259,787)
Closing Unexpended			1,010,471	(1,010,471)

ADDITIONAL INFORMATION

ALSWA Opening Hours

8.30 am to 5.00 pm weekdays in Perth, Albany, Bunbury, Carnarvon, Geraldton, Kalgoorlie Northam, 8.00 am to 4.30 pm weekdays in Broome, Kununurra, South Hedland, Roebourne,

Non-standard hours of operation apply for the following offices and matters can be referred to the office in brackets: Fitzroy Crossing (Broome), Halls Creek (Kununurra), Meekatharra (Carnarvon), Newman (South Hedland).

ALSWA Figures

ALSWA Staff gave advice in 5758 matters, Duty lawyer assistance in 8553 matters, Casework in 15672 matters, Totalling 29983 matters.

Access and Equity

ALSWA's clients meet eligibility requirements, including a means test and a merit test, with certain categories of case getting highest priority. ALSWA provides a culturally appropriate service by recruitment processes and work conditions that ensure that Aboriginal and/or Torres Strait Islander staff at every organisational level. All employees have a demonstrated commitment to social justice for Aboriginal and Torres Strait Islander peoples, and where reasonably possible, country staff are locals. Staff receive Cultural training and non-Indigenous staff receive assistance with Cultural matters as required. ALSWA has 15 offices throughout Western Australia, provides legal assistance on court circuits, a toll free telephone number, after hours emergency assistance by telephone, anonymous survey forms and complain processed to obtain and act upon client feedback.

ALSWA Staff (as at 30 June 2014)

Albany: 1 Lawyer, 1 Court Officer, 1 Administration, Broome: 4 Lawyers, 1 Court Officer, 1 Administration, Bunbury: 2 Lawyers, 2 Court Officers, 1 Administration, Carnarvon: 2 Lawyers, 1 Court Officer, 1 Administration, Fitzroy Crossing: 1 Court Officer, Geraldton: 2 Lawyers, 1 Court Officer, 1 Administration, Halls Creek: 1 Court Officer, 1 Administration, Kalgoorlie: 4 Lawyers, 2 Court Officers, 2 Administration, Kununurra: 2 Lawyers, 1 Court Officer, 1 Administration, Meekatharra: 1 Court Officer, Newman: 1 Court Officer, Northam: 1 Court Officer, 1 Administration, Perth Criminal Unit: 17 Lawyers, 6 Court Officers, 3 Administration, Perth Civil Unit: 7 Lawyers, 1 Administration, Perth Family Law Unit: 3 Lawyers, 1 Administration, Roebourne: 1 Court Officer, South Hedland: 2 Lawyers, 1 Administration, ALSWA Administration: 2 Lawyers, 18 Administration.

Staff Training

S Gibbons: Legal Aid Summer Series, FLPA Family Day Conference, T Ward Certificates: Certificate in Governance for Not for Profits with the Governance Institute of Australia, Certificate in Risk Management with the Governance Institute of Australia, M Huber and Jo Newman: Attended LAWA Criminal law Day, Skype session on Trials with Wendy Hughes; J Newman and J Hutchinson attended 1 day session on Employment law run through the Bunbury CLC. J Newman, J Hutchinson and V Blurton attended a talk from the Mental Health Law Centre, J Newman attended Family Pathways session with Anglicare, M Huber ran CLE session called Legal Q & A with community service providers in the Bunbury region CPA training, Webinars on Social Media, Australia Charities and Not-For-Profit Commission training on through Bunbury Counselling, A Walters CPD participant: essential Courtroom etiquette, Legal Aid Intranet Resource Training, Various Staff: regular Staff Induction sessions, CPD Sessions including:

CPD In-house	
Presenter	Training
Anne Donaldson	HaDSO and its duties, obligations and responsibilities
Siobhan O'Grady	Consumer Rights and Scams
Pia Castelli	The State Administrative Tribunal
Dom Brunello	Sentencing Principles Arising from the Bropho v Harrison Appeal
Jonathon Reid	Care and Protection 101
Sherry McLaughlin and David Felton (North Metro Community Drug Service)	Substance Abuse
Catherine Crawford and Heather Jones	Projects at the Institute of Child Health Research FASD – Implications for Criminal Practice
Wendy Hughes	Ethical Issues for Prosecutors
Dom Brunello and Peter Collins	The Implications of the High Court Decisions in Munda & Bugmy in the Sentencing of Aboriginal Offenders
Rob Owen	Contested Hearings – Issues in relation to Identification, Self Defence and Accident/Mistake
Wendy Hughes	A Step by Step Guide on Prior Inconsistence Statements
Peter Collins	Media Workshop
Raewyn Munch	FASD
Alice Barter	Aboriginal Driving Issues
Scott Corrish	Forensic Pathology
Dom Brunello	Admissibility of Video Recorded Interviews

W Hughes (Pro Bono): Dealing with Witnesses, Ten Things a prosecutor Should Never Do During Trial, Court Etiquette, Lexis Nexis: Legal Research Training, a Barter: LAWA Legal Resources and Civil Unit Procedures.

Acknowledgements

ALSWA gratefully acknowledges the financial assistance of the Australian Government Attorney-General's Department.

ALSWA also acknowledges the assistance of Lexis Nexis relating to online and hard copy subscriptions.

ALSWA 40th Anniversary Gala Event Acknowledgements and Thanks

To our Sponsors, the Aboriginal Alcohol and Drug Service, Yorganop Association, Corrs Chambers Westgarth and Lavan Legal;

Leederville campus C.I.T. Deadly Futures students and staff for the commemorative Wood Burnt Boomerang keepsakes for all guests;

Sculptor Robert Hitchcock for donating the Yagan Statue to ALSWA for the Silent Auction;

Olivia Forbes and Kristy Knott from Event Travel Management for assistance with the event coordination and presentation;

The Scene Team for event photos;

Fiona Skyring for photos;

ALSWA staff Sue Nicholls, Jodi Hoffmann, Bronagh Morgan, Angela Bromfield, (Event Organising Committee,) with CEO Dennis Eggington.

And a special thanks to all who have contributed to and shared the journey of the Aboriginal Legal Service of Western Australia (Inc) since our beginnings forty years ago.


NOTES

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NOTES

[illegible]

NOTES



CELEBRATING 40 YEARS OF ALSHIN YIRRA

FEATURING

COUNTRY BY BARRY MCGUIRE

LIACORE AND IAN HARRISON

PERFORMANCES BY

IONS DIDGERIDOO PLAYING

KEENYARRA DANCE GROUP

AN YOUTH CREW

THE MERINDAS

YABU BAND

AL DRESS



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