

North Australian
Aboriginal Justice Agency

NAAJA

Annual Report
2014/15

ABORIGINAL LEGAL AID IN THE TOP END



CONTENTS

2	ABOUT US
3-4	CHAIRPERSON'S REPORT
5-6	CHIEF EXECUTIVE OFFICER'S REPORT
7-9	OUR SERVICES
10	NAAJA STRUCTURE
11-13	NAAJA BOARD
14-34	OVERVIEW OF OPERATIONS Principal Legal Officer Criminal Law Civil and Family Law Law & Justice Projects Katherine Office
35-36	NAAJA OFFICES Darwin Office Katherine Office Nhulunbuy Region
37	NAAJA FOOTPRINT
38-39	NAAJA STAFFING
40	PERFORMANCE
41-65	FINANCIAL INFORMATION
66-67	CONTACT US
68	SPECIAL THANK YOU

ABOUT US

The North Australian Aboriginal Justice Agency (NAAJA) delivers high quality and culturally competent legal services to Aboriginal and Torres Strait Islander people in the Top End of the Northern Territory.

In addition to our core legal practice in criminal, civil and family law, we provide law and justice related services that aim to ensure that Aboriginal people have real access to justice.

Our History

In 1972 the first Aboriginal Legal Aid office in the Northern Territory was established in Darwin to provide legal services to Aboriginal people in the Top End. This was succeeded by the North Australian Aboriginal Legal Aid Service (NAALAS) in 1973.

In 1985 the Katherine Regional Aboriginal Legal Aid Service (KRALAS) was established and in 1996 the Miwatj Aboriginal Legal Service (MALS) was established to provide legal services to East Arnhem Land.

In 2005 changes in funding for Aboriginal and Torres Strait Islander Legal Services led to NAALAS, KRALAS and MALS tendering for the provision of legal services in the Northern Region of the Northern Territory. The services formed a new single company, NAAJA, which commenced operations in 2006.

Between them, NAALAS, KRALAS and MALS brought to NAAJA a combined total of 74 years' experience in providing legal services to Aboriginal people in the Top End.

NAAJA is now the largest legal service in the Northern Territory.

Our Vision

True Justice, Dignity and Respect for Aboriginal and Torres Strait Islander people.

Our Mission

To lead and empower Aboriginal and Torres Strait Islander people and communities through the delivery of high value, innovative, holistic and culturally effective law and justice services.

Our Values:

Respect
Courage
Excellence
Accountability
Dedication
Innovation
Professionalism
Integrity
Collaboration

NAAJA's Strategic Goals

NAAJA has adopted the following four Strategic Goals to guide its activities in 2014-2017.

- 1 To lead the delivery of high quality, culturally proficient and accessible legal and justice services
- 2 Continue to grow as a strong and leading Aboriginal and Torres Strait Islander organisation
- 3 To assist and empower Aboriginal and Torres Strait Islander people and communities to engage with the legal system
- 4 To lead justice reform



CHAIRPERSON'S REPORT

Vernon Patullo
Chairperson

On behalf of the NAAJA Board, I am pleased to introduce the 2014/2015 Annual Report.

NAAJA is recognised as a leading legal service and a provider of high quality and culturally proficient legal services to Aboriginal and Torres Strait Islander people. This is a reputation that we have earned through hard work and a commitment to delivering outcomes for our people.

Good governance and effective management are hallmarks of NAAJA. The Board has provided experienced and steady guidance over many years. NAAJA is particularly fortunate to have a Board structure that ensures effective regional representation and this has provided a strong platform for our operations.

Making a practical difference

NAAJA's legal work has a huge impact on the lives of our clients and their families. Through our Law & Justice Projects, we also provide innovative and ground-breaking programs that make a real practical difference to the lives of Aboriginal people, their families and communities.

NAAJA is proactive in developing and delivering programs that are aimed at reducing Aboriginal and Torres Strait Islander people's contact with the justice system. We know that early intervention, prevention and targeted support to tackle the causes of crime are cost-effective ways we can boost community safety and improve the lives of Aboriginal people and communities.

NAAJA also remains a constructive influence on government in relation to laws that impact upon Aboriginal people. We enjoy a reputation for positive and influential leadership that gives Aboriginal people a strong voice on justice issues and gets positive outcomes.

A successful Aboriginal organisation

Importantly, as an Aboriginal organisation, we continue to harness, support and develop the talent of Indigenous people in our organisation from our Board and CEO, through management to our frontline staff, interns and cadets. We are proud to be an Aboriginal success story.

We remain an employer of choice for junior and experienced lawyers and our legal team has an excellent reputation. Staff retention rates and the quality of staff we attract confirm we have a working environment that lives up to our values of leadership, respect, justice, professionalism, integrity, innovation, engagement and unity.

Funding challenges

We faced a major challenge this past financial year with a potential funding cut commencing 1st July 2015. Fortunately the Attorney General and Minister for Indigenous Affairs worked together and reversed this cut.

