

ANNUAL REPORT

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*ALSWA's South Hedland and Roebourne offices have now been closed.



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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.

EXECUTIVE COMMITTEE PRESIDENT



MICHAEL BLURTON

Welcome to the 2015 Annual Report of the Aboriginal Legal Service of Western Australia Inc (ALSWA).

It gives me great pride to present the President's Report on behalf of the ALSWA Executive Committee.

The past twelve months has been a time of great change for the ALSWA and seen our Executive Committee reduced from sixteen to eight members. To our previous members, a sincere thank-you for your involvement and important input to ALSWA.

I am proud to work alongside our newly elected Committee Members, each of whom are highly experienced and respected, and have the skills and expertise to take our organisation to the next level.

We are all excited about the input we will have into the future of ALSWA's operational procedures, organisational functions and policy direction, because it will be a time of great change in our operational procedures.

For our staff members, the past twelve months has been particularly worrying with the uncertainty of possible funding cuts, job losses and office closures. I would like to commend our staff for their patience and diligence in carrying out their roles, despite concerns about job security during this period. I also acknowledge the additional pressure that this has placed on our Senior Management team and thank them for their efforts, during very trying times.

Despite the changes ahead, our community members can be assured that the Aboriginal Legal Service of Western Australia will continue to provide a vital legal service for Aboriginal and Torres Strait Islander peoples in this State.

This Annual Report will provide you with a greater understanding of the unique role that we play within the justice system in Western Australia.

Michael Blurton



CHIEF EXECUTIVE OFFICER



ADJUNCT PROFESSOR DENNIS EGGINGTON

As the CEO of the Aboriginal Legal Service of Western Australia (Inc) I am proud to present our organisation's 2015 Annual Report.

In doing so, I wish to pay my respects to the Wadjuk people and their Elders past and present. I also acknowledge their Country on which our head office in Perth stands.

This 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).

Our forty year old organisation will transition greatly in the months ahead, as we move from an incorporated body to a Company Limited by Guarantee. To expedite this change we have a 'new look' Executive Committee, consisting of eight highly skilled members, all of whom have been voted in by their respective communities. This is a shift from our usual sixteen member committee, and will provide us with a more streamlined and cost effective approach to business and decision making at a time of such great change. As part of our transition, we will also investigate options for establishing a for-profit arm. With government funding decreasing, it is vital that we explore other income gaining options, so that we are not totally reliant upon Commonwealth funding.

I am pleased to advise that in a landmark move. organisation our has received State some through funding, Youth Justice Innovation Board which will enable ALSWA to employ a (50d) female and male Diversion Officer, will provide individualised



case management, counselling, mentoring and support services to ALSWA clients appearing in the Perth Children's Court.

ALSWA has always advocated strongly for diversionary programs so this initiative is greatly welcomed because it will ensure that our clients receive appropriate support and remain effectively engaged in the court process and the ongoing process of rehabilitation.

I would like to express my thanks to our Executive Committee, Management and staff who, despite a difficult year of employment and funding uncertainty, have remained on task and focussed on our ongoing work. Whilst some staff members have left ALSWA over the previous months, their efforts during their time with our organisation, are greatly appreciated.

Special mention must also be given to Robert 'Bono' Bonson who will retire from ALSWA in September this year at age 75. Originally from the Northern Territory, Bono spent almost 26 years with our organisation between 1986 and 2001 and 2005 and 2015, which included being CEO during 1989/90.



Robert 'Bono' Bonson will retire from ALSWA in 2015

Specialising in Children's Court matters, he has worked with hundreds of our young people and their families over the years and is greatly respected by staff at the Children's Court, community members and our ALSWA team. A wonderful mentor to our lawyers and court officers, we wish Robert Bonson the very best for the future and sincerely thank him for his efforts and dedication in working with our people in Western Australia.

Sadly, I could not end my report without special mention of the passing of some members of our ALSWA 'family': Violet Whitby, a former Executive Committee Member for the Murchison/Gascoyne region, Barrister Robert (Bob) Richardson who assisted many ALSWA clients over many years, and Nikki Dwyer, a young and vibrant lawyer who played a key role in WA's landmark Stolen Generations Test Case, sadly losing her battle with cancer. You are all greatly missed and we thank you for your commitment in contributing to a fairer justice system for our people in WA.

Dennis Eggington







ALSWA CEO Dennis Eggington pictured with Claire Mallinson, Amnesty International Director, at the launch of Amnesty's Report "Keeping Indigenous Kids in the Community and out of Detention in Western Australia", launched at ALSWA Head Office in Perth. (Photo AIA Richard Wainwright®)









Above: Open Letter about Adam Goodes and racism in sport by Dennis Eggington, and Above: The proposal to close remote Aboriginal communities in WA has attracted much criticism nationally and internationally and Dennis Eggington (ALSWA CEO, Above Right) addresses the crowd gathered at the Perth Rally outside Parliament House.

THE PROPOSAL TO CLOSE REMOTE COMMUNITIES IN WA



Delivered by Dennis Eggington at the Castan Centre for Human Rights Conference in Melbourne in 2015.

227 years ago this land was forcibly and illegally taken by the English. Complex and profound cultures had lived and sustained themselves on this continent for over 50,000 years.

The horrifying mistreatment of Aboriginal and Torres Strait Islanders is documented and beyond the scope of today's talk, but it includes ethnic cleansing and dispossession, terra forming of our lands the introduction of new diseases, massacres and extensive physical violence, and the denial of language and cultural practices.

Much of this is understood by Australians. What, however, is not understood, is that these acts are not a relic of the past. The lasting impacts of this conquest continue to be felt amongst Australia's First Nations peoples not just by generational trauma, but by continued acts of oppression. Since the time of colonisation, these acts of oppression have been justified by Australia so it can maintain its moral righteousness. Quite paradoxically at the same time the Rule of Law was evolving with notions of equity, due process, and procedural fairness as was the Enlightenment formulating notions of the universal rights of man. In reality this righteousness has always inelegantly concealed a chimera.

Land was taken as terra nullius because our people had neither laid down fences nor marked plots visible to the European eye, and had not toiled to reap profit from land, and so Europeans justified their occupation in considering the land unoccupied. Racist social Darwinist theories cast Aboriginal people as either innocent or dangerous savages who needed guardianship and protection from themselves. Children from mixed-heritage families were forcibly removed from their Aboriginal parents to maintain distinct racial lines while also offering mixed-heritage Aboriginal people an opportunity to realise the potential of their relative whiteness.

The bankruptcy of these moral justifications becomes clearer as Australians move further away from the realities of their history. From the binoculars of 2015, 1788 seems absolutely oppressive. But by the same token, it is difficult for Australians to understand the repugnancy



of today's justifications and actions. If Australians reflect deeply on their actions with respect to Aboriginal peoples today, they would see that they continue to oppress:

- Namely through the continued dispossession of people and lands by the denial of land rights claims and the priority of other forms of title over native title;
- through the proposed closure of remote communities;
- through the stark differences in access to health, and disparity in health between Aboriginal and non-Aboriginal people;
- through the lack of personal freedoms caused by the highest incarceration rates in the world of a people;
- the continued high rates of removal of children from home care;
- and by the lack of genuine attempts to reconnect Aboriginal Australia, and connect non-Aboriginal Australia, with Aboriginal culture and language.

Australia justifies today's actions in the same way as it has always done. Suggesting we, as a people, are incapable of determining our own lives, and so as always, are in need of intervention. On the 15 of June 2007, the Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, set up by the Northern Territory Government of Australia, released a report entitled "Little Children are Sacred". The Report was commissioned to examine claims of child sexual abuse in remote Indigenous communities in the Northern Territory. In response to the Report, the Australian Federal Government announced the Northern Territory National Emergency Response, which came to be known in Australia as the Intervention.

The Intervention comprised a number of measures. Most dramatically, the Commonwealth called upon the Australian Defence Force to assist in an operation in support of the Intervention. In addition to the deployment, the legislation enacted by the Commonwealth, affected a whole host of other measures, including the provision of funding for some community services, and abolishing funding for others. Most significantly, because the measures of the Intervention specifically targeted Aboriginal people, the Commonwealth suspended the operation of the Racial Discrimination Act 1975 with respect to the measures that were being implemented.

As part of the Intervention, fifty to one hundred percent % of welfare payments were withheld from individuals in the prescribed areas, as well as individuals responsible for the care of children. The withheld funds would be used for food and groceries on a card called the Basics Card. This had the consequence of making people stand in long and separate queues outside Centrelink offices and shops. Elders in the communities considered the Income Management scheme a return to the 'ration days' of earlier generations, where Indigenous Australians were paid in food rations for work they undertook, instead of wages.

One Gurindji elder at Tennant Creek noted that Income Management was: "Roughing people [like in the ration days]. Like this one now, where they giving me paper for tucker still might be. Only little bit money going on the keycard - \$150. I used to get \$400 every fortnight. But we don't get much money now. We get paper for tucker and not much money in the keycard. Might be old day again". And a community member from Ti-Tree in August of 2008 said: "It's a high mark up and a lot of embarrassment. It's downgrading people, because they want to do their own shopping. Those old women, it's reminding them of when they were kids and they used to get passed out rations out on the stations".

If the government had been serious about tackling substance abuse and violence, how could it have achieved this by humiliating people? What if for every army officer they had sent a doctor, a nurse, and a teacher instead?

Oombulgurri was a community in the East Kimberley region of Western Australia, 45 kilometres northwest of Wyndham. It was closed in September 2011 and its closure followed a sexual assault taskforce, and a coronial inquest, that highlighted serious social dysfunction with high rates of youth suicide, family violence, sexual abuse and substance abuse.



The community was formerly known as the Forrest River Mission, established by the Anglican Church temporarily in 1896, then made permanent in 1913. The Anglican priest who took charge of the mission from 1913 until the 1930s had previously administered the Yarrabah Community in Queensland, and subsequently went on to administer the Palm Island Community. All three communities have suffered serious social dysfunction since the closure of the missions, and there is ample evidence of authoritarian control, frequent physical punishment of children and adults, and sexual abuse during his tenure. And of course, this was another mission where many children had been stolen from their parents, and where most were forced to work without payment. Many died in a flu epidemic in 1926, and in the same year, a massacre took place in Oombulgurri, which became the subject of a Royal Commission. The mission was closed in 1969 and in 1973 it was re-settled and renamed Oombulgurri. Many of the problems which existed within Oombulgurri were not solved by its closure; they were simply shifted. Many of the residents who left Oombulgurri re-settled in Wyndham with relatives. Others faced homelessness and extreme shortages in housing. Further, it is unclear what measures, if any, were taken to deal with the issues of violence and substance abuse.



Again, if the government were serious in its concerns, why not send in more teachers, more doctors, more nurses? Why not ask the community what it wanted, and needed?

This is a non-consultative approach, where decisions are made from the top-down. There is no attempt to empower people to address the impacts of their trauma, which enables the cycle of disadvantage and dysfunction to continue, as it has since colonisation. When the attitude is paternalistic and morally flawed, the pathway becomes repugnant, with every outcome that decision makers seek, becoming morally flawed and corrupted.

The WA government last year announced an intention to cease funding essential services altogether to a number of remote communities. The narrative around this debate was originally framed around economic viability, but soon changed to dysfunction, with a focus on high rates of sexual and family violence. The National Partnership Agreements are agreements between the Commonwealth of Australia and the states and territories. They are included in the Closing the Gap Policy, which is a strategy that aims to reduce Indigenous disadvantage, with respect to life expectancy, child mortality, access to education and employment outcomes.

