

2024 ANNUAL REPORT

ABORIGINAL LEGAL SERVICE OF WA LTD

ACN: 617 555 843



50 YEARS
CELEBRATION



Cover Image

This Annual Report features the new logo and branding for the Aboriginal Legal Service of WA Ltd. We are proud to unveil our new branding this year, as we commemorate 50 years.

ALSWA Artwork and Logo design by Mumbulla Creative



This artwork, titled Sovereign Spirit, features a spirit figure presiding over a vast West Australian landscape imparting wisdom and upholding justice. The figure is framed within a full moon against a celestial high sky, guarding three interconnected circles which represent Criminal Law, Family Law and Civil Law.

An expanse of waterways and terrain represents Country and our connection to it. A set of 12 organic shapes span the length of the artwork, representing each of the 12 ALSWA offices throughout the state. An array of different circles represent the diverse communities that ALSWA serves and its stakeholders.

The artwork captures the themes of justice, equality and truth, which are fundamental to our existence as Aboriginal people.



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Acknowledging our People – Past, Present and Future

The Aboriginal Legal
Service of WA Ltd (ALSWA
acknowledges the Traditional
Custodians of the Lands on
which our offices stand.

Cultural Warning

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



Chairperson's Report

MICHAEL BLURTON

As the Chairperson and a Director, it gives me great pleasure to present the 2024 Aboriginal Legal Service of WA Ltd (ALSWA) Annual Report.

This year holds great significance for ALSWA as it marks our 50th anniversary. I have many fond memories of our early years in Perth, having worked as a Field Officer with ALSWA during the late 1970's and early eighties. Today, this role is known as a Court Officer.

There are so many people who have worked tirelessly to shape our organisation over the years. What started as a small operation with a handful of people, has now grown to twelve offices across the state employing over 200 people.

I would like to congratulate our CEO Wayne Nannup for his leadership since his commencement with ALSWA in March 2023. Wayne brings a wealth of knowledge and skills to his role and is greatly valued by our Board and staff.

I would also like to congratulate our Director Legal Services Peter Collins, the recipient of the 2024 Attorney General's Community Services Law Awards (Individual category) for his decades of work for disadvantaged clients and commitment to the legal rights of our people.

To my fellow Board members and our Executive Management team, our organisation is in good, strong hands, and I thank you all for your contributions in taking ALSWA forward.

I am so very proud of our achievements over the past 50 years and our ability to continue to expand to meet the growing needs of our communities.

I'm looking forward to our 50th Commemorations at City Farm in Perth in November and hope to see some old and new faces there, as we celebrate our achievements.

Enjoy reading this Annual Report, which will give you a greater insight into the diversity of our work with First Nations Peoples in this state. I'm proud of our work and the vital role that ALSWA plays, in striving for justice for our people.





Governance

Aboriginal Legal Service of Western Australia Limited (ALSWA) was registered with the Australian Securities and Investment Commission as a public company limited by guarantee on 10th March 2017 and is governed by an Aboriginal board.

This board commit time, cultural and business expertise to provide leadership and governance. The combined skills and expertise of ALSWA's board and executive management team have played a major role in improving ALSWA's corporate governance and operations, since the implementation of a new constitution and company structure.

The last Annual General Meeting took place on 16th November 2023 and Murray Jones was appointed as a Director on this date.

The 2024 AGM will take place on 14th November 2024 at the Novotel Perth Langley.

Information on becoming a Member of ALSWA can be found on the ALSWA website: www.als.org.au



L-R – ALSWA Vice Chairperson Kathy Watson and ALSWA Chairperson Michael Blurton



Meet the ALSWA Board



ALSWA's Board of Directors L-R

Michael Blurton (Chairperson/Director), Selina King (Director), Paul Baron (Director),
Donald Abdullah (Director), Murray Jones (Director),
Kathy Watson (Deputy Chairperson/Director), Preston Thomas (Director)



MICHAEL BLURTON

Chairperson / Director

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.

KATHY WATSON

Deputy Chairperson / Director

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. 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.

PAUL BARON

Director

Paul Baron is a Baiyungu man from Carnarvon who has been involved with ALSWA since 2015. Paul supports the promotion of ALSWA's important work and is committed to continuing to highlight 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.

SELINA KING

Director

Selina King has been part of the ALSWA Board since February 2023 and was appointed to fill a casual vacancy of elected directors. Selina lives in Broome and her mother is Karrijarn and he father is Nyikina. Selina has been a welcomed addition to the ALSWA board.

PRESTON THOMAS

Director

Preston Thomas is from Laverton and has lived in Kanpa Community for many 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

Director

Donald Abdullah is a Wongi man from Esperance, which is located on Western Australia's south east coast. 2015 marked his first involvement with the ALSWA Executive Committee and he is dedicated to supporting Aboriginal and Torres Strait Islander peoples. Donald feels strongly about keeping our young people out of prison, being supportive of women who face domestic violence and providing guidance on legal matters.

MURRAY JONES

Director

Murray Jones is a Ballardong Nyoongar Maam (man) from Quairading in the Wheatbelt region, with a wealth of experience in Aboriginal management and engagement. With an Associate Degree in Aboriginal Development and Community Development, Murray has an extensive career in blue and white collar industries and is the Managing Director of Waalitj Hydroflow Pty Ltd. Committed to striving for justice, Murray has formerly represented the Black Deaths in Custody Watch Committee in Geneva Switzerland at the United Nations on issues of inhumane treatment and torture in prisons. His contributions were also acknowledged at the UN World Racism conference in Durban, South Africa.



OUR ACTIVITIES



During the 2023/2024 financial year, ALSWA had

166 Employees of which 67 were Aboriginal or Torres Strait Islander

*These figures are for the financial year ending 30 June 2024

- Youth Engagement Program (YEP)
- Custody Notification Service (CNS)
- Work & Development Permit Scheme (WDPS)
- Bail Support Service (BSS)
- Prison In-reach (PIR)

Matters Undertaken by Law Type

30,834	 Criminal
2,787	 Civil
1,451	 Family

Youth Engagement Program (Metro) supported 50 young people	Youth Engagement Program (West Kimberley) (YEP-K) supported 36 young people	Youth Engagement Program (East Kimberley) supported 24 young people
Youth Engagement Program (Halls Creek) supported 22 young people	Prison In Reach (PIR) Provided legal advice/representation to 576 adult clients	Bail Support Service (BSS) Supported 205 adult clients
Bail Support Service Broome Supported 82 adult clients	Work and Development Permit Service (WDPS) assisted 523 clients with fines-related issues and liaised with at least 180 approved sponsors or potential sponsors including other stakeholders related to the WDP Scheme	Custody Notification Service (CNS) Received a total of 39,420 notifications

Clients Assisted by Law Type

Service	General
Discrete Assistance	3,885
Duty	8,703
Representation	6,369
Total	12,150

Clients Assisted by Priority

Rural or Remote Clients	6,254
Children/Youth	2,441
Homelessness	998
In Custody	5,592

Matters Undertaken by Law Type - Special Services

Family - Vulnerable Womens Fund	1,160
Family Mental Health	131
Family - Family Violence Protection	10
Criminal - Mental Health	1
Criminal - Family & Domestic Violence	3,528
Criminal - Bail Support Services	4
Civil - Mental Health	70
Civil - Inquests (Deaths in Custody)	18
Civil - disability - Royal Commission	1





Quick Facts



Western Australia has an area of approximately
2,646,000
square kilometres.



ALSWA is governed by a
Board of Directors
who are all Aboriginal



There are approximately **984,000** Aboriginal and/or Torres Strait Islander people in Australia (3.8% of the total population)

From 1 July 2023 to 30 June 2024, the CNS received **39,420** notifications, an increase of **6,070** from the previous financial year (18% increase)

The Aboriginal and Torres Strait Islander imprisonment rate was **2,651** persons per **100,000** adult Aboriginal and Torres Strait Islander population in the March quarter 2024

The Law Matters radio program is produced and presented by the Aboriginal Legal Service of WA Ltd and has been broadcast **since 2010**

Approximately **120,000** First Nations peoples reside in Western Australia

The age of criminal responsibility in WA is **10 years old**. This means if you are 10 or older, and you commit a criminal offence, you can be charged by the police and convicted in court

2024 marks the **50th birthday** of the Aboriginal Legal Service of WA Ltd

ALSWA was awarded an Australian **Human Rights Award** in 2023



Chief Executive Officer

Wayne Nannup

This is my second Annual Report as the Chief Executive Officer of the Aboriginal Legal Service of WA Ltd (ALSWA).

Since commencing in the role of CEO in March 2023, I have had a front row seat into the ongoing injustice that is faced by so many of our people.

During 2024, we have had the Coronial Inquests into the 2019 Geraldton death of JC, and Master Dodd, who was the first juvenile to die in detention in Western Australia in 2023. It's very distressing to witness the heartache and pain of community members who have lost a loved one and our thoughts are with all who have suffered such loss.

Our organisation now employs over 200 people at twelve offices between Kununurra in the north and Albany in the south. In August 2024, ALSWA Deputy Chairperson/Board Member Kathy Watson, Peter Collins (ALSWA Director Legal Services) and myself, met with the Commonwealth Attorney General Mark Dreyfus and the WA Attorney General John Quigley. We made the case as strongly as we could for increased funding for ALSWA to achieve salary parity with Legal Aid and for increased capacity to alleviate workloads.

The Independent Review of the National Legal Assistance Partnership 2020 – 2025 Final Report found that current funding was not sufficient in meeting legal assistance needs.





We also continue to have ongoing negotiations for funding through the National Legal Assistance Partnership (NLAP) for June 2025 and beyond.

On a positive note, we have taken on many project developments over the past year and can proudly announce that we have purchased new ALSWA offices in Carnarvon and South Hedland (photo below). We are also looking at the potential development of a vacant Kalgoorlie block, a potential new office in Broome and increasing lease space at our Perth head office at 7 Aberdeen St Perth.

In another exciting development, the Federal Government has allocated \$3 million dollars each year for the next two years for a new Justice Reinvestment youth diversionary program in Western Australia.

ALSWA will lead the consortium, working collaboratively with Wadjak Northside Aboriginal Corporation, HOPE Community Services and the Stephen Michael Foundation in the delivery of the Old Ways New Ways' program.

The program will bring young people together in a hub environment, where they have access to comprehensive case management under the one roof.

'Old Ways New Ways' is an Aboriginal led justice reinvestment program which will reduce recidivism. It will work with young people in the justice system or are at risk of being in the justice system, and it is hoped that the program will have the capacity to extend to regional WA in the future.

Looking ahead, I'm excited about the forthcoming launch of our Strategic Plan. This will map out our goals and ambitions for the next five years and determine how best to achieve those goals.

We have certainly come a long way since our inception in the early 1970's. I am proud to lead the ALSWA and am grateful for the support of our Board of Directors and our Executive Management Team. I'd like to commend our staff across all offices for their continued dedication and commitment to working with and for our communities.

I'd also like to congratulate Peter Collins (ALSWA DLS) and Chloe Wood (ALSWA Civil/ Human Rights Unit Manager) who were both acknowledged in major WA Law Awards this year. Both were named as Finalists in the Law Society of WA Lawyer of the Year Awards, and Peter Collins was named as the recipient of the Attorney General's Community Service Law Awards (Individual).



ALSWA Deputy Chairperson/Board Member Kathy Watson, Wayne Nannup ALSWA CEO and Peter Collins met with the Commonwealth Attorney General Mark Dreyfus and the WA Attorney General John Quigley in Broome



ALSWA CEO Wayne Nannup, ALSWA Deputy Chairperson Kathy Watson and ALSWA Chairperson Michael Blurton, pictured outside the new ALSWA office in South Hedland

A photograph of two women standing side-by-side, smiling. They are in front of a dark blue backdrop that features the text 'Australian Human Rights Award' in white. To the right of the text is a stylized white graphic of a hand or a bird. The woman on the left has long blonde hair and is wearing a patterned top. The woman on the right has shoulder-length brown hair and is wearing a dark, sleeveless top.



Lawyer of the Year

2024 Lawyer of the Year Finalists





Winners presented at the Law Society Gala Dinner on Friday, 6 September 2024

2024 FINALISTS

ATTORNEY GENERAL'S COMMUNITY SERVICE LAW AWARDS

INDIVIDUAL AWARD





LEGAL AID PANEL MEMBER AWARD





We look forward to the next 50 years!





From Little Things Big Things Grow

Aboriginal Legal Service of WA Ltd Turns 50!

The Aboriginal Legal Service of WA Ltd (ALSWA) started from humble beginnings in the early 1970's, developing from the Justice Committee of the New Era Aboriginal Fellowship Inc (NEAF).

At that time, there were no legal services in WA meeting the needs of First Nations Peoples, and this motivated Aboriginal people, lawyers and other supporters to take step towards ensuring that there was equal access to justice.

These early days came at a time of great social change and it was clear that there was a long road ahead in striving for justice for some of this state's most disadvantaged peoples.

What started as a voluntary advisory legal service in Perth, then expanded to offices in Narrogin and Port Hedland, before ALSWA became a Limited body in 1975, governed by an Aboriginal Board of Directors.

Today, ALSWA has offices in Perth, Albany, Broome, Bunbury, Carnarvon, Derby, Geraldton, Halls Creek, Kalgoorlie, Kununurra, Northam and South Hedland and employs over 200 people.

We are proud of our place in Western Australian history within the justice system and our work has been acknowledged with two Australian Human Rights Awards (2023 and 2012).