We recognise and acknowledge their hard work to support our service and look forward to working with them in the coming period to address the structural underfunding that continues to present a major challenge to our ability to meet the legal needs of Aboriginal and Torres Strait Islander people in the Top End. .

Conclusion

I am very proud of NAAJA's achievements and the work that NAAJA has done over this last financial year. 2014/2015 was an exciting year and this report highlights some of our important achievements.

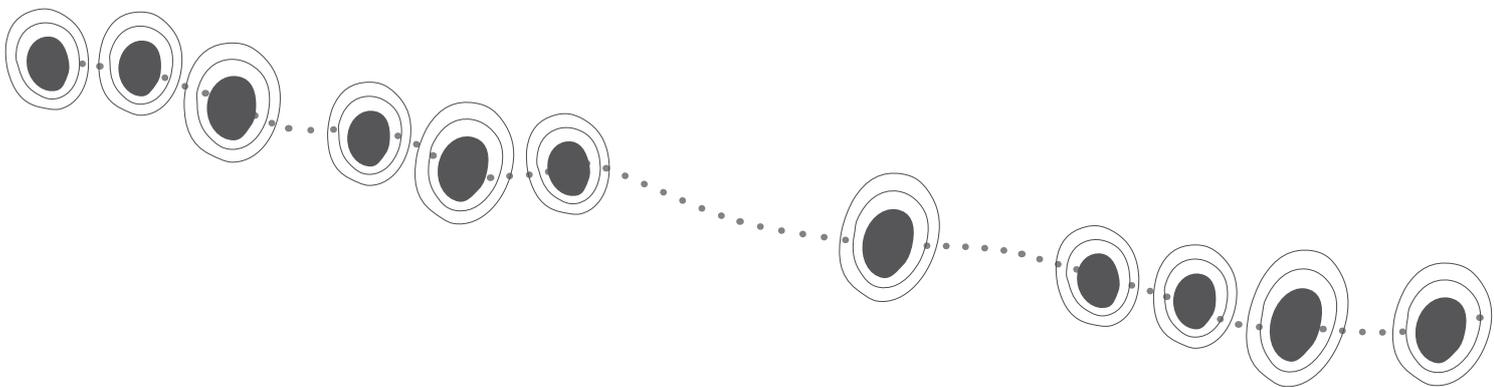


CHAIRPERSON'S REPORT *(cont'd)*

I would like to thank all NAAJA members and especially Board Directors Norman George, Michael Petterson, Illona Wilson, Tony Wurrarrarra, Joel McLennan, Colleen Rosas, Hannah Roe, Francis Hayes, Natalie Ellis, Ruby Stanley and Banambi Wunungmurra for their hard work and solid leadership in 2014/2015.

On behalf of the NAAJA Board, I would also like to thank the staff of NAAJA for their contributions over the last year. Thank you for your hard work, your integrity and your determination to achieve justice for Aboriginal and Torres Strait Islander people.

Vernon Patullo
Chairperson





CHIEF EXECUTIVE OFFICER'S REPORT

Priscilla Collins
CEO

NAAJA is respected for providing highly professional, culturally appropriate, innovative and effective legal and justice-related services. NAAJA is also a leader in law and justice for the rights of Aboriginal people and enjoys constructive relationships with stakeholders.

We are privileged to have very experienced lawyers and talented staff working for NAAJA. Together we ensure that our clients are provided with culturally competent legal services and that the systemic issues facing Aboriginal people are tackled.

While our work is challenging, we continue to look for solutions that offer better outcomes for Aboriginal people. This report highlights NAAJA's achievements against our strategic goals.

Leading the delivery of high quality, culturally proficient and accessible legal services

The work we do is often demanding because our clients' legal problems are usually linked to other social and economic issues. It is therefore fundamental to providing an effective service that we can combine a high level of legal skill with a deep understanding of our clients, their culture and the social issues that impact upon them. This has become a hallmark of NAAJA's work.

In addition to the complexity of our work, the volume continues to grow. In 2014/2015, NAAJA provided advice and representation to 14,250 Aboriginal people for civil, criminal and family matters. In the 10 years leading to 2014/2015, there has been an increase of 100% in the number of criminal matters and 115% in the number of civil matters undertaken by NAAJA.

We now employ 107 full time staff, which includes 51 solicitors. We have increased our staffing by 55% since 2007 to meet client needs. We are proud of the fact that 41% of our staff is Aboriginal, employed in positions right across the organisation, including senior management. An important role in our legal practice is played by Client Service Officers (CSOs) who provide specialised knowledge about the needs of Aboriginal and Torres Strait Islander people.

To assist Aboriginal people and communities to engage with the legal system

The report of our Law & Justice Projects Manager details some of the groundbreaking work we are doing through our Community Legal Education and Night Patrol Legal Education team to give Aboriginal people a greater voice in justice issues that affect them.

Our innovative approach focuses on community development and working with groups within communities to support local leadership.