The Agreement in focus here is the National Partnership Agreement on Remote Indigenous Housing. The purpose of this Agreement is to develop a strategy to improve the poor standard of housing in remote Australia. It is a \$5.5 billion dollar agreement covering all states and territories. Under this agreement, WA has received \$496 million dollars for new housing, repairs and maintenance of remote Indigenous communities in WA. In return for this money, the States had to agree to start managing those tenancies. In order to do this, the WA Parliament passed amendments to the Housing Act in 2010, which enabled them to start managing properties through the signing of Housing Management Agreements.

Since this time, they have been working, community by community, to sign up on the housing agreements. The agreements place the properties under the supervision of the State Department of Housing, as mainstream public housing tenancy arrangements, rather than leaving them to local Aboriginal corporations. They also give tenants' rights, for example a reasonable expectation that their houses will be maintained, and responsibilities, such as caring for the property and paying rent. The National Partnership Agreement on Remote Indigenous Housing expires in 2018. No new national partnership agreement has so far been announced. In September 2014, the Federal Government announced they had reached 'historic agreements' with the States of Western Australia, Queensland, Victoria and Tasmania, to hand over responsibility for essential and municipal services. New South Wales and the Northern Territory are already covered by other agreements. There has been no agreement made with South Australia. Under this agreement, WA has taken \$90 million dollars for essential and municipal services until 2018. After that, there will be no Commonwealth funding for essential and municipal services, housing, repairs or infrastructure. Essential and municipal services include power, water, health, waste disposal and education - the minimum standard in basic necessities such as sanitation and clean water. These are all necessary human rights.

The government has been determining for some time which communities they will negotiate housing agreements with. A document prepared by the Federal Government in 2010, titled "Priority Investment Communities – WA" was leaked in March this year. This document outlines 192 communities as Category A, B and C. Category C are deemed most at risk and are not likely to be invested in. This document makes no mention of safety, sexual abuse or child neglect as criteria for assessing sustainability. The communities that are most likely to be at risk are outstations, and those without housing agreements. There are also discrepancies in the mapping and counting of communities. An Environmental Needs Assessment Survey undertaken in 2004, refers to, and lists in detail 274 communities, including the extent of housing infrastructure in each community. Maps of the Department of Aboriginal Affairs from 2013, also clearly showed these communities. In December 2014, however, Aboriginal Affairs Minister Peter Collier confirmed that there were 205 permanent communities in WA. The reason for the discrepancy in community numbers is unclear.

Although no specific communities have yet been named, I have seen anxiety, fear and psychological trauma across the state as a result of these announcements. The most insidious aspect of this announcement is that at no stage were Aboriginal communities and elders consulted. The impacts of closing such communities will be overwhelming. Once again, our people will be displaced and dispossessed from their lands, resulting in a physical, spiritual, and psychological disconnect to land and culture; people will be moved to regional hubs, areas they have no relationship with, and which are already stretched for housing and resources. This will lead to much greater social disadvantage and higher rates of crime and incarceration. It will be Oombulgurri on a wider scale.

Already we have heard rumblings of the same issue from the Northern Territory. When Colonisation occurred 230 years ago, it had different impacts on each of the First Nations peoples, depending on where they were, and what land was wanted for European settlement. My peoples' country (Nyungar Country) is in the South West of Western Australia and includes Perth city. This area suffered a very different impact, than say, the diversity of Aboriginal peoples in the Kimberley region in the state's north. It is why, although Mabo recognised Native Title, it was held that Native Title was extinguished in areas like Perth, even though that title is very much alive to my people.

Surely then, there is something deeply insidious about the act of causing the removal of people from their lands, 230 years after the initial colonisation. Who, by virtue of their relative isolation, have been able to maintain a more un-interrupted connection to Country. This is clearly a breach of a number of human rights. Australia is a state party to the International Covenant on Civil and Political Rights, which asserts that minority groups shall not be denied the right to enjoy their culture and practice their belief systems (Article 27), and that no one should be subjected to arbitrary interference with their home (Article 17). Australia is also a state party to the International Covenant on Economic, Social and Cultural Rights,



which affords all people the right of self-determination. Finally, in 2009, Australia endorsed the Declaration on the Rights of Indigenous Peoples. While it is not legally binding like the treaties mentioned above, it reflects the intention and commitment of endorsing parties. The Declaration states that Indigenous peoples have the right to self-determination, and more specifically:

"Indigenous peoples shall not be forcibly removed from their lands or territories. No re-location shall take place without the free, prior and informed consent of the Indigenous peoples concerned, and after agreement on just and fair compensation and, where possible, with the option of return". Article 10

Whether it is binding or not, the body of the Rule of Law, and the human rights system to which Australia is a State Party, reflects the intention of the law. Moreover, the Declaration arguably reflects customary law, given its widespread acceptance by States globally. In withdrawing essential services to these communities, Australia is operating outside of its legal duties and obligations. But to me, this is beyond a matter of mere human rights.

It challenges our very humanity. By continuing to cast, see and treat us as the "other" Australians, this country denies the common humanity between us. From my perspective, there is a direct line from the original conquest of Australia in 1788:

- to the massacres that followed, at sites with fertile and farmable lands, along the coast of the country,
- to the policies that forcibly removed fairer children from their darker parents, into missions where serious abuse was rife,
- to the top-down Intervention where lands were compulsorily acquired, and the Racial Discrimination Act was frozen for Aboriginal peoples,
- to the closure of communities like Oombulgurri
- and the closures that are now being proposed by the Western Australian State Government.

The direct line is this. The settler society has always cast us as the 'other'. Too dangerous or naive to take charge of our own destinies, and therefore, policies, whether they have been intended to help or otherwise, have always failed. To frame the debate around sexual violence and Aboriginal people, creates a bogeyman which legitimizes government conduct that is offensive and oppressive. It plays on a seductive fear of the 'other', a racist fear that plays on the community's basest instincts. The government justifies its conduct of freezing the Racial Discrimination Act, or closing regional communities, because it is 'protecting' children from sexual violence, and it is protecting Aboriginal people from themselves. It signals that Aboriginal people are dangerous, Aboriginal people are un-civilised, and therefore we need to shut these places down.

This goes to the very heart of Australia's relationship with its First Nations peoples, because, after 230 years of Colonisation, Australia continues to see us in the shadow of the "other", rather than to recognise the commonality between us. This is a deliberate strategy by the government which frames the debate in dishonest dichotomies that perpetuates racism and legitimise oppressive conduct, Aboriginal people and alcohol, Aboriginal people and domestic violence and Aboriginal people and sexual abuse.

How can Australia be serious about reconciliation and Constitutional inclusion, when on the one hand, farmers get subsidised if they are not economically viable and on the other, for the same reasons, our people get removed and their communities bulldozed.

It is not even 7 years since the Federal Government apologised for the practices which caused generations of physical, sexual, and emotional trauma on Aboriginal children. Trauma that will perpetuate social disadvantage for generations to come. Rather than open dialogue and empower communities to take charge of our own destinies, the government's response, is to shut it all down.

Isn't it clear that something far more sinister is at hand? Isn't it clear that it is mainstream Australia, and not its first peoples, that continue to be the bogeyman?

(Castan Centre photos by Fred Hugo)





ALSWA EXECUTIVE COMMITTEE OFFICE BEARERS AS AT 30 JUNE 2015

MICHAEL BLURTON

CENTRAL REGION PRESIDENT



Michael Blurton is a Ballardong Noongar from the Wheatbelt town of Quairading, and has a long association with ALSWA. His involvement with the Aboriginal Legal Service of WA spans back to the 1970's when he worked as a Field/Court Officer for seven years. Michael, a former and current President, has served on ALSWA's Executive Committee for twelve years. Greatly committed to the work of ALSWA, Michael supports and promotes the vital role this organisation plays in striving for justice and supporting our Aboriginal and Torres Strait Islander peoples within the justice system.

GLEN COLBUNG

SOUTH WEST REGION VICE PRESIDENT



Glen Colbung is a Noongar man from Albany, just over 400 kilometres south east of Perth. A former President of the Aboriginal Legal Service of WA, he first became involved with the organisation during the 1970's and has been involved with the Executive Committee for approximately 20 years over the organisation's forty year history. Glen is greatly committed to maintaining a strong legal service for our people which provides legal support and representation on all legal matters throughout the State, and looks forward to contributing towards ALSWA's journey in moving forward.

KATHY WATSON

WEST KIMBERLEY REGION SECRETARY



Kathy Watson is a Nyngina woman on her mother's side and Gidga on her father's and is from Broome in the West Kimberley. An Executive Community member for the past three years, she is passionate about legal issues for our Community members and staff of the Aboriginal Legal Service of WA. For Kathy, all issues facing our people are important but she would like to see more Cultural input into court matters, particularly within District Courts.

JIM LEWIS

EAST KIMBERLEY REGION TREASURER



Jim Lewis is a Gija man from Wyndham in the East Kimberley region. 2015 marks his first involvement with the Aboriginal Legal Service of WA and he was motivated to become involved with the Executive Committee because of the current challenges facing our people and organisations across all sectors. Jim is deeply committed to social justice issues, equality and equity for our people and working with our Communities to create more employment and business development opportunities for the future.

ALSWA EXECUTIVE COMMITTEE MEMBERS AS AT 30 JUNE 2015

PRESTON THOMAS

CENTRAL DESERT REGION



PAUL BARON MURCHISON

GASCOYNE REGION



Preston Thomas is from Laverton and has lived in Kanpa Community for over 20 years. Kanpa is located in relatively close proximity to Warburton Community. With a long association with the Aboriginal Legal Service of WA through his role on the Executive Committee, Preston is deeply committed to the issues facing our people and the vital work done by ALSWA within WA's justice system.

DONALD ABDULLAH

GOLDFIELDS REGION



Donald Abdullah is a Wongi man from Esperance, which is located on Western Australia's south east coast. 2015 marks his first involvement with the ALSWA Executive Committee and he looks forward to gaining a greater insight into this State's justice system and having input into the complex issues facing our peoples.

Donald is dedicated to supporting Aboriginal and Torres Strait Islander peoples and feels strongly about keeping our young people out of prison, being supportive of women who face domestic violence and providing guidance on legal matters.

Paul Baron is a Yamatji man from Carnarvon which is approximately 900 kilometres north of Perth. 2015 marks his first involvement with the Aboriginal Legal Service of WA and he shares the vision in working with ALSWA through its proposed re-structure. Paul also supports the promotion of ALSWA's important work and is committed to highlighting the organisation's fresh outlook for the future. Issues of importance for Paul include the provision of appropriate legal services for our people and the expansion of core legal and other unique services, developed and delivered by ALSWA and its new entities.

PILBARA REGION - Currently Vacant



EXECUTIVE OFFICER



JOHN BEDFORD

I am pleased to report that after months of negotiations during the latter part of 2013/214, a new Enterprise Bargaining Agreement (EBA) was struck with between ALSWA Management and our employees. This agreement is currently in the West Australian Industrial Relations Commission (WAIRC) and pending approval from the WAIRC, it will come into effect in the 2015/2016 financial year.

In terms of grant funding, in late 2014/15 the AGD made an offer of \$100,000 to provide for the activity "Data Standardisation Assistance". Essentially what this means is funds will be provided assist with the purchase of data system software to replace our current system.

The Family Law project for which we received additional funds and which ran concurrently with our main Family Law program has now ceased. No further additional funds were received from the Attorney Generals Department (AGD) for this purpose.

During 2014/15, ALSWA's financial accounting practices were independently audited by the accounting firm McGrath Nichol as part of our standard contractual obligations to the AGD. Any concerns relating to financial accounting practices were mutually resolved and we have met our obligations in terms of reporting in line with recognised Australian accounting standards. I am of the firm belief that all expenditure has been spent in accordance with the purpose for which it was provided and as outlined in our Funding Agreement.