**Thank you to all who have been part of ALSWA's journey over the past 50 years.
We're looking forward to the next 50!**





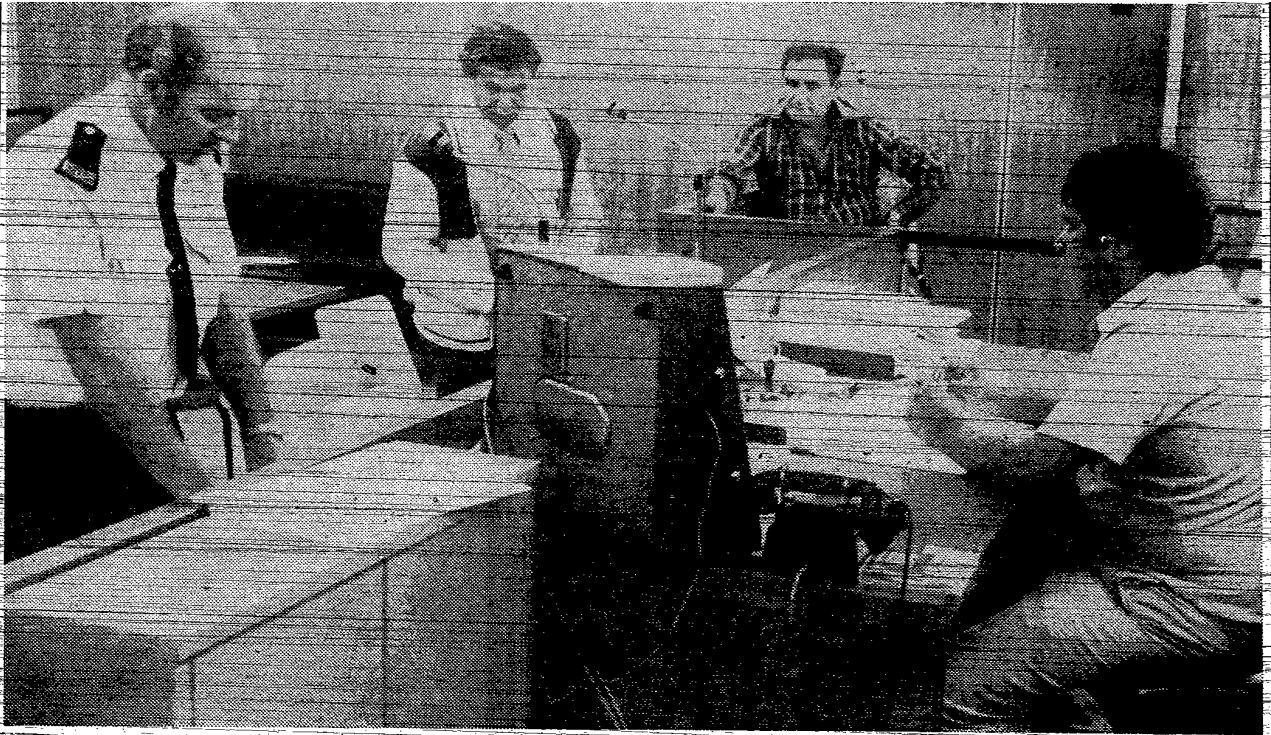
Helen Boyle, Chairperson of the Committee to Defend Black Rights (Australia) travelled to Geneva last month to bring the issue of black deaths in custody into the International arena. Her speech to the United Nations Working Group on Indigenous Populations, made before the Government's announcement of a Royal Commission, is reprinted here.





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◆ Aboriginal Legal Service trainee field officers learn about court proceedings.



◆ Magistrate Terry Syddall presides

They were in court for a good reason

By Tony Coghlan

The Magistrate and the court were the same—but the faces were different.

The cases were factual but, of course, the names were changed to protect the innocent. Every detail of court-room procedure was followed to the letter, and the whirl of a normally forbidden photographer's camera. The East Perth Court of Petty Sessions, like all law courts, traditionally taboo to photographers, was open for all to see as part of a training scheme for Aboriginal Legal Service field officers and prosecuting sergeants. The mock court was the idea of Magistrate Terry Syddall, who together with the head of the prosecuting branch, Sen-Insp. Peter Ayling, organised the sessions. "It is the first time we have had the ALS and the police co-operating in this way, and I think it is good for all concerned," Mr Syddall said. During the proceedings, which included hearings and pleas of mitigation, Mr Syddall explained relevant acts and legal points. "We all too often hear of the negative side of police-Aboriginal relations, but this is a positive side," he said. Three senior court orderlies were selected as prosecutors and 13 full-time ALS field officers and five honorary field officers took part in the programme.

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FROM JUST \$25
PER WEEK***

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Director

Legal Services

Peter Collins

Independent Review of National Legal Assistance Partnership (NLAP) and the new National Access to Justice Partnership (NAJP)

In late May 2024, the independent review of the National Legal Assistance Partnership (NLAP) was released. The review was undertaken by Dr Warren Mundy, a former Productivity Commission Commissioner. NLAP is the mechanism through which ALSWA receives its funding. NLAP involves a five (5) year funding cycle which will expire on 30 June 2025.

ALSWA held a number of meetings with Dr Mundy as he conducted the review and provided him with a wealth of written material.

The Review vindicated what ALSWA has been saying for many years:

- Current funding for Aboriginal and Torres Strait Islander Legal Services is insufficient to service the legal needs of Aboriginal and Torres Strait Islander peoples and governments must significantly increase investment in ALSs to deliver better justice outcomes for Aboriginal and Torres Strait Islander people.
- The current funding framework has failed to deliver on Closing the Gap, and governments including states and territories must be held accountable to progressing outcomes.
- The legal need of Aboriginal and Torres Strait Islander peoples is the highest of all priority groups under the NLAP funding framework.



Most importantly, Recommendation 25 provided:

Remuneration of Community Legal Assistance Workers: Increase remuneration of CLCs, ALS, and FVPLS staff to match Legal Aid Commission levels.

This recommendation underpins the argument which ALSWA has consistently presented to government over many years that ALSWA staff deserve salary parity with staff employed with Legal Aid WA.

In September 2024, the Federal Government announced that, from 1 July 2025, NLAP would be replaced by a new five (5) year National Access to Justice Partnership (NAJP).

The Government also announced a new tranche of funding for the indexation of Legal Aid salaries as well as salary parity for legal assistance services, including Aboriginal Legal Services, Community Legal Centres and Family Violence Prevention Legal Services. It remains to be seen whether this funding allocation will be sufficient to achieve salary parity for ALSWA staff over the duration of the new agreement.



ALSWA workloads

ALSWA workloads continue to increase at unacceptable rates.

The figures speak for themselves. At stages during the last 12 months, these ALSWA regional offices have carried the following numbers of open files:

South Hedland

441 files

The South Hedland office is staffed by two lawyers.

Carnarvon

122 files

The Carnarvon office is staffed by a single lawyer.

Kalgoorlie

334 files

The Kalgoorlie office is staffed by two lawyers and a court officer.

Geraldton

531 files

The Geraldton office is staffed by three lawyers and a court officer.



The current workloads are not only excessive but unsustainable. A manageable workload for lawyers should involve no more than 40 files.

The workloads mean that lawyers and court officers are working very long hours in highly stressful circumstances, risk compromising the quality of legal assistance provided to clients and highlights the need not only for increased salaries, but a significant injection of funding to enable the employment of additional legal staff across ALSWA.



Coronial Inquest into the Death of Master Dodd

In October, 2023, Master Dodd died while incarcerated at Unit 18 in the adult high security Casuarina Prison. The death was the first of child in detention in WA. Master Dodd was just 16 years old.

ALSWA did everything in its power leading up to the death to highlight the dreadful conditions in Banksia Hill Detention Centre (BHDC) and in Unit 18 and the need for urgent change to rectify the situation.

This included sending 93 individual complaint letters to the Department of Justice on behalf of young people detained in BHDC and Unit 18 and 11 letters to various politicians and senior government officials.

In particular, on 21 September 2022, ALSWA wrote to then Premier Mark McGowan. Describing the conditions at BHDC as dire, ill-advised and unlawful, naming the messaging regarding the opening of Unit 18 as disingenuous, the letter cited instructions from ALSWA's clients in Unit 18 that they had not experienced natural sunlight for several weeks, had received limited schooling, limited access to rehabilitation

programs or psychological supports and were denied visits or contact with family. The letter asked the Department of Corrections to immediately transfer the young people from Unit 18 to BHDC. The letter also stated, 'The time for a punitive punishment style approach to the detention of young people in WA has long passed. If the current approach is persisted with a death in custody is inevitable'.

The coronial inquest into the death began in April 2024. ALSWA is appearing at the inquest on behalf of the Aboriginal community of WA.

The evidence so far has been confronting and distressing, reflecting egregious failures by those responsible for Master Dodd's care.

ALSWA is indebted to barristers Julian McMahon SC and Amber Harris for their exceptional work at the inquest. Just as importantly, ALSWA's Civil and Human Rights Law Unit has worked tirelessly advocating on behalf of young people detained in BHDC and in Unit 18 and at the inquest. The Unit's work in preparing for and assisting at the inquest epitomises ALSWA at its best.

The inquest continues.



ALSWA Civil/Human Rights Unit: Back row (L-R): Yovela Tamba, Giorgia Papalia, Olivia Roberts, Jacob Higgins, Tanya De Souza-Meally, Vanessa Wilson, Front row: (L-R): Leashay Eggington, Lexi Lachal, Finn Crockett, Emma Dawson. (Missing: Saminder Kang, Yovundhi Jayasekera, Bree Yarran, Chloe Wood)



Coronial Inquest into the death of JC

On 17 September 2019, a young Yamatji woman, JC, was walking along a suburban street in Geraldton carrying a knife and a pair of scissors. After a passer-by made a 000 call, JC was surrounded by police officers in four police vehicles. One of those officers, Senior Constable Brent Wyndham, exited one of the vehicles and, about 16 seconds after doing so, shot JC with his police issued pistol, killing her.

On 20 February 2020, Senior Constable Wyndham was charged with murdering JC and suppression orders were made prohibiting the publication outside the courtroom of information or particulars likely to identify Senior Constable Wyndham as the accused in the proceedings.

On 22 October 2021, Senior Constable Wyndham was acquitted of murder, and the alternative offence of manslaughter, after trial by jury. The suppression orders remained in force after the conclusion of the trial.

ALSWA has been acting for the sister of JC at the coronial inquest into JC's death.

On 30 April, 2024, ALSWA applied to the Supreme Court to vacate the suppression order, which was opposed by Senior Constable Wyndham and the Commissioner of Police. ALSWA briefed a barrister from the NSW Bar, Kathleen Heath. Kathleen formerly worked for ALSWA as a criminal lawyer.

On 10 May 2024, Mitchell J granted ALSWA's application and discharged the suppression order. His Honour noted that: 'the circumstances of JC's death are such as to merit legitimate criticism of the conduct of police and demand improvement in police procedures.'

The Inquest has examined important issues relating to police use of force methods and training, police responses to individuals experiencing mental distress, and the adequacy of cultural awareness training undertaken by police. In particular, an Aboriginal academic, Dr Charmaine Green, gave evidence that the

current cultural training for serving police officers, involving an online 90-minute training session targeted at junior police, was "totally unacceptable" and that training needed to include face-to-face dealings with local Aboriginal people.

Further, a police trainer, Christopher Markham, was cross examined by Ms Heath, and asked if the community was entitled to expect officers could have gained control of the situation involving JC without using force.

Mr Markham said: "I think that is a reasonable expectation of the public".

Mr Markham noted that JC was stationary, there was no overt threat, other officers were "tactically positioned" at a distance and there was no time constraint on negotiations. He conceded that with the number of police present and the equipment and training available to them, "they may have been able to resolve that situation without the use of lethal force".

Again, ALSWA's Civil and Human Rights has worked tirelessly in the preparation and conduct of the inquest.

The inquest continues.



L-R ALSWA's Jodi Hoffmann, Tayla Richards, Tanya De Souza-Meally, JC Bernadette Clark (sister of JC), Barrister Kathleen Heath, ALSWA's Chloe Wood and Finn Crockett



Importance of supporting Aboriginal people who want to exercise their right to plead not guilty to criminal charges



Brock Budworth and Karleen Bracken from ALSWA's South Hedland office

A common myth peddled about ALSWA for many years has been that it only assists clients who plead guilty or that it "makes" clients plead guilty. This could not be further from the truth. ALSWA's criminal law practice prides itself on being much more than a duty lawyer service where only clients who plead guilty receive legal representation.

The following case example not only illustrates why this is so, but it also highlights how ALSWA lawyers work collaboratively with each other in order to get the outcomes which matter for their clients.

The managing lawyer in ALSWA's South Hedland office is Brock Budworth. Brock has performed a herculean task over the last few years in providing high quality legal assistance to clients. Brock has done this in the face of massive workloads and an acute shortage of lawyers in the South Hedland office.

Brock acted for two young boys from a remote community in the Pilbara.

Over a period of time, the boys were charged with multiple criminal offences.

Brock and the South Hedland ALSWA team held the line and supported the boys to enter pleas of not guilty given they were under 14 years of age. Brock also made bail applications on behalf of the boys each time they faced fresh charges.

The fact that the boys were under the age of 14 was of critical importance as the prosecution had to prove "capacity" under s29 of the Criminal Code, ie the prosecution had to point to evidence from which an inference could be drawn, beyond reasonable doubt, that the boys had the capacity to know that the acts constituting the alleged offending was seriously wrong at the time.

When the boys were ultimately refused bail, their charges were transferred to Perth Children's Court and listed for a 10 day "capacity" trial.

ALSWA's Perth Criminal Law Unit lawyers, Jasvir Kang and Clare Brennan then began acting for the boys.

