

Aboriginal Legal Service of Western Australia (Inc)



Annual Report 2011



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The following ALSWA offices have now closed

DERBY (Closed April 2011)

LAVERTON (Closed May 2011)

WARBURTON (Closed May 2011)

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PRESIDENT'S REPORT Rosetta Sahanna



On behalf of my Executive Committee and staff, I am pleased to present the 2011 Annual Report for the Aboriginal Legal Service of Western Australia (ALSWA) Inc.

ALSWA is an iconic body in Western Australia with a long and proud history of striving for justice for Aboriginal and Torres Strait Islander peoples through the provision of quality legal assistance, advice, representation and advocacy. We remain committed to the delivery of quality outcomes in pursuit of our Vision – Striving for the full

emancipation of Aboriginal people through the realisation of our rights as Australia's First Peoples.

Our organisation is unique in that our services are delivered across all five geographical categories defined in the Australian Bureau of Statistics (ABS) Remoteness Structure and incorporated in the Australian Standard Geographical Classification. Compared to Aboriginal and Torres Strait Islander people in other jurisdictions across Australia, Western Australia's Aboriginal and Torres Strait Islander people are more likely to live in remote areas. The effect of this remoteness is compounded by diverse cultural and environmental factors in remote and discrete communities, which, depending on their size and geographical location, may inhibit our access to our clients and their access to our programs and services.

Our Executive Committee members combine extensive cultural knowledge and business leadership skills with a deep respect for customary lore, custom and culture to drive positive change within our organisation and across Western Australia's justice system. We are acutely aware of the past and present psychological and sociological impacts of colonisation upon Aboriginal and Torres Strait Islander peoples and fully understand the correlation this has with our peoples' exposure to the justice system.

Over the next three years we will continue to deliver quality legal services and advocate change to ensure effective and culturally appropriate alternative measures are embraced by governments to improve the lives of our Aboriginal and Torres Strait Islander clients, families and communities. We will also increase the delivery of quality community legal education programs to raise community awareness and understanding and restore cultural pride and dignity in an effort to lessen our people's exposure to the justice system.

At ALSWA our lore is not compromised or devalued in the delivery of our services. We acknowledge, value, honour and respect customary lore and actively promote its permanence alongside Australian law.

Our future goals and aspirations build on the solid foundation already established by ALSWA and plays an important role in the healing process by ensuring brighter futures for our young people, women, families and Elders, particularly in regional, remote and very remote locations throughout Western Australia.

I encourage our key government and non-government partners to embrace our invaluable contributions into the justice system in this State and to work with us in ensuring that there is a more equitable future for Aboriginal and Torres Strait Islander peoples in Western Australia.

In closing I would also like to acknowledge that a new Committee is now in place following ALSWA's May 2011 Elections. I wish the incoming Committee the very best as they embark upon their three year commitment to this important organisation. I would personally like to thank ALSWA's Committee, Management and Staff for their support of my contributions as a former Committee Member and President of the Aboriginal Legal Service of Western Australia (Inc).

Rosetta Sahanna

President

CHIEF EXECUTIVE OFFICER'S REPORT Dennis Eggington



As the Chief Executive Officer of the Aboriginal Legal Service of Western Australia (ALSWA), I am proud to present my report for the 2011 ALSWA Annual Report.

This Report covers the financial year 1 July 2010 to 30 June 2011 and is a requirement of our funding agreement with the Commonwealth Government and our Constitution under Section 31, which ensures that our financial statement for this reporting period is made available to our Members.

I trust that this Annual Report will provide you with a comprehensive overview of our operations, achievements and challenges faced over the past twelve months.

During this period, ALSWA has maintained a high standard of legal support and representation for Aboriginal and Torres Strait Islander peoples. We have continued to do this despite the ongoing absence of any support from the Western Australian State Government, who we would like to see tackling the causal factors that contribute to Indigenous over-representation, rather than building more prisons.

I would like to personally commend our staff for their tireless efforts in meeting the needs of our community. As in previous years, we have been faced with tough workloads which has proven extremely challenging at times when you consider that the over-representation of Indigenous juveniles and young adults is worse now than it was 20 years ago when the Royal Commission into Aboriginal Deaths in Custody report was published' ("Doing Time-Time for Doing" Report 2011). It is regretful that in some instances we have had no option but to cut back and narrow our operations in aspects of our Criminal, Family and Civil Law, and within our Advocacy work.



Dennis Eggington addresses staff at the statewide ALSWA Staff Conference in Perth in November 2010

ALSWA's operations have now changed from having a 'contract' with the Commonwealth Department of the Attorney General to embarking upon a new 'funding agreement' for the next three years. Our previous renewable contract provided ALSWA with a degree of flexibility and freedom to administer our own operations as we best saw fit and most appropriate. However, the shift to a funding agreement has been somewhat disempowering. Whilst it is in some respects a step backwards, this funding agreement is of course welcomed and essential to maintain our vital and much needed operations.

An exciting chapter in Australia's history has now commenced with the establishment of the National Congress of Australia's First Peoples. I am pleased to advise that ALSWA is a Member in Chamber Two and I am personally deeply honoured to have also been elected as a Director in Chamber Two. As part of the first elected Board, I look forward to working with National Congress Co-Chairs Jody Broun and Les Malezer and fellow Directors William (Brian) Butler, Venessa Curnow, Rodney Little, Tammy Solonec and Daphne Yarram (pictured below). I believe that the National Congress will provide a strong and powerful voice for our people across the nation but in order to maintain this strength, we will also rely heavily upon the support of our people to be active members, and of course, remaining financial viability.



National Congress of Australia's First Peoples Directors (Photo Courtesy of National Congress)

Although our National body The National Aboriginal and Islander Legal Services have confirmed in our National Strategic Plan that we are the peak body that provides a voice on Aboriginal and Islander justice issues we have an arrangement with the National Congress that we will work with them to ensure a consistent voice is given to government.

In recent years, we have witnessed our elected leaders recognise and acknowledge the wrongs of the past, including the National Apology, Redress for our Stolen Generations, Keating's Redfern Address and now Constitutional Reform.

I believe that fair-minded Australians are now ready for this change and have a greater understanding of the importance of now 'getting it right' through ensuring a positive result from a referendum. In order for this change to occur, it will also be vital that our own community is provided with the opportunity to be properly engaged and involved in the evolving process.

If we are not asked what it is we want and what is important to us, Australia will only perpetuate the wrongs of the past.



Applause and contemplation during the National Apology in Perth 13 February 2008

Constitutional change must start a new beginning and a fundamental change in our relationship with the colonisers. A healing of our nation will not happen if this is not achieved. Simply put - what would be the point?

Our 2011 – 2014 Corporate Plan has been updated to comply with the Australian's Government's new Indigenous Legal Assistance and Policy Reform (LAPR) Program and align with the intention of the National Aboriginal and Torres Strait Islander Legal Services (NATSILS) Memorandum of Understanding and NATSIL's Strategic Plan (2011-2014). It is also reflective of the Standing Committee of Attorney General's National Indigenous Law and Justice Framework (2009 – 2014).



ALSWA's Corporate Plan was compiled with assistance from Consultant Grant Sarra, pictured above with ALSWA staff: Peter Collins, Robert Wilson, Bjorn Griessel, Dennis Eggington, Grant Sarra, John Bedford, Peter Coole, Jodi Hoffmann, Tammy Solonec, Robyn Ninnette, Julie Best, Tina Ward, Wendy Hughes

Future Direction

The Federal Attorney General The Hon Robert McClelland MP has given his full support for the investment into preventative and diversionary programs. This will mean targeting our communities through community legal education activities while developing best practice models for prevention and diversion.

ALSWA CEO Dennis Eggington with Federal Attorney General The Hon Robert McClelland at ALSWA head office



Justice Reinvestment is now being supported by many sectors in our community including most political parties. This involves diverting funds from the processes of justice, as an example, diverting monies from building prisons and putting those funds into programs that address peoples' offending, or more importantly, the causal pathways that lead people into the criminal justice system. These approaches have been delivering very good results around the world. While this is not the traditional work we do it does however provide us with the opportunity to expand the types of work we do.

The future must give us hope that we can have safer communities where we deal with healing people not just punishing them. After all, prisons do not make our communities safer. Treating and healing people of their offending behaviour breaks the cycle. Our broader community has to give our governments the push it needs to give our politicians the political will for change.



Crosses laid at the steps of Parliament House in Perth as community members gathered in remembrance of 20 years on from the release of the Royal Commission into Aboriginal Deaths in Custody report (15 April 2011)

It must also be acknowledged that 15 April 2011 marked 20 years on from the release of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) Report. It is a tragedy that two decades on, 269 more Aboriginal people have died nationally in custody. ALSWA remains firmly committed to striving for a more just and equitable future for our people.

Big Picture

It is still vitally important that our organisation continues to look beyond our funding agreement with the Commonwealth Government. The expansion of our programs particularly in the areas of prevention and diversion are essential if we are to make any impact on the over-representation of our peoples in the criminal justice system.

Strong governance and organisational leadership will be required. Our committee has endorsed this and directed staff to provide examples of different organisational structures to achieve these ends.

We are at the coal-face of our struggles. Aboriginal Legal Services all over Australia have mottos that reflect striving for justice.

This country continues to make so many mistakes when it comes to settling our unfinished business. What is very clear to me is that we will never get to the right place to start our proper and rightful relationship with the settlers and their government while we are left out of the equation.

While the States and Territories continue to lock up our people in the numbers they do, while governments continue to allow us to be socially constructed onto the margins of society and more importantly while the majority of the citizens of this country let it happen, we will not achieve concepts of Reconciliation or achieve our rightful place as First Nations People of this country.

It is a time for doing.

Doing time is not the answer.

Yours in Unity

Adjunct Professor *Dennis Eggington*

2010 – 2011 EXECUTIVE COMMITTEE Office Bearers



Rosetta Sahanna (President) West Kimberley Region

A proud mother and grandmother from Broome, Rosetta Sahanna has a great interest in social and legal justice issues. She advocates for equality and empowerment and strives to make a difference by contributing, participating and being involved in decision making to improve our people's lifestyle.