To lead justice reform

One of the strengths of NAAJA's approach to its work is the way in which our practical experience in providing legal services informs our approach to law and justice on broader justice issues for Aboriginal people. We speak with authority and credibility on Aboriginal justice issues because we are 'at the coalface'. Government, the courts and other stakeholders regularly seek out NAAJA's input on law and justice issues in recognition of our expertise and the quality of our work.

The reports from our managers highlight the ways in



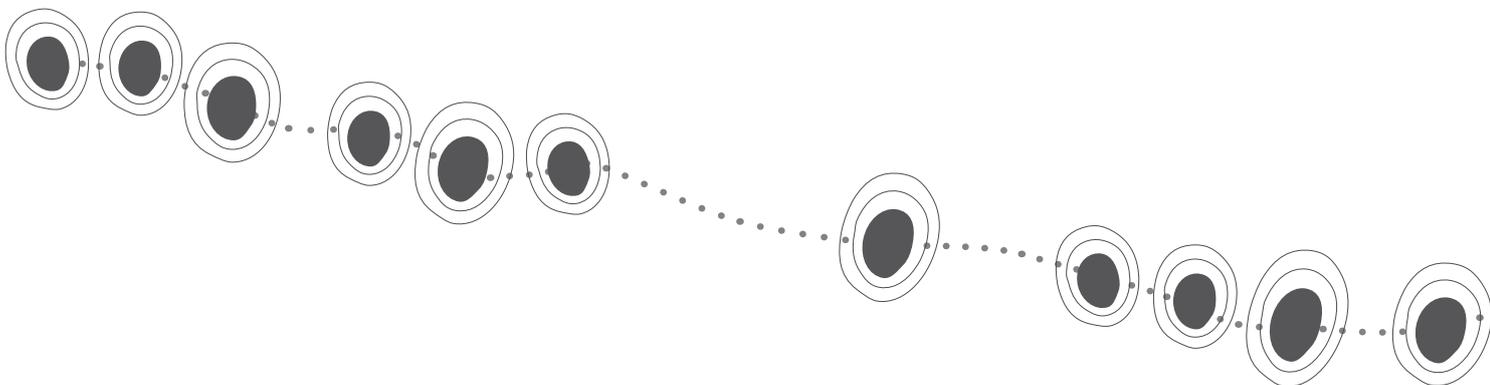
CHIEF EXECUTIVE OFFICER'S REPORT *(cont'd)*

which we have been a leader in law and justice issues in the Northern Territory. Of particular note in this last financial year was our important role in scrutinising and challenging the "Paperless Arrest" regime and its disproportionate impact on Aboriginal people.

Conclusion

I thank the Board, management and staff for their support and efforts throughout 2014/2015, which has been a year of very high activity with many successes along the way. It was an exciting year for NAAJA and one in which it confirmed its position as a leading Australian legal service.

Priscilla Collins
Chief Executive Officer



OUR SERVICES

NAAJA delivers high quality and culturally proficient Aboriginal legal services to the Top End of the Northern Territory. In addition to our core legal practice, we provide law and justice services that aim to ensure that Aboriginal people can have real access to justice.

We provide services in the following areas:

Criminal Law

We are the largest Criminal Law Practice in the Northern Territory with offices in Darwin and Katherine. NAAJA's Criminal Law Section consists of dedicated and passionate lawyers and highly professional Aboriginal and Torres Strait Islander paralegal staff.

Our Criminal Law Practice represents clients:

- On criminal charges in the Youth Justice Court, Magistrates Court, and Supreme Court
- In all Courts sittings in urban and remote regions
- The Court of Criminal Appeal and in some circumstances the High Court of Australia

We also provide:

- Legal advice over the phone or face to face about criminal charges or police investigations
- 24 hour legal advice when people are arrested or taken into police custody

NAAJA also provides specialised services for vulnerable persons including:

- Providing clients with interpreters in their language
- Representing young people in court and providing ongoing intensive case management through our Indigenous Youth Justice Worker
- Representing defendants with deafness and mental health issues including those unfit to be tried by reason of mental impairment

We strive to:

- Provide a culturally relevant legal service to Aboriginal people of the Northern Territory
- Advocate for change to laws, programs and policies that affect Aboriginal people in the criminal justice system

Civil and Family Law

Our Family Law Section provides the following service out of our Darwin Office:

- Legal advice on family and child protection law
- Limited legal representation in parenting matters
- Referrals to Family Dispute Resolution
- Legal representation in child protection matters

Our Civil Law solicitors provide advice on all areas of civil law and representation in areas such as:

- Complaints about government services and departments (e.g. police, prison officers)
- Compensation claims against police and other government departments (e.g. negligence, false imprisonment, assault)
- Child protection matters (including a duty service)
- Adult guardianship matters
- Urban tenancies (with a focus on public housing)
- Statutory compensation (i.e. motor accident and victims of crime compensation)
- Consumer matters (e.g. credit, debt, motor vehicle sales and repairs)
- Health care complaints
- Discrimination and human rights
- Coronial inquests
- Employment