Both Jas and Clare were very diligent in seeking case management orders from the court, months out from the trial dates, to keep the pressure on the prosecution to review the matters in a timely fashion with a viewing to adopting a position as to whether proceed with the prosecutions, rather than waiting until the eve of the trials to decide.

Jas and Clare were then able to secure bail for the boys again.

Several months before the trials were due to commence, the prosecution discontinued all charges.

As a result of the great work by Brock and the South Hedland team, along with Clare and Jas, these boys reached the age of 14 without having acquired a criminal history.



*ALSWA Family Law Unit solicitors Peter Korboe, Jonathon Reid
(Managing Solicitor) and Selva Stenross*

In May 2024, the Family Court of WA published Practice Direction (No 1 of 2024) which requires that:

- their Aboriginal culture, their engagement with Noongar kaartijin (knowledge) and the maintenance of the young person's relationship with their Aboriginal family.

Although the decision did not completely go the grandfather's way and is now the subject of an appeal, the court did make the following important statement of principle:

The Court must take into account the child's right to enjoy his Aboriginal culture, including the right to enjoy that culture with other people who share that culture, and the likely impact that any proposed parenting order will have on that right. An Aboriginal child's right to enjoy his Aboriginal culture includes the right to maintain a connection with that culture, and to have the support, opportunity and encouragement necessary to explore the full extent of that culture, consistent with the child's age and developmental level and the child's views, and to develop a positive appreciation of that culture.

ALSWA's Family Law Unit also acted for a grandfather in important but complex proceedings in the Family Court of WA, dealing with a young person's right to enjoy



Youth Engagement Program

The metropolitan Youth Engagement Program (YEP-M) has been operating for over eight years and is currently funded by the WA Department of Justice until June 2025. YEP was expanded to the West Kimberley (YEP-WK) in early 2021 and is funded under the Kimberley Juvenile Justice Strategy until June 2025.

On the back of the success of YEP-M and YEP-WK, the National Indigenous Australians Agency provided funding to ALSWA in November 2022 to establish the YEP in two new sites. YEP-East Kimberley (based in Kununurra) commenced in March 2023 and YEP-Halls Creek commenced in July 2023. YEP has recently expanded its reach to Fitzroy Crossing with Halls Creek YEP workers visiting Fitzroy Crossing every fortnight.

YEP provides holistic, culturally-secure, individualised and flexible support to ALSWA clients appearing in the Perth, Broome, Derby, Kununurra, Wyndham, Fitzroy Crossing and Halls Creek Children's Courts.

Across all sites YEP employs 13 staff (92% Aboriginal staff) including a statewide YEP Manager and Administrative Assistant. YEP provides a range of services including mentoring; court support; advocacy; referrals to external services; case management; transport assistance; support at appointments with various external agencies including Youth Justice Services; accommodation assistance; assistance to reengage in education and/or training; support to attend medical appointments and check-ups; practical help (such as obtaining birth certificates, Medicare cards, bank accounts and Centrelink payments) and participation in positive recreational activities.

Many participants have successfully completed their youth justice/court orders and reengaged in education/training and/or other prosocial activities.

From 1 July 2023 to 30 June 2024, YEP provided comprehensive support to 132 Aboriginal young people.





The work of YEP staff is often critical to the lives of the young people they help as the following comments by the Court of Appeal in ARX -v- SOWA [2023] WASCA 169, referencing the efforts of YEP Broome office diversion officer, Mecquela Morato, reflect:

We agree with the submission of counsel for the appellant that, at its heart, this sentencing exercise involves a ‘vulnerable [15]-year-old Aboriginal girl from regional Western Australia whose prospects and need for rehabilitation’ must be balanced against the seriousness of her offending as a 14-year-old.

The additional evidence comprises an affidavit of Ms Morato sworn 16 October 2023. Ms Morato is a youth diversion officer with the Youth Engagement Program (YEP), which appears to be a commendable service operated by the Aboriginal Legal Service in the Town. Ms Morato is an Indigenous Australian woman who has been able to form a trusting relationship with both the appellant and the appellant’s aunt.

Ms Morato describes steps she has taken to secure mental health treatment for the appellant, the enrolment of the appellant in a TAFE course in term 4 of this year and a pending application for the appellant to attend an alternative learning school in the Town. The appellant has also been placed on the ‘Target 120 Plus’ program, operated by the Department of Communities, which seeks to support at risk children and their families. Ms Morato has referred the appellant to a psychological service in the Town, with a view to her having regular appointments for her mental health challenges with regard to previous trauma and current stressors.





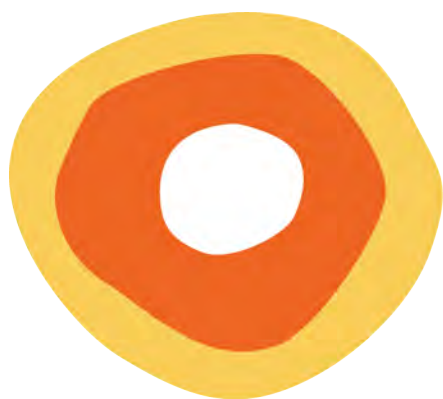
Custody Notification Service

The ALSWA Custody Notification Service (CNS) has been operating since 2 October 2019. The CNS is funded jointly by the Commonwealth Government (National Indigenous Australians Agency) and the Western Australian Government (Department of Justice). The CNS is a phone service operating 24 hours per day 7 days per week every day of the year for Aboriginal people in Western Australia who are detained by WA Police in a police facility. WA Police are required to phone the CNS every time an Aboriginal person is arrested or apprehended and detained in a police facility throughout the state, irrespective of the reason. This applies to both children and adults. The police are required to provide the CNS with certain details and provide the person detained with an opportunity to speak to a CNS staff member.

The CNS aims to provide a holistic wellbeing check to reduce preventable deaths in custody and related harm. The CNS undertakes a wellbeing check with a focus on immediate safety and health needs. In addition, the CNS provides legal information and advice to address immediate legal needs. This includes, where possible, referrals to legal assistance providers (including ALSWA) and external programs and services.

The CNS had a mix of full-time, part-time and casual staff including a Managing Lawyer, lawyers and Aboriginal support workers. This hardworking and dedicated team work tirelessly around the clock to ensure that the CNS phone line is answered as soon as possible.

From 1 July 2023 to 30 June 2024, the CNS received 39,420 notifications, an increase of 6,070 from the previous financial year (18% increase).





CNS

CUSTODY NOTIFICATION SERVICE



Under WA laws, every time an Aboriginal or Torres Strait Islander person is taken into custody at a police facility, the police must notify the Aboriginal Legal Service of WA (ALSWA) CNS.

The ALSWA CNS is a phone service that operates **24 hours a day, 7 days a week**, every day of the year.

The phone service provides welfare and legal advice to Aboriginal and Torres Strait Islander people in custody in a police facility.

The person in custody will be able to speak to the CNS staff member about things like:

- **how they are feeling;**
- **whether they need medical attention or access to medication;**
- **whether they need the assistance of an interpreter or a support person while in custody;**
- **whether they would like the CNS to contact a family member;**
- **their legal rights and responsibilities while they are in police custody;**
- **information about the reason they are in custody and what is likely to happen next; and/or**
- **whether they need help with anything when they are released from custody (the CNS can make referrals to services in the community if the person in custody wants this).**

If you are arrested or apprehended and taken to a police facility, the police will telephone the CNS.

The police will ask you if you want to speak to the ALSWA CNS.

The ALSWA CNS would like to talk to you to make sure you are ok and explain various things to you.

Even if you don't want a lawyer from ALSWA to represent you later on, the CNS staff member would still like to talk to you to check you are ok and provide you with important initial legal advice. If requested, the CNS can send information to your lawyer of choice.





Bail Support Service/Prison In-Reach Legal Service

The metropolitan Bail Support Service (BSS) and Prison In-Reach Service (PIR) commenced in April 2020 and the Broome Bail Support Service (Broome BSS) commenced in November 2020. These programs are funded by the WA Department of Justice until June 2025. The overall objective of the BSS/PIR is to reduce avoidable remand by providing earlier access to bail to suitable applicants through the provision of bail support and prison in-reach legal services, and by supporting accused persons to comply with bail conditions and undertakings.

The BSS and BSS Broome employs an Aboriginal Team Leader and nine Aboriginal Bail Support Workers and the PIR employs three lawyers. These staff work closely together to ensure that clients are released from custody as early as possible and to support clients to maintain compliance with their bail conditions. Referrals to other support services and programs are undertaken when appropriate.

Further, in August 2023 a new BSS post-sentence support worker commenced in Perth to provide ongoing support to BSS clients after they have been sentenced. The aim of this initiative is to ensure that clients comply with their sentencing orders (with the overall aim of reducing imprisonment).

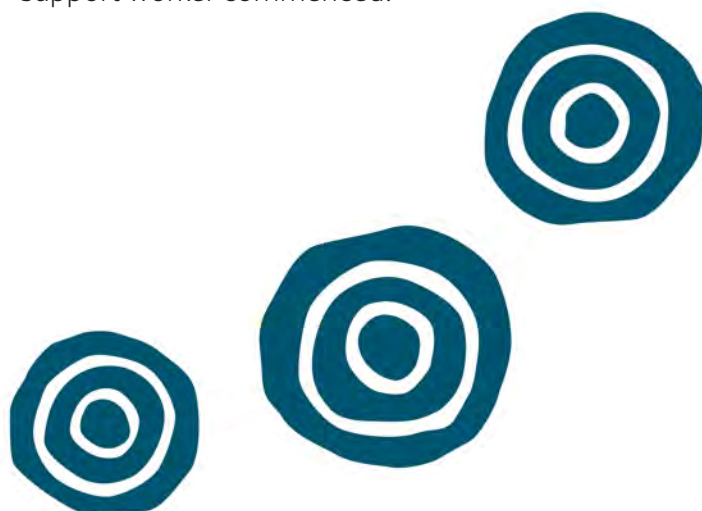
The BSS teams provided support to 287 adult clients and PIR provided legal support to 576 adult clients.

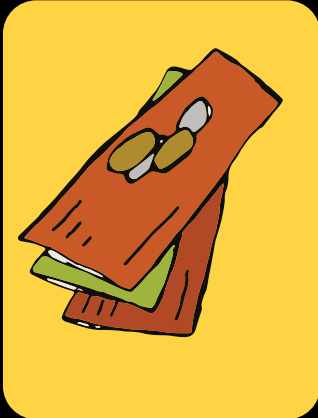
Work and Development Permit (WDP) Service

ALSWA's WDP Service commenced on 29 September, 2020. The WDP Service is part of the Work and Development Permit Scheme partnership between the Department of Justice, ALSWA and Legal Aid WA. The WDP Scheme is designed to assist people experiencing hardship to reduce or clear their unpaid court fines through completing approved activities under the supervision of an approved sponsor.

From 1 July 2023 to 30 June 2024, the WDP Service assisted 523 clients with fines-related issues and liaised with at least 180 approved sponsors or potential sponsors including other statements related to the WDP Scheme. Clients have been provided with individual fines analysis and support including advocacy services and legal advice; payment plans; Fines Expiation Orders; and WDP options. The WDP Service made 249 client referrals to WDP sponsors during this period. The WDP Service has also met regularly with the scheme's partners including attending regular WPD Scheme Governance Group and Operational Group meetings. Further, the WDP Service has provided a strong focus on education and promotion across a range of internal and external networks and service providers.

As at 30 June 2024, the WDP Service employed one program manager and two Aboriginal support workers based in Perth. In September 2024, a new Aboriginal sponsor engagement support worker commenced.





Artwork by Peter Farmer

COURT FINES? CAN'T PAY? DON'T IGNORE THEM THEY WON'T GO AWAY

If you've got court fines, you may be able to apply for a **Work and Development Permit (WDP)**.

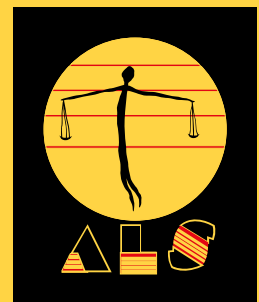
This means that you could reduce or clear your fines by doing activities in place of paying the amount owed.

WANT TO KNOW MORE?

If you are an Aboriginal or Torres Strait Islander person and are facing hardship, the Aboriginal Legal Service of WA Ltd (ALSWA) can assist, no matter where you live in WA.

ALSWA can provide information about Work and Development Permits (WDP) and other legal matters relating to your fines.

Contact ALSWA for advice about the different options which may help to **reduce or clear your court fines**.



**Contact ALSWA WDP Service Team on 08 6371 4600
WA Freecall 1800 019 900 or wdpservice@als.org.au**

To find out more visit www.justice.wa.gov.au/wdp

The Work and Development Program Scheme is a partnership between the Department of Justice, Aboriginal Legal Service of WA Limited and Legal Aid WA





Family and Domestic Violence Hubs

In 2021, ALSWA entered into an agreement with Hope Community Services Limited (Hope) to provide a paralegal for the Mara Pirni Healing Place in Kalgoorlie. This hub is operated by Hope in partnership with Wanslea Family Services, Ngunytju Tjitji Pirni (NTP), One Tree Community Services and ALSWA. The ALSWA paralegal provides legal information to clients at the hub including warm referrals to appropriate legal assistance providers as well as undertaking community legal education.

In 2023, ALSWA entered into another agreement with Hope to provide a lawyer for the new Armadale Family and Domestic Violence Hub. The new Armadale hub is operated by Hope in partnership with Yorgum Healing Services, Ngala, Ishar Multicultural Women's Health Services, Women's Legal Service, Marmum Mia-Mia Aboriginal Corporation, 360 Health, Ruah Community Services and ALSWA.