Michael Blurton (Vice-President) Central/Metropolitan Region

Michael Blurton is a Noongar man originally from Quairading who has served many years on ALSWA's Executive Committee. He is committed to working towards a better future for our people.



Veronica Williams-Bennell (Secretary) Goldfields Region

A Nyoongar/Mirrning woman from Esperance, Veronica Williams-Bennell is committed to ensuring a better future for young people, a fairer justice system within the courts and combating issues related to drugs and alcohol.



Ian Tucker (Treasurer) Goldfields Region

Ian is a Wongi man from Menzies who has a great interest in Aboriginal justice issues and ensuring that important information is getting back to his community. He is interested in statewide issues to determine what does or does not work for our people.

Results of ALSWA Executive Committee Election 23-27 May 2011

Murchison/Gascoyne Region: Lorraine Whitby (President) and Kathleen Musulin

Southern Region: Trevor Eades and Arthur Slater (Vice President)

West Kimberley Region: Kathleen Watson (Secretary) and Kevin George

Goldfields: Ian Tucker (Treasurer) and Fay Sambo

Central Region: Michael Blurton and Murray Yarran

Central Desert Region: Preston Thomas and Beverly Thomas

East Kimberley Region: Trevor Bedford and John Green

Pilbara: Phyllis Simmons and *Shane Derschow

**A second Election was held for the Pilbara Region only between 15-19 August 2011 because only (1) nomination was received for this region during the May 2011 Election. Following this Election, Shane Derschow was elected as the 2nd Executive Committee member for the Pilbara region.*

2010 – 2011 EXECUTIVE COMMITTEE Members



Lorraine Whitby – Murchison / Gascoyne Region

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



Violet Whitby – Murchison / Gascoyne Region

A Yamatji woman from Carnarvon, Violet Whitby is committed to ensuring that our people have a greater understanding of legal issues and the justice system in Western Australia.



Beverly Thomas – Central Desert Region

Beverly Thomas is from Kalgoorlie and has lived in Kanpa Community for 17 years. She has a long association with ALSWA's Executive Committee and is committed to the issues facing our people and the important role played by ALSWA.



Preston Thomas – Central Desert Region

Preston Thomas is from Laverton and has lived in Kanpa Community for 17 years. He has been involved with ALSWA's Executive Committee for many years and has a great interest in ALSWA's work and the justice system in Western Australia.



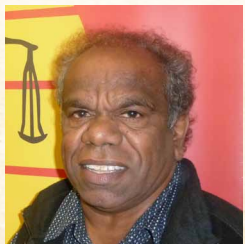
Paul Sampi – West Kimberley Region

Paul Sampi is a Bardi Elder from One Arm Point committed to doing what he can to prevent alcohol and drug related issues and ensure a better future for Aboriginal children. He has represented this region on ALSWA's committee for almost two decades, ensuring that his community are aware of ALSWA services and the law in WA. Retiring from ALSWA's Committee during 2010, ALSWA wishes Paul Sampi the very best for the future and gratefully acknowledges his valued contributions over many years.



Kevin George – West Kimberley Region (replacing Paul Sampi, retired)

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



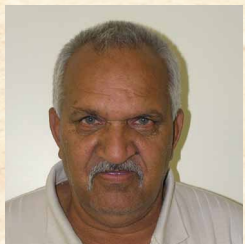
Murray Yarran – Central Region

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



Dean Colbung (Acting) - Southern Region

Dean Colbung is a Nyoongar man who has a great commitment to community politics at a local level. He is proud to represent the southern region through his role on ALSWA's Executive Committee and acted in this position for Trevor Eades between June and October 2010.



Trevor Eades - Southern (replacing Dean Colbung October 2010)

A Noongar man and an Elder of the south-west region, Trevor Eades had his first term on ALSWA's Committee during 2006. He brings a wealth of knowledge to this role and was an ATSIC board member during the 1990's and in more recent years has been on the Executive board for the South West Land and Sea Council.



Olivia Roberts – Southern

A proud woman from the Weirlumun people, Olivia Roberts is committed to self-determination and empowerment for our people and is supportive of the important role played by healing and rehabilitation.



Phyllis Simmons – Pilbara

Phyllis Simmons is a Yamatji woman from the Karratha (Pilbara) region who is committed to women's issues and justice for our people. She is concerned about prison overcrowding and the importance of healing and rehabilitation centres and would like to see more diversionary processes to reduce prison intake.



Victor Woodley – Pilbara

Victor Woodley has a long association with ALSWA through his previous work as a Court Officer and as a former President and Vice President of ALSWA's Executive Committee. He believes that ALSWA is a national 'best practice' example for the legal representation of our people.



Judith Butters – East Kimberley

Judith Butters is from the Halls Creek region, East Kimberley. She is committed to bridging the gap between Aboriginal and non-Aboriginal people and reducing the incarceration rate by ensuring there is a greater understanding of the laws governing this Country.

EXECUTIVE OFFICER'S REPORT John Bedford



Overview

The end of the 2010-11 financial year saw the completion of a three year contract with the Commonwealth Attorney Generals Department. This contract was won on a tender basis to provide Legal Aid Services to the Aboriginal and Torres Strait Islander peoples in Western Australia.

I am pleased to report that whilst some contractual obligations are unfulfilled due to the timing of this report, all other contractual obligations to date have been fulfilled in respect to the 2008/09 to 2010/11 contract with the Attorney Generals Department. The primary objective of providing a quality legal service to our community has been achieved, despite the many challenges faced by ALSWA during those three years.

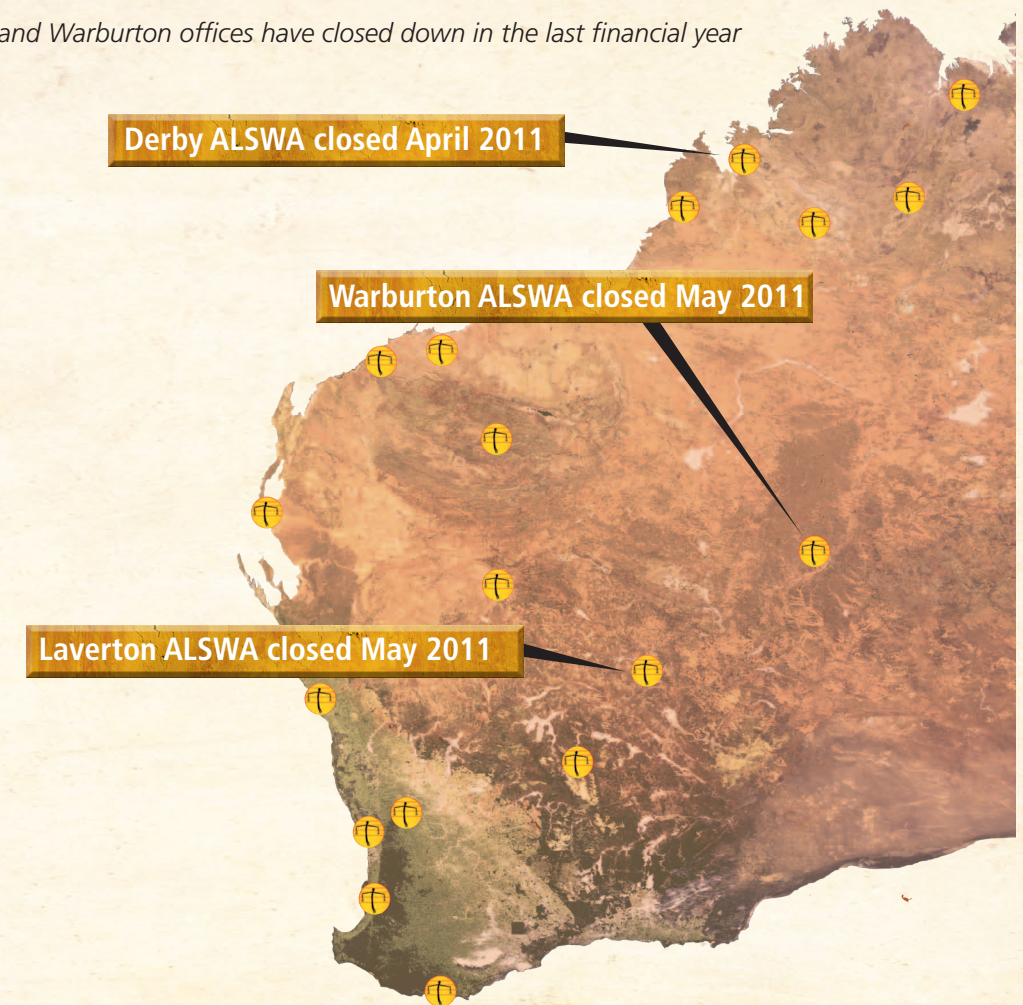
These challenges have meant that ALSWA in many respects has had to adapt to meet these challenges. Our Senior Management team has responded by shifting available resources to areas of greater need. These challenges have been influenced by a number of factors including the establishment by the State Government of the Kimberley Taskforce into child abuse, Stolen Generations project, alcohol restriction in communities and the ongoing effects upon our people through legislations such as "move on notices".

Other challenges and issues that ALSWA has faced have included high rental markets influenced by the "mining boom" in the Kimberley and Pilbara regions. This particular issue has had serious implications for ALSWA as it has affected our ability in providing suitable affordable accommodation for all of our staff working in these regions. Recruitment and retention of staff in these areas is another related issue that senior management have had to contend with in providing a legal service in these regions.



*Native Hibiscus,
the National Sorry Day emblem*

ALSWA's Derby, Laverton and Warburton offices have closed down in the last financial year



Whilst ALSWA has met its contractual obligations to the Attorney Generals Department, the focus has been to maintain and improve our service standards and provide our staff with the necessary resources to enable them to perform their jobs adequately.