Our Welfare Rights solicitors provide legal advice and assistance in the following areas:

Centrelink and Income Management including:

- o Appealing debts (waiver and reduction)

OUR SERVICES *(cont'd)*

- o Decisions about payments (refusals to grant, non payment periods and rates of payment)
- o Decisions about living arrangements (marriage-like relationships, care of children)
- o Family tax benefit issues
- o Income management exemptions
- o Basics card issues

Remote Tenancies including:

- o Terminations
- o Repairs
- o Debts
- o Priority housing applications

Law & Justice Projects

The work of NAAJA's Law & Justice Projects Section is focused on:

- o Strengthening the capacity of Aboriginal and Torres Strait Islander people to participate actively in the justice system
- o Taking individual and collective responsibility for their lives and the issues they face; and
- o Fully exercising their legal rights

NAAJA Throughcare

NAAJA Throughcare commenced in September 2009. We have two case workers based at Darwin Correctional Centre and five intensive case workers based in Palmerston.

We assist Aboriginal and Torres Strait Islander people from when they are first taken into custody, through their period of incarceration and continuing through their reintegration to the community upon release.

Our model is based on voluntary engagement, building relationships of trust with our clients, and high level cross-cultural expertise. We work with clients to develop insight into their offending behaviour, and support them

to take responsibility and address their offending, and to make positive changes in their lives.

Community Legal Education

NAAJA provides culturally appropriate legal education, training and capacity building to a range of groups and organisations across the Top End. We support Aboriginal and Torres Strait Islander people to learn more about the justice system and to build links between Elders and community leaders, the courts, police and other service providers. This makes the justice system more relevant for Aboriginal and Torres Strait Islander people and enhances the relevance and effectiveness of the justice system for Aboriginal and Torres Strait Islander people.

Night Patrol Legal Education

We build the skills and capacity of Night Patrol Services and develop their role as leaders in preventing crime and promoting community safety, with a particular focus on initiatives to protect women and children. Our training includes foundations of the legal system and various areas of civil and criminal laws including the criminal justice system, child protection laws, duty of care, use of force and liquor laws.

Solicitor, Law & Justice Projects

The Solicitor, Law & Justice Projects provides legal advice and assistance for prisoners and juvenile detainees, particularly in relation to applications for parole. This role addresses the systemic issue that the Northern Territory has no dedicated legal service to help people in the parole process. Many Aboriginal and Torres Strait Islander people face significant difficulties applying for parole. These include limited understanding of the parole process, language barriers and the need for practical support to access counseling, to contact family and to communicate effectively with their parole officer.