Coupled with this, our end of year accounts have been audited by our appointed external auditor and again we continue to attain another unqualified Audit Report.

As indicated in the 2014/15 audited set of accounts, an overspend occurred in the "Indigenous Legal Assistance Programme activity. We will endeavour to use unspent AGD funds from previous years to offset this deficit.

Human Resources

As at 30 June 2015, ALSWA employed 112 staff. Of this number, 35 identified as Indigenous. This represents 31% Indigenous employees within our current workforce.

Continuing Professional Development (CPD) was offered throughout the course of 2014/15 for legal staff. Various CPD seminars were undertaken.

Training for non-legal staff also took place, and various courses and seminars assisted with ongoing professional development. In addition to this, a workshop was conducted in Broome in early June 2015 providing administrative staff with an overview of the proposed data system and cross cultural development. Providing cross cultural training to our staff is an essential part of working in an Aboriginal organisation.



Above: 'Circle of Life' Presentation at the inaugural Administration Conference, presented by ALSWA Court Officer Steven Carter, and **Below**: Cultural Tour in Yawuru Country



Once again I am grateful to our Administrative team that provides invaluable support to our Legal team.

John Bedford



DIRECTOR LEGAL SERVICES



PETER COLLINS

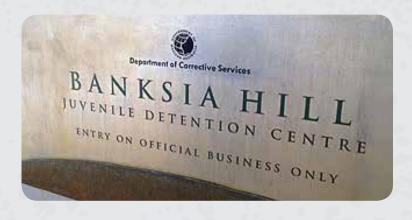
The past year has been a difficult one, with ongoing uncertainty about funding levels for ALSWA causing great anxiety for staff.

Despite this, ALSWA has continued to provide high quality, culturally competent and accessible legal services for the Aboriginal community in WA. This is due entirely to the remarkable dedication and hard work of ALSWA lawyers, court officers and support staff. However, it is becoming increasingly difficult to maintain consistently high standards in a funding environment where there is an ever increasing volume of work and fewer staff to undertake it, without additional resources being made available.

For ALSWA's clients, the challenges posed by systemic disadvantage, stemming from geographical isolation, the absence of interpreters in Aboriginal languages, inadequate rehabilitation and diversionary resources, especially in regional and remote communities, along with increasing rates of mental illness and cognitive impairments, means that equal access to justice remains an illusory concept.

This situation is compounded by the mass incarceration of the Aboriginal community in WA. Aboriginal children suffer terribly in this regard; despite comprising only 6.4 per cent of the population of 10 to 17-year-olds, almost 62% of children who are arrested by police are Aboriginal.

By contrast, Aboriginal children make up just 34% of those who receive police cautions and 50% of those who receive juvenile justice team referrals. Further, Aboriginal children are 53 times more likely to be incarcerated in WA than non-Aboriginal children and comprise nearly 80% of the total juvenile detention population.



CRIMINAL LAW

ALSWA's criminal law practice is unlike any other in the legal assistance sector in WA, with lawyers appearing as counsel across the entire spectrum of criminal law matters, from appeals before the Court of Appeal and murder trials, to providing duty lawyer services in the Magistrates and Children's Court.

The demands placed upon lawyers and court officers in the Criminal Law Unit in Perth and ALSWA's regional offices, with ever lengthening court lists and sittings, heavy file caseloads, increasingly complex prosecutions and the multi layered issues confronting clients, have been unremitting. However, at every level, the quality of service provided in criminal law has been exemplary. Lawyers have had success in appeals before the Supreme Court, in jury trials in the Supreme and District Courts, including homicide matters, and in a range of cases in the Magistrates and Children's Courts. The work performed by lawyers and court officers in the Children's Court jurisdiction is deserving of special mention.



ALSWA Court Officers Dennis 'Sorgi' Eggington and Darlene Summers

FAMILY LAW UNIT

The Family Law Unit has done an excellent job with very limited resources, servicing the Perth metropolitan area and undertaking as much work in regional areas as possible, including circuit work for court matters, as well as appearing in many matters via telephone or video link.

The one-off funding provided to ALSWA in 2013 for family law services was used for the provision of regional family law services in the West Kimberley and Goldfields areas, providing invaluable assistance for many clients in need. Unfortunately this funding was expended by mid-2015.

The Family Law Unit continues to undertake important work in all areas of family law, with a special focus on child protection cases in the Children's Court, and child welfare cases in the Family Court, involving allegations of harm to children and family violence. The Unit endeavours to target its limited resources at clients with high needs, for example, clients suffering from a disability or those experiencing social or geographic isolation.





ALSWA Family Law Unit staff include L-R Georgia Herford, Neil Anderson (FLU Manager), Suzi Marshall and Jonathon Reid

The Unit has undertaken a number of cases which are of significance for the entire Aboriginal community. For example, the Unit acted for a client whose niece was taken into State care at birth as the child's mother (the client's sister) was unable to look after her. In breach of its own case practice guidelines, the Department for Child Protection and Family Support ("CPFS") failed to assess placement of the child with a relative, and had instead decided that a non-Aboriginal foster carer would care for the child. Following determined advocacy and intensive assistance for the client, CPFS relented and eventually placed the child with the client ensuring that another Aboriginal child did not have to grow up outside of their natural family.



Paul Gazia ALSWA Civil/Human Rights Unit Manager

CIVIL AND HUMAN RIGHTS LAW UNIT

The Civil and Human Rights Law Unit has again focussed on trying to achieve justice and respect for Aboriginal people, especially in the areas of racial discrimination, equal opportunity and complaints against police and custodial authorities.

Assisting families of loved ones who have died in custody has also been an important area of practice for the Unit. The death of a 22 year old Aboriginal woman, following her arrest and detention in the South Hedland police watch-house for the non-payment of around \$1,000 in fines, highlights how Aboriginal people are continuing to die in custody in WA in appalling circumstances.

The Unit will act for the family of the deceased woman at a forthcoming Inquest, which will examine, among other things, how the use of imprisonment as a sanction for the non-payment of fines flies in the face of a number of important recommendations made by the Royal Commission into Aboriginal Deaths in Custody, amounts to a persecution of the poor and impacts disproportionately on Aboriginal people.

The Unit has continued to assist the Collard family in relation to their stolen generation litigation. The trial judge declined to make a costs order against the Collards, despite dismissing their claim. This decision was reversed by the Court of Appeal. The Unit is acting for the family in relation to a special leave application in the High Court which will seek to appeal the decision of the Court of Appeal.

After years of protracted negotiations, proceedings instituted by the family of Mr Ward (who died while being transported in the rear of a prison van) have been finalised by way of a confidential settlement in favour of the family.

The Unit's outreach program remains an outstanding success in seeking to address unmet civil law needs in regional and remote Aboriginal communities in WA.

POLICY AND LAW REFORM

ALSWA's senior policy officer, Victoria Williams, has done a wonderful job compiling a number of submissions in relation to the following topics:

Submission to the Commonwealth Senate Community Affairs References Committee Inquiry into Out of Home Care (30 October 2014)

This submission outlined a number of problems with the out-of-home-care system in Western Australia and emphasised serious issues in relation to children who are simultaneously involved in the justice and child protection systems. In addition, on 16 February 2015, the managing lawyer of ALSWA's Family Law Unit, Neil Anderson, provided evidence to the Inquiry.

Submission in Response to the Economic Regulation Authority's Issues Paper for its Inquiry into the Efficiency and Performance of Western Australia's prisons (15 December 2014)

ALSWA's submission argued that the overriding objective of the prison system should be community safety and also advocated for the following key issues to be considered by the inquiry: the lack of sufficient Aboriginal specific and culturally appropriate rehabilitation, education and training programs in Western Australian prisons; the unique health needs of Aboriginal prisoners; the need for a properly resourced state-wide Aboriginal interpreter service; and the need to support Aboriginal prisoners and their communities in relation to funeral attendance. ALSWA also met with representatives of the ERA in January 2015.



Submission in Response to the Royal Commission into Institutional Responses to Child Sexual Abuse Consultation Paper: Redress and Civil Litigation (February 2015)

ALSWA's submission agreed with the Commission's view that ideally a national redress scheme should be established with cooperation and involvement of the federal and state and territory governments and non-government institutions. ALSWA made various submissions in response to the issues covered by the Commission including forms of direct personal responses, counselling and psychological care; monetary payments; appropriate processes under a redress scheme and reform to civil litigation. ALSWA's submission was informed by its experience with Redress WA. Civil and Human Rights Law Unit lawyer, Sarouche Razi, gave evidence before the Royal Commission on 25 March 2015.

Submission to WA Labor Discussion Paper Locking In Poverty: How Western Australia Drives the Poor, Women and Aboriginal People to Prison (March 2015)

ALSWA provided a comprehensive submission outlining various problems with the fines enforcement system in Western Australia including the detrimental impact of imprisoning fine defaulters. Numerous recommendations were made including the adoption of an alternative scheme for vulnerable and disadvantaged fine defaulters. ALSWA is continuing its work in relation to appropriate reforms to the fines enforcement system.

Submission to the Senate Inquiry on Aboriginal and Torres Strait Islander Experiences of Law Enforcement and Justice Services (April 2015)

In addition to emphasising the deficiencies in terms of funding of legal services, ALSWA included a lengthy discussion about mandatory sentencing in Western Australia and numerous examples of structural bias within the system (eg, lack of interpreters, lack of Aboriginal-specific programs and services, punitive bail laws and practices, over-policing of Aboriginal people, imprisonment for unpaid fines etc). ALSWA also expressed its support for a justice reinvestment approach and the inclusion of justice targets. Dennis Eggington and I gave evidence before the Committee on 4 August 2015.

Submission in Response to the Report of the Review of the Commissioner for Children and Young People Act 2006 (WA) (November 2014)

This submission was also provided to the Parliamentary Joint Standing Committee on the Commissioner for Children and Young People Review of the Functions Exercised by the Commissioner. Victoria Williams gave evidence before this Committee on 15 June 2015.

Submission to the Review of the Criminal Law (Mentally Impaired Accused) Act 1 1996: Discussion Paper (December 2014)

ALSWA provided a comprehensive submission in response to a Discussion Paper prepared by the Department of the Attorney General focusing on the lack of options for mentally impaired accused who are found unfit to stand trial and the indefinite nature of custody orders. On 13 May 2015 ALSWA attended a forum convened by the Western Australian Association for Mental Health and Development Disability WA. Following this forum a document outlining the key priorities for reform was developed.

Letter to various members of the Opposition in relation to the Criminal Law Amendment (Home Burglary and Other Offences) Bill 2014 (WA) (July 2014)

This letter outlined ALSWA's concerns in regard to proposed extension of existing mandatory sentencing laws for home burglaries and the introduction of minimum mandatory sentences for other offences.

Letter to the Hon Nigel Scullion in relation to the need for a Custody Notification Service in Western Australia (October 2014)

ALSWA called for the establishment of a custody notification services (such as the one that exists in New South Wales) for Western Australia (and, ideally across the nation). The letter emphasised the need for such a service to be properly resourced given that ALSWA currently does not receive funding for this purpose. ALSWA is continuing its work in relation to advocating for a custody notification service in Western Australia.

Letter to the Western Australia Ombudsman in relation to the Criminal Code Amendment (Infringement Notices) Act 2011 (WA) (May 2015)

This legislation commenced in March 2015 and enables police to issue an infringement notice for disorderly conduct and stealing (where the value of the property stolen does not exceed \$500). Under the legislation the Ombudsman is required to review the first 12 months operation of the scheme and, in particular, review the impact of the scheme on Aboriginal and Torres Strait Islander communities. In May 2015 ALSWA wrote to the Ombudsman outlining its concerns about the potential detrimental impact of the scheme on Aboriginal people and subsequently met with representatives from the Ombudsman's office on 25 June 2015.