Finance

As reported, the 2010/2011 financial year was the last of a three year contractual funding period with the Commonwealth's Attorney General's Department. For the twelve month period ending 30 June 2011, ALSWA reported on the following projects:

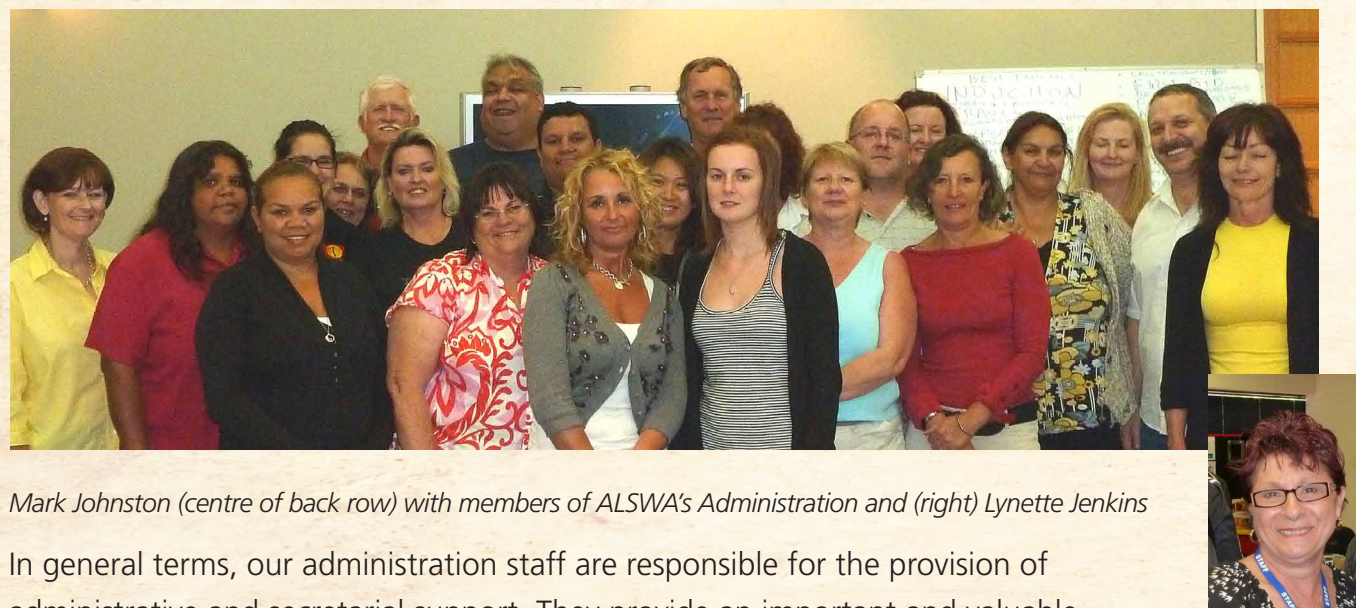
- Legal Aid
- Law and Advocacy
- Juvenile Support Project
- Expensive Criminal Case Funding
- Indigenous Justice Taskforce
- Property Purchases
- Liquor Pilot Project
- Employee of the Year
- ALSWA History Project
- Stolen Wages
- Kalgoorlie Property Trust
- Culture and Art Grant
- Prison Documentary Project
- Redress WA Project

I believe we have managed all funds received from funding bodies diligently and expenditure has occurred in accordance with contractual obligations and funding guidelines. A more comprehensive financial statement pertaining to the 12 months ending 30 June 2011 is contained at the end of this Annual Report.

From 1 July 2011 a new funding agreement was entered into between ALSWA and the Commonwealth's Attorney Generals Department in June of 2011. This funding agreement is for a period of three years and will conclude on 30 June 2014.

Administration

Over the past 12 months we have seen some long serving staff members leave ALSWA to pursue other endeavours. I would like to specifically acknowledge the valuable contributions to the administration of ALSWA made by Mark Johnston and Lynette Jenkins, who have contributed greatly to this organisation over many years. They will be greatly missed and we extend our best wishes to them both.



Mark Johnston (centre of back row) with members of ALSWA's Administration and (right) Lynette Jenkins

In general terms, our administration staff are responsible for the provision of administrative and secretarial support. They provide an important and valuable administrative function within our organisation, without which, we would be unable to provide the level of service that is expected of us. As at 30 June 2011 there were approximately 30 staff members statewide providing administrative support in various capacities.

In terms of Information and Technology (IT), the 2010/2011 financial year also saw:

- The revamping and introduction of a more effective email system
- A major overhaul of IT Systems with new servers and operating systems being established and up-graded.
- A greatly enhanced and up-dated ALSWA website at www.als.org.au. Information is regularly updated on the website to include ALSWA's fortnightly Law Matters radio programs, Media Statements, Law Matters newsletters, submissions and other relevant information.
- Skype Video Conferencing throughout the organisation to improve communications.
- A systematic up-grade of office assets and up-grade of the Perth Office Conference Room (ie Printers / Media Systems)
- The implementation of a web based Employee Management Services Portal called CONNX. This system allows each staff member to access a unified communication tool and allows each staff member to access and control their own personnel information.

These new features have provided improved performance and functionality and given staff capacity to access to more reliable and modern IT systems.



ALSWA's historical mural features proudly on ALSWA's website and Law Matters newsletters and is shown here being unveiled by David Wirrpanda at last year's launch at ALSWA Perth Head Office. The mural was created by David Wirrpanda Foundation and Central Institute of Technology 'Solid Futures' students with artist Peter Farmer.

Human Resources/Staffing

In the early part of the 2010/11 financial year a review was commissioned to evaluate our human resource operations and systems. One of the recommendations to come from that review included the recruitment of a “specialist” Human Resource Manager. Despite a long and lengthy search for a suitably qualified person, we were able to acquire the services of a Human Resources professional. This position is a welcome addition to our organisation and enables us respond more effectively to everyday workplace industrial relations matters. The position also provides a valuable resource to senior management with the provision of advice on developing effective human resource strategies in relation to staff recruitment and retention, staff training and development and general human resource management. It is the first time in ALSWA’s history, that a specialised position such as this has been created within ALSWA and is certainly a welcome long overdue addition to our organisation.

During the course of previous twelve months approximately 104 Full Time Equivalent (FTE) positions were funded by ALSWA to delivery Legal Assistance and support across Western Australia. This figure does not include temporary staff. A comprehensive list of staff roles can be viewed at the back of this Annual Report. Of the total of 104 staff, 41 (or 40%) of staff members identified as Aboriginal.

Challenges Ahead

Like my colleagues on the Senior Management Team, I am very excited by the challenges that lay ahead in the next 12 months, which include:

- Developing strategies to assist with Staff Recruitment and Retention
- Greater focus on Staff Development & Training
- Improving Service Delivery
- Strengthening Governance and;
- Maintaining and strengthening Policy Development & Advocacy



John Bedford with Mick Gooda, Australian Human Rights Commission Aboriginal and Torres Strait Islander Social Justice Commissioner at a NATSILS meeting in Melbourne

As we head into a new funding relationship with the Commonwealth we need to keep focused on being responsive to the needs of the community whilst ensuring that the necessary resources are available. We must also ensure that our greatest asset, our staff, are equipped with the skills and necessary resources to enable them to continue to contribute to providing a quality legal service to our communities throughout the state.

John Bedford

Executive Officer

DIRECTOR OF LEGAL SERVICES Peter Collins



Funding

ALSWA completed the final year of its second contract with the Commonwealth Attorney General's Department ("AGD") for the delivery of legal services to the Western Australian Aboriginal community on 30 June 2011. ALSWA will now move back to a grant funding arrangement with the AGD. Funding for ALSWA will remain effectively static for the next three years.

The cost and complexity of legal service delivery in regional and remote WA remain considerable, especially in those areas where ALSWA competes with the mining industry for access to appropriately qualified staff and staff housing. Recruitment and retention of lawyers to these areas also continues to be highly problematic for ALSWA.

Recent attempts by ALSWA to again secure funding from the State Government have again fallen on deaf ears. Further, ALSWA has not been able to receive assistance through the Royalties for Regions Scheme nor participate in State Government initiatives designed to address housing shortages in regional and remote WA. As a Commonwealth funded organisation, ALSWA is deemed ineligible to receive funding and other assistance from the State Government.

Aboriginal imprisonment

The WA Parliament's Community Development and Justice Committee's "Making Prisons Work" report was published in late 2010. The report found the high rate of Aboriginal imprisonment was the single biggest issue confronting WA's justice system. The report further found that the over-representation of Aboriginal people in WA prisons cost the community \$1 billion a year.

At the time of writing this report, Aboriginal adults comprised 38.2% of the total adult jail population and 63.9% of the total juvenile detention population. The "Making Prisons Work" report also found 80% of jailed young Aboriginal males reoffend, while 70% of adult Aboriginal males reoffend.

The House of Representatives Standing Committee report "Doing Time – Time for Doing", published in June 2011, noted that the over-representation of Aboriginal young people in the criminal justice system has been linked to the broader social and economic disadvantage faced by many Aboriginal young people, including:

- Poor education outcomes;
- High rates of unemployment;
- High levels of drug and alcohol abuse;
- Over-crowded housing and high rates of homelessness;
- Over-representation in the child protection system;
- High levels of family dysfunction; and
- A loss of connection to community and culture.

ALSWA has also identified the following as some of the causal pathways leading to the over-representation of Aboriginal young people in the justice system:

- The over-policing of Aboriginal young people, especially in relation to their occupation of public space, and poor utilisation of diversionary schemes by police;
- An absence of crisis care accommodation, bail hostels and rehabilitation programs;
- Lack of access to non-custodial sentencing options in regional and remote areas; and
- Mandatory sentencing laws.

The continued over-policing of WA's Aboriginal young people remains a serious concern. ALSWA has acted for a young person charged with trespass after being found playing on playground equipment and climbing on shade sails in the grounds of her local primary school at 6.30pm on a Sunday. Another young person was charged with receiving stolen property which had been shoplifted by a young friend from a local supermarket. The property shoplifted was polony valued at \$5 and a chocolate bar valued at \$4. Because a responsible adult was not available to sign a bail undertaking, the boy was remanded in custody. The reasons why trivial matters of this type should not be the subject of criminal prosecutions are too numerous to recite. Punitive policing practices routinely result in Aboriginal young people losing their liberty, a precious commodity which is so often undervalued when Aboriginal young people become immersed in the justice system.

Justice reinvestment

Both the "Doing Time - Time for Doing" and the "Making Prisons Work" reports recommend the introduction of Justice Reinvestment programs to target dysfunctional and disadvantaged communities burdened by a high level of offenders.