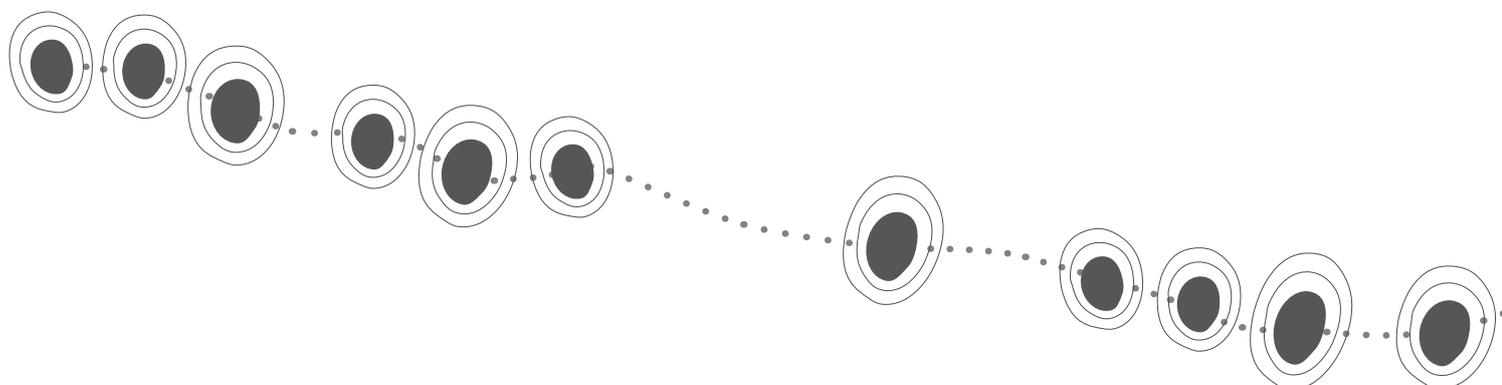


Royal Commission Community Legal Educator

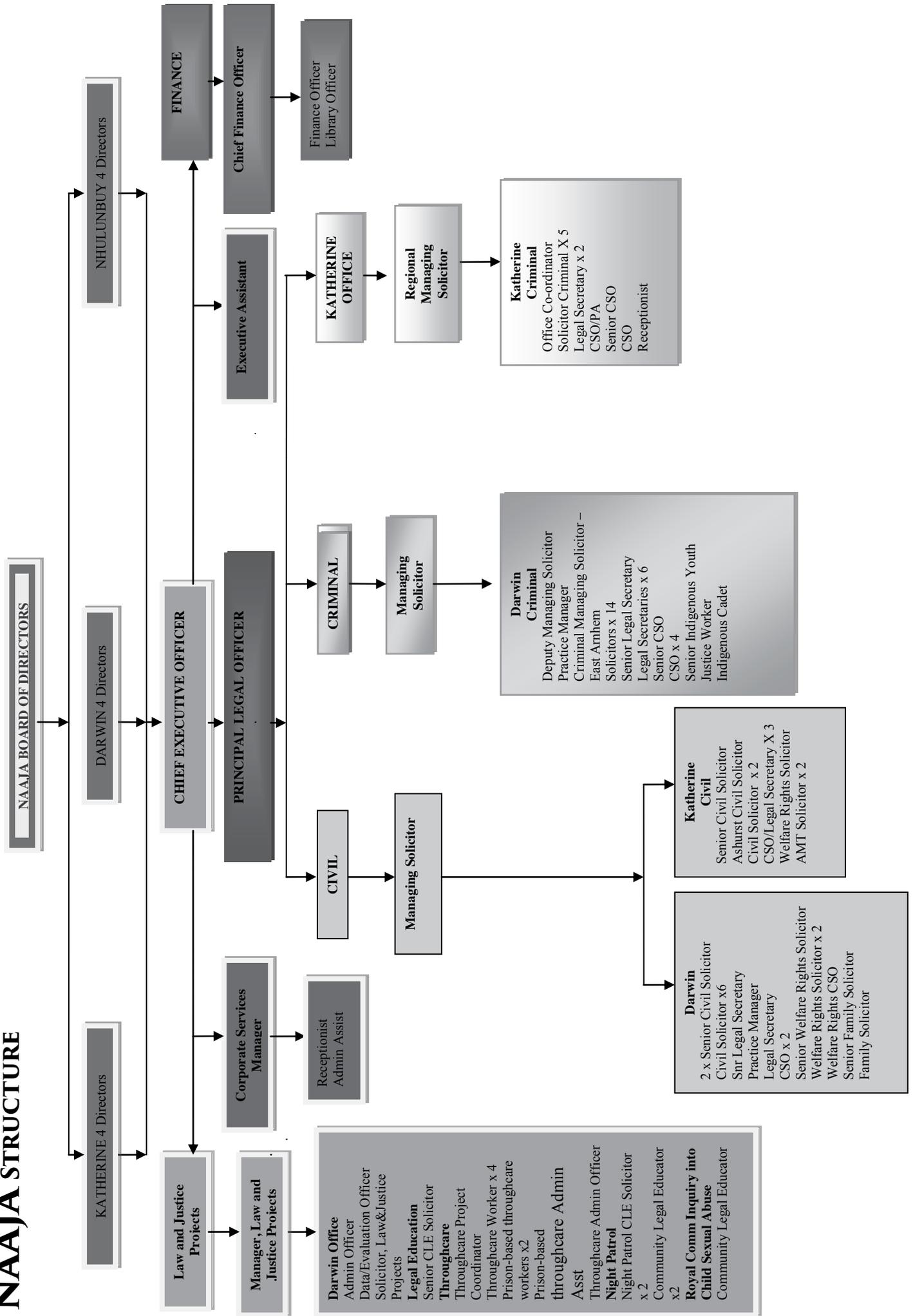
NAAJA's Royal Commission Community Legal Educator is an on-the-ground, contact person to facilitate and deliver information sessions and community legal education to Aboriginal and Torres Strait Islander people in the Top End.

Monitoring and Evaluation

NAAJA collates quantitative and qualitative data from our Law & Justice Projects Section. Data collection is monitored by our Data Evaluation Officer and is provided to our funding body as required. Data evaluation provides the basis for us to ascertain how well we are achieving the aims and objectives of our projects and assists us to identify future change.



NAAJA STRUCTURE



NAAJA BOARD



The NAAJA Board is responsible for ensuring the efficient performance of the functions of NAAJA and for determining NAAJA policies. NAAJA Directors adhere to the highest standard of corporate behaviour and accountability and the principles of transparent corporate governance.

NAAJA Board 2014/2015

MIWATJ



VERNON PATULLO *Chairperson*

Vernon is a senior member of the Kungarakana clan from the Finnis River area near Batchelor. Vernon has travelled extensively throughout the top end region of the NT working and living with Indigenous peoples mainly in the South and Eastern Arnhem Land regions.

Vernon has been involved in law and justice work for over 20 years and has been an active member of the former Miwatj Aboriginal Legal Service MALS now amalgamated with NAAJA. In his work with MALS he has represented the organisation at all levels and also as a member of NAAJA in dealings with the attorney generals and NT government agencies. Vernon has held all positions from Member to Chairperson when working with MALS and is the current Chairperson of NAAJA.