OTHER POLICY WORK

From July to October 2014, ALSWA contributed to Amnesty International's campaign in regard to the overrepresentation of Aboriginal children in the justice system by way of consultations, providing written responses to questions posed by Amnesty and by providing feedback to its draft reports. The launch of Amnesty's Western Australia report was held at ALSWA on 11 June 2015.

ALSWA participates in a Western Australian social reinvestment campaign by attending meetings and providing other policy support.

On 13 May 2015, ALSWA was advised that it had been successful with its application for funding to the Youth Justice Innovation Fund for a program whereby two Aboriginal diversion officers will work onsite alongside ALSWA lawyers and court officers in the Perth Children's Court to provide a range of services (e.g., case management, counselling, mentoring, referrals to external programs and practical assistance) to Aboriginal young people appearing in that court. The recruitment process for the two positions has commenced.

In May 2015 ALSWA was provided with a confidential draft Youth Justice Framework for Western Australia. ALSWA provided feedback and comments on this draft to the Deputy Commissioner, Youth Justice Service of the Department of Corrective Services. The feedback related to the importance of including a clear upfront statement about why the Western Australian youth justice system requires a new framework – i.e., that the system is not currently working as well as it should and that Aboriginal children comprise almost 80% of the detention population.

The managing lawyer of ALSWA's Court Officer Unit, Julie Waud, represents ALSWA on the Steering Groups for the Telethon Kids Institute Alcohol and Pregnancy and FASD research and Banksia Hill FASD Project. The first project involves the development and evaluation of educational resources for justice professionals. On 29 April 2015 a series of professional development videos were launched by the Chief Justice of Western Australia. The second study aims to 'evaluate the feasibility and effectiveness of two interventions to improve the identification and management of youth with FASD in the justice system'.



ALSWA'S PRO BONO PARTNERS

ALSWA has further strengthened its pro bono networks and has received much welcomed assistance from the following: Lavan Legal, King Wood Mallesons, Allens Linklaters, Ashurst, K and L Gates, DLA Piper, Freehills, Corrs Chambers Westgarth, Slater & Gordon, and the Human Rights Law Centre.

I would also like to acknowledge the pro bono contributions of the following barristers: Ron Merkel QC, Peter Callaghan SC, Sam Van Dongen SC, Peter Quinlan SC, Laurie Levy SC (now Levy DCJ), Matt Howard SC, Kim Lendich, Justin Edwards, Scott Corish, Ben Gauntlett, Maria Saraceni and Ian Marshall.

ACKNOWLEDGMENTS

It has been a privilege to work for ALSWA as it celebrates the 40th anniversary of providing legal services to the Aboriginal community in WA. I thank the Executive Committee and Senior Management for their support and ALSWA's staff for their commitment, professionalism and understanding.

Unfortunately, ALSWA lost some much loved people during the year.

Former ALSWA lawyer Nikki Dwyer passed away several months ago (see page 33).

Nikki was a wonderfully kind, generous and intelligent person. She was also an excellent lawyer, who undertook important work at ALSWA, including assisting the Collard family in relation to their stolen generation litigation in the Supreme Court.

Nikki was married to another former ALSWA lawyer, Tony Hager. They have a young son, Humphrey. Our heartfelt condolences go out to Tony and their respective families.

Barrister Bob Richardson also passed away during the year. Bob was a great champion of ALSWA and appeared in many important cases on behalf of Aboriginal clients over the years. He too will missed by all.

Peter Collins



COMMUNITY LEGAL EDUCATION / MEDIA

JODI HOFFMANN

Despite not having a Community Legal Education (CLE) Officer over the past twelve months, ALSWA has done its utmost to remain involved in community events to ensure that information about the law and our services, is reaching our community members. There is always great attendance at Community events in Perth, with the big calendar events including Survival, NAIDOC Week and Sorry Day. ALSWA also welcomes the opportunity to host information sessions in-house and externally to widen the knowledge about ALSWA's role in providing legal services and support to Aboriginal and Torres Strait Islander peoples in WA.







Suzanne Randall, Loren Pavey, Tarah Phillips and Jodi Hoffmann at the Ashfield NAIDOC Family Day and Sarouche Razi and Alex Walters at Perth Survival on 26 January





Sorry Day 26 May (Back Row L-R) Rushika Patrick, Hayley O'Hara, Julie Waud, Monica Collard, Suzanne Randall (Front Row L-R) Jodi Hoffmann, Tarah Phillips, Carmen Ward



LAW MATTERS RADIO PROGRAM

October 2015 will mark five years since ALSWA's Law Matters radio program commenced on 6NME Noongar Radio in Perth. The fortnightly radio program is produced and presented by ALSWA Media Officer Jodi Hoffmann.

The listening audience of Law Matters has expanded greatly over the past year and is now not only heard on Noongar Radio in Perth, but also nationally via the National Indigenous Radio Service (NIRS) and in regional WA on Wangi Yupurnanuppurru in Fitzroy Crossing and Tjuma Pulka in Kalgoorlie.



ALSWA Executive Committee President Michael Blurton speaking on Law Matters

Law Matters interviews over the past year include ALSWA staff and committee representatives, along with Eddie Cubillo (NATSILS), Krista McKeeken (Aboriginal Lawyers Committee), Fiona Allison (Researcher, The Cairns Institute), Timothy Pilgrim (Privacy Commissioner), Matthew Keogh (Law Society of WA), Tammy Solonec (Amnesty International), Delia Rickard (Australian Competition and Consumer Commission), Gningala Yarran-Mark, Fred Chaney AO (Australian Senior of the Year), Professor Colleen Hayward, Associate Professor Ted Wilkes, Rohan Blee, Wayne Martin (WA Chief Justice), Marc Newhouse (Deaths in Custody Watch Committee), David Hillyard (Consumer Protection), Shane Duffy (NATSILS), John Schumann (formerly Redgum), John Schnarrs (Honouring Indigenous War Graves), Kirstie Parker (National Justice Coalition), Mick Gooda (Social Justice Commissioner AHRC) and Jim Morrison from the Bringing them Home Committee in WA.

ALSWA is grateful to 6NME Noongar Radio 100.9 FM for the opportunity to have a regular program on their station, which ensures continued discussion about the diversity of legal issues faced by Aboriginal and Torres Strait Islander peoples in WA.

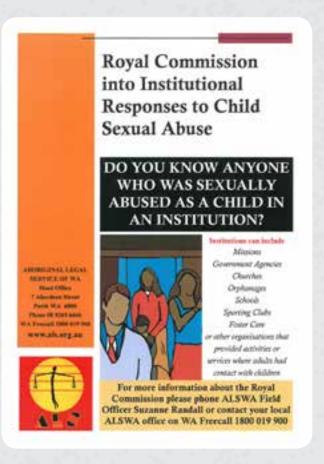
ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD **SEXUAL ABUSE**

To ensure that ALSWA's work and support in this area was Culturally appropriate, ALSWA's Suzanne Randall took on the role of Field Officer, assisting community members with their enquiries and follow up for the Royal Commission into Institutional Responses to Child Sexual Abuse.

Working as part of ALSWA's Civil/Human Rights Unit, the team's work included speaking out publicly about the Royal Commission, including on Radio Mama in Geraldton, along with:

- Attending Geraldton Resource Centre to advise employees how to access the Commission and how ALSWA could assist;
- Conduct client interviews at ALSWA's Perth head office:
- Attend Sydney Royal Commission meeting with Knowmore Legal Services;
- Attend Kimberley Stolen Generation Aboriginal Corporation meeting with CEO and RCIRSCA worker.
- Travelled with Knowmore to Carnarvon and attended Legal Aid to advise how ALSWA could assist with clients wishing to speak with Commission;
- Addressed community members to ascertain most efficient way to ensure information was reaching communities;
- Attended Mungullah Village and spoke with elders and left information and contact details.
- Visits to West Kimberley, along with the south west towns of Narrogin, Katanning, Wagin, Albany, speaking with local community members and leaving printed information relating to the Commission;
- Attended Information Session at Great Southern Aboriginal Health to inform workers about the Commission and the process of 'telling your story".







ALSWA WORKSHOPS / PUBLIC PRESENTATIONS

ALSWA is frequently asked to speak at public events or workshops and this is the ideal forum to let people know more about specific issues and the work of our organisation.

ALSWA CEO Dennis Eggington (pictured below) spoke at numerous events during the year, including a presentation at the WA 2015 Law Society of WA Summer School, at Perth's National Day of Action about the Closure of Communities, at the University of Notre Dame about Ethical issues in Law, and at the Amnesty International Justice Report launch, which took place at ALSWA's Perth head office.



ALSWA staff have a wealth of knowledge in their specialist areas, and Neil Anderson and Jonathon Reid from ALSWA's Family Law Unit also delivered a lecture to University of WA law students about the interaction between Indigenous peoples and the Australian family law system, looking at how the 'Anglo-centric' judicial system deals with cultural considerations in family law, while Albany Managing Solicitor Richard Hickson spoke with UWA Social Work students about Domestic Violence and the Law and Bunbury Practitioners about Restraining Orders.

REGIONAL OUTREACH AND CLE

Representatives from ALSWA's Civil and Human Rights Unit attended regional areas of the state intermittently over the past year to ensure that our service was reaching community members outside of the Perth CBD. The nature of these visits included Outreach and Community Legal Education work in Carnarvon, the Pilbara, Beagle Bay and the Ardyaloon and Djarindjin Communities.

INAUGURAL ADMINISTRATION CONFERENCE

Over thirty ALSWA staff members attended the inaugural Administration Conference in June 2015. The Kimberley town of Broome provided the ideal setting to gain a greater insight into Aboriginal Culture during a busy schedule of in-house training on ALSWA's proposed data system, and Cross Cultural Training and Cultural Tours.







Above: Dianne Appleby (Welcome to Country), Conference Facilitator Grant Sarra, ALSWA Executive Officer John Bedford and Aaron Hawke (Data System Workshop)













Clockwise from top: Tina Ward, Renee Sarich, Barbara Salter, Angela Bromfield, Kelly Custodio, Melody Ross, Jarra Somerville, Hannah Wang, Tarah Phillips, Melissa Langley, Robert Wilson, Steven Carter, Grant Sarra, Peter Coole, Karleen Bracken, Silvana Campbell, Jane Hutchinson, Margaret Stephens, Linda Mettam, Simone Loder











Tour Guides (Above Right) Jimmy Edgar (former National NAIDOC Caring for Country' recipient and Left Robert Dann)

ALSWA staff were very fortunate to spend two days with local Tour Guides, who provided an incredible insight into local Culture and sites of significance. This experience will enhance our future work with ALSWA clients and community members. The tour included learning about Bush Tucker, boomerang throwing and bush skills and a visit to Beagle Bay, an Aboriginal Community on the western side of Dampier Peninsula, north of Broome. Upon arrival at Beagle Bay Community, staff were welcomed by Mr. Willie Smith (seated) who spoke about the history of the Community before taking ALSWA on a tour of historical buildings and the famous Sacred Heart Church, and sharing lunch prepared by local Community members.











Above: On the way to Beagle Bay are Jarra Somerville Melissa Langley, Tarah Phillips, Loren Pavey, Carmen Ward, Karleen Bracken, Sue Nicholls, Kelly Custodio, Jodi Hoffmann and Melissa Langley.

Below: 'A Taste of Broome performance at Goolarri Media (picture dare Stephen 'Baamba' Albertand Lorrae Coffin).

Below Right: Stephen Carter, John Bedford, Kevin Fong and Stephen Albert (Goolarri Media Directors), and Grant Sarra, pictured at Goolarri Media.