Justice Reinvestment recognises that most offenders come from a small number of disadvantaged communities, and it redirects money into crime prevention and community services in those identified communities. Money saved from reductions in crime, re-offending and spending on prisons would then be put back into those communities to improve education and social services.

ALSWA has contributed to a national Aboriginal and Torres Strait Islander Legal Services ("NATSILS") submission on the National Human Rights Action Plan Baseline Study Consultation Draft, which has also recommended:

- The incorporation of targets to reduce the high involvement of Aboriginal peoples in contact with the criminal justice system into the Closing the Gap agenda;
- The implementation of Justice Reinvestment strategies that include therapeutic jurisprudence approaches, such as the expansion of specialised Courts and community Courts, and the increased use of restorative justice processes that promote community empowerment and the role of Aboriginal Elders in the criminal justice system;
- The increased use of non-custodial sentencing options (such as community based orders, community work orders, diversionary programs, cautioning and home detention);
- The abolition of mandatory sentencing laws;
- That the Commonwealth Government work with State and Territory Governments to create a holistic youth justice system that responds effectively to the causal factors of offending and over-representation by diverting young people from contact with the criminal justice system and judicial proceedings and referring them to appropriate support and rehabilitative services wherever possible; and
- That the necessary resources be made available by Commonwealth, State and Territory Governments to prevent young people coming into contact with the criminal justice system in terms of investing in education, housing, rehabilitation services, youth bail hostels, support services, employment and training and recreational activities under a justice reinvestment framework.

Only carefully thought-out, adequately funded social investments can reduce crime and make communities safer. Justice Reinvestment strategies, which ALSWA has long advocated for, might be the first step in providing the answers and in turn addressing the horrendous over representation of Aboriginal people in the justice system and custody.

Criminal Law

ALSWA's Criminal Law and Court Officers Units and lawyers and court officers working in ALSWA's regional offices continue to provide high quality legal services to the Aboriginal community in criminal law. Their dedication and commitment in the face of gruelling workloads is extraordinary. ALSWA plays a critical and often under recognised role in legal service delivery in criminal Courts in WA. In particular, in some parts of regional and remote WA, ALSWA is the only legal aid service delivery agency working on the ground in criminal Courts.



ALSWA Court Officers Elvis Stokes, Murray Stubbs, Kenny Sutton, Sorgi Eggington, Mark Radovanovic, Steve Carter, Sylvia Crombie, Stephanie Mippy, Carmen Roberts, Rob Bonson, Leashay Eggington, Kyle Anderson, Maria Meredith, Lindsay Councillor, Viv Blurton, Kevin Blurton pictured at the ALSWA Staff Conference in 2010

Civil and Human Rights Law

Death in custody of Mr Ward

As was noted in the 2010 Director of Legal Services Report, WA's Director of Public Prosecutions decided not to lay criminal charges arising out of the death in custody of Mr Ward in 2008.

In January 2011, WorkSafe WA decided to prosecute the Department of Corrective Services, G4S Custodial Services Pty Ltd ("G4S") (the company contracted by the Department of Corrective Services to transport persons in custody) and the two drivers of the van in which Mr Ward died under sections 22, 21 and 20 (respectively) of the Occupational Safety and Health Act 1984. Maximum penalties for breaches of these provisions range from \$20,000 to \$400,000 per breach. ALSWA worked co-operatively with WorkSafe WA in the initial stages of their investigation.



On 7 July 2011, the State Government was fined \$285,000 over the death of Mr Ward after pleading guilty to failing to ensure a person in its care was not exposed to hazards – in this case, the breakdown of the air-conditioning in the prison transport van which caused Mr Ward to die from heat stroke. On 23 August 2011, G4S was fined the same amount after pleading guilty to the same offence.



ALSWA CEO Dennis Eggington and ALSWA Director of Legal Services Peter Collins address the media at a Press Conference at ALSWA Head office in Perth about the Ward matter in August 2010

On 7 September 2011, one of the drivers of the prison van was fined \$9,000 after pleading guilty to failing to take reasonable care to avoid affecting the safety or health of a person in custody. The other driver was fined \$11,000 on 5 October 2011 after pleading guilty to the same offence. The fine of \$11,000 was the highest ever imposed on an employee after a WorkSafe WA prosecution.

ALSWA continues to act on behalf of the family of Mr Ward in relation to civil proceedings arising out of his death, including issuing a writ against G4S and the two G4S van drivers.

Cyber racism

There has been an alarming increase in the incidence of cyber racism targeting Aboriginal people. ALSWA's Civil and Human Rights Law Unit is currently acting on behalf of clients who had photographs taken of them while being held in a lock up of a regional police station. The photographs depict the clients in an intoxicated and semi comatose condition. The photographs

were taken without the client's knowledge or permission. The photographs were posted on the Facebook page of a then serving police officer from the same regional police station. One of the photographs posted on the Facebook page was accompanied by a racist caption. ALSWA has complained to the WA Police Service, the Corruption and Crime Commission and the Australian Human Rights Commission in relation to the incident.

In another matter, ALSWA has instituted proceedings in the Federal Court on behalf of a client whose young children tragically died in a motor vehicle accident involving police. A WA newspaper published on its website commentary by members of the public about the deaths, the client and the Aboriginal community generally, which ALSWA has submitted was racist and offensive and went beyond the bounds of fair comment in the public interest. A declaration is being sought that the publication was unlawful in terms of section 18C of the Racial Discrimination Act 1975.

Prisoner transport

ALSWA's Civil and Human Rights Law Unit is also acting on behalf of another client who collapsed and was hospitalised after being transported from a Perth jail in searing temperatures in the rear pod of a G4S van with non-functioning air-conditioning. The incident occurred more than two years after Mr Ward's death. ALSWA has recently been advised by the Minister of Corrective Services that a business improvement review following the incident has resulted in 19 recommendations relating to the administration of the movement of prisoners. WorkSafe WA is also investigating the incident, following the refusal by police to act on a recommendation by ALSWA that criminal charges be laid against those involved in transporting the client. Civil proceedings are also being contemplated.

The passion and hard work of lawyers and staff in ALSWA's Civil and Human Rights Law Unit to the WA Aboriginal community should also be recognised. The Unit undertakes work on behalf of its clients which is often unique, as well as providing a service to clients in areas of law which are often simply not available elsewhere.

Family Law

The Children and Community Service Act 2004 ("the Act") was amended at the start of 2011.

A major amendment has been to provide for "Permanency Planning" for children in the care of the Department for Child Protection ("DCP"). This is meant to prevent the ongoing movement of such children between various foster homes and to create more stability for these children.

Even though the Act makes it clear that re-unification and permanency planning can run side by side, DCP has sought protection orders to age 18 in every case where the children cannot be or are not going to be re-unified with their parents and/or usual carers within two years. When this happens, DCP case workers often reduce contact with Aboriginal families and fail to actively promote re-unification.

Protection orders (special guardianship) have also been introduced, which are effectively the same as protection orders but allow DCP and anyone who has had ongoing care of a child for two years or more to apply. DCP is actively encouraging these applications.

Both types of orders provide for the carers to have full parental responsibility for the child/ children to the exclusion of parents and previous carers. Because of the high percentage of Aboriginal children taken into care, these orders and DCP's accompanying policies mean that more and more Aboriginal children are likely to be placed "permanently" with foster carers, including relative foster carers (extended family) and even non- Aboriginal foster carers. ALSWA's Family Law Unit has taken the view that, unless there is absolutely no merit in defending such applications, ALSWA should defend such applications to trial in every case.

For example, ALSWA's Family Law Unit has acted on behalf of the grandparents of a young child where the above legislative changes have been relied upon by DCP. In earlier proceedings, a protection order was imposed along with a direction from the trial Magistrate that the child be re-unified with the grandparents. DCP then failed/refused to follow the Court direction and reduced contact between the child and grandparents to once a month. One DCP worker told them that they were never getting the child back. DCP moved the child's placement from a close family member to a more distant family member, and then to an individual who was not related to the child.

DCP then applied to further extend the protection order until the child turned 18. The application was successfully opposed by ALSWA, with the trial Magistrate making a protection order (special guardianship) in favour of the grandparents. During his reasons, the trial Magistrate criticised DCP for their systemic failures in dealing with the matter and stressed the importance of DCP implementing changes in the way it dealt with Aboriginal families subject to these sorts of applications.



Family Law Unit Sally Savini, Garth Melvold, Mary Chape, Susie Marshall, Jonathon Reid, Neil Anderson

I would like to recognise the efforts of lawyers and staff in ALSWA's Family Law Unit (pictured above) who have worked tirelessly and with limited resources to provide the best possible legal services to WA's Aboriginal community in family law.

Law Reform and Policy

ALSWA has produced a number of submissions across a broad range of law and justice and human rights issues, including:

- Bail Act Review, November 2010 (Department of Attorney WA)
- Mental Health of Young People, November 2010 (Commissioner for Children and Young People)
- Disqualification by Notice, November 2010 (WA Parliament)
- JP Review, December 2010 (Department of Attorney WA)
- Coronial Review, December 2010 (Law Reform Commission of WA)
- Child Rights Taskforce, January 2011 (for inclusion in the National NGO Report to the UN Child Rights Committee)
- National Human Rights Action Plan (co-ordinated joint NATSILS submission), February 2011 (Commonwealth AGD)
- Implementation of Universal Periodic Review Recommendations (joint NATSILS), March 2011 (Commonwealth AGD)

- Community Protection (Offender Reporting) Act, May 2011 (Law Reform Commission of WA)
- Convention on the Rights of the Child (helped co-ordinate joint NATSILS report), June 2011 (UN Child Rights Committee)

These publications may be found on the ALSWA website at www.alswa.org.au.

Community Legal Education workshops

ALSWA's Community Legal Education activities have focussed on conducting workshops for young people about their rights when dealing with police, the justice system and racism. Workshops were run by ALSWA for groups of Aboriginal young people at:

- PCYC Midland;
- HALO participants, including additional training for HALO Youth Mentors; and
- Clontarf Aboriginal College.

ALSWA also conducted Human Rights Workshops for Aboriginal people in relation to the Universal Periodic Review in February and March 2011 (in partnership with the Australian Human Rights Commission, Human Rights Law Centre and supported by the AGD) and the National Human Rights Action Plan in September 2011 (in partnership with the law firm, Mallesons Stephen Jaques, and the Human Rights Law Centre).