ILLONA WILSON *Director*

Illona is from North West Queensland and is of Aboriginal descent. Illona lives in Alyangula, Groote Eylandt and works for the Anindilyakwa Land Council. Illona's experience extends to community development; capacity building of Indigenous families and community to engage with schools to support better education outcomes for their children; and strong and effective governance within school communities on Groote Eylandt and Bickerton Island. Illona previously worked with the Australian Government in the Northern Territory in the education and employment sector.



BANAMBI WUNUNGURRA *Director*

Banambi was born in Yirrkala and attended the local mission school. He later attended the Brisbane Theological College undertaking a 3 year Youth Leadership Course with the goal of teaching and training younger people to excel in sport.

Banambi moved on to Melbourne to follow his dream of playing in the then VFL and joined the Geelong Football Club. Banambi played part of the season in "B" Grade being coached by the famous Polly Farmer, but a family tragedy intervened back in his home community so he returned to Yirrkala for good.

Banambi has worked in a number of organisations including the Chief Ministers Department, Department of Aboriginal Affairs, Laynhapuy Homelands, Miwatj Health Aboriginal Corporation, ATSIC, YBE, Rio Tinto and the Shire President of East Arnhem Regional Council.

Banambi has also held a number of Community Board and Director positions on YBE, Batchelor Institute, Harmony Mawa Mala, Laynhapuy Homelands, Miwatj Legal Service and AMSANT.

NAAJA BOARD *(cont'd)*

MIWATJ continued



TONY WURRAMARRBA *Director*

Tony is a well known leader and spokesperson for the 'Anindilyakwa people. He has held Chairman and Deputy Chairman positions on the 'Anindilyakwa Land Council for more than six years. He was previously Council Clerk at the Angurugu Community Government Council and a member of a number of Indigenous organisations as a Board Member.

With the support of the previous Chairman Walter Amagula, and the Land Council's other Executive Members, Tony has been working closely with all levels of Governments, as well as BHP Billiton, to meet the needs of his people. He has supported changes which improve the positive impact government programs and policies have in the Groote Archipelago, with a particular focus on raising living standards, including through the creation of jobs and training activities. Under Tony's leadership there has been a much greater involvement of Traditional Owners in the monitoring of the large housing program, SIHIP.

DARWIN



MICHAEL PETERSON *Deputy Chairperson*

Michael is of Aboriginal/Torres Strait Islander descent. Michael has lived in Darwin most of his life and has worked in various Government departments including Department of Justice, Family Court of Australia and is currently employed by the Northern Territory Legal Aid Commission as an Indigenous Community Liaison worker, where his work involved delivering Legal Services to remote communities.

He has been a Board member of several Indigenous organisations trying to ensure that services are delivered effectively and appropriately for our people.



HANNAH ROE *Secretary*

Hannah Roe is of Yawuru decent. Her family is originally from Broome Western Australia. She was born in Darwin and has lived in the Territory all her life. She comes from a long time Darwin family and continues to maintain strong family ties to Broome WA. She graduated in 2002 with a Bachelor of Laws with honours from the Northern Territory University. She was admitted to legal practise in the Supreme Court of the Northern Territory in 2004 then went on to work as a lawyer for the Australian Securities and Investments Commission (ASIC) and is currently working for the Office of the Registrar of Indigenous Corporations (ORIC).



COLLEEN ROSAS *Public Officer*

Colleen Rosas has lived in the Northern Territory for nearly 40 years and was originally from Cairns, North Queensland. Colleen is a descendant of the Gudjula nation. Her employment history has been across a range of areas including Aboriginal education and the criminal justice area. She currently manages the Northern Territory Aboriginal Interpreter Service.



JOEL McLENNAN *Director*

Joel is from the Larrakia clan in Darwin. Joel has extensive experience in Correction Services extending 13 years. Joel is active in working with Indigenous people to address their social and economic needs.

KATHERINE



NORMAN GEORGE *Director*

Norman prefers to be known by his nickname Crow. He has an extensive background in Indigenous legal services in his position as a Board Director for many years on NAAJA/NAALAS and is highly recognised for his experience in Law and Justice, Indigenous Health, Employment and Leadership. Crow is currently employed with the Aboriginal Interpreter Services in Katherine as the Community Liaison Development Officer.

His role is to train and recruit new Interpreters to interpret in a professional manner where they provide a culturally appropriate Aboriginal Interpreting Service to various departments and organisations. He attends most bush courts in the region working very closely with NAAJA Staff. He is a strong advocate for appropriate service delivery to be provided for Aboriginal and Torres Strait Islander people in law and justice, health, education, alcohol & drugs, housing, land management, sport, employment and training and has advocated strongly for greater accountability by Government and all Indigenous organisations and Councils.



NATALIE ELLIS *Director*

Natalie's Aboriginal origins are with the Dalabon people from the Barunga to Bulman region. Her mother was part of the Croker Island Stolen Generation and Natalie continues to be a member of the Northern Territory Stolen Generation Association. She is currently employed with the Charles Darwin University as the Indigenous Academic Support Lecturer for Katherine and the surrounding areas.