Custody Wellbeing Service

The ALSWA Custody Wellbeing Service (Perth Watch House) (CWS) is funded by WA Police Force to provide culturally secure face-to-face support for Aboriginal and Torres Strait Islander detainees including identification of immediate medical and other wellbeing needs; cultural counselling and mentoring; referrals to ALSWA services and external services as appropriate; and support with contact to family and other support persons. The CWS employs two Aboriginal support workers and commenced in October 2024. The CWS support workers work onsite at the Perth Watch House on Mondays to Thursday from 4 pm to midnight.



CUSTODY NOTIFICATION SERVICE



Under WA laws, every time an Aboriginal or Torres Strait Islander person is taken into custody at a police facility, the police must notify the Aboriginal Legal Service of WA (ALSWA) CNS.

The ALSWA CNS is a phone service that operates **24 hours a day, 7 days a week**, every day of the year.

The phone service provides welfare and legal advice to Aboriginal and Torres Strait Islander people in custody in a police facility.

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Even if you don't want a lawyer from ALSWA to represent you later on, the CNS staff member would still like to talk to you to check you are ok and provide you with important initial legal advice. If requested, the CNS can send information to your lawyer of choice.





Consultations and submissions during 2023-2024

Formal submissions

ALSWA Submission to Parliamentary Joint Committee on Human Rights Inquiry into Australia's Human Rights Framework (July 2023).

ALSWA Submission to Senate Legal and Constitutional Affairs References Committee Inquiry into Australia's youth justice and incarceration system (October 2024).

Written feedback

ALSWA Submission on the Review of the Children's Court of WA Act (November 2023)

ALSWA Submission on the Evidence Bill 2024 (March 2024)

ALSWA Submission on the Use of Communication Partners in WA Courts (March 2024)

Consultations

Department of Justice – Pre-sentence Restorative Justice Options (August 2023)

Department of Justice - Commissioning Strategy

Committees

- Social Reinvestment WA
- NATSILS Law Reform and Justice Network
- CLMI Transitional Provisions Steering Committee
- Collaborative Service Planning Group and State Jurisdictional Forum
- Kimberley Floods Legal Assistance Response Working Group
- Project Reference Group
- Workplace Respect Project Working Group
- Data Advisory Committee
- Restorative Justice Working Group
- WPD Scheme Governance Group and Operational Group.

Salute to Paul Tobin and Julie Waud

At the end of August, 2024, ALSWA lawyer Paul Tobin departed the ALSWA Broome office.

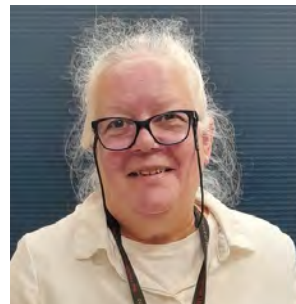
Paul started work in the office as a lawyer in 2012, before assuming the role of managing lawyer in 2016.

Paul's near 12 year stint in the office is the longest continuous period ever by a lawyer working in an ALSWA regional office, which is an incredible achievement.

A hallmark of Paul's tenure in the Broome office was his fearless and unwavering commitment to providing high quality legal assistance to his clients and the Aboriginal community of the West Kimberley, often in the face of considerable adversity.



*Paul Tobin
ALSWA Senior lawyer*



*Julie Waud, ALSWA
Deputy CEO*

Paul leaves the ALSWA Broome office in great shape. This is not the end, fortunately, as Paul has moved to Perth to work in ALSWA's Criminal Law Unit.

In early October, 2024, Julie Waud completed her 8 year tenure as the managing lawyer of ALSWA's Criminal Law Unit to concentrate on her role as Deputy CEO.

Managing the Criminal Law Unit is a difficult and complicated task; I want to thank Julie for her dedication and commitment over a very long period of time.



Appointments

I would like to congratulate the following
on their judicial appointments:

a. Will Yoo – appointed as a Magistrate in WA. Will was a much admired and respected criminal counsel in the Perth Criminal Law Unit.

b. Melissa McEwen – appointed as a Magistrate in WA.

- C.** Kim Farmer – appointed as a Magistrate in WA. Kim will be the presiding Magistrate in the Dandjoo Bidi-Ak which is a culturally safe and therapeutic child protection court program for Aboriginal families, which operates in the Perth Children’s Court.

d. Dominic Brunello – appointed as a Magistrate in Queensland.

e. Magistrate Wendy Hughes – appointed as a Judge of the District Court of WA.

I am indebted to Wayne Nannup and Julie Waud of ALSWA's executive management team and to ALSWA's Board for their ongoing guidance and support.





Old Ways New Ways

ALSWA has been funded by the Commonwealth Attorney-General's Department to deliver Old Ways New Ways in conjunction with Wadjak Northside Aboriginal Corporation, Stephen Michael Foundation Ltd and Hope Community Services Ltd. Old Ways New Ways is a justice reinvestment initiative designed to break the cycle of youth offending in the Perth and southwestern regions of Western Australia and is funded under the National Justice Reinvestment Program for two years until 30 June 2026. Old Ways New Ways is in its implementation phase and is due to commence in the second half of 2024. The program will include culturally secure holistic case management as well as access to educational/ leadership activities, on-country camps and community throughcare support via community hubs and mentors.

In April 2024, the Albanese Government announced the next recipients of their landmark justice reinvestment funding package.

Their first grants were delivered under the program two months earlier.

Justice reinvestment empowers First Nations communities and leaders to develop local solutions to divert at risk adults and young people away from the criminal justice system.

ALSWA was successful in being one of the recipients with a program called 'Old Ways New Ways' and the Government has allocated \$3 million dollars each year for the next two years for this justice reinvestment youth diversionary program in WA.

ALSWA will lead the consortium, working collaboratively with Wadjak Northside Aboriginal Corporation, Hope Community Services and the Stephen Michael Foundation.



CEO's Wayne Nannup (ALSWA), Merinda March (Hope Community Services) and Len Yarran (Wadjak Northside Aboriginal Corporation)



Community Engagement/Media/Public Relations

Speaking out publicly about law and justice issues in Western Australia and how they disproportionately affect First Nations peoples, is vital.

CEO Wayne Nannup is frequently addressing the media and provides a strong and authentic voice about the complexities that ALSWA deals with on a daily basis.

ALSWA advocates strongly on behalf of our communities and speaks out about injustice and laws that unfairly target our people, and it is this public stance, that gives the wider community, a greater insight into Indigenous disadvantage.



ALSWA CEO Wayne Nannup speaking with the ABC



Language part of wrong approach

The Labor Government has lost its way and in turn, its social conscience, in relation to its approach and attitude to young people in detention in WA.

The dismissive and punitive comments about the behaviour of young people in juvenile detention before and after the tragic loss of two young lives in Unit 18 and Banksia Hill

Detention Centre brings this fact into sharp relief. It began with former premier Mark McGowan describing young people at Banksia Hill as "terrorists" after disturbances at the centre. I'm not sure what the political aims of the young detainees were, but there is a fair chance they'd had a gutful of being unlawfully locked-up all day, every day.

After Master Dodd died, Premier Roger Cook referred to Unit 18 as a "necessary evil".

Spare me. Since when has a detention centre for young people run by the State been a "necessary evil"? Who on earth is the Premier listening to, because that sort of language does not fit with the Roger Cook I know, at least before he became Premier. Not far behind the Premier is the former minister for Corrective



Youth detention in the spotlight.

Services, Bill Johnson, who said, in reference to Master Dodd's death, that "these things happen". Tell that to the family of Master Dodd. To any fair-minded observer, Mr Johnson's comments reveal a breathtaking lack of sensitivity and empathy which borders on the pathological.

Then on the same day that a second boy died in detention, Corrective Services Minister Paul Papalia had the gall to say "we know these kids are challenged". Not a skerrick of empathy there either, but rather a continuation of this Government's cold-hearted rhetoric, demonising young people detained at Banksia Hill and Unit 18. This Government bangs a drum around providing

"safe conditions for staff".

That's all well and good, but with two young people dead in its centres in less than 12 months, where is the recognition that the safety of young people in its care, should be an equally high, if not higher priority?

If this Government had a conscience, this issue should be above politics. As we move towards the State election in early 2025, the drive to the bottom on law and order must stop. More fundamentally, politicians on both sides of the fence need to grow up and openly acknowledge their true responsibilities; if a young person has to be locked up, common humanity and decency requires they be looked after, kept safe and everything is done to ensure they do not die in State care. The price of breaking the law should only be the loss of liberty, not the loss of life. These tragic and avoidable deaths must never be repeated. Government must commit to transformative change, underpinned by proper social conscience, that seems to have disappeared into the ether. Wayne Nannup, CEO, Aboriginal Legal Service of WA

Letter to the Editor by Wayne Nannup ALSWA CEO

West Australian newspaper Letters to the Editor, Thursday 5th September 2024



ALSWA CEO Wayne Nannup on Law Matters





Jail no place for kids

Youth detention turns troubled kids into hardened criminals

EMMA GARLETT

LEGAL ACADEMIC

Absolutely youth crime is splashed across the news on what seems like a daily basis.

And something is being done about it. The Albanese Government has just announced it will invest in 10 new justice initiatives around the country.

The projects are part of the largest commitment to justice reinvestment ever delivered by the Commonwealth.

As part of their \$100 million First Nations Justice package, the Albanese Government has committed \$9m to supporting up to 50 community-led justice reinvestment initiatives in First Nations communities across Australia.

It's a recognition that the old system of constantly cycling kids through the youth justice system simply doesn't work.

We know that kids who come into contact with the justice system before the age of 14 are far less likely to finish their education. They're less likely to find jobs. And they're much more likely to reoffend as adults and end up in prison. That's a heavy cost to society — both in terms of financial cost to the system and taxpayers and to our social cohesion.

And as we know, conditions in our juvenile detention facilities are far from the therapeutic environments they should be to get troubled kids back on track. Casuarina Prison's maximum Unit 16 — where 16-year-old Cleveland Dodd took his own life last year — has been described as "hell on earth" by Children's Court president Elton Quail.

Banksia Hill has been referred to as a "monster factory" — a place where troubled kids enter, and hardened criminals exit.

So it's a benefit to all of us to keep as many children out of the justice system as possible.

Justice reinvestment is a long-term, community-led approach to preventing crime, improving community safety, and reducing the number of Aboriginal and Torres Strait Islander adults and children in custody.

It does this by recognising that the reasons children offend are complex. These aren't inherently bad kids. Many have suffered abuse,

neglect or exposure to violence in the home. Many have conditions such as fetal alcohol spectrum disorder, which interferes with decision-making capabilities.

Of the 10 new community-led justice reinvestment initiatives selected for this program, three are in WA, in Carnarvon, Halls Creek and the Wheatbelt.

One of the programs will be led by the Aboriginal Legal Service of WA. It will lead a consortium involving the Wadjuk Northside Aboriginal

Corporation, HOPE Community Services and the Stephen Michael Foundation to deliver the "Old Ways, New Ways" program. ALSWA

chief executive Wayne Nannup said the program will bring young people to a central hub, where they can access comprehensive case management under the one roof.

"When you look at the over-representation of our young people in court or detention, it's clear that the current system is seriously failing our youth," he said.

"Old Ways, New Ways" will provide a holistic approach involving key stakeholders, referral pathways, case management, specialist and community supports and healing on country camps.

"First Nations Peoples are over-represented at every point within the criminal justice system in this country. Here in WA, the alarming issues which have emerged from Banksia Hill Detention Centre and Unit 16 of Casuarina Prison highlight that urgent change is needed."

Mr Nannup said he had no doubt Old Ways New Ways would reduce recidivism.

Old Ways New Ways will initially work with high-risk young people going through the Perth Children's Court and it is hoped that the program will have the capacity to extend to regional WA in the future.

This is the start of real change in our communities to keep our kids out of prison and give them hope for the future.



MORE OPINION
PAGE 42

West Australian newspaper, Tuesday 23rd April 2024



Law Matters – 14 Years on Air

ALSWA's Law Matters radio program, produced and presented by ALSWA Public Relations/Media Manager Jodi Hoffmann, continued into its 14th year on air in 2024.

Guests included:

Rosalind Croucher AM (AHRC President), Sue-Anne Hunter (Yoorrook Justice Commission Victoria Commissioner/Deputy Chair), Noel Pearson, Ron Bin Swani (Social Reinvestment WA Community Campaigner), Amanda Donges (AIHW Head of Justice and Education Unit), Marnie Williams (AFLS Managing Solicitor), Dean Curtis (Law Society of WA), Paul Clark (Executive Manager, Education Prevention and Inclusion, Office of E Safety Commissioner), Len Yarran (Wadjak Northside Aboriginal Corporation CEO), Kate Gough (Shine Lawyers Senior Associate) Professor Steve Larkin (Chair, Healing Foundation), Kim Collard (National NAIDOC Elder of the Year), Elsie Blay (RUAH Executive Manager, Services), Wayne Nannup ALSWA CEO, Peter Collins ALSWA Director Legal Services, Hayley O'Hara (ALSWA CNS Managing Solicitor), William Yoo (ALSWA Appeals Counsel), Chloe Wood (ALSWA Manager Civil/Human Rights Unit), Olivia Roberts (ALSWA Civil/Human Rights Unit lawyer).