ALSWA Human Rights lawyer Seranie Gamble at a workshop at ALSWA on the Universal Periodic Review

Networks and alliances

ALSWA has continued its involvement with various networks and alliances including:

- National Aboriginal and Torres Strait Islander Legal Services Policy and Law Officers Forum working on a number of joint submissions (listed above);
- National Community Legal Centres Human Rights Network;
- Indigenous Peoples Organisation Network; and
- Australian Inquest Alliance.

ALSWA staff have been appointed to join the steering committee for the National Child Rights Taskforce and to the National Human Rights Action Plan Advisory Committee. ALSWA has also joined the newly established National Police Accountability Network. ALSWA also secured special funding from the UN Trust Fund for Indigenous Populations and other private sources to attend the UN Permanent Forum on Indigenous Issues in New York and the Expert Mechanism on the Rights of Indigenous Peoples in Geneva. At those forums, ALSWA assisted in preparing joint statements and presentations with the Aboriginal delegations in relation to justice issues and the rights of Aboriginal peoples.

ALSWA's pro bono partners

ALSWA is indebted to the following law firms who have generously offered pro bono assistance: Lavan Legal, Mallesons Stephen Jaques, Allens Arthur Robinson, Blake Dawson, Freehills, and Corrs Chambers Westgarth.

ALSWA has also gratefully received sponsorship funding for ALSWA's international human rights work from: Australian Human Rights Commission, Aurora Project; and United Nations Voluntary Fund for Indigenous Populations.

Acknowledgments

A number of long serving lawyers and court officers have left ALSWA after years of dedicated service: In-house criminal counsel Mara Barone, Managing Court Officer Kenny Sutton, Managing lawyer of ALSWA's Civil and Human Rights Law Unit Gulmina Miocevic, Criminal lawyer, Andy Matthews and Lawyer with ALSWA's Civil and Human Rights Law Unit Tahnee Davies (see next page). All will be sorely missed and I would like to thank them for the work they have done for ALSWA and our clients.



Mara Barone



Kenny Sutton



Gulmina Miocevic



Andy Matthews



Tahnee Davies

I would also like to thank ALSWA's Senior Management team of Dennis Eggington, John Bedford and Robyn Ninyette, for their ongoing support and assistance.

Peter Collins

Director Legal Services

JUSTICE

A History of the Aboriginal Legal Service of Western Australia Fiona Skyring

Professor Fiona Skyring (*pictured on right*) has finished the book on the history of the Aboriginal Legal Service of Western Australia (Inc) and it will be published by University of Western Australia Publishing (UWAP) under the title:

Justice: A History of the Aboriginal Legal Service of Western Australia

The project was generously supported by grants from Lotterywest, the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), the Department of Premier and Cabinet in Western Australia and the Commonwealth Attorney-General's Department. Minara Resources also contributed to the project.

Fiona interviewed over forty people who have been involved with or worked for the Legal Service from its beginnings in 1972 through to today. She travelled across the state, speaking with people in towns from Kununurra to Roebourne to Albany.

The book has thirteen chapters and is illustrated with black and white photographs and will be launched in late November this year in Perth.

More information can be viewed on the website of the University of Western Australia Publishing (UWAP).



National NAIDOC Awards

ALSWA CEO and 2010 National NAIDOC 'Person of the Year' Dennis Eggington attended the NAIDOC Awards in Sydney to present the Award to the 2011 recipient, Lawyer Terri Janke. ALSWA congratulates all NAIDOC Award recipients.

Dennis Eggington and Terri Janke (Photo by Wayne Quilliam courtesy of National NAIDOC)



ACHIEVEMENTS

ATSILS Employee of the Year

Nunga woman Jodi Hoffmann is the recipient of the 2010 “Trevor Christian Aboriginal and Torres Strait Islander Legal Services (ATSILS) Employee of the Year” Award. Originally from Adelaide, Ms. Hoffmann, a proud mother of two, has been ALSWA’s Media Officer since 2006. With an extensive background in media, she holds a Graduate Diploma in Journalism and has previously worked as a broadcaster/producer (WA Aboriginal Media Association and 720 ABC Perth) and as the Koori Mail WA Correspondent. The ATSILS Award consists of an engraved trophy, Certificate of Achievement and professional development sponsorship and was initiated by the Commonwealth Attorney-General’s Department in 2008 to recognise the outstanding contribution made by an individual ATSILS staff member.

WA Citizen of the Year ‘Indigenous Leadership’ Award

Adjunct Professor Dennis Eggington was awarded the ‘Indigenous Leadership Award’ at the 2011 WA Citizen of the Year Awards. A Nyungar man, Mr. Eggington has been CEO of ALSWA since 1996 and this Award recognises his professional and personal achievements and outstanding contributions as an Indigenous leader and inspirational role model. With a Masters of Human Rights Education, he has been a strong advocate in advancing the rights of Aboriginal and Torres Strait Islander people for almost forty years. Commencing his early career teaching in WA, NT and NSW, he has also lectured at Curtin University’s Centre for Aboriginal Studies and established the WA Aboriginal Media Association (WAAMA) in the late eighties. Mr. Eggington is a National Congress of Australia’s First Peoples Director.

(WA) Junior Woman Lawyer of the Year

ALSWA Human Rights Lawyer Seranie Gamble was named the 2011 WA ‘Junior Woman Lawyer of the Year’. The Awards began in 2006 by Women Lawyers Western Australia (Inc) to recognise women who have made an outstanding contribution to the promotion of justice and equality for women. Originally from NSW, Ms. Gamble is a strong advocate for human rights who commenced working with ALSWA in 2008. She also studies International Human Rights at Oxford University.



Jodi Hoffmann, Dennis Eggington (Photo courtesy Celebrate WA), Seranie Gamble with Kenny Sutton

COMMUNITY LEGAL EDUCATION / MEDIA

ALSWA is committed to providing quality Community Legal Education (CLE) for Aboriginal and Torres Strait Islander peoples and key stakeholders/organisations working within Western Australia’s justice system and/or with our people.

It is vital that information about our services is not only Culturally appropriate, but also widely and easily accessible.

ALSWA is frequently visited by school and tertiary groups keen to gain a greater understanding of ALSWA’s history, services and importance and also runs workshops and attends community events to set up CLE stalls.



Curtin University students Perry Mulando, Sylvia Hanna, Janelle Morgan, Amanda Meyn, Carly Parker, Tracey Peter, Cherith Masters pictured with ALSWA staff John Bedford, Robyn Ninyette, Darlene Summers and Kim Houston during a visit to find out more about ALSWA’s history and services, and ALSWA Executive Officer John Bedford speaking at a Deaths in Custody event in Perth

Major events that ALSWA has attended and set up an educational stall include:

- NAIDOC Perth Opening Ceremony
- Derbarl Yerrigan NAIDOC Family Day
- City of Armadale NAIDOC celebrations
- Aboriginal Seniors events through Seniors Recreation Council WA
- Polytechnic (TAFE) NAIDOC celebration, Midland
- RecLinc Football Carnival
- Little Hands Festival
- Kambarang Festival
- Wardarnji Festival
- Too Solid Festival
- Sorry Day



Left to right: Linc Ugle and Wendy Rea-Young at an Aboriginal Seniors event, Margaret Stephens, Darlene Summers and Thomas Quayle at Sorry Day in Perth, Kim Houston, Jodi Hoffmann and Helen McCartney at the Ashfield NAIDOC Family Day in Perth and Broome based Court Officer Margie Ugle at NAIDOC celebrations in Broome

Law Matters radio program on Noongar Radio

ALSWA's inaugural 'Law Matters' radio program commenced on air on 6NME (100.9FM) Noongar Radio in Perth on Wednesday 20th October 2010 and between this date and 30 June 2011, ALSWA produced and presented a total of 16 fortnightly one hour programs in the regular timeslot of alternate Wednesdays between 11.00 am and 12.00 noon, repeated Sunday nights.

This program is an effective means of reaching a wider audience to discuss important legal topics in an entertaining and informative way, whilst also promoting the wide-ranging services provided by ALSWA.

ALSWA management and staff feature regularly on Law Matters to discuss what's making news, legislation, issues surrounding the over-representation of Aboriginal people and to generally provide a greater insight into ALSWA's services and staff. Other guests include Australian Human Rights Commission Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda, NATSILS Chairperson Shane Duffy, Dr. Mark Bin Bakar, Les Malezer and Sam Jeffries from the National Congress of Australia's First Peoples, WA Chief Justice Wayne Martin and Shayne Neumann, Chair of the Standing Committee on Aboriginal and Torres Strait Islander Affairs.



ALSWA Criminal Law Unit lawyer Andy Matthews, Kristy Gaunt and Kim Axford from ALSWA's Civil/Human Rights Unit and WA Chief Justice Wayne Martin

Produced and presented by ALSWA Media Officer Jodi Hoffmann, Law Matters can be heard live in Perth on 100.9FM or through live streaming at www.noongarradio.com - all programs are also available to listen to on ALSWA's website after broadcast at www.als.org.au under 'Media – Radio Programs'.

Media

ALSWA continues to maintain a high profile within the media, providing an authentic voice to current debate on wide ranging issues. Our voice is regularly sought by a diversity of media outlets, both Indigenous and mainstream.

Our knowledge and comments on issues relating to Aboriginal people and the justice system in Western Australia have featured strongly within media commentary through regular interviews with media groups including:

Koori Mail, National Indigenous Times, National Indigenous Radio Service, National Indigenous Television, 6NME Noongar Radio Perth, The Australian, ABC Radio, ABC TV, Australian Associated Press, SBS TV Living Black, Koori Radio Black Chat NSW, 98.9FM Let's Talk QLD, Associated Press (International), Radio Goolarri Broome WA, 6PR Mornings, ABC Mornings, RTR-FM, WIN News and other external newsletters and media groups across the country.

ALSWA also speaks with students and visiting groups about the importance of balanced media reporting about the complex issues facing Aboriginal and Torres Strait Islander peoples within the justice system.

Our organisation will also feature in the next series of 'Noongar Dandjoo' an annual series of television programs made by Curtin University students during a program focusing on Indigenous Incarceration (to be broadcast early 2012).