Dase Nikki Dwyer

Nikki Dwyer touched the heart of everyone she met. She was a beautiful, intelligent, kind and generous young woman whose positive outlook was admired by all.

We were devastated when Nikki passed away from cancer in June 2015 at just 32 years.

Commencing her work as an Aboriginal Legal Service of WA lawyer in June 2012, Nikki had a strong commitment to human rights and local and international criminal law and international humanitarian law.

She played a pivotal role in Western Australia's landmark 'Stolen Generations' Test Case, a role that she embraced with compassion, sensitivity and understanding of the importance of this landmark action for Aboriginal people throughout the state.

Her dedication and professionalism was second to none. Nikki cared deeply about the people she worked with and for, and was loved by so many.

We feel privileged to have known Nikki who leaves behind her husband, former ALSWA lawyer Tony Hager and their one year old son Humphrey.



2015 NANCIAL FPORTS FOR THE YEAR ENDED 30 JUNE 2015





TINA WARD

Chief Financial Officer's Report

I am very pleased to present the audited financial statements for the Aboriginal Legal Service of Western Australia Inc. (ALSWA) as at 30 June 2015.

This report reflects the major events and changes for the year that impacted upon the Finance section of Corporate Services and the financial performance and position of ALSWA during 2014/2015.

Federal grants are a major source of income for legal services provision and as such the ALSWA is reliant upon the Commonwealth Attorney General's Department (Department) for funding to continue the provision of services to disadvantaged Indigenous peoples seeking legal assistance. ALSWA has entered into a funding Agreement with the Department for the provision of legal assistance for the 2015/2016 financial year. The Department has also provided ALSWA with additional grants which are project specific.

ALSWA's principal costs are those of salaries with over 65% of budgeted costs being expensed to salaries; other major costs include office rents, travel and motor vehicle leases. Comprehensive details are reported in the Statement of Income within the Annual Report. The Balance Sheet reflects the strong stability of the ALSWA's position at the end of the year.

ALSWA has achieved a surplus in this financial year of \$81,294, this should be considered with the accumulated funds from previous years of \$802,109. ALSWA reviewed all expenses of the organization during the year to ensure improved efficiencies into the future.

Sufficient carry forward funds have remained to progress ALSWA's frontline services focus to meet the increasing demand for quality legal assistance to Indigenous peoples. ALSWA will also be reviewing its Retained Earnings and moving non-allocated funds to an Unexpended Frontline Services account in the coming year as part of this vital focus.

ALSWA was audited by McGrathNicol as part of the Departments process, this financial assessment and health check audit was for the 2011-2014 financial years grant. This additional independent audit occurs once for every grant period and is separate from ALSWA's annual independent audit. The scope of the audit was quite comprehensive in ensuring that ALSWA had complied with all the terms and conditions of the grant including assessing ALSWA's financial viability and health and providing the Department with a unit cost analysis for the delivery of ALSWA's services. This audit was unqualified and reflects well on ALSWA's internal procedures.

Additionally ALSWA would like to acknowledge the work done by William Buck (WA) Pty Ltd and Conley Manifis for their excellent work on previous audits and welcome Deloitte who will be working with ALSWA in future.

I would like to take this opportunity to acknowledge and thank the respective funders for their collaboration and support in assisting the ALSWA to achieve the delivery of legal services to the Indigenous peoples within Western Australia.

I would also like to acknowledge the ALSWA Board for their contribution and the leadership of the Senior Management Team.

Finally I would like to thank the Finance Team, Hannah and Sue, for their hard work, patience and commitment to ALSWA throughout the year.

Tina Ward Chief Financial Officer 29 October 2015

Statement by Chairperson / Chief Executive Officer

In our opinion:

The financial statements and schedules set out on pages 8 to 21 present fairly the financial position of the Aboriginal Legal Service of Western Australia Inc. at 30 June 2015 and the results of its operations for the year ended 30 June 2015, in accordance with the basis of accounting described in Note 1 to the financial statements and are based on proper accounts and records.

The grants received from Funders for the financial year 2014/2015 have been used towards the achievement of goals for which they were provided and all conditions included in the funding letters of offer have been complied with.

At the date of signing we are not aware of any circumstances which could render the particulars included in the financial statements misleading or inaccurate.

Dated at Perth this

Twenty Ninth

day of

October

2015.

Michael Blurton PRESIDENT

MBlot

Dennis Eggington

CHIEF EXECUTIVE OFFICER

yang n



Certificate of Compliance

This Schedule is established in respect of the 2014/2015 financial year.

Provider: Aboriginal Legal Service of WA Inc.

Contact Officer: John Bedford Telephone: (08) 9265 6666

- Services have been provided in accordance with the requirements of the contracts, including the relevant supporting documents;
- (ii) The terms and conditions of the Contracts have been met;
- (iii) The annual Report and Audited Financial Statements are attached

Signed for and on behalf of the ALSWA

By

Dennis Eggington Chief Executive Officer Michael Blurton President

dil-BhTs

In the presence of

Tina Ward Chief Financial Officer



Deloitte Touche Tohmatsu ABN 74 490 121 060

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Independent Auditor's Report to the members of Aboriginal Legal Service of Western Australia Inc.

We have audited the accompanying financial report, being a special purpose financial report, of Aboriginal Legal Services of Western Australia Inc. (the "Association"), which comprises the statement of financial position as at 30 June 2015, the statement of profit or loss and other comprehensive income, the statement of cash flows and the statement of changes in equity for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information as set out on pages 8 to 21.

Management's Responsibility for the Financial Report

Management is 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 financial reporting requirements of the Association's constitution and to the Department of Attorney General. Management's responsibility also includes such internal control as management determine is necessary to enable the preparation and fair presentation of the 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 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 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.

Opinion

In our opinion, the financial report presents fairly, in all material respects, the financial position of the Association as at 30 June 2015 and its financial performance for the year then ended in accordance with the accounting policies described in Note 1 of the financial report.

Liability limited by a scheme approved under Professional Standards Legislation.

Member of Deloitte Touche Tohmatsu Limited



Deloitte.

Basis of Accounting and Restriction on Distribution and Use

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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 Association to meet the financial reporting requirements under its constitution and to the Department of Attorney General. As a result, the financial report may not be suitable for another purpose. Our report is intended solely for the members and the Department of Attorney General and should not be distributed to or used by any other parties.

DELOITTE TOUCHE TOHMATSU

Peter Rupp Partner

Chartered Accountants Perth, 29 October 2015

Statement of Profit or Loss and Other Comprehensive Income For the year ended 30 June 2015

Notes	30 June 2015	30 June 2014
	S	S
2	14,194,909	13,666,753
	246,011	373,027
2	491,275	974,335
	14,932,194	15,014,115
	V.57 (" - ")	75 7 7 5 9
	(9,999,031)	(9,738,117)
		(431,799)
		(23,960)
		(4,241,150)
	(14,850,900)	(14,435,026)
	81,294	579,089
	2	\$ 2



Statement of Financial Position

As at 30 June 2015

	Notes	30 June 2015	30 June 2014
	1(a)	A	[Restated]
		S	S
ASSETS			
Current assets			
Cash and cash equivalents	3	6,813,570	6,867,678
Trade and other receivables	4	81,021	397,678
Prepayments		168,369	75,466
Total current assets		7,062,961	7,340,822
Non-current assets			
Property, plant and equipment	5	4,695,398	4,921,230
Total non-current assets		4,695,398	4,921,230
Total assets		11,758,359	12,262,052
LIABILITIES			
Current liabilities			
Trade and other payables	6	820,102	531,140
Interest bearing liabilities	7	138,178	141,274
Provisions	8	1,868,223	1,792,348
Unexpended grants	9	738,427	1,560,397
Total current liabilities		3,564,930	4,025,159
Non-current liabilities			
Interest bearing liabilities	7	229,319	296,519
Provisions	8	218,894	276,453
Total non-current liabilities		448,213	572,972
Total liabilities		4,013,144	4,598,132
NET ASSETS		7,745,215	7,663,921
EQUITY			
Retained earnings		5,299,103	5,397,349
Asset revaluation reserve	5	701,618	701,618
Discretionary reserves	10	1,744,494	1,564,953
		7,745,215	
		7,745,215	7,663,921

Statement of Cash Flows

For the year ended 30 June 2015

	Notes	30 June 2015	30 June 2014
	102.32	S	S
OPERATING ACTIVITIES			
Grants received		13,372,939	13,075,823
Payment to suppliers and employees		(13,405,591)	(12,889,922)
Rent received		40,571	37,165
Interest received		230,121	373,027
Interest paid		(21,215)	(23,960)
Inflow from operating activities	3	216,824	572,133
INVESTING ACTIVITIES			
Payment for plant and equipment		(200,636)	(527,029)
Outflow from investing activities		(200,636)	(527,029)
FINANCING ACTIVITIES			
Repayment of borrowings		(68,772)	(71,499)
Outflow from financing activities		(68,772)	(71,499)
Net decrease during the year		(52,584)	(26,395)
Balance at the beginning of the year		6,795,177	6,821,572
Balance at the end of the year	3	6,742,592	6,795,177



Statement of Changes in Equity For the year ended 30 June 2015

	Retained earnings S	Asset revaluation reserve	Discretionary reserves \$	Total S
30 June 2014				
Opening balance as previously reported	5,101,843	701,618	983,682	6,787,143
Prior period error adjustment:		701,010	505,002	0,707,145
Transfer of Kalgoorlie Property Reserve to equity			392,037	392,037
Restated balance at the beginning of	7.3. C. C. C. V.		12/00 o o o'd	NK TO
the year	5,101,843	701,618	1,375,719	7,179,180
Surplus for the year	579,089		2.57 m	579,089
Transfer to discretionary reserves	(189,234)		189,234	
Other adjustment	(94,348)			(94,348)
Balance at the end of the year	5,397,350	701,618	1,564,953	7,663,921
30 June 2015				
Opening balance as previously reported	5,397,350	701,618	1,704,844	7,803,812
Prior period error adjustment: Transfer of Kalgoorlie Property			1,74,841	7,000,012
Reserve to equity	1000		392,037	392,037
Transfer of EICC unexpended grant				
to liability		5 0 1 2 1 3 1 3 1	(531,927)	(531,927)
Restated balance at the beginning of		11000	3,000.	1.11 . 11
the year	5,397,350	701,618	1,564,954	7,663,922
Surplus for the year	81,294		2 . 7	81,294
Transfer to discretionary reserves	(179,541)		179,541	
Balance at the end of the year	5,299,103	701,618	1,744,495	7,745,216

Notes to the Financial Statements

For the year ended 30 June 2015

This financial report of Aboriginal Legal Service of Western Australia Inc. ('ALSWA' or "the Association") for the year ended 30 June 2015 was authorised for issue in accordance with a resolution of the Executive Committee on the date of the Chairman and Chief Executive Officer's declaration.

ALSWA is an association incorporated under Western Australia's Associations Incorporations Act 1987. The main activity of ALSWA is to provide legal service to aboriginal community in the state of Western Australia.

ALSWA's registered office is at 7 Aberdeen Street, Perth, WA 6000.

1. Summary of significant accounting policies

In the Executive Committee's opinion, the Association is not a reporting entity because there are no users dependent on general purpose financial reports. This special purpose financial report has been prepared to comply with the Association's reporting obligations to its members and the Department of Attorney General and other Funders. The Executive Committee has determined that the accounting policies adopted are appropriate to meet the needs of the members.

a) Basis of preparation

This special purpose financial report has been prepared in accordance with the recognition and measurement concepts of Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board ('AASB'). The Association is a not-for-profit entity for the purpose of applying the Australian Accounting Standards and Interpretations.