*ALSWA Chairperson
Michael Blurton*



*ALSWA Lawyer
Olivia Roberts*



*Jacqueline McGowan-Jones
WA Commissioner for Children
and Young People*



*Jodi Hoffmann Law Matters
Producer/Presenter*



*ALSWA Human Rights Unit
Manager Chloe Wood*



*ALSWA CEO Wayne Nannup and
Wadjak Northside Aboriginal
Corporation CEO Len Yarran*



LAW MATTERS

NOONGAR RADIO 100.9FM



PRODUCED AND PRESENTED BY

THE ABORIGINAL LEGAL SERVICE OF WA LIMITED

**ALTERNATE WEDNESDAYS
11.05am to 12.00 noon**

Repeated on the National Indigenous Radio Service



LIVESTREAM THROUGH WWW.NOONGARRADIO.COM



TUNE IN TO FIND OUT MORE ABOUT YOUR LEGAL RIGHTS,
HOW THE ABORIGINAL LEGAL SERVICE OF WA CAN ASSIST YOU,
AND THE COMPLEX ISSUES FACING ABORIGINAL AND TORRES
STRAIT ISLANDER PEOPLES WITHIN THE JUSTICE SYSTEM.

LAW MATTERS — BROADCASTING SINCE 2010



2024 Sir Ronald Wilson Oration

ALSWA CEO Wayne Nannup was invited to present the 2024 Sir Ronald Wilson Oration, held at the State Library Theatre. His presentation gave an insight into the often challenging journey faced by a First Nations person, from birth to adulthood. ALSWA thanks the Law Society of WA for the opportunity to take part in this important annual event.



Wayne Nannup with Barry Winmar, who did the Welcome to Country at the Sir Ronald Wilson Oration



ALSWA staff pictured at the SRW Oration L-R: Jeremy Yarran, Clare Brennan, Victoria Williams, Peter Collins, Angela Crombie, Hayley O'Hara, Julie Waud, Preston Thomas (Director) and Genna Blurton.



2024 Sir Ronald Wilson Oration

The Law Society
OF WESTERN AUSTRALIA
The voice of the legal profession in Western Australia

From Birth to Adulthood What is an Acceptable Standard of Care?

What does the future hold for our children, when a First Nations boy is more likely to go to prison, than go to university?

The stark reality is that Aboriginal and Torres Strait Islander children are born into a society that does not offer them a fair go, nor an easy journey for their life ahead.

Systemic racism affects every part of one's life, from birth, where our children continue to be removed *'for our own good'* through to adulthood, where we remain the most incarcerated peoples on the planet.

Historical injustices have paved the way for poor health and education outcomes, a shorter life expectancy and disproportionately high incarceration rates.

Wayne Nannup will take you on a journey, providing an insight into the disadvantage faced by First Nations Peoples.

His presentation will leave you asking yourself *'is that an acceptable standard of care?'*

The Law Society of Western Australia is honoured to present the 2024 Sir Ronald Wilson Oration, an important event serving as a platform for discussion and insight into Indigenous legal issues.

Wayne Nannup

Presented by Wayne Nannup Chief Executive Officer of the Aboriginal Legal Service of WA Ltd (ALSWA)

With family connections to Western Australia's South West, Pilbara, Goldfields, Mid-West and Kimberley regions, Wayne Nannup has a strong commitment to the complex issues facing First Nations Peoples within the justice system.

Graduating with a Bachelor of Laws from Murdoch University in 2009 and admitted to practice law in 2010, Wayne's CEO appointment in March last year, saw his return to the organisation where he first started his legal career within ALSWA's Criminal Law Unit.

Wayne Nannup now heads up a team of over 200 staff, across twelve offices between Albany in the south and Kununurra in the north, passionate about ALSWA's role in striving for justice for some of WA's most disadvantaged peoples.

Date: Thursday, 3 October 2024
Time: 5.45pm – 7.30pm
Cost: Attendance is free, but we invite you to support the Aboriginal Legal Service of Western Australia Ltd with a donation to help make a difference. Donate [here](#).
Venue: State Library Theatre
Directions: To view a map [click here](#)

REGISTER ONLINE

Registrations close:
4pm Monday, 30 September 2024 or when we reach venue capacity.

Note: The Law Society is not delivering this event as part of our CPD Programme.

USE OF PHOTOGRAPHY: The Society reserves the right to use photography and filming from its events for future promotional use. Please advise a Society staff member at each event if you wish to opt-out. Aboriginal Legal Service of Western Australia is registered Charity.

lawsocietywa.asn.au



Community Legal Education

ALSWA welcomes the opportunity to speak out about the services we provide and ensure that important legal information is reaching all areas of our community. This includes setting up stalls at community events and speaking with groups about our important role within WA's justice system.

CEO Wayne Nannup spoke with staff at the DLA Piper law firm about the barriers facing First Nations peoples from childhood through to adulthood.



ALSWA is grateful for the pro bono assistance that DLA Piper provides to ALSWA and Wayne is pictured at DLA Piper with Leanne Nickles, Phoebe Stagg and Maya Stampfer

Community Stalls

Our stalls are always well received and they provide the ideal opportunity to engage with communities. ALSWA offers such a diversity of services, and our staff are always very approachable to chat about legal issues and how we can assist members of the community. Here's a snapshot of some of our stalls throughout the year.



ALSWA at the Aboriginal Family Legal Services Ochre Ribbon event, with L-R volunteers Alana Dooley and Selina Burrows, and ALSWA's Rose Wallace and Jodi Hoffmann (Photo: Cam Jones)



Finn Crockett and Tanya De Souza-Meally took part in the Lakelands SHS Aboriginal Expo



Leslie Slater, ALSWA Kalgoorlie, pictured at NAIDOC celebrations at the local TAFE



ALSWA Perth NAIDOC Week Opening Ceremony



L-R ALSWA's Jeremy Yarran, Kyra Collard, Thula Gwemende and Paul Hill at the NAIDOC Perth Opening Ceremony



NAIDOC Week in Bunbury, with ALSWA's Shona Paton, Andrea Van Rensburg and Selva Stenross



Attending the Bunbury Regional Prison 'Inside 2 Out' Expo were ALSWA Perth Civil Unit lawyer Yovela Tamba, with ALSWA Bunbury Criminal Lawyer Ella Eberhardt and Senior legal Secretary Andrea Van Rensburg



Shona Paton, ALSWA Bunbury Managing Solicitor and Andrea Van Rensburg, ALSWA Bunbury Senior Legal Secretary, attended a local luncheon hosted by the Southern Aboriginal Corporation to celebrate NAIDOC Week



Pictured in Esperance is ALSWA Civil Unit lawyer Giorgia Papalia, took part in a regional awareness and accessibility program with the Energy and Water Ombudsman, the Ombudsman WA, Commonwealth Ombudsman, Telecommunications Industry Ombudsman, Health and Disability Services Complaints Office, the Equal Opportunity Commission and Consumer Protection.



Walk for Justice

This year, ALSWA CEO Wayne Nannup was an Ambassador for 'Walk for Justice' and some of ALSWA's staff took part in the early morning event.

The 'Walk for Justice' commenced at 7.30 am from the river-side of the Bell Tower in Perth and followed the river to Fraser Point before returning to Barrack Square.

This event celebrates the pro bono work of the legal profession of WA and raises funds for Law Access, a charitable organisation that facilitates the giving of pro bono legal assistance to those who cannot afford a lawyer.



Community Engagement

ALSWA Albany is always involved in local community events, and ALSWA Senior Court Officer Raymond Muir is pictured here at the 30 year anniversary of the Aboriginal Community Legal Centre with WA Attorney General Hon John Quigley LLB JP MLA and Brodie Lewis, Business Manager of Great Southern Community Legal Services. The Albany CLC is now known as the Great South Community Legal Services.



L-R Olivia Roberts, Tayla Richards, Tanya De Souza Meally, Jacob Higgins, Ruby Lee, Yassamin Olson, Chloe Wood, Yovundhi Jayasekera, Bree Yarran, Yovela Tamba.



L-R: Genna Blurton (PA to the CEO), Peter Collins (DLS), Donald Abdullah (Director), Wayne Nannup (CEO) Kathy Watson (Director/ Vice-Chairperson), Preston Thomas (Director), Christine Moir (ALSWA Carnarvon Senior Legal Secretary), Murray Jones (Director), Selina King (Director) Michael Blurton (Director/Chairperson), Paul Baron (Director)

ALSWA Board Meet in Carnarvon

The Aboriginal Legal Service of WA Ltd Board of Directors meet quarterly and are pictured here at a 2024 Board meeting in Carnarvon, in the Gascoyne region of Western Australia.

This provided the opportunity to view the new ALSWA office, which has moved from 64 Robinson Street Carnarvon to the new address of 9 Hill Street in Carnarvon.



Youth Civics Leadership Day

The Aboriginal Legal Service of WA Ltd (ALSWA) took part in the inaugural Youth Civics Leadership Day for Aboriginal Youth (YCLD), organised by the Law Society of WA.

Attended by students in years 10 - 12 from Perth and regional WA, the YCLD provided the forum for participants to enhance and build upon their leadership potential and civic awareness. Representing ALSWA were CEO Wayne Nannup, Youth Engagement Program Assistant Manager and Diversion Officer Roy Blurton, who also facilitated the session, and Court Officer Lydia Taylor.

Joining ALSWA in discussion was former ALSWA lawyer Kim Farmer, Polly Farmer Foundation Patron, secretary and vice-chair.

Other sessions throughout the day included a Welcome by Elders, team building activities, Cultural yarning, Civics and the opportunity for the students to meet with role models and members of the legal fraternity.

ALSWA thanks the Law Society of WA for the opportunity to take part in the Leadership session and we wish the students the very best in their future endeavours!



Clockwise from top left: Roy Blurton ALSWA Youth Engagement Program Assistant Manager/Diversion Officer, ALSWA Public Relations/Media Manager Jodi Hoffmann with a student, Kim Farmer Polly Farmer Foundation, Wayne Nannup ALSWA CEO and Lydia Taylor ALSWA Court Officer



In Loving Memory of

Vale Beverley Thomas

February 2024

We were saddened to hear of the passing in February 2024 of Beverley Thomas, a much loved and respected former member of our ALSWA Committee. She was such a lovely woman who cared deeply about her people and the work of our organisation. She is dearly missed by us all and our thoughts are with Beverley's husband Preston (ALSWA Board of Directors) and her family and friends.

Vale Richard Hickson

June 2024

At the time of his passing, Richard had recently returned to ALSWA head office in Perth where he worked out of the Criminal Law Unit. Prior to this, he was the Managing lawyer of ALSWA's Albany office. We were deeply saddened by this loss and Richard was greatly respected by his colleagues and clients. He was a valued member of our ALSWA family who contributed so much to our organisation. Our condolences are with Richard's family and friends.





Vale Frank Chulung

July 2024

Mr. Chulung was a respected and much-loved member of our ALSWA family for many years, starting with our organisation in 1974. He worked in various roles including as an Honorary Field Officer, a Field Officer, Executive Committee Member and a Court Officer, up until his retirement nine years ago.

Mr. Chulung saw a lot of injustice during these years, and worked at the frontline of legal issues, striving for justice on behalf of Aboriginal people. He wanted to make a difference.

We learnt so much from Mr. Chulung during his years with ALSWA. He was a true gentleman and always there for his people. We will be forever grateful for his friendship, commitment, kindness and dedication and will remember him always. Our thoughts are with all family and friends.

Vale Lena Dayle Anderson

September 2024

Dayle was a much loved former employee of our organisation. She cared deeply about the complex issues facing our people within the criminal justice system and was dedicated to working with and for Aboriginal women in our community. We are grateful for the contributions that Dayle made to ALSWA over the years and are deeply saddened by the passing of another member of our ALSWA family. Our condolences are with all loved ones.



Chief Financial Officer

John Poroch

I am pleased to present the following audited financial report for the 12 months ended 30 June 2024. The financial Report has been prepared as a general purpose financial report in accordance with the Corporations Act 2001, Australian Accounting Standards and the Corporations Regulations 2001.

The Aboriginal Legal Service of Western Australia Limited (ALSWA) has recorded a net profit of \$542,787 from record revenue of \$24,149,066.

Government grants remain the major source of funding for ALSWA contributing approximately 93% of total revenue. And salaries and wages being by far the single biggest expense approximately 77% of total expenses for the year.

During the year the company entered into or commenced provision of services in relation to the following government grants with the State Government of Western Australia Department of Justice: Criminal Law (Mental Impairment) Service, Dandjook Bidi-Ak Service, Disaster Recover Kimberley Floods Service. Also, the Community Wellbeing Service with the Western Australia Police Force and the Old Ways New Ways Service with the Commonwealth Government of Australia.



ALSWA is now responsible for the administration of 22 funding grants that underpin the delivery of legal and social services to the Aboriginal and Torres Strait Islander people throughout Western Australia.

The balance sheet remains strong with net assets of \$10,444,200 and a current asset ratio of 1.32:1 this will continue to be the platform to carry our vital and expanding operations forward.

The Company remains committed to delivering culturally appropriate high-quality legal services to Aboriginal and Torres Strait Islander people throughout the vast state of Western Australia.

I would like to acknowledge the dedication of the legal and administrative staff of the ALSWA who with limited budget and challenging workloads continue to work tirelessly for the benefit of our clients.



Peter Rogers ALSWA Company Secretary

[illegible]



ABORIGINAL LEGAL SERVICE OF WA LTD
ACN: 617 555 843

Financial Report 2024

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Directors' Report

In respect of the financial report of the Aboriginal Legal Service of Western Australia Limited ("ALSWA" or "the company") of the financial year ended 30 June 2024.

1. Responsible Directors

The following persons were directors of the Aboriginal Legal Service of Western Australia during the financial year:

- Mr Michael Blurton
- Ms Kathy Watson
- Mr Preston Thomas
- Mr Donald Abdullah
- Mr Paul Baron
- Ms Selina King
- Mr Murray Jones (appointed 16/11/2023)

2. Directors' details

Michael Blurton was appointed a Co-Opted director on 18 November 2021. He previously served for 5 years as an Initial Elected Director and Chairman on registration of the Company as a public company limited by guarantee on 10 March 2017 and as an Executive Committee member for 13 years. He is a Ballardong Noongar man from the wheat belt town of Quairading. His involvement with the organisation spans back to the 1970s when he worked as a field/court officer. Michael supports and promotes the vital role that the Company plays in striving for justice and support for Aboriginal and Torres Strait Islander people within the legal justice system.