ALSWA Pamphlets

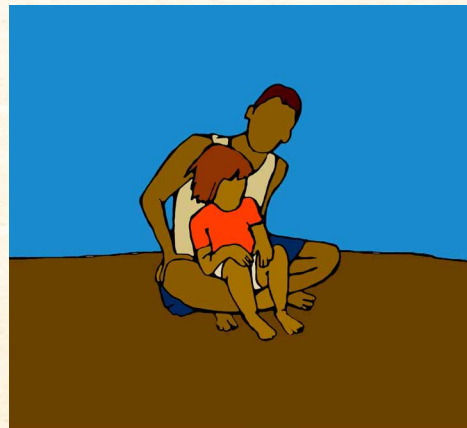
ALSWA's pamphlet range has been updated and features eye-catching artwork by acclaimed Noongar artist, Peter Farmer. ALSWA pamphlets are frequently requested by community members and external agencies and the new look range will ensure that this legal information is both widely sought and presented in an easy to read format.

The pamphlet project was completed by ALSWA's Law and Advocacy Unit, Media Officer Jodi Hoffmann and Sylvie Millard in consultation with ALSWA Senior Management, lawyers and external agencies.



Above left: Artist Peter Farmer and designer Jason Hirst in early stages of pamphlet design

Above right: Parenting Orders pamphlet (as featured on the front cover of this Annual Report)



Compensation



Motor Vehicle Accidents – Property Damage

Pamphlets will include the topics of:

- Services at ALSWA
- Coronial Inquests
- Prisoner's Rights
- What are your rights as a consumer?
- Young People and the Law
- Property Settlement and Child Support
- Child Protection
- Parenting Orders
- Divorce
- Criminal Injuries Compensation
- Discrimination, Vilification and Harassment
- Motor Vehicle Accidents – Property Damage
- Police Complaints
- Wills
- Arrest
- Bail
- Property Offences
- Restraining Orders
- Living with a VRO
- Road Rules in WA
- Spent Convictions

ALSWA gratefully acknowledges the financial assistance provided by the Commonwealth Department of the Attorney General for this project.

ALSWA Justice Reinvestment Documentary

ALSWA is currently filming a documentary about Justice Reinvestment that will feature interviews with numerous community members and key stakeholders in Western Australia's justice system. Film-maker Ken Hayward has been contracted to work with ALSWA on this project and has conducted interviews both in Perth and regional WA.

Website www.als.org.au

The ALSWA website is continually updated to ensure that all information is up to date, informative and relevant. ALSWA's Submissions, Media Statements, Law Matters newsletters and Community information can be accessed, along with our pamphlet range and all Law Matters radio programs which have (to date) been broadcast on 100.9FM 6NME Radio in Perth. ALSWA's website also has a direct link to the ABC's Indigenous News site, ensuring that current breaking news is also easily accessible.

ABORIGINAL LEGAL SERVICE OF WA STAFF CONFERENCE PERTH WESTERN AUSTRALIA 9 – 11 NOVEMBER 2010



The Aboriginal Legal Service of WA (ALSWA) Staff Conference was held at The Vines in Perth from 9 – 11 November 2010. This gathering provided an invaluable opportunity for ALSWA's staff from throughout the state, to attend a series of professional development workshops to enhance our high quality of service delivery for Aboriginal and Torres Strait Islander peoples in Western Australia.

The conference commenced with ALSWA CEO Dennis Eggington welcoming staff to the conference, before his presentation of 'Towards Cultural Competency – the Ethics of representing Aboriginal Clients'.

Workshops were divided into relevant sessions for lawyers, administration, court officers and prisoner support officers with session including:

- Preparing and conducting a pre-trial hearing
- Cross examination
- Disclosure
- Mitigation
- Ethical obligations
- Civil litigation
- Stolen Generations
- Community Courts
- Updating Court officer manual
- Cross cultural video screening
- Overview of ALSWA units
- Data collection
- Salary and superannuation
- Discussion on issues facing Aboriginal and Torres Strait Islander peoples across WA
- Sharing of knowledge



Taimil Taylor, Daniel Briggs, Kristen Wallwork, Parames Karpusamy, Ben White



Elvis Stokes and Kevin Blurton



Les Saunders, Wayne Nannup, Julie Waud



Jennifer Hon, Laura Hamilton, Claire Kilby, Tony Hager, Andrew Wadham, Rob Owen, Emma Bradley



Pia Castelli, Meenakshi Burr, Kim Axford, Shanna Satya



Katrina Lane and Tahnee Davies



Graeme Allen, Dianne Huxtable, Mara Barone, Eva Svanberg



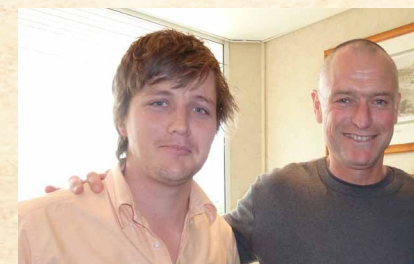
Daniel Briggs and Glen Dooley



Darlene Summers and Kristy Gaunt



Sorgi Eggington, Kyle Anderson, Lindsay Councillor, Steve Begg, Mark Radovanovic, Viv Blurton



Tony Hager and Peter Collins



Robyn Ninnette, Rosalind Russell-Smith and Dominic Brunello



Madge Mukund, Alice Barter, Mel McEwan

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2011



Tina Ward

ALSWA achieved a surplus of \$325,103 (2010: \$1,088,877) from total revenues of \$14,686,680 (2010:\$18,149,495) during the 2010/2011 financial year.

The strategic objectives of the organisation as set out in the Strategic Plan 2008-2011 were attained during the year. ALSWA provided legal services and other specific services in accordance with the Attorney General's Department contractual obligations remaining within its financial constraints. ALSWA was also able to sustain a professional, adaptive and culturally secure work environment whilst building beneficial partnerships with community and other stakeholders.


The auspicing of the Family Violence Prevention Legal Services was completed in June 2010 with unexpended funds transferred to the new entity during the year, ALSWA accounts now revert to single entity accounting.

The following statements are the audited financial accounts for the year ended 30 June 2011. Further detailed accounts of specific grants are available from the ALSWA office in Perth.



Tina Ward
Chief Financial Officer

INDEPENDENT AUDITORS REPORT by Deloitte



Deloitte Touche Tohmatsu
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Independent Auditor's Report To the Members of Aboriginal Legal Service of Western Australia (Inc) and the Attorney General's Department ("AGD")

We have audited the accompanying financial report, being a special purpose financial report, of Aboriginal Legal Services of Western Australia (Inc), which comprises the statement of financial position as at 30 June 2011, the income and expenditure statement, the cash flow statement, the statement of changes in equity, information for AGD purposes, notes to and forming part of the Accounts and attached Schedules to the Accounts as set out in the Aboriginal Legal Services of Western Australia (Inc) consolidated financial accounts for the year ended 30 June 2011.

The Executive Committee's Responsibility for the Financial Report

The Executive Committee is responsible for the preparation and fair presentation of the financial report and has determined that the basis of preparation in Note 1, is appropriate to meet the financial reporting requirements of the terms and conditions of the grant from the AGD. The responsibility of the Executive Committee also includes establishing and maintaining internal control relevant to 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 the Executive Committee, 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 Aboriginal Legal Services of WA (Inc) as at 30 June 2011 and of its financial performance, its cash flows and its changes in equity for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements.

Liability limited by a scheme approved under Professional Standards Legislation.
Member of Deloitte Touche Tohmatsu Limited



INDEPENDENT AUDITORS REPORT by Deloitte

Deloitte.

Basis of Accounting and Restriction on Distribution and Use

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 Aboriginal Legal Services of WA (Inc) to meet the financial reporting requirements of the terms and conditions of the grant from the AGD. As a result, the financial report may not be suitable for another purpose. Our report is intended solely for the members of Aboriginal Legal Service of Western Australia (Inc) and the AGD and should not be distributed to or used by parties other than the members of Aboriginal Legal Service of Western Australia (Inc) and the AGD.

Deloitte Touche Tohmatsu

DELOITTE TOUCHE TOHMATSU

CMaf

Conley Manifis
Partner
Chartered Accountants
Perth, 21 September 2011

STATEMENT BY CHAIRPERSON/CHIEF EXECUTIVE OFFICER

In our opinion:

The accounts and schedules set out on pages 6 to 16 present fairly the consolidated financial position of the Aboriginal Legal Service of Western Australia (Inc) at 30th June 2011 and the results of its operations for the year ended 30th June 2011, in accordance with the basis of accounting described in Note 1 to the accounts and are based on proper accounts and records.

The grants received from the Attorney Generals Department (AGD) for the financial year 2010/2011 have been used towards the achievement of goals for which they were provided and all conditions included in the AGD letter of offers have been complied with.

Dated at Perth this 21st day of September 2011

L.M. Whitty

PRESIDENT

W. Manifis

CHIEF EXECUTIVE OFFICER



CERTIFICATE OF COMPLIANCE

This Schedule is established in respect of the 2010/2011 financial year.