Natalie believes that education plays a major part in all Indigenous issues. Her particular interests are the over-representation of Indigenous people in the justice system and jails, prisoners rehabilitation, mental health and support programs that promote stronger families. Natalie also believes that Indigenous people in the NT are under-represented in the Higher Education system and that this must be addressed, if Indigenous self-determination is to be realised.



FRANCIS HAYES *Director*

My mother was a Ngalakan woman born on the banks of Roper Bar (Roper River). Her mother was the great leader and speaker Mundululu Senior T.O. for the Ngalakan Tribe. My father came from the desert in Central Australia Kayitij, Lyritja and Arrenta. I'm an ex-Serviceman who served in the Army overseas with 8 R.A.R. as a National Serviceman. I'm retired now and a Pensioner but I'm still kept active helping out in other areas. I'm one of the Aboriginal Directors on the Wurli Wurlijang Aboriginal Health Service Organisation. I am also a volunteer and mentor at the Strongbala Male Health Program. I help providing assistance and advice in any way I can in health, culture, healing and tradition. My family are very close and important to me especially my grandchildren.



RUBY STANLEY *Director*

Ruby is originally from Queensland but has lived and worked in Darwin and Katherine for 40 years. She has worked tirelessly for many years with the Age Care services at the Kalano and Binjari Communities, and with the Department of Health & Community Services in Katherine. Ruby has been a valuable member of various Committees' such as the Indigenous HACC Reference Group for 4 years, the Katherine Club for 4 years and the NAIDOC Committee for 2 years. Ruby is recently retired and enjoys relaxing at home, reading and socialising with family and friends.



OVERVIEW OF OPERATIONS

Jonathon Hunyor
Principal Legal Officer

The individual reports from the managers of NAAJA's criminal and civil sections detail the work and many successes of NAAJA's legal practice in the 2014/2015 financial year. They show how we have made good our commitment to delivering legal services that are accessible, high quality and delivered in ways that are relevant and sensitive to Aboriginal society and culture.

I also detail below the significant contribution NAAJA's legal practice has made to justice reform in the Northern Territory.

Closing the 'justice gap'

It is important, as in previous annual reports, to set NAAJA's achievements against the pressures placed on our service. These include the relentless increases in workload, building on already bloated caseloads and vast unmet legal need, and the suite of retrogressive laws and policies that have been introduced in the Northern Territory that have an overwhelming impact upon Aboriginal people.

We succeed in this environment because of the extraordinary commitment and skill of our staff, the leadership and backing of our Board and the support of the Aboriginal community. But the 'justice gap' that sees Aboriginal people denied equal access to justice cannot be closed by doing more (and more again) with less.

I noted in last year's annual report that the Review of the National Partnership Agreement on Legal Assistance Services commissioned by the Commonwealth Government found that the current level of legal assistance available to disadvantaged Australians is insufficient to meet demand. The report stated that 'securing equitable access to justice for all priority groups and their range of legal problems will require increased resources, as well as significant system reform.'

This was affirmed in this financial year by the findings of the Productivity Commission, released on 3 December 2014. The Productivity Commission recognised the contribution that

legal aid services make to dealing with social inequality, finding that 'the ability of individuals to enforce their rights can have profound impacts on a person's wellbeing and quality of life'. It also confirmed what is well known by those working in the field: 'Legal assistance funding for civil matters has not kept pace with increasing costs and demand. Accordingly, there has been a growing "justice gap" for the disadvantaged...'

The Productivity Commission concluded that an additional \$200 million was required to remedy the shortfall in funding for legal assistance services.

These unequivocal expert recommendations have not been heeded. While it was a welcome development early in 2015 when the Commonwealth Government announced that it would not go ahead with cuts to funding for Aboriginal and Torres Strait Islander Legal Services, this still leaves us going backwards slowly, faced with increased costs and work pressures. The impact is that Aboriginal people continue to be denied equal access to legal assistance. The 'justice gap' continues to widen.

A strong and leading Aboriginal and Torres Strait Islander organisation

NAAJA continues to attract a very high calibre of staff and selections for positions across the organisation have been exceptionally competitive. We have maintained stable staffing for a number of years, in particular in senior positions, and exit interviews have indicated that those staff that do move on are generally motivated by outside considerations.

I particularly thank the managers of our legal and support teams who have worked hard to create and maintain an environment that fosters high standards and collegiality: David Woodroffe, Beth Wild and Laura McDonough in the Darwin Criminal Section; Pip Martin and Martina Whistler in the Darwin Civil Section; and Stephen Karpeles in Katherine.

Ongoing professional development

NAAJA continues to foster a culture of professional excellence and continual development. In this financial year we provided a large range of training and education sessions for staff with expert speakers from both within and outside NAAJA. Topics included: cross-cultural training, working with interpreters, advocacy skills, current issues in evidence law, conflicts of interest, effective legal writing, running a summary hearing, workplace health and safety, social security law, wills and probate matters for artists, and questioning expert witnesses.