The financial report also complies with the disclosure requirements of:

- AASB 101: Presentation of Financial Statements
- AASB 107: Statement of Cash Flows
- AASB 108: Accounting Policies, Changes in Accounting Estimates and Errors
- AASB 1054: Australian Additional Disclosures

The financial report has been prepared on cost basis, unless stated otherwise.

The financial items have been measured applying the accrual basis of accounting and the accounting policies have been applied consistently.

The financial report has been presented in Australian Dollar.

Going concern basis of preparation:

The Association has economic dependency on funding from the Commonwealth Department of Attorney General (Department) under the Indigenous Legal Assistance Programme (ILAP) to meet its objective of providing legal service to the Aboriginal community in the state of Western Australia.

The financial report has been prepared on the basis of the going concern assumption.

The Association has received a committed funding of \$12,280,396 under the ILAP for the financial year ending 30 June 2016. ALSWA will be notified by the Department of any changes to the current arrangements.

Based on the committed funding for the financial year ending 30 June 2016 and the expectation of continued annual funding beyond that date, the Executive Committee is satisfied that the going concern basis of preparation is appropriate.

Prior period error rectification:

During the preparation of this financial report the following error has been identified in respect of prior reporting period:



- In preparation of the Statement of Financial Position for the year ended 30 June 2014, the Association had presented the unexpended Indigenous Expensive Criminal Cases grant of \$531,927 as a component of equity as the expectation was that the Association had met all the conditions of the grant. Subsequent correspondences with the Department of Attorney General have noted that this unexpended grant does not qualify for recognition in equity and shall be recognised as a liability. The error has been rectified by restating the Statement of Financial Position at 30 June 2014. This error has the effect of increasing the liability and decreasing the net assets and equity.
- In preparation of the Statement of Financial Position for the year ended 30 June 2014, the Association had presented the Kalgoorlie Property Reserve balance of \$392,037 as liability within the unexpended grants. The account balance represents assets set aside by the Association for development of the Kalgoorlie land as and when any acceptable proposals are received. The account balance does not represent a liability as the Association has no present obligation arising out of past events. Hence the account balance is an equity reserve. The error has been rectified by restating the Statement of Financial Position at 30 June 2014. This error has the effect of decreasing the liabilities and increasing the net asset and equity.

Comparative information:

Comparative information has been reclassified to ensure consistency with current year's presentation.

New and revised accounting standards and interpretations:

The Association has adopted all of the new and revised standards and interpretations issued by the AASB that are relevant to its operations and effective for the current reporting period. The adoption of these amendments has not resulted in any changes to the Association's accounting policies and has no effect on the amounts reported for the current or prior periods.

New and revised accounting standards and interpretations not yet adopted:

Certain new accounting standards and interpretations have been published that are not mandatory for 30 June 2015 reporting periods and have not been early adopted by the entity.

These standards / interpretations are effective for the year ended 30 June 2017 and beyond. The entity is in the process of assessing the impact of these changes on future financial reports.

b) Revenue

Revenue is measured at the fair value of the consideration received or receivable. The entity recognises revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to the entity and specific criteria have been met as described below:

Government grants: Government grants are recognised on a systematic basis over the periods in which the entity recognises as expenses the related costs for which the grants are intended to compensate.

Gifts and donations: Gifts and donations are recognised at their fair value when the entity obtains control over the assets comprising contributions, usually when cash is received.

Service revenue: Revenue is recognised based on the stage of completion of services rendered.

Interest income: Interest income is recognised as it accrues using the effective interest method.

c) Expenses

All expenses, including expenses related to the grants, are recognised on an accruals basis.

d) Leases

Operating lease payments are recognised as an expense on a straight-line basis over the lease term, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed. Contingent rentals arising under operating leases are

recognised as an expense in the period in which they are incurred.

In the event that lease incentives are received to enter into operating leases, such incentives are recognised as a liability.

The aggregate benefit of incentives is recognised as a reduction of rental expense on a straight-line basis, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed.

e) Income tax

The entity is exempt from paying income tax under the current tax legislations.

f) Goods and services tax (GST)

Revenues, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the taxation authority. In this case it is recognised as part of the cost of acquisition of the asset or as part of the expense.

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 taxation authority 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 taxation authority, are presented as operating cash flows.

g) Cash and cash equivalents

For the purpose of presentation in the statement of cash flows, cash and cash equivalents includes cash on hand, deposits held at call with financial institutions, other short-term, highly liquid investments with original maturities of three months or less from the date of acquisition that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value, and credit cards and bank overdrafts.

Trade and other receivables

Trade and other receivables, which generally have 30-60 day terms, are recognised and carried at original invoice amount less any allowance for uncollectable amounts.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts which are known to be uncollectable are written off by reducing the carrying amount directly. An allowance (provision for impairment on trade receivables) is used when there is objective evidence that the entity will not be able to collect all amounts due according to the original terms of the receivables.

The amount of the impairment loss is recognised in profit or loss within other expenses. When a trade receivable of which an impairment allowance has been recognised becomes uncollectable in a subsequent period, it is written off against the allowance account. Subsequent recoveries of amounts previously written off are credited against other expenses in profit or loss.

i) Property, plant and equipment

Revaluation basis

Land and buildings are measured at their fair value. The entity applies the policy of seeking independent external valuation at an interval of every three years to measure the fair value. For the intervening periods, fair value is estimated by management applying the inputs used by the last valuation report. Any accumulated depreciation at the date of revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset.

Increase in carrying amounts resulting from revaluation is recognised in other comprehensive income and credited to an asset revaluation account in equity. To the extent that increase reverses a decrease previously recognised in profit or loss, the increase is first recognised in profit or loss.



Decreases that reverse previous increase of the same asset are first charged against the revaluation reserve to the extent of the remaining reserve attributable to the asset. All other decreases are charged to profit or loss.

Cost basis

All other items of plant and equipment are measured at their costs less accumulated depreciation and impairment.

Depreciation

Land is not depreciated. All other items of property, plant and equipment are systematically depreciated over their estimated useful life that reflects the pattern of their economic consumption.

Depreciation is measured on a straight line basis over the period of asset's remaining useful life. The assets remaining useful life is reviewed annually.

The following estimate of useful life has been used in preparation of this financial report:

- Buildings: 25 years
- Furniture & fittings; improvement to residential properties: 5 years
- Motor vehicles, capital improvements and leasehold improvements: 4 years
- Computer equipment: 3 years

Impairment

Impairment in carrying amount of plant and equipment measured using cost basis is recognised immediately when there is an objective evidence that its recoverable amount is lower than the carrying amount.

Recoverable amount is measured by reference to higher of the asset's value in use to the entity and its fair value less costs to sell.

Low value assets capitalisation

Low value asset items costing less than \$2,000 are expensed immediately.

Derecognition

The assets are derecognised when they are disposed of or discarded. Any difference in consideration received and the assets carrying amount at that time is recognised in profit or loss.

Any revaluation reserve relating to the derecognised asset is transferred to retained earnings at that time.

j) Trade and other payables

These amounts represent liabilities for goods and services provided to the entity prior to the end of financial year which are unpaid. The amounts are unsecured and are usually paid within 30 - 60 days of recognition. Trade and other payables are presented as current liabilities unless payment is not due within 12 months after the reporting period. They are recognised initially at their fair value and subsequently measured at amortised costs using the effective interest method.

k) Borrowings

Borrowings are initially recognised at fair value, net of transaction costs incurred. Borrowings are subsequently measured at amortised cost. Any difference between the proceeds (net of transaction costs) and the redemption amount is recognised in profit or loss over the period of the borrowings using the effective interest method.

Borrowings are removed from the statement of financial position when the obligation specified in the contract is discharged, cancelled or expired. The difference between the carrying amount of a financial liability that has been extinguished or transferred to another party and the consideration paid, including any non-cash assets transferred or liabilities assumed, is recognised in profit or loss as other income or finance costs.

l) Employee benefit

A liability is recognised for benefits accruing to employees in respect of wages and salaries, annual leave, long service leave and sick leave entitlement when it is probable that settlement will be required and they are capable of being measured reliably.

For long service leave and sick leave entitlement, the entity makes an estimate of the probability of payout based on the length of employee service and past historic trends.

Liabilities recognised in respect of employee benefits are measured using the remuneration rate expected to apply at the time of settlement. Liability that is not expected to be settled within the next 12 months is recognised as non-current liabilities and is calculated at cost plus loading and oncosts.

Liabilities for wages and salaries are recognised in payables. Liabilities for annual leave, long service leave and sick leave entitlement are recognised in provisions.

m) Unexpended grants

Grants received in excess of the related expenses are recognised as a liability at the end of each reporting period.

n) Critical accounting estimates and judgements

The entity makes estimates and assumptions that affect the reported amounts of assets and liabilities in the financial report. In applying the entity's accounting policies management continually evaluates estimates, judgements, and assumptions based on historical experience and other factors, including expectations about future events that may have an impact on the entity and that are believed to be reasonable under the circumstances. Actual results may differ from the judgements, estimates and assumptions. Significant judgements, estimates and assumptions made by management in the preparation of this financial report are outlined below.

Estimated useful life of property, plant and equipment	Entity's management determines the estimated useful lives and related depreciation charges for its assets. This estimate is based on projected useful lives of the assets and it could change significantly as a result of technical innovations. Management will increase the depreciation charge where useful lives are less than previously estimated lives, or it will write-off or write-down technically obsolete or non-strategic assets that have been abandoned or sold.
Fair value of land and buildings	The entity applies revaluation model to measure its land and buildings. This requires that the fair value of the assets be assessed on a regular basis. Management avails the services of independent external property valuers at an interval of 3 years to assess the fair value. For the intervening periods, management assess the relevance of inputs used by the last valuation report.
Long service leave and sick leave entitlements	The measurement of provision for long service leave and sick leave entitlements require that the entity make an estimate of the payout likely to occur in future. In measuring this provision, management applies a probability factor to the likelihood of payout based on the length of service and past historic trends of employees continuing in employment.