Provider: Aboriginal Legal Service of WA (Inc)

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

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

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

By

Dennis Eggington

Lorraine Whitby

In the presence of

Tina Ward

BALANCE SHEET

FOR THE YEAR ENDED 30 JUNE 2011

	Note	2011 \$	2010 \$
CURRENT ASSETS			
Cash	2	6,083,859	9,341,249
Receivables	3	142,422	146,125
Total Current Assets		6,226,281	9,487,374
NON-CURRENT ASSETS			
Property, furniture and equipment	1(B), 4	4,591,222	4,867,720
Leasehold improvements	1(B), 5	104,622	113,062
Motor Vehicles	1(B), 6	-	42,899
Total Non-Current Assets		4,695,844	5,023,681
TOTAL ASSETS		10,922,125	14,511,055
CURRENT LIABILITIES			
Accounts payable	1(E), 7	786,474	2,023,290
Provisions	8	1,502,157	1,380,705
Unexpended AGD/ATSIS Grants	10	1,548,243	4,210,905
Family Violence Assets		-	90,978
Total Current Liabilities		3,836,874	7,705,878
NON-CURRENT LIABILITIES			
Provisions	9	100,107	76,322
Long Term Loan – 7 Aberdeen Street	9	1,591,205	1,591,205
Total Non-Current Liabilities		1,691,312	1,667,527
TOTAL LIABILITIES		5,528,186	9,373,405
NET ASSETS		\$5,393,939	\$5,137,650
Accumulated Funds:			
Retained surplus/(deficit)		4,402,224	3,895,617
Asset Revaluation Reserve		259,911	259,911
Long Service Leave Reserve		550,000	550,000
Special Purposes Reserve		-	93,184
Redress Reserve		181,804	338,938
TOTAL FUNDS		\$5,393,939	\$5,137,650

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



PROFIT & LOSS STATEMENT

FOR THE YEAR ENDED 30 JUNE 2011

	Note	2011 \$	2010 \$
INCOME			
Grants		13,400,491	16,489,660
Interest		423,321	311,786
Other income		862,868	1,348,495
		<u>14,686,680</u>	<u>18,149,495</u>
EXPENDITURE			
Salaries		9,139,201	10,408,686
Depreciation		318,538	239,908
Other operating expenses		4,908,839	6,412,025
		<u>14,361,577</u>	<u>17,060,619</u>
Net surplus/(deficit) for year	11	<u>\$325,103</u>	<u>\$1,088,877</u>

CASH FLOW STATEMENT

FOR THE YEAR ENDED 30 JUNE 2011

		2011 Inflows (Outflows)	2010 Inflows (Outflows)
Cash flows from operating activities:			
AGD/ATSIS Funds		13,400,491	16,089,577
Interest received		423,321	311,786
Other receipts		862,868	1,158,624
Payments to suppliers and employees		(17,741,041)	(15,626,989)
Net cash (used in)/from operating activities	A	<u>(3,054,361)</u>	<u>1,933,000</u>
Cash flows from investing activities:			
Payments for property, plant and equipment		(203,029)	(492,571)
Proceeds from sale of property, plant and equipment		-	-
Net cash used in investing activities		<u>(203,029)</u>	<u>(492,571)</u>
Net increase/(decrease) in cash held		<u>(3,257,390)</u>	<u>1,440,429</u>
Opening balance of cash held		9,341,249	7,900,820
Cash balance at the end of the year	(2)	<u>\$6,083,859</u>	<u>\$9,341,249</u>

A Reconciliation of net cash provided from operating activities to net Income/(Deficit) for the year

Net income/(deficit) for year	325,103	1,088,877
Loss/(Profit) on sale of assets	-	-
Depreciation	318,538	239,908
Provisions	145,237	(283,130)
Receivables	(3,703)	328,447
Creditors and Accruals	(1,236,816)	1,099,004
Unexpended Funds (inc. previous years)	(2,602,720)	(540,106)
Net cash (used in)/from operating activities	<u>(\$3,054,361)</u>	<u>\$1,933,000</u>

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

NOTES TO AND FORMING PART OF THE ACCOUNTS

THE YEAR ENDED 30 JUNE 2011

1. STATEMENT OF ACCOUNTING POLICIES

A) BASIS OF ACCOUNTING & CONSOLIDATION

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

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

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

B) NON-CURRENT ASSETS

Non-Current Assets (except Land & Buildings) have been recorded in the financial statements at 1 July 1995 valuation and subsequent acquisition cost, less accumulated depreciation or amortisation. Land and Buildings have been re-valued at 30/06/07. Depreciation/amortisation is calculated on a straight-line basis over the estimated useful lives of the assets. Assets with a cost less than \$1000 are fully depreciated in the year of purchase.

Useful lives for each class of depreciable asset are:

Computer equipment	3 years
Office equipment	4 years
Furniture and fittings	5 years
Motor Vehicles	4 years
Renovations	4 years
Buildings	25 years

C) GOING CONCERN

The Aboriginal Legal Service of Western Australia Inc. has been granted a Funding Agreement from the Attorney Generals Department for the period 1 July 2011 to 30 June 2014 to continue operations of the provision of Indigenous legal assistance and policy reform services.

NOTES TO AND FORMING PART OF THE ACCOUNTS

FOR THE YEAR ENDED 30 JUNE 2011

D) COMPARATIVE INFORMATION

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

E) ACCOUNTS PAYABLE

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

F) SICK LEAVE

A provision for sick leave was brought to account for the first time in 2006 as a result of changes in the ALSWA certified agreement 2004-06.

G) ASSET REVALUATION RESERVE

Land and Buildings at Kalgoorlie and Derby were subject to independent valuation by licensed real estate agents Murphy Boyden and Hutchinson Real Estate in September 2007. As a result a revaluation reserve of \$259,911 was created to recognise the increase in asset values effective at 30 June 2007.

H) EMPLOYEE BENEFITS

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

I) LONG TERM LOAN

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

J) UNEXPENDED FUNDS

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

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2011

	2011 \$	2010 \$
2. CURRENT ASSETS - CASH		
Payroll Account	1,513	49,349
Cash Management Accounts	5,377,680	8,532,075
Branch Imprest	5,718	8,218
General Accounts	(73,755)	192,603
BWA – Security Deposit	11,484	10,861
Salary Packaging (Credits)/Debits	-	(1,857)
Long Service Leave Reserve	761,219	550,000
	<u>\$6,083,859</u>	<u>\$9,341,249</u>
3. CURRENT ASSETS - RECEIVABLES		
Prepayments	91,828	61,259
Organisational Trust	4,879	4,879
Others - General	29,341	22,144
Accrued Income	16,374	57,843
	<u>\$142,422</u>	<u>\$146,125</u>
4. NON-CURRENT ASSETS – PROPERTY, FURNITURE & EQUIPMENT		
Land and Buildings		
At valuation 30 December 2009	660,000	660,000
At Cost 30 June 2009	3,959,983	3,959,983
Accumulated depreciation	(267,592)	(132,503)
Total land and buildings	<u>\$4,352,391</u>	<u>\$4,487,480</u>
Furniture and Equipment		
At committee's valuation, 1 July 1995	217,468	217,468
Accumulated depreciation	(217,468)	(217,468)
	<u>-</u>	<u>-</u>
At cost	1,534,800	1,571,580
Accumulated depreciation	(1,295,969)	(1,191,340)
	<u>238,831</u>	<u>380,240</u>
Total furniture and equipment	<u>238,831</u>	<u>380,240</u>
Total Property, Furniture and Equipment	<u>\$4,591,222</u>	<u>\$4,867,720</u>

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2011

	2011 \$	2010 \$
5. NON-CURRENT ASSETS		
Leasehold Improvements		
At committee's valuation 1 July 1995	424,392	424,392
Accumulated amortization	(424,392)	(424,392)
	<u>-</u>	<u>-</u>
At cost	466,967	457,373
Accumulated depreciation	(362,345)	(344,311)
	<u>104,622</u>	<u>113,062</u>
Total Leasehold Improvements	<u>\$104,622</u>	<u>\$113,062</u>
6. NON-CURRENT ASSETS		
Motor Vehicles at cost	16,945	113,391
Accumulated depreciation	(16,945)	(70,493)
Total Motor Vehicles	<u>-</u>	<u>\$42,899</u>
7. CURRENT LIABILITIES – ACCOUNTS PAYABLE		
Sundry accruals	283,328	612,512
Other Creditors	457,008	1,040,969
Accounts Payable	46,138	364,328
	<u>\$786,474</u>	<u>\$2,023,290</u>
8. CURRENT LIABILITIES - PROVISIONS		
Annual Leave	869,349	720,275
Long Service Leave	337,681	337,398
Sick Leave	269,645	297,550
FBT	25,482	25,482
	<u>\$1,502,157</u>	<u>\$1,380,705</u>
9. NON-CURRENT LIABILITIES		
Long Service Leave	100,107	76,322
Loan – 7 Aberdeen Street	1,591,205	1,591,205
	<u>\$1,691,312</u>	<u>\$1,667,527</u>

Accounts payable to related body grants at balance date are:

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2011

	2011 \$	2010 \$
10. CURRENT LIABILITIES – UNEXPENDED FUNDS		
Prisoner & Incarcerated Juvenile Support	-	304,639
Aboriginal Advisory	-	162,750
Expensive Criminal Case Fund	655,102	1,022,339
History Project	5,191	5,191
Pilot Program - Liquor	-	34,075
Indigenous Justice Taskforce	322,820	321,225
Property Purchases	246,387	357,760
Stolen Wages	10,157	10,157
Consolidated Family Violence Prevention Legal Service	-	1,051,967
Main Legal Aid Grant	-	669,512
Culture & Arts Project	1,238	3,526
Principal Legal Officers Trust	-	120,626
Kalgoorlie Property Trust	147,138	147,138
One-Off Funding	146,210	-
Documentary Project	4,000	-
Employee of the Year	10,000	-
	<u>1,548,243</u>	<u>4,210,905</u>
11. CONTRIBUTION TO SURPLUS/(DEFICIT)		
Law and Justice Grant	(448,223)	36,771
Expensive Indigenous Criminal Case Fund	-	891,554
Property Purchases	103,814	94,747
Grant carried forward	669,512	-
Net surplus for year	<u>\$325,103</u>	<u>\$1,088,877</u>

12. CONTINGENT LIABILITY

The contingent liability due to the auspicing of the Family Violence Prevention Legal Services balance was paid to the new entity responsible for the programs; WA Family Violence Prevention Legal Service Aboriginal Corporation.

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2011

13. OPERATING LEASE COMMITMENTS

Rental property commitments across various sites are:	
Less than one year	\$525,644
Greater than one year but less than five years	\$862,984
Greater than five years	-
Total commitments	<u>\$1,388,628</u>

14. LOAN LIABILITY

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

15. SUBSEQUENT EVENTS

The Aboriginal Legal Service made a payment of \$700,000 on the Long Term Liability in July 2011.

16. RETAINED EARNINGS

Retained Earnings of \$3,895,617 stated in the 2010 Annual Report was varied by \$68,813 for adjustments pertaining to the 2009/2010 financial year.