Interns and Volunteers

NAAJA is fortunate to have a very successful volunteer and internship program. In large part it is built around our longstanding relationship with the Aurora Project. We also receive countless direct expressions of interest from law students and graduates who are keen to obtain experience and make a contribution to our work.

The work of our volunteers is a significant boost to our capacity, particular in areas like research and paralegal support and I thank the many volunteers that have worked with NAAJA in the last financial year.

Leading justice reform

NAAJA seeks to protect the rights of Aboriginal people through strategic and test case litigation and this past financial year has been a particularly busy one.

Alcohol Protection Orders

The regime of Alcohol Protection Orders allows police to issue a person with an APO if the person is charged with an offence punishable by more than 6 months in prison (covering most offences in the NT) and the officer believes that the person was affected by alcohol at the time of the offence. The main effects of an APO are that:

- It is an offence to possess or drink alcohol.
- Police are given extraordinary powers to stop, search and arrest.
- It is an offence to enter licensed premises except for work or residence.

Over 85% of APOs have been issued to Aboriginal people. By criminalising drinking and exposing many Aboriginal people to an intense cycle of police contact and arrest, the law is clearly contrary to the basic recommendations of the Royal Commission into Aboriginal Deaths in Custody.

NAAJA has challenged the application and validity of the regime of Alcohol Protection Orders in two cases in the Northern Territory Supreme Court.

In the first,¹ we were successful on the basis of the incorrect application of the law to our client. In the second,² we argued that the law is racially discriminatory (contrary to s 10 of the Racial Discrimination Act) because of its disproportionate impact on Aboriginal people, and therefore invalid. That challenge was not successful but is, as at the time of writing, subject to an appeal.

Mandatory Sentencing

NAAJA has been involved in a range of cases that have tested the operation of the regime of mandatory sentencing that applies to violent offences, particularly the application of the 'exceptional circumstances' exemption.³ These cases have been important in seeking to avoid the inevitable injustice that is caused by inflexible laws that prevent courts from ensuring that the punishment fits the crime.

¹ *Nummar v Penutto* [2014] NTSC 34.

² *Munkara v Bencevich* 77/2014 (21437457).

³ *Orsto v Grotherr* [2015] NTSC 18; *R v Duncan* [2015] NTCCA 2; *Dhammarandji v Curtis* [2014] NTSC 39.

OVERVIEW OF OPERATIONS *(cont'd)*

Alcohol Mandatory Treatment

NAAJA has played an important role in representing people before the Alcohol Mandatory Treatment Tribunal. The regime of Alcohol Mandatory Treatment seeks to force people with a history of alcohol misuse into treatment. While its goals are understandable, it remains an exceptionally costly approach unsupported by evidence and has resulted (again) in Aboriginal people (who are over 90% of those subject to the regime) being subject to coercive government power.

NAAJA's representation has been an important check on the system and has sought to also ensure that Aboriginal people are able to meaningfully participate in the process.

Paperless Arrests

The regime of 'paperless arrests' was introduced in December 2014. It allows police to hold people for up to 4 hours, or longer if the person is intoxicated, if they have been arrested for an 'infringement notice offence': a minor offence for which the police could give you an 'on the spot' fine.

This power to detain without charge (and without the right to bail, to be taken before a court or to get legal advice) is unprecedented in Australia and in March 2015 NAAJA commenced a challenge to the law in the High Court of Australia, arguing that the law is invalid by giving punitive powers to police that can only be exercised by a court. At the time of writing that case had been heard but not decided. It has shown NAAJA is prepared to hold government to account and will do so at the highest level of our legal system.

I take this opportunity to thank our exceptional pro bono legal team: Mark Moshinsky SC, Kathleen Foley and Christopher Tran, instructed by Fiona Hodgson, Mark Bradley and Ben Wong of Ashurst. Our legal team has been co-ordinated by Ruth Barson of the Human Rights Law Centre. I also thank IMF Bentham and their pro bono program co-ordinator Tania Sulan, for providing critical financial backing for the case.

The financial year also saw the first tragedy of the death in custody of a person held under this law. NAAJA has represented the family of the man, Kumanjayi Langdon, who was arrested for drinking in public: an offence for which he could only have been given a fine. The outcome of the inquest into his death will be reported in next year's annual report, but the case has highlighted (yet again) the failure to learn the lesson of the Royal Commission into Aboriginal Deaths in Custody: too many Aboriginal people are locked up too often.

Conclusion

I am very proud of NAAJA's achievements in 2014/2015. It is a privilege to work for a strong, effective and innovative Aboriginal organisation. I thank NAAJA staff for their dedication, professionalism, skill and integrity; and our many partners and supporters in the legal sector, government and the community who work with us to promote justice, dignity and respect for Aboriginal and Torres Strait Islander people.

Jonathon Hunyor
Principal Legal Officer



CRIMINAL LAW REPORT

David Woodroffe
Managing Criminal Solicitor

The Darwin Criminal Section is a team of 28 dedicated staff, providing legal representation in the Magistrates