Kathy Watson was appointed as an Initial Elected Director on registration of the Company as a public company limited by guarantee on 10 March 2017 and was re-elected on 18 November 2021. She had previously been an Executive Committee Member since 2011. Kathy is from Broome in the west Kimberley. She is passionate about legal issues for our community, she would like to see more cultural input into court matters, particularly within court districts.

Preston Thomas was appointed as an Initial Elected Director on registration of the Company as a public company limited by guarantee on 10 March 2017 and was re-elected on 18 November 2021 as the Chairman of the Board. He previously has been a member of the Executive Committee since 2006. He is from Laverton and has lived in Kampa Community for over 20 years. Preston has also had a long affiliation with the organisation. Preston is deeply committed to the issues facing our people and will support the vital work

undertaken by the Company for the benefit of the Aboriginal and Torres Strait Islander people.

Donald Abdullah was appointed as an Initial Elected Director on registration of the company as a public company limited by guarantee on 10 March 2017 and was re-elected on 21 November 2019. He previously had been an Executive Committee member since 2015. He is a Wongi man from Esperance on the south east coast of Western Australia. Donald is dedicated to supporting Aboriginal and Torres Strait Islander People and feels strongly about keeping our young people out of prison. He is also supportive of women who face domestic violence and providing guidance on legal matters.

Paul Baron was elected as a director on 18 November 2021. He has previously served as a Co-Opted Director for 5 years on the registration of the Company as a public company limited by guarantee on 10 March 2017 and prior to this as a long standing Executive Committee member. He is a Yamatji man from Carnarvon.

Selina King was appointed on 16 November 2023. She lives in Broome, her mother is Karrijarn and father is Nyikina. She will be eligible for election as an elected director at the next annual general meeting.

Murray Jones Was appointed as a Co-Opted director on 16 November 2023. He brings a wealth of experience in Aboriginal management and engagement that underscores his commitment to fostering collaboration and development. Mr. Jones has demonstrated expertise in external relations, mining, civil, and construction. His unique skill set enables him to bridge cultural gaps and empower individuals across local, urban, and remote indigenous communities. He was the inaugural chairperson for the Southwest Land and Sea Council. He has worked in remote areas, spearheading projects aimed at developing life skills, work readiness, and employment opportunities for indigenous youth and adults. Mr. Jones played a pivotal role in the Noongar native title claim win in 2002.

3. Principal Activities

ALSWA is a public company incorporated under the *Corporations Act 2001*.

The principal activity is to provide legal service to disadvantaged and under-privileged Aboriginal and Torres Strait Islander People of Western Australia.

4. Results

The Company's total comprehensive income for the year was \$542,787 (2023: loss \$656,099)



5. Review of Operations

The Company's revenue for the year ended 30 June 2023 was \$24,149,066 (2023: \$21,199,791), a 13.91% increase over the previous year.

6. Change in State of Affairs

During the year the company entered into or commenced provision of services in relation to the following government grants:

Disaster Recovery – Kimberly Floods Funding
Old Ways New Ways Program
Community Wellbeing Service
Criminal Law (Mental Impairment Funding
Dandjoo Bidi-Ak Funding

7. Contribution in Winding Up

The Company is incorporated under the *Corporations Act 2001* as a public company limited by guarantee. If the Company is wound up, the constitution states that each member is required to contribute a maximum of \$10 each towards meeting any outstanding obligations of the Company. As at 30 June 2024, the total amount that members of the Company are liable to contribute if the Company is wound up is \$1,230 (2023: \$1,220).

8. Future Developments

The Company plans to continue with its principal activities as noted above in the foreseeable future.

9. Insurance of Officers

During the financial year the Company paid a premium of \$24,591 to insure the directors, secretary and officers of the Company. The liabilities insured are the legal and ancillary costs that may be incurred in defending civil or criminal proceedings that may be brought against the officers in the capacity as officers of the Company. During the year the company has been required to lodge claims to recover expenses in relation to court and consultant fees.

10. Events Subsequent to Balance Date

No other matter or circumstance has arisen since 30 June 2024 that has significantly affected, or may significantly affect:

- (a) The Company's operations in future financial years
- (b) The results of those operations in future years
- (c) The Company's state of affairs in future financial years.

11. Directors' Meetings

The number of meetings of directors held during the year and the number of meetings attended by each director is as follows:

	No. meetings entitled to attend	No. meetings attended
Michael Blurton	5	5
Kathy Watson	5	5
Preston Thomas	5	5
Paul Baron	5	5
Donald Abdullah	5	5
Selina King	5	5
Murray Jones	2	2

12. Environmental Regulations

The Company complies with the Environmental Protection Act 1996. It has not contravened any of its regulations during the financial year.

13. Independent Auditor's Independence Declaration

The lead auditor's independence statement is set out on page 3 and forms part of the directors' report for the year ended 30 June 2024.

This report is made in accordance with a resolution of the Board.

Chairman
Perth, Western Australia
Date: 26 September 2024





INDEPENDENT AUDITOR'S REPORT

TO THE MEMBERS OF ABORIGINAL LEGAL SERVICE OF WESTERN AUSTRALIA LIMITED

Report on the Audit of the Financial Report

Opinion

We have audited the financial report of Aboriginal Legal Service of Western Australia Limited ("the Company"), which comprises the statement of financial position as at 30 June 2024, the statement of net surplus and other comprehensive income, the statement of changes in equity and the statement of cash flows for the year ended on that date, and notes to the financial statements, including a summary of significant accounting policies, and the directors' declaration.

In our opinion:

- a. the accompanying financial report of the Company is in accordance with the *Corporations Act 2001*, including:
 - (i) giving a true and fair view of the Company's financial position as at 30 June 2024 and of its financial performance for the year then ended; and
 - (ii) complying with Australian Accounting Standards and *Corporations Regulations 2001*.

Basis for Opinion

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 about whether the financial report is free from material misstatement. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Company in accordance with the auditor independence requirements of the *Corporations Act 2001* and the ethical requirements of the Accounting Professional and Ethical Standards Board's *APES 110 Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

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

Other Information

The directors are responsible for the other information. The other information comprises the information included in the Company's annual report for the year ended 30 June 2024, but does not include the financial report and our auditor's report thereon.





To the Members of Aboriginal Legal Service of Western Australia Limited (Continued)

- Conclude on the appropriateness of the directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Company to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Company to express an opinion on the financial report. We are responsible for the direction, supervision and performance of the Company audit. We remain solely responsible for our audit opinion.

We communicate with the directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide the directors with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.

From the matters communicated with the directors, we determine those matters that were of most significance in the audit of the financial report of the current period and are therefore the key audit matters. We describe these matters in our auditor's report unless law or regulation precludes public disclosure about the matter or when, in extremely rare circumstances, we determine that a matter should not be communicated in our report because the adverse consequences of doing so would reasonably be expected to outweigh the public interest benefits of such communication.


HALL CHADWICK
Chartered Accountants


MICHAEL HILLGROVE FCA
Director

Dated at Perth this this 26th day of September 2024



Statement of Profit or Loss and Other Comprehensive Income
For the year ended 30 June 2024

	Note	2024	2023
		\$	\$
Revenue		24,149,066	21,199,791
Depreciation and amortisation expenses		763,981	902,077
Electricity & gas expense		62,388	62,515
Employee benefits expense		18,165,799	17,273,964
Information Technology		144,979	128,083
Impairment expense/(increment)		(121,498)	(136,656)
Interest expense		41,631	31,393
Library resources		170,757	174,138
Loss on disposal		45,460	-
Office expenses		42,320	48,733
Other expenditure		1,708,425	1,335,963
Property expenses		234,699	233,530
Rent		783,094	446,451
Lease expenses		351,700	254,269
Telephone & internet		163,868	163,026
Training		63,119	37,478
Travel & accommodation		985,557	900,926
Profit/(loss) before income tax		542,787	(656,099)
Income tax		-	-
Profit/(loss) after income tax attributable to the members of ALSWA		542,787	(656,099)
Other comprehensive income			
Fair value movement land and buildings		-	-
Income tax relating to components of other comprehensive income		-	-
Total comprehensive income for the period		542,787	(656,099)

The above statement should be read in conjunction with the accompanying notes.



Statement of Financial Position
As at 30 June 2024

	Note	2024	2023
		\$	\$
Current Assets			
Cash and cash equivalents	5	18,979,043	17,845,218
Other financial assets	6	2,897,272	2,775,774
Receivables	7	998,840	653,990
Total Current Assets		<u>22,875,155</u>	<u>21,274,982</u>
Non-Current Assets			
Property, plant and equipment	8	5,379,684	4,612,097
Total Non-Current Assets		<u>5,379,684</u>	<u>4,612,097</u>
Total Assets		<u>28,254,839</u>	<u>25,887,079</u>
Current Liabilities			
Accounts Payables	9	910,162	1,500,707
Provisions	10	4,575,727	4,436,463
Unexpended grants	11	11,298,953	9,029,303
Lease liabilities	12	566,531	320,407
Total Current Liabilities		<u>17,351,373</u>	<u>15,286,880</u>
Non-Current Liabilities			
Provisions	13	293,696	277,978
Lease liabilities	14	165,570	420,818
Total Non-Current Liabilities		<u>459,266</u>	<u>698,796</u>
Total Liabilities		<u>17,810,639</u>	<u>15,985,676</u>
Net Assets		<u>10,444,200</u>	<u>9,901,403</u>
Equity			
Members funds	15	1,230	1,220
Retained earnings		6,642,715	6,099,928
Asset revaluation reserve	8(a)	1,238,128	1,238,128
Discretionary reserves	16	2,562,127	2,562,127
Total Equity		<u>10,444,200</u>	<u>9,901,403</u>

The above statement should be read in conjunction with the accompanying notes.



Statement of Changes in Equity
For the year ended 30 June 2024

	<u>Note</u>	<u>2024</u> \$	<u>2023</u> \$
Retained earnings			
Balance at the beginning of the financial year		6,099,928	6,756,027
Profit/(loss) after tax for the year		542,787	(656,099)
Balance at the end of the financial year		6,642,715	6,099,928
Discretionary reserves			
Balance at the beginning of the financial year		2,562,127	2,562,127
Balance at the end of the financial year	16	2,562,127	2,562,127
Members contribution			
Balance at the beginning of the financial year		1,220	1,060
Additional members contribution for the year		10	160
	15	1,230	1,220
Asset revaluation reserve			
Balance at the beginning of the financial year		1,238,128	1,238,128
Balance at the end of the financial year	8(a)	1,238,128	1,238,128
Total equity at the end of the financial year		10,215,439	9,901,403

The above statement should be read in conjunction with the accompanying notes.



Statement of Cash Flows
For the year ended 30 June 2024

	Note	2024	2023
		\$	\$
Cash flows from operating activities			
Grants received		27,092,535	29,031,298
Payments to suppliers and employees		(25,828,306)	(22,524,758)
Interest received		844,591	294,648
Interest paid		(41,631)	(31,393)
Rent received		70,405	79,580
Sundry income		570,286	469,292
Net cash provided by operating activities	21	<u>2,707,880</u>	<u>7,318,667</u>
Cash flows from investing activities			
Payment for the purchase of property, plant & Equipment		(1,155,995)	(201,282)
Proceeds from sale of assets		25,308	-
Net cash used in investing activities		<u>(1,130,687)</u>	<u>(201,282)</u>
Cash flows from financing activities			
Repayment lease liability		(443,378)	(635,083)
Members contribution		10	160
Net cash used in financing activities		<u>(443,368)</u>	<u>(634,923)</u>
Net increase in cash and cash equivalents held		1,133,825	6,482,462
Cash and cash equivalents at beginning of the financial year		17,845,218	11,362,756
Cash and cash equivalents at the end of the financial year	5	<u>18,979,043</u>	<u>17,845,218</u>

The above statement should be read in conjunction with the accompanying notes.



1. Summary of significant accounting policies

The financial statements are general purpose financial statements that have been prepared in accordance with the *Corporations Act 2001*, Australian Accounting Standards including Australian Accounting Interpretation and other authoritative pronouncements of the Australian Accounting Standards Board.

The financial report covers the Aboriginal Legal Service of Western Australia Limited (the "Company"). The Company is a not for profit company incorporated and domiciled in Western Australia.

The following summary of the material accounting policies adopted by the Company in the presentation of the financial report, and have been consistently applied, unless otherwise stated.

(a) Basis of Preparation

The accounting policies set out below have been consistently applied to all years presented.

Reporting Basis and Convention

The financial report has been prepared on an accrual basis and under the historical cost convention and does not take in account current valuations of non-current assets, except for land and buildings that are measured at revalued amounts or fair value as explained in accounting policy 1(k) below.

Going Concern

The financial report has been prepared on a going concern basis.

The Company is dependent upon the ongoing receipt of Commonwealth Government grants (Commonwealth Department of Attorney General) and community and corporate donations to ensure the ongoing continuance of its programs. At the date of this report, the directors have no reason to believe that this financial support will not continue. Covid-19 disrupted the operation of magistrate courts throughout the state restricting the delivery of frontline legal and advocacy services and general operations of the company. Necessitating employees to practice social distancing and alternative working arrangements to work from home and the avoidance of non-essential travel. The company assessed its eligibility to apply for the Job Keeper salary rebate and secured Covid-19 funding from the Commonwealth Attorney General's Department. The directors have assessed the Covid-19 risk to operations and believe that the company has implemented appropriate operational policy and secured its cashflow and is a going concern.