INFORMATION FOR AGD PURPOSES

FOR THE YEAR ENDED 30 JUNE 2011

	YTD ACTUAL	YTD BUDGET	VARIANCE TO DATE
PROVIDER INCOME	1,189,862	1,189,862	-
Surplus Deficit from previous year	11,331,751	11,331,751	-
Commonwealth	-	-	-
Commonwealth - Extra funds	-	-	-
State	-	-	-
Service Generated Income	423,321	250,000	(173,321)
- Interest	-	-	-
- Membership	-	-	-
- Community Legal Education	258,828	20,000	(238,828)
- Costs Recovered & Retained	-	-	-
- Fundraising / Donations	111,450	100,000	(11,450)
- Sundry Income	294,000	200,000	(94,000)
- Program Income	-	-	-
Capital Grant b/fwd	13,609,212	13,091,613	(517,599)
A. Total Provide Income			
B. Provider General Purpose Income			
PROVIDER EXPENSES			
Salaries	7,298,300	6,574,434	(723,866)
Superannuation	603,470	543,016	(60,454)
On Costs	211,046	420,923	209,877
Rent	833,203	849,750	16,547
Repairs and Maintenance	46,736	41,708	(5,028)
Other Premises Costs	-	-	-
Staff Training	50,208	69,290	19,082
Staff Recruitment	603,517	266,337	(337,180)
Communications	206,589	154,063	(52,526)
Office Overheads	543,384	650,464	107,080
Insurance	84,296	125,000	40,704
Finance, Audit & Accounting	31,634	50,000	18,366
Library, Resources & Subscriptions	96,295	174,310	78,015
Travel	583,394	603,987	20,593
Programming & Planning	-	-	-
Client Disbursements	243,197	232,000	(11,197)
Leases - Vehicles	549,854	643,435	93,581
Policy Reform and Education Services	322,043	-	-
Minor Equipment	-	-	-
Depreciation	318,538	-	(318,538)
Other	138,056	88,580	(49,476)
Capital	103,814	-	(103,814)
D. Total Operating Expenses	4,650,942	3,948,924	(379,975)
E. Total Provider Expenses(ex Cap)	12,763,758	11,487,297	(954,418)
E1. Total Provider Expenses	12,867,573	11,487,297	(1,058,233)
F. Surplus/(Deficit)	741,639	1,083,966	436,819

INFORMATION FOR AGD PURPOSES

FOR THE YEAR ENDED 30 JUNE 2011

	2011 \$	2010 \$
Reconciliation with Statutory accounts		
Operational surplus (for AGD Purposes)	741,639	1,189,862
Total	741,639	1,189,862
Unexpended Grant	(1,189,862)	(1,153,090)
Net (deficit)/surplus for year per Income and Expenditure Statement	(448,223)	36,771

ADDITIONAL INFORMATION

ALSWA Opening Hours

8.30am to 5.00 pm weekdays: Perth, Albany, Bunbury, Carnarvon, Geraldton, Kalgoorlie, Northam, Halls Creek 8.00 am to 4.30 p, weekdays: Broome, Fitzroy Crossing, Kununurra, South Hedland. *Non standard hours of operation apply for the following offices and matters can be referred to the office in brackets: Meekatharra (Carnarvon), *Newman (South Hedland), *Roebourne (South Hedland). The following ALSWA offices were closed down in 2011: Derby (closed April), Laverton (closed May), Warburton (closed May).

ALSWA Figures

ALSWA staff gave legal advice in 4232 matters, duty lawyer assistance in 7043 matters and casework in 9309 matters, totalling 20584 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 Aboriginal and Torres Strait Islander staff at every organisational level, all employees have a demonstrated commitment to social justice for Aboriginal and Torres Strait Islander people, and where reasonably possible, country staff are locals, staff receive Cultural training and non-Indigenous staff receive assistance with Cultural matters as required. Until the closure of 3 offices during this financial year (Derby, Laverton and Warburton) 17 country offices, legal assistance on court circuits, a toll free telephone number, after-hours emergency assistance by telephone, anonymous survey forms as well as complaint processes to obtain and act on client feedback.

Staff Training

ALSWA Statewide Staff Conference 9 – 11 November 2010 Perth

Attended by ALSWA staff including lawyers, court officers, prison support officers and administration from throughout the state with workshops conducted by ALSWA Management, staff and guest speakers for all staff including ALSWA's Many of the sessions also counted towards Continuing Professional Development (CPD) points for lawyers. Workshops included: preparing and conducting a pre-trial hearing, cross examination, disclosure, mitigation, ethical obligations, civil litigation, Stolen Generations, community courts, updating court officer manual, cross cultural video screening, overview of ALSWA units, data collection, salary and superannuation and widespread discussion on the complex issues facing Aboriginal and Torres Strait Islander peoples within the justice system, across WA.

Additional Staff Training / Professional Development

(S Nicholls/Admin Assistant) Sybiz Vision Accounting System training session with AlphaBiz Solutions, CTM (Corporate Travel Management) training in the use of booking travel via WebRes (N Espie) Legal Aid CPD Seminar (J Hoffmann) attended NATSILS Meeting in Melbourne, and presented Media Workshop at NAAJA in Darwin (L Hamilton) Bali Criminal Lawyers Conference run by CLANT and cross border Justice conference in Adelaide at ALRM. (Law and Advocacy) (T Solonec) attended "Indigenous Peoples and Organisations (IPO)" meeting in Sydney (T Solonec, S Gamble) attended "IPO" meeting in Sydney (T Solonec) attended ATSILS Conference in Melbourne, (T Solonec) attended "Indigenous Policy & Dialogue" Conference in Sydney and delivered a paper. (T Solonec) attended "National Policy and CEO's Meeting" in Brisbane (T Solonec W Rea-Young, S Gamble) Time Mastery for Lawyers course by the WA Law Society. (S Gamble) presented workshop at ALSWA 'Human Rights Here and Now' and presented workshop on the UN Review of Australia's Human Rights Record on 3 Feb 2011. S Gamble also granted study leave to attend in part to complete Master of Studies in International Human Rights Law at Oxford. (Family Law Unit) (M Chape) Attorney General's Family Law Systems Conference, Canberra (expenses paid for by Family Pathways Network), (M Chape, N Anderson, J Reid, S Savini) Permanency planning information session at Legal Aid, (M Chape, J Reid, S Savini) National Family Law conference Canberra, (N Anderson) Presenter at Legal Aid seminar, (M Chape) Child Protection conference, Brisbane, (M Chape, N Anderson, J Reid) Family Pathways conference, (M Chape, J Reid) Family Pathways workshops, (M Chape) Chair of Family Pathways conference, Broome (M Chape) Family Law conference, Bali, (FLU staff) various Family Law Practitioner Association (FLPA) evening seminars throughout the year. (J Reid) various conferences and seminars including Legal Aid: Signs of Safety (welfare/care & protection); DCP: Permanency planning (care & protection); Public Trustee: Determining legal capacity; Family Law Section: Family law conference (Canberra);(Criminal Law Unit) (P Collins, G Dooley, L Hamilton, M Kelly) attended a "Cross Borders Conference" in Adelaide, (M Mukund) ran the National Human Rights Action Plan Workshop in conjunction with the Human Rights Law Centre and attended the CLANT Bali Conference. (Various staff) attended Criminal Lawyers Association of the NT Bali Conference "Extremes in Justice" in Bali.(Civil/Human Rights Unit) (N van Hattem) attended Criminal Law Conference CPD Conference, Bali. ALSWA (P Collins) conducted a seminar on client interview skills for Criminal Law Unit, W Hughes) conducted a seminar on the Legal Professional Conduct Rules 2010 for Criminal Law Unit, (A Tehan) conducted a seminar on Part 6 of the Legal Professional Conduct Rules 2010 for Criminal Law Unit. (Civil Unit) Staff attended Australian Lawyers Alliance on Criminal Injuries Compensation

seminar and seminar by Public Trustee, Determining Mental Capacity, (G Mioceovich and K Axford) attended Legal Aid Kalgoorlie Race Round Seminar, (G Mioceovich) presented a paper on her insight into the Stolen Generations from the Redress WA experience. (W Young and K Axford) attended seminar by the Public Trustee about compromising claims of a client under a legal disability in the District and Supreme Courts, (K Gaunt, W Young and K Axford) attended Mental Health Law Centre WA Inc seminar on capacity, ethics and safe legal practice.

Legal staff also undertook various CPD training.

Aboriginal Legal Service of Western Australia Staff

Perth 4 Senior Management, 2 Personal Assistants, Criminal Law Unit 16 Lawyers, 1 Counsel, 1 Para Legal, 1 Community Liaison Officer, 3 Secretaries, Family Law Unit 5 Lawyers, 1 Secretary, Civil Law Unit 6 lawyers, 1 Secretary, Law and Advocacy Unit 4 Lawyers, 1 Senior Social Worker, 1 Women's Support Officer, 3 Prison Support Workers, 1 Secretary, Court Officer Unit 6 Court Officers, Administration 11, 1 Media Officer, 1 Librarian, Albany 1 Lawyer, 1 Court Officer 1 Secretary, Broome 3 Lawyers, 1 Court Officer, 1 Secretary, Bunbury 2 Lawyers, 2 Court Officers, 1 Secretary, Carnarvon 2 Lawyers, 1 Court Officer, 1 Secretary, Geraldton 3 Lawyers, 1 Trainee Court Officer, 1 Secretary, Kalgoorlie 2 Lawyers, 2 Court Officers, 1 Secretary, Kununurra 3 Lawyers, 2 Court/Field Officers, 1 Secretary, South Hedland 2 Lawyers, 1 Secretary, Northam 1 Court Officer, 1 Secretary, Warburton 1 Court Officer, Halls Creek 1 Trainee Court Officer, Meekatharra 1 Court Officer.

Acknowledgements

ALSWA gratefully acknowledges the financial assistance of the Commonwealth Department of the Attorney General.

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

Photo of Dennis Eggington accompanying CEO Report by James Rogers courtesy of Lavan Legal.

The 2011 ALSWA Annual Report was compiled by ALSWA Media Officer Jodi Hoffmann.

The front cover of this Annual Report features artwork from ALSWA's updated pamphlet range, an ALSWA Community Legal Education project undertaken during 2011 through funding from the Commonwealth Attorney General's Department. Pamphlet artwork by WA Noongar artist Peter Farmer PeterFarmer.com.au with Graphic Design by Jason Hirst (Little Rhino Designs) www.littlerhinodesigns.com





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