2. Revenue and expenses

	30 June 2015	30 June 2014
	S	S
(a) Grant income		
Indigenous Legal Assistance Programme Grant	13,608,194	13,048,792
Expensive Indigenous Criminal Cases Grant	340,397	355,096
Family Law Grant	246,318	262,865
	14,194,909	13,666,753
(b) Other income		
Rental income	40,571	37,165
Recovery of costs	256,759	252,832
Other income	193,944	684,338
	491,275	974,335
(c) Auditors' remuneration		
For audit services:		
- Deloitte Touche Tohmatsu	28,000	- 1
- William Buck Audit (WA) Pty Ltd	- A	26,000
	28,000	26,000

3. Cash and cash equivalents

	30 June 2015	30 June 2014
(a) Balance comprise of:	S	S
Cash in hand	3,055	3,285
Cash at bank	6,810,515	6,864,393
	6,813,570	6,867,678
(b) For cash flow purposes, cash and cash equivalent con	mprise of:	
Cash in hand	3,055	3,285
Cash at bank	6,810,515	6,864,393
Corporate credit cards	(70,978)	(72,501)
	6,742,592	6,795,177
(c) Reconciliation of operating cash flows to surplus / (d	eficit) for the year:	
Surplus for the year Adjustment for non-cash items:	81,294	579,089
Depreciation	426,468	431,799
Movement in working capital items:		
(Increase) / decrease in trade and other receivables	316,657	(19,031)
(Increase) / decrease in prepayments	(92,903)	(4,327)
Increase / (decrease) in trade and other payables	288,962	(246,727)
Increase / (decrease) in provisions	18,316	422,258
Increase / (decrease) in unexpended grants	(821,970)	(590,930)

4. Trade and other receivables

	30 June 2015	30 June 2014
	S	S
Bond for operating lease	24,270	25,863
Accrued income	56,751	351,812
Other receivable	1979	20,004
	81,021	397,678

5. Property, plant and equipment

	30 June 2015	30 June 2014
	S	S
Land & buildings		
At 2013 valuation	4,435,000	4,435,000
Add: Capital improvements	251,490	203,175
Less: Depreciation on buildings	(421,851)	(218,676)
	4,264,638	4,419,499
Motor vehicles	44 77 4 8 9 74 4	1 7 1 1 L
At costs	16,745	16,745
Less: Accumulated depreciation	(11,492)	(7,306)
	5,253	9,439
Plant and equipment	YOX FY TO	
At costs	1,308,819	1,293,724
Less: Accumulated depreciation	(976,324)	(901,542)
	332,494	392,182
Leasehold improvements & renovations	7/7	
At costs	992,882	955,116
Less: Accumulated depreciation	(899,870)	(855,006)
	93,013	100,110
Total	171 700	1 7 7 7 7 7 7
Land & buildings at 2013 valuation	4,435,000	4,435,000
Costs of other assets	2,569,936	2,468,760
Less: Accumulated depreciation	(2,309,537)	(1,982,530)
	4,695,398	4,921,230

Fair value of land & buildings are:

Address Lot 10, 7 Aberdeen Street, Perth, WA Lot 12, 7 Aberdeen Street, Perth, WA	Last valuation date 08-April-2013 09-April-2013	Valuation (\$) 1,090,000 690,000	Asset revaluation reserve (\$) 162,894 104,419
11 Wallaby Way, Broome, WA * 60 Egan Street, Kalgoorlie, WA 4/30 Bourke Street, Piccadilly, WA *	15-April-2013 31-May-2013 09-April-2013	630,000 300,000 310,000	30,609 29,609 7,156
24 Hibiscus Drive, Kununurra, WA * 10/4 Reynolds Street, South Hedland, WA *	12-April-2013 16-April-2013	565,000 850,000 4,435,000	99,043 267,888 701,618

^{*} These four residential properties were acquired under a grant from the Department of Attorney General.

These properties have been caveated to the Department to be used specifically to accommodate the staff of the Association rendering legal service.

6. Trade and other payables

	30 June 2015	30 June 2014
	S	S
Accrued expenses	408,429	39,632
Taxes payable to the ATO	156,026	110,519
Superannuation payable	82,103	65,101
Other payables	173,544	315,889
	820,102	531,140

7. Interest bearing liabilities

	30 June 2015	30 June 2014
Current	S	S
Corporate credit cards	70,978	72,501
Property loan - Bankwest	67,200	68,773
	138,178	141,274
Non-current		
Property loan - Bankwest	229,319	296,519
	229,319	296,519

The property loan from Bankwest was availed to fund the purchase of Lot 10 and 12 at 7 Aberdeen Street, Perth property. The loan is secured against the property.

8. Provisions

	30 June 2015	30 June 2014
Current	S	S
Employee annual leave	926,304	882,603
Employee long service leave	453,083	318,698
Employee sick leave	360,018	338,364
Employee termination	128,818	252,683
	1,868,223	1,792,348
Non-current	149-720-973 TV TV	377777
Employee long service leave	218,894	276,453
	218,894	276,453

9. Unexpended grants

	30 June 2015	30 June 2014
	S	S
Indigenous Legal Assistance Programme Grant	528,478	802,109
Expensive Indigenous Criminal Cases Grant	191,531	531,927
Family Law Grant		205,320
Employee of the year grant	1,586	3,041
Myer - Yinhawangka	16,833	18,000
	738,427	1,560,397

10. Discretionary reserves

	30 June 2015	30 June 2014
	S	S
Residential Property Reserve	43,302	23,095
Long Service Leave Reserve	550,000	550,000
Asset Replacement Reserve	520,077	416,140
Redress Reserve	183,682	183,682
Kalgoorlie Property Reserve	392,037	392,037
Special Projects Reserve	55,396	
	1,744,494	1,564,953

Residential Property Reserve is used for repairs and maintenance and improvement on the four residential properties held by ALSWA and which are caveated by the Attorney General's Department for specific purpose. The Reserve increases annually from rent received and decreases as expenses are incurred.

Long Service Leave Reserve declares the reserves required by ALSWA to benefit current employees' entitlement.

Asset Replacement Reserve is used to offset the future capital purchase requirements of ALSWA.

Redress Reserve is the surplus of Redress program and monies are set aside for future Redress needs.

Kalgoorlie Property Reserve is in recognition of the probability of future building on ALSWA's freehold property.

Special Projects Reserve is created from non-Attorney General's Department surplus funds to be used for special projects in future, ALSWA is currently investigating the possibility of becoming a registered Training Organisation and these non-operational funds will be used for this purpose.

Reserves are created from prudent financial decision-making of the Board and Senior Management and reflect the planned use of accumulated funds. Funds will be released back to retained earnings should the need no longer exist.

11. Commitment and contingencies

30 June 2015	30 June 2014
S	s
504,866	504,866
431,919	936,785
20/11	
936,785	1,441,651
	\$ 504,866 431,919

Capital commitments

There was no significant capital expenditure contracted for at the end of the reporting period (2014: Nil).

Contingencies

No financial contingencies exist at the time of signing the audited reports.



12. Grants statement

	ILAP Grant	EICC Grant	Family Law Grant	Employee of the year Grant	Myer - Yinhawa ngka	Lotterywest Grant	Total
	S	S	S	S	S		s
Unexpended grant at 30 June 2014	802,109	531,927	205,320	3,041	18,000		1,560,397
Grants received during the year	13,375,560		· Die		10,000	39,506	13,425,066
Interest & other income earned	582,643	Can.				100	582,643
Transfers within the grants	(40,998)	100 36.	40,998	12300			
Expenses incurred under the grant	(14,190,836)	(340,397)	(246,318)	(1,455)	(11,167)	(39,506)	(14,829,679)
Unexpended grant at 30 June 2015	528,478	191,530		1,586	16,833		738,427

The Indigenous Legal Assistance Program (ILAP) grant supports access to justice for Indigenous Australians enabling them to exercise their rights in the same way as other Australians. This grant is provided by the Commonwealth Attorney General's Department so that ALSWA can improve access to justice, reduce the disproportionate disadvantage experienced by Indigenous people and provide a cost effective legal service throughout Western Australia.

Expensive Indigenous Criminal Case (EICC) grant supports the cost burden incurred through providing legal assistance for expensive court cases. This grant is provided by the Commonwealth Attorney General's Department based upon their approval of ALSWA applications.

Family Law grant was utilized over two years to provide additional family lawyer to rural and remote places within Western Australia. These staff were based in Kalgoorlie and Broome and undertook circuits to inform, educate and provide legal advice to Indigenous peoples. The funding by the Commonwealth Attorney General's Department has now ceased.

Employee of the Year grant is given by the Commonwealth Attorney General's Department annually to a staff member of the Aboriginal and Torres Strait Islander Legal Services (ATSILS). ALSWA was a recipient in 2014 and utilizes these funds for further education.

Myer-Yinhawangka grant is provided through the Myer Family Company Ltd on behalf of the Yinhawangka People's Charitable Trust. The Yinhawangka people are the traditional owners of approximately 10,000 square kms in the Pilbara region. The grant is used to educate/inform Indigenous peoples in the Pilbara region about wills and legal services.

Lotterywest grant is provided by Western Australia government upon application by ALSWA for a grant for refurbishment and improvements in 2013, these funds are now completely expended.

13. Subsequent events

The Association has received a committed funding of \$12,280,396 under the ILAP grant for the financial year ending 30 June 2016, ALSWA will be notified by the Department of any changes to the current arrangements.

The Association is in the process of registering itself as a company limited by guarantee under the Corporations Act 2001 (Cwth). The registration is expected to occur by 31 December 2015.

No other matter or circumstance has arisen since 30 June 2015 that has significantly affected, or may significantly affect the operations, financial performance or financial position.

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, 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).

NB: ALSWA's Roebourne and Newman offices were de-listed at the end of the 2015 financial year.

ALSWA FIGURES

ALSWA gave Advice in 6027 matters, Duty lawyer assistance in 8943 matters and Casework in 16977 matters, Totalling 31947 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 2015)

Albany (1 lawyer, 1 court officer, 1 secretary), Bunbury (3 lawyers, 2 court officers, 1 secretary), Bunbury (1.5 lawyers, 2 court officers, 1 secretary), Carnarvon (2 lawyers, 1 secretary), Geraldton (2 lawyers, 1 court officer, 1 secretary), Halls Creek (1 court officer), Kalgoorlie (4 lawyers, 2 court officers, 1.5 secretaries), Kununurra (2 lawyers, 1 secretary), Meekatharra (1 court officer), Newman (1 court officer), Northam (1 court officer, 1 secretary), Perth Administration (17), Perth Senior Management (4), Perth Criminal Unit (18 lawyers, 5 court officers, 3 secretaries), Perth Civil Unit (7 lawyers, 1 Secretary), Perth Family Unit (3 lawyers, 1 secretary), South Hedland (3 lawyers, 1 secretary).



STAFF TRAINING

Family Law Unit: Law Council of Australia Family Law Intensive July 2014 (N. Anderson, J. Reid) Legal Aid WA Summer Series Family Law Day February 2015 (N. Anderson, G. Herford, M. Kelly, S. Gibbons), WA Family Pathways Network Seminar RE significant case law developments with Violence Restraining Orders May 2015 (N. Anderson, J. Reid, G. Herford), WA Family Pathways Network Annual Conference: When a Child Rejects a Parent May 2015 (N. Anderson),May 2015 – I attended WA Family Pathways Network annual conference (Theme – When a Child rejects a Parent). ALSWA's Family Law Unit Manager Neil Anderson also gave evidence before the federal Senate Inquiry into Children in Out of Home Care, being conducted by the Senate Community Affairs Committee (January 2015) and, on behalf of ALSWA, submitted to the Law Council of Australia, a submission for their inquiry into the interaction between the child protection and family law systems in Australia.

Administration: Inaugural ALSWA Administration Conference: Facilitated by Grant Sarra (June 2015), Welcome to Country (Dianne Appleby), Proposed ALSWA Data System (presented by Aaron Hawke), Understanding ALSWA from a historical viewpoint (G. Sarra, S. Carter), Workplace change and why it's needed (G.Sarra and J. Bedford), Team Building, Dealing with our Mob workshop (G. Sarra, S. Carter), Nagula Cultural Tour with Guides Jimmy and Robert to learn about local Aboriginal history and culture and visit sites of significance for the Yawuru peoples, Tour and information session at Goolarri Media including theatrical performance to provide an insight into local Culture in Á taste of Broome', Field trip to Beagle Bay Community to learn about local significance and sites of significance and participate in cultural activities.

Administration: Managing Personal Work Priorities (C. Ward) Online through Polytechnic West, Indigenous Employment 3 Day Conference/Workshop May 2015 (J. Bedford, R. Sarich, Kylie Clune, K. Custodio), Australian Institute of Management - Accounting for Non Accountants March 2015 (R. Ninyette), Taxation and Payroll Training February 2015 (B. Salter).

Criminal Unit: Legal Aid Track and Train (CPD Sessions) E. Svanberg, who also presented on Sentencing in the Children's Court. Piddington Law Conference, Bali, May 2015 (D. Rawlings).