(b) Foreign currency translation

(i) Functional and presentation currency

Items included in the financial statements of the company are measured using the currency of the Primary economic environment in which the Company operates ("the functional currency").

The financial statements are presented in Australian dollars which is the Aboriginal Legal Service of Western Australia's functional and presentation currency.

(c) Revenue recognition

Revenue is measured at the fair value of the consideration received or receivable. The Company recognises revenue when; the amount can be reliably measured; the Collection is probable and when criteria for each of the Company's different activities have been met and described as follows:

(i) Government grants

A number of the Company's activities are supported by grants received from federal, state and local governments or agencies. Grants are recognised on a systematic basis over the period in which the Company recognises as expenses the related costs or which the grants are intended to compensate. Specifically, the wage subsidy received under the Job Keeper Scheme are presented as other income in the profit and loss.

If conditions are attached to a grant, which must be satisfied before the Company is eligible to receive the contribution, recognition of the grant as revenue is deferred until those conditions are satisfied.

Where a grant is received on the condition that specified services are delivered to the grantor, this is considered a reciprocal transaction. Revenue is recognised as services performed and at year-end a liability is recognised until the service is delivered.

Where a grant is required to be repaid if certain conditions are not satisfied, a liability is recognised at year-end to the extent that conditions remain unsatisfied.

(ii) Sale of goods

A sale is recorded when goods have been despatched to a customer and associated risks have passed to the carrier or customer.

(iii) Provision of services

Revenue from the provision of services is recognised in the period in which the customer obtains the benefit of the service.



1. Summary of significant accounting policies (continued)

(iv) Gifts and donations

Gifts and donations are recognised at their fair value when the Company obtains control, economic benefits are probable and the amount of the donation can be reliably measured.

(v) Interest income

Interest income is recognised on an accrual basis using the effective interest method.

(v) Dividend income

Dividend income from investments is recognised when the shareholder's right to receive payment has been established (provided that it is probable that the economic benefits will flow to the Company and the amount of income can be reliably measured).

(d) Operating expenses

Operating expenses including expenses relating to the grants, are recognised on an accrual basis.

(e) Income Tax

The Company is exempt from paying income tax under Div.50 of the *Income Tax Assessment Act 1997*.

(f) Goods and services tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the statement of financial position are shown inclusive of GST.

Cash flows are presented in the statement of cash flows on a gross basis, except for the GST components of investing and financing activities, which are disclosed as operating cash flows.

(g) Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits held at call with financial institutions, other short-term, highly liquid investments that are readily convertible to know amounts of cash and which are subject to an insignificant risk of changes in value, and bank overdrafts.

(h) Trade and other receivables

Trade receivables are recognised at original invoice value and subsequently measured at amortised cost, less provision for doubtful debts. Trade receivables are generally settled in 30-60 days.

Collectability of trade receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off. A provision for doubtful receivables is established when there is objective evidence that the Company will not be able to collect all amounts due according to the original terms of receivables.

(i) Financial assets

Financial assets are classified into the following specified categories: financial assets 'at fair value through profit or loss' (FVTPL), 'held-to-maturity' investments, 'available-for-sale' (AFS) financial assets and 'loans and receivables'. The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition. All regular way purchases or sales of financial assets are recognised and derecognised on a trade date basis. Regular way purchases or sales are purchases or sales of financial assets that require delivery of assets within the time frame established by regulation or convention in the marketplace.

Financial assets at FVTPL

Financial assets are classified as at FVTPL when the financial asset is (i) contingent consideration that may be paid by an acquirer as part of a business combination to which IFRS 3 applies, (ii) held for trading, or (iii) it is designated as at FVTPL.

A financial asset is classified as held for trading if:

- it has been acquired principally for the purpose of selling it in the near term; or
- on initial recognition it is part of a portfolio of identified financial instruments that the Group manages together and has a recent actual pattern of short-term profit-taking; or
- it is a derivative that is not designated and effective as a hedging instrument.

Financial assets at FVTPL are stated at fair value, with any gains or losses arising on re-measurement recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any dividend or interest earned on the financial asset and is included in the 'other gains and losses' line item.

(j) Property, Plant and equipment

(i) Revaluation Basis

Land held for use in production or administration is stated at re-valued amounts. Re-valued amounts are fair market values based on appraisals prepared by external professional valuers' once every three years or more frequently if market factors indicate a material change in



1. Summary of significant accounting policies (continued)

fair value. The last external valuation date for each property is set out in Note 8.

Any revaluation surplus arising upon appraisal of land is recognised in other comprehensive income and credited to the revaluation reserve in equity. To the extent that any revaluation decrease or impairment loss has previously been recognised in profit or loss, a revaluation increase is credited to profit or loss with the remaining part of the

increase recognised in other comprehensive income. Downward revaluations of land are recognised upon appraisal or impairment testing with the decrease being charged to other comprehensive income to the extent of any revaluation surplus in equity relating to this asset and any remaining decrease recognised in profit or loss. Any revaluation surplus remaining in equity on disposal of the asset is transferred to retained earnings.

As no finite useful life for land can be determined, related carrying amounts are not depreciated.

(ii) Cost basis

All other property, plant and equipment are stated at historical cost less depreciation. Historical cost includes expenditure that is directly attributable to the acquisition of the items.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Company and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

The depreciable amounts of all fixed assets, other than freehold land, are depreciated over their estimated useful lives using the straight-line method.

Leasehold improvements are amortised over the unexpired period of the lease or the lease or the useful life, whichever is the shorter.

The following estimate of useful lives has been applied:

- Buildings: 25 years
- Furniture & fittings: 5 years
- Improvement residential properties: 5 years
- Motor vehicles: 4 years
- Capital & leasehold improvements: 4 years
- Computer equipment: 3 years

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

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

Gains and losses on disposals are determined by comparing proceeds with carrying amount. These are included in the income statement. When revalued assets are sold, it is the Company's policy to transfer the amounts included in other reserves in respect of those assets to retained earnings.

The amount of the provision is the difference between the asset's carrying amount and the present value of estimated cash flows, discounted at the effective interest rate. The amount of the provision is recognised in the income statement.

(iii) Low value asset capitalization

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

(k) Impairment of assets

At each reporting date, the Company reviews the carrying value of its tangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and the value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the income statement.

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

(l) Trade and other payables

These amounts represent liabilities for goods and services provided to the Company prior to the end of financial year which are unpaid. These amounts are unsecured and are usually paid within 30 – 60 days of recognition. These are presented as current liabilities unless payment is not due within 12 months after the reporting period.

(m) Borrowings

Borrowings are initially recognised at fair value, net of transactions 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 the income statement over the



1. Summary of significant accounting policies (continued)

period of the borrowings using the effective interest method.

Borrowings are classified as current liabilities unless the Company has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

(n) Employee benefits

(i) Wages and salaries and annual leave

Liabilities for wages and salaries, including non-monetary benefits expected to be settled within 12 months of the reporting date are recognised in other payables in respect of employees' services up to the reporting date and are measured at the amounts expected to be paid when the liabilities are settled.

Annual leave expected to be settled within the 12 months of the reporting date are recognised in current liabilities as a provision.

(ii) Long service leave and sick leave

The liability for long service and sick leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are estimates of the probability of payout based on length of employee service and past historic trends.

(iii) Retirement benefit obligations

Contributions to the defined contribution fund are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

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

(o) Provisions, contingent liabilities and contingent assets

Provisions are measured at the estimated expenditure required to settle the present obligation, based on the most reliable evidence available at the reporting date, including the risks and uncertainties associated with the present obligation. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of

obligations as a whole. Provisions are discounted to their present values, where the time value of money is material.

Any reimbursement that the Company can be virtually certain to collect from a third party with respect to the obligation is recognised as a separate asset. However, this asset may not exceed the amount of the related provision.

No liability is recognised if an outflow of economic resources as a result of present obligation is not probable. Such situations are disclosed as contingent liabilities, unless the outflow of resources is remote in which case no liability is recognised.

(p) Unexpended grants – deferred income

The liability for deferred income is the unutilised amounts of grants received on the condition that specified services are delivered on conditions are fulfilled. The services are usually provided or the conditions usually fulfilled within twelve (12) months of receipt of the grant. Where the amount received is in respect of services to be provided over a period that exceeds twelve (12) months after the reporting date or the conditions will only be satisfied more than twelve (12) months after the reporting date, the liability is discounted and presented as a non-current liability.

(q) Critical accounting estimates and judgements

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that may have a financial impact on the Company and that are believed to be reasonable under the circumstances.

The Company makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are discussed below.

(i) Estimated useful life of property, plant & equipment

Management determines the estimated useful life of depreciable assets, based on the expected useful life of the asset and this could change significantly as a result of technical innovations. Management will increase the depreciation charge where useful lives are less than previously estimated. Technically obsolete or non-strategic assets that have been abandoned or disposed of will be written down or written off.



1. Summary of significant accounting policies (continued)

(ii) Impairment

The Company assesses impairment at each reporting date by evaluating conditions specific to the Company that may lead to impairment of assets. Where an impairment

trigger exists, the recoverable amount of the asset is determined. Value-in-use calculations performed in assessing recoverable amounts incorporate a number of key estimates.

The Company applies the revaluation model to measure its land and buildings. This requires that the fair value of the asset be assessed on a regular basis. Independent external property valuers are engaged every 3 years or sooner if required to assess the fair value.

(iii) Long service leave and sick leave entitlements

The measurement of the provision for long service leave and sick leave entitlements require that the Company

make an estimate of the payout likely to occur in the future. Management applies a probability factor to the

likelihood of a payout based on the length of service and past historic trends of employees continuing employment.

(r) Right-of-use asset and lease liability

Right-of-use assets

ALSWA assesses whether a contract is or contains a lease, at inception of the contract. ALSWA recognises a right-of-use asset and a corresponding lease liability (refer notes 12 and 14) with respect to all lease arrangements in which it is the lessee, except for short-term leases (where the lease term is 12 months or less) and leases of low value assets (such as personal IT equipment). For these leases, ALSWA recognises the lease payments as an operating expense on a straight-line basis over the term of the lease unless another systematic basis is more representative of the time pattern in which economic benefits from the leased assets are consumed.

The right-of-use assets comprise the initial measurement of the corresponding lease liability, lease payments made at or before the commencement day, less any lease incentives received and any initial direct costs. They are subsequently measured at cost less accumulated depreciation and impairment losses.

Right-of-use assets are depreciated over the shorter period of lease term and useful life of the underlying asset (refer below). The depreciation starts at the commencement date of the lease.

ALSWA has elected to adopt the practical expedient permitting a lessee not to separate non-lease components, and instead account for any lease and associated non-lease components as a single arrangement.

Lease liabilities

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted by using the rate implicit in the lease. If this rate cannot be readily determined, ALSWA uses its incremental borrowing rate.

The lease liability is subsequently measured by increasing the carrying amount to reflect interest on the lease liability (using the effective interest method) and by reducing the carrying amount to reflect the lease payments made.

ALSWA remeasures the lease liability (and makes a corresponding adjustment to the related right-of-use asset) whenever changes are made to:

- The lease term or there is a significant event or change in circumstances resulting in a change.
- The assessment of exercise of a purchase option
- The lease payments due to changes in an index or rate
- The lease contract such that the modification is not accounted for as a separate lease.

ALSWA did not make any such adjustments during the periods presented.

Refer to note 21(a) for a reconciliation of interest bearing liabilities to financing cash flows.

(s) New Accounting Standards issued

The Company has adopted all new and revised standards and interpretations issued by the Australian Accounting Standards Board that are relevant to its operations and effective for an accounting period that begins on or after 1 July 2022.

Any new or amended accounting standards or interpretations that are not set mandatory have not been early adopted. The adoption of these accounting standards and interpretations did not have any significant impact to the financial performance or position of the Company.



2. Revenue

Note

2024

2023

\$

\$

Income

Grant income:

National Legal Assistance Partnership	14,340,197	14,374,974
Youth Justice grant	393,850	439,007
Custody Notification Service grant	1,592,638	1,451,994
Bail remain and prison in-reach services	1,496,186	1,390,470
Work Development Permit Scheme grant	324,006	417,051
Youth Engagement Program Kimberley	361,442	376,423
FDV Hope community grant	77,961	58,745
Mental Health Conditions	1,278,042	569,978
Workplace Sexual Harassment grant	11,658	(6,897)
Coronial Inquiry and Complex Expensive Cases funding	367,289	330,666
Justice Policy Partnership	94,017	85,935
Youth Engagement Extension	813,143	336,205
Vulnerable Women's funding	650,428	393,054
FDV Hope community Grant Armadale Hub	55,188	338
Therapeutic Children's Court Pilot	428,099	-
Coronial Inquiry funding	106,967	-
Disaster Flood Recovery Kimberley funding	1,544	-
Community Wellbeing Service	2,055	-
Old Ways New Ways grant	5,897	-
Disability Legal Assistance grant	-	71,215
	22,400,607	20,289,158

Other income

Rental income	82,152	78,530
Recovery of costs	480,310	308,927
Interest	915,033	444,239
Dividends	129,293	45,085
Other	141,671	33,852
	1,748,459	910,633
	24,149,066	21,199,791

3. Auditor's remuneration

Remuneration for audit of the financial reports of the Company

Hall Chadwick Audit Pty Ltd	31,144	27,355
Total remuneration	31,144	27,355

4. Directors' remuneration

Income paid or payable, or otherwise made available, to directors by the Company and related parties in connection with the management of the affairs of the Company

Short term employee benefits	84,064	102,555
Post-employment benefits	9,247	10,768
	93,311	113,323

Notes to the financial statements

**5. Current assets - Cash and cash equivalents****Note****2024****2023**

\$

\$

Cash at bank and on hand

3,136,575

5,286,961

Term deposits

(i)

15,842,468

12,558,257

18,979,043

17,845,218

(i) Term Deposits

The term deposits are bearing interest at a rate of 4.75% (2023- 2.9%)

6. Current assets - Other financial assets

Financial assets carried at fair value through profit or loss (FVTPL).

2,897,272

2,775,774

Investment at call with the Indigenous prosperity funds managed by
Indigenous Business Australia - Commonwealth Government of Australia**7. Current assets - Receivables**

Trade Debtors and accrued income

548,160

247,256

Loss Allowance

-

-

548,160

247,256

Security Bonds

51,715

56,832

599,875

304,088

Prepayments

398,965

349,902

998,840

653,990

8. Non-current assets property, plant & equipment

Freehold land & buildings at fair value

(i)

5,235,800

4,358,576

Less: Accumulated depreciation

(1,006,309)

(871,652)

4,229,491

3,486,924

Leasehold improvements at cost

605,833

597,621

Less: Accumulated depreciation

(439,471)

(354,899)

166,362

242,722

Plant & equipment at cost

1,351,992

1,148,429

Less: Accumulated depreciation

(1,057,607)

(986,649)

294,385

161,780

Right of use assets

1,649,925

1,496,786

Less: Accumulated amortisation

(960,479)

(776,115)

689,446

720,671

Total property, plant & equipment

5,379,684

4,612,097



	2024	2023
	\$	\$
(a) Asset revaluation reserve		
Opening balance	1,238,128	1,238,128
Add valuation increment	-	-
Closing balance	<u>1,238,128</u>	<u>1,238,128</u>

(i) Land held for use in production or administration is stated at re-valued amounts. Re-valued amounts are fair market values based on appraisals prepared by external professional valuers' once every three years or more frequently if market factors indicate a material change in fair value. The last external valuation date was 30 June 2022.

Reconciliations

Reconciliations of the carrying amounts of each class of property, plant and equipment at the beginning and the end of the current financial year are set out below.

	Freehold land & Buildings \$	Leasehold Improvements \$	Plant & Equipment \$	Right of Use Assets \$	Total \$
Carrying amount at 30 June 2022	3,595,000	204,116	180,250	802,714	4,782,080
Additions	13,801	106,488	80,994	532,510	733,793
Disposals	-	-	(71,668)	(843,838)	(915,506)
Depreciation expense	(121,877)	(67,882)	(97,767)	(614,551)	(902,077)
Depreciation on disposals	-	-	69,971	843,836	913,807
Carrying amount at 30 June 2023	<u>3,486,924</u>	<u>242,722</u>	<u>161,780</u>	<u>720,671</u>	<u>4,612,097</u>
Additions	877,224	7,403	203,563	443,378	1,531,568
Disposals	-	-	-	(290,239)	(290,239)
Depreciation expense	(134,657)	(83,763)	(70,958)	(474,603)	(763,981)
Depreciation on disposals	-	-	-	290,239	290,239
Carrying amount at 30 June 2024	<u>4,229,491</u>	<u>166,362</u>	<u>294,385</u>	<u>689,446</u>	<u>5,379,684</u>

**9. Current Liabilities - Accounts payable**

	2024	2023
	\$	\$
Unsecured		
Accrued expenses	549,966	756,488
Taxes payable	133,545	500,931
Credit cards	42,512	41,173
Superannuation payable	70,047	61,944
Other payables	114,092	140,171
	<u>910,162</u>	<u>1,500,707</u>

10. Current Liabilities - Provisions

Employee Entitlements		
Annual Leave	2,206,282	1,994,436
Long Service Leave	1,555,613	1,555,178
Sick Leave	813,832	886,849
	<u>4,575,727</u>	<u>4,436,463</u>

11. Current Liabilities - Unexpended grant

National Legal Assistance Partnership	2,439,988	(263,415)
Youth Justice Program	66,180	(8,738)
Custody Notification Service Grant	152,178	105,358
Bail support & prison in-reach services	452,548	731,896
Work Development Permit Scheme grant	135,710	33,931
Youth Engagement Project - West Kimberley	171,435	175,382
Disability Legal Advice Service	154,565	154,565
FDV Hope Community Grant Kalgoorlie Hub	289,788	221,227
Employee of the year grant	5,000	5,000
Kids out of detention	3,968	3,968
Bike rescue grant	2,758	2,758
Mental Health Conditions Grant	1,004,490	1,111,532
Coronial Inquiry and Complex and Expensive Case Grant	1,211,786	787,073
Workplace Sexual Harassment Grant	447,629	306,938
Justice Policy Partnership Grant	93,048	94,065
Vulnerable Women's Funding	950,192	596,946
Youth Engagement Expansion Grant	1,117,092	756,036
Therapeutic Pilot Children's Court Grant	516,920	467,831
FDV Hope Community Grant Armadale Hub	58,162	22,350
Coronial Inquiry Funding Grant	1,453,033	520,000
Disaster Recovery Kimberley Floods	291,102	-
Old Ways New Ways Program	183,436	-
Community Wellbeing Service Grant	97,945	-
Aboriginal and Torres Strait Islander Legal Service (NSW)	-	3,204,600
	<u>11,298,953</u>	<u>9,029,303</u>



	<u>2024</u>	<u>2023</u>
	\$	\$
12. Current Liabilities - Interest bearing liabilities		
Unsecured		
Lease liabilities	<u>566,531</u>	<u>320,407</u>
13. Non-Current Liabilities - Provisions		
Employee Entitlements		
Long service leave	<u>293,696</u>	<u>277,978</u>
14. Non-Current Liabilities - Interest bearing liabilities		
Lease liabilities	<u>165,570</u>	<u>420,818</u>
15. Members funds		
Opening balance	1,220	1,060
Increase	<u>10</u>	<u>160</u>
Closing balance	<u>1230</u>	<u>1,220</u>
16. Discretionary Reserves		
Residential Property Reserve	83,873	83,873
Long Service Leave Reserve	672,000	672,000
Asset Replacement Reserve	520,077	520,077
Kalgoorlie Property Reserve	392,037	392,037
Special Projects Reserve	55,396	55,396
Contract Reserve	<u>838,744</u>	<u>838,744</u>
Closing balance	<u>2,562,127</u>	<u>2,562,127</u>

- (i) Residential property reserve is for the repairs and maintenance and improvement of residential properties owned by the Company and which are caveated by the Attorney General department for specific purpose. The reserve increases annually from rents received and decreases as expenses are incurred.
- (ii) Long service leave reserve declares the reserves required by the Company to satisfy current employee entitlement liability.
- (iii) Asset replacement reserve is used to offset future capital purchase requirements that may arise.
- (iv) Kalgoorlie property reserve recognises the probability of the development of a future building on the Company's freehold land in Kalgoorlie.

Notes to the financial statements



Reserves are created by prudent financial decision making by the executive committee 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.

17. Contract reserve

The Company was a party to a contract, on a fee for service basis, with the Commonwealth Attorney General's Department, for the provision of legal services during the period 2004 to 2011. Surplus funds were retained following the successful delivery of the agreed services. A contract reserve within the discretionary reserves has been established to identify and preserve the funds earned by the Company – Note 16 (vi)

18. Commitments for expenditure

There is no capital expenditure contracted for at the end of the reporting period (2023: Nil).

19. Financial risk management and policies

The Company's principal financial instruments comprise cash and short-term deposits, receivables, payables, and Lease liabilities. The Company manages its exposure to key financial risks, including interest rate risk, in accordance with the Company's financial risk management policy. The objective of the policy is to support the delivery of the Company's financial targets whilst protecting future financial security.

The main risks arising from the Company's financial instruments are interest rate risk and credit risk. Monitoring of specific credit allowances is undertaken to manage credit risk.

Primary responsibility for identification and control of financial risks rests with the Executive Committee. Unless otherwise stated, the Company does not have any derivative instruments. Each of the risks are identified as follows:



Risk exposures and responses

(a) Interest rate risk

The Company's exposure to interest rate risks relates to short-term deposit and long term borrowings. Short-term deposits form part of the cash and cash equivalents that bear fixed interest rates on maturity. Borrowings form part of the current and non-current interest bearing liabilities. Borrowings are contracted at various rates.

	<u>Note</u>	<u>2024</u>	<u>2023</u>
		\$	\$
Financial Assets			
Cash & cash equivalents	5	18,979,043	17,845,218
Other financial assets	6	2,897,272	2,775,774
Receivables	7	599,875	304,088
Total Financial Assets		<u>22,368,926</u>	<u>20,925,080</u>
Financial Liabilities			
Accounts payable	9	910,162	1,500,707
Unexpended grants	11	11,298,953	9029,303
Lease liabilities - current	12	566,531	320,407
Lease liabilities - Non-current	14	165,570	420,818
Total Financial Liabilities		<u>12,941,216</u>	<u>11,271,235</u>
Net Financial Assets		<u>9,534,974</u>	<u>9,653,845</u>

(b) Credit risk

Credit risk is the risk that a counterparty fails to pay or discharge an obligation to the Company. The Company does not have significant credit risk exposure to any counter party(s) under financial instruments entered into by the Company. The maximum exposure to credit risk is limited to the carrying amount of financial assets recognised at the reporting date. The Company constantly monitors defaults of clients and other counterparties.

(c) Liquidity risk

Liquidity risk management involves maintaining sufficient cash and the availability of funds to satisfy debts as and when they fall due and payable. Management effectively manages the Company's liquidity needs by monitoring forecast cash flows, following up trade and other receivables and ensuring that adequate credit facilities are maintained.

(d) Market risk

The Company is exposed to market risk through its use of financial assets and specifically to interest rate and certain price risks, which result from both its operating and short-term deposit investing activities.



<u>Note</u>	<u>2024</u>	<u>2023</u>
	\$	\$

75))))



Management effectively manages the Company's capital by assessing the Company's financial risks and adjusting its capital structure in response to changes in these risks and in the market. These responses include the management of debt levels. There have been no changes in the strategy adopted by management to control the capital of the Company since the prior year.

21. Reconciliation of Profit after income tax to net cash inflow from operating activities

	<u>Note</u>	<u>2024</u>	<u>2023</u>
		\$	\$
Profit (Loss) before income tax		542,787	(656,099)
Depreciation and amortisation		763,980	902,077
Decrease in receivables		(244,435)	283,099
Increase in accounts payables and unexpended grants		1,669,066	6,421,923
Increase in provisions		154,983	502,624
Net movement in fair value of other financial assets		(121,498)	(136,656)
Loss on disposal assets		(57,003)	1,699
Net cash inflow from operating activities		<u>2,707,880</u>	<u>7,318,667</u>

21(a) Reconciliation of liabilities arising from financing activities

Opening balance	741,225	843,798
Lease liabilities	<u>443,378</u>	<u>532,510</u>
Total	1,184,603	1,376,308
Financing cash flows	<u>(452,502)</u>	<u>(635,083)</u>
Closing balance - note 12 & 14	<u>732,101</u>	<u>741,225</u>

22. Events occurring after reporting date

There is, at the date of this report, no other matter or circumstance that has arisen since the 30 June 2024 that has significantly affected, or may slightly affect:

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

23. Other information

The Aboriginal Legal Service of Western Australia Limited is incorporated under *Corporations Act 2001* as a public company limited by guarantee, domiciled in Australia. Its registered office and principal place of business is 7 Aberdeen Street, Perth, 6000 Western Australia.

A description of the nature of the Company's operations and principal activities is included in the Directors' report on page 1 and do not form part of this financial report.



Chairman
Perth, Western Australia
Date: 26 September 2024



Acknowledgements

Financial Assistance

The Aboriginal Legal Service of WA Ltd gratefully acknowledges the support and financial assistance of:

- The Commonwealth Department of the Attorney General (for baseline legal services funding and the Old Ways New Ways program);
- The National Indigenous Australians Agency (for the Custody Notification Service (CNS) and the Youth Engagement Program (YEP) Expansion Project);
- The WA Department of Justice (for the Custody Notification Service (CNS), Bail Support Service (BSS)/Prison In-Reach Service (PIR) Work and Development Permit (WDP) Service and the Youth Engagement Program (YEP) Metro and West Kimberley);
- Hope Community Services for ALSWA paralegal at the Mara Pirni Healing Place and ALSWA lawyer at the South East Family and Domestic Violence (FDV) Healing Service;
- WA Police Force for the Custody Wellbeing Service.

Donations

We express our sincere gratitude to those who have generously donated to ALSWA to assist in our ongoing work. For more information on donating to ALSWA, please see www.als.org.au

Subscriptions

Lexus Nexus for online and hard copy subscriptions.

The 2024 Aboriginal Legal Service of WA Ltd Annual Report was compiled by ALSWA Public Relations/Media Manager Jodi Hoffmann.



Corporate Directory

Corporate Directory

Company

Aboriginal Legal Service of Western Australia Limited

ACN 617 555 843

ABN 61 532 930 441

Directors (alphabetically)

Mr Donald Abdullah

Mr Paul Baron

Mr Michael Blurton

Mr Murray Jones

Mr Preston Thomas

Ms Kathy Watson

Ms Selina King

Registered Office

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Perth WA 6000

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Company Auditors

Hall Chadwick Audit (WA) Pty Ltd

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Subiaco WA 6008



Aboriginal Legal Service of WA

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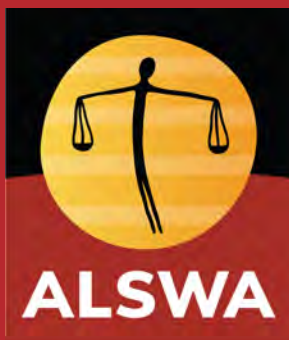
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