Civil/Human Rights Unit: Seminar 'Not Guilty Due to Unsound Mind: Achieving reform of the Criminal Law Mentally Impaired Accused Act' convened by the WA Association for Mental Health (WAAMH) October 2014, Sally Hedderwick Salvation Army – INSIGHT Mental Health Awareness and Suicide Prevention Training November 2014, The High Court's decision in the ACT Marriage Equality Case – Death of original intent? Presented by Michael Kirby March 2015,14 November 2014 - Michael Bowyer (Principal Legal Officer of the Public Trustee) – How not to write a will November 2014, Expert Evidence: Toxicology and Alcohol April 2015, National Access to Justice and Pro Bono Conference in Sydney (P. Gazia, S. Razi, V. Williams) June 2015. Civil Unit staff also attended CPD events presented by K & L Gates on Bridging the Gap: The ethical due lawyers to act in a pro bono capacity), Managing ill Employees; All for One and One for all; and Tips for clearer communications in drafting. Pia Castelli has also completed course in International Human Rights Law; and International Criminal Law as part of her UWA Masters.

TRAINING (CPD) SESSIONS PRESENTED BY ALSWA STAFF

22 January 2015: Personal injuries – assessing damages (presented by Jacinta Ricketts and Alice Barter), 29 January 2015: Ethics of negotiations/false imprisonment (presented by Jacinta Ricketts and Alice Barter), 18 March 2015: Ethical and evidentiary issues in conducting a summary hearing (presented by Peter Collins), 25 March 2015: Prison songs (presented by Rob Owen), 10 June 2015 Hearsay and Objections (Rob Owen),18 September 2014 – 1 hour seminar by Jon Crabtree in relation Collard v The State of Western Australia (No 4) [2013] WASC 455, 13 December 2014 - Domenic Brunello & Peter Collins – Ethical issues in Relation to Acting for Aboriginal Clients from Non-English Speaking Backgrounds: A case study of Gibson v The State of Western Australia. Legal Aid WA Online Training Program CPD Modules: Insanity, Bail and Hospital Orders, Criminal Law Training: Ethics in Criminal Law, Criminal Law Training: Character Evidence, Signs of Safety Solicitor Training (R. Russell-Smith South Hedland).

TRAINING SEMINARS/COURSES

12 July 2014 FLPA Day Conference Winter Warmer (Family Law Unit J Reid, M Kelly, S Gibbons), August 2014 Children's welfare Conference (Civil Unit V O'Connor), Personal Injury (Civil Unit A Barter, J Ricketts), October 2014 First Aid Course (J Hutchinson), October 2014 Personal Injury, November 2014 Unsound (Civil Unit P Gazia, V O'Connor), December 2014 Professional Business Writing (Administration K Custodio), January 2015 CPA Australian (Administration H Wang), February 2015 CFO Symposium (Administration T Ward), February 2015 Indigenous Legal Research Workshop (Family Unit M Kelly), February 2015 Taxation and Payroll Training (Administration B Salter), February 2-15 Public Defender's Criminal Law Sydney (M Murdoch), February 2015 Legal Aid Summer Series (Family Law G Herford, N Anderson, M Kelly, S Gibbons, Criminal Unit J Hon), March 2015 TEC Better Leaders Conference (CEO D Eggington), March 2015 NIWA Conference (Administration R Sarich, T Ward), March 2015 Training (DDLS Criminal Unit R Ninyette), April 2015 First Aid Course (L Mettam), April and June 2015 Non-For-Profit Leadership Program (Administration T Ward), April 2015 Building Resilience Administration R Sarich, T Ward), April 2015 Annual Corporate Governance (Administration T Ward), May 2015 Indigenous Employment Conference (Administration D Eggington, J Bedford, K Clune, K Custodio, R Sarich, May 2015 Piddington Bali Law Conference (Criminal Unit H O'Hara, J Prior, P Hudson, Z Gilders, D Rawlings, Balance Work Priorities and Manage Personal Work Priorities (Criminal Law Unit C Ward), June 2015 National Access to Justice and Pro Bobo Conference (Civil Unit P Gazia, S Razi, V O'Connor.

INDUCTIONS

June and November 2014 and February 2015.



CPD TRAINING IN HOUSE

July 2014 Practice, Procedure and Advocacy in SAT and FOI and Privacy Principles, presented by Alex Walters (Attendees: S Razi, J Crabtree, J Ricketts, S Gathogo, A Barter, L Sanders, H O'Hara, Skype: M Huber, J Newman, D Agnew, J Nuttall), August 2014 Bizarro Criminal Law, What You need to Know about Commonwealth Criminal Law and Dealing with the Commonwealth Director of Public Prosecutions, Presented by Jacinta Ricketts (Attendees: A Woldan, J Crabtree, N Snare, A Bartlett, H O'Hara, L Saunders, P Hudson, L Bianchi, M Collard, J Hon, A Walters, P Collins, Z Gilders), September 2014 Understanding the Stolen Generations Judgment, presented by Jonathon Crabtree (Attendees: V Williams, L Sanders, J Hon, J Crabtree, A Walters, J Ricketts, S Gathogo, G Herford, P Gazia, J Waud, A Bartlett, A Matthews, October 2014, Cultural Appreciation – To Understand our Present We Must Understand Our Past, Presented by Grant Sarra (Attendees: Perth staff), November 2014 Connx Training (Recruitment, Performance Development Reviews, timesheets and Workflows forms, Presented by Maria Heffernan (Attendees: all Unit Managers, Perth and Regional), November 2014 A Guide to Applications for Costs in Magistrates Courts: Inspired by the works of Kanye West, presented by Zoe Gilders (Attendees: Z Gilders, L Sanders, D Svoboda, J Waud, P Hudson, A Woldan, J Ricketts, S Gathogo, A Matthews, L Bianchi, Skype: M Huber, M Mazur, G Wildie, D Agnew, R Reading, M Kelly, K Hynes, L Polmear), November 2014 Representing Unpopular Clients, Presented by Simon Freitag, Albert Wolff Chambers (Attendees: J Waud, P Hudson, Z Gilders, S Freitag, S Gathogo, J Ricketts, P Gazia, D Svoboda, L Sanders, P Collins, L Bianchi, A Woldan, R Owen, A Matthews, Skype: G Wildie, M Kelly, K Hynes, November 2014 Ethical Issues in relation to acting for Aboriginal Clients from non-English speaking backgrounds: A Case Study of Gibson v The State of Western Australia., Presented by P Collins and D Brunello (Attendees: P Hudson, D Svoboda, J Waud, A Walters, V Williams, N Snare, D Brunello, J Ricketts, S Gathogo, P Gazia, M Huber, A Woldan, P Collins, R Ninyette, Skype: G Wildie, M Kelly, K Hynes, L Polmear, November 2014 Using Forensic Reports, presented by Rob Owens (Attendees J Waud, N Snare, J Ricketts, D Rawlings, M Huber, P Hudson, D Svoboda, D Brunello, L Bianchi, A Matthews, A Woldan, Skype: G Wildie, M Kelly, K Hynes, L Polmear, How not to Write a Will, presented by Michael Bowyer Public Trustee (Attendees: V Williams, J Ricketts, S Gathogo, S Razi, P Gazia, A Barter, A Walters, November 2014 INSIGHT: Mental Health Awareness and Suicide Prevention Training, Presented by Sally Hedderwick Salvation Army (Attendees: P Hudson, R Ninyette, A Barter, J Waud, V Williams, A Walters, S Gathogo, L Sanders, A Bartlett, L Bianchi, A Matthews, D Brunello, Skype: K Hynes), November 2014 Section 9AA of the Sentencing Act, Presented by Dominic Brunello (Attendees: P Hudson, J Waud, A Bartlett, A Woldan, L Sanders, R Owen, A Matthews, D Svoboda, L Bianchi, Z Gilders, D Brunello), November 2014 Self Defence and home Invasion, Presented by Rob Owen (Attendees: R Owen, A Matthews, P Hudson, J Waud, N Snare, L Bianchi, L Sanders, Z Gilders, D Rawlings, A Bartlett, A Woldan, D Brunello, Skype: K Hynes), January 2015 Damages presented by Alice Barter and Jacinta Ricketts (Attendees: M Kelly, M Huber, S Cerqui, S Collard, S Mippy, T Porter), January 2015 Ethics(Attendees: M Kelly, M Huber, S Cerqui, S Collard, S Mippy, T Porter, A Whitehead), January 2015 Assessing Damages in Personal Injuries Matters, Presented by Alice Barter and Jacinta Rickets (Attendees: R Owen, D Robinson, A Matthews, L Sanders, Hayley O'Hara, M Collard, S Gathogo, P Hudson,

P Castelli, A Walters, S Razi, H Menaglio, A Barter, J Ricketts) January 2015 False Imprisonment Presented by Alice Barter and Sarouche Razi (Attendees: A Woldan, M Collard, R Owen, D Robinson, J Ricketts, J Waud, J prior, P Castelli, H Menaglio, A Walters, S Razi, A Barter, H O'Hara, L Sanders), March 2015 Avoiding Being Called as a Witness at the CCA, Presented by Rob Owen (Attendees: P Collins, L Sanders, A Matthews, D Robinson, D Svoboda, J Waud, J Prior, P Hudson, M Collard, R Patrick, H O'Hara, L Bianchi, J Hon, R Owen, A Woldan, Skype: m Murdoch, R Reading), March 2015 Ethical and Evidentiary Issues in Conducting a Summary Hearing, presented by Peter Collins (Attendees: J Reid, J Waud, D Svoboda, R Patrick, J Prior, H Menaglio, J rickets, D Robinson, A Walters, P Collins, L Bianchi, J Hon, A Matthews, A Woldan, M Collard, H O'Hara, L Sanders, S Gathogo, Skype: X Sellathambu, D Brunello, D Borkowski), March 2015 Prison Songs: How to personalise a Plea in Mitigation Presented by Zoe Gilders (attendees: J Waud, H O'Hara, L Sanders, D Svoboda, R Patrick, J Prior, H Menaglio, J Ricketts, D Robinson, A Walters, P Collins, L Bianchi. J Hon, A Matthews, P Hudson, M Collard, G Herford, Z Gilders, D Rawlings), Expert Evidence: Toxicology Presented by Wendy Hughes and Dr. Ross Vander Wal (Attendees: V Williams, P Hudson, J Ricketts, J Waud, H O'Hara, L Sanders, R Owen, A Woldan, J Prior, H Menaglio, A Walters, P Collins, L Bianchi, A Matthews, M Collard, Skype: K Hynes, May 2015 You're not In Court: the CCC and You, Presented by Paul O'Connor and Kirsten Nelson, Corruption and Crime Commission (Attendees: L Bianchi, P Hudson, J Waud, A Mathews, J Ricketts, M collard, H O'Hara, D Robinson, P Castelli, R Patrick, D Svoboda, H Menaglio, A Walters, P Gazia, S Razi, A Barter, E Dowson, J Boston, P O'Connor, A Bartlett, K Nelson, May 2015 Allegations Assessment and Case Study Presented by Avril Bartlett, Corruption and Crime Commission CCC (Attendees: CCC T Chee, J Boston, E Dowson, R Arthwell, A Bartlett, ALSWA H O'Hara, L Bianchi, A Matthews, J Ricketts, M collard, D Robinson, S Gathogo, R Patrick, H Menaglio, P Gazia, A Barter, D Rawlings, A Walters), June 2015 Hearsay and Practical Objections Presented by Rob Owen (Attendees: V Williams, P Hudson, L Sanders, D Rawlings, H O'Hara, L Bianchi, J Waud, J rickets, M Collard, G Herford, S Gathogo, R Patrick, H Menaglio, P Gazia, P Collins, A Walters.

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The Cover page of this Annual Report has been designed to reflect the style of the 'Stop the Forced Closure of Aboriginal Communities' image which appears on www.sosblakaustralia.com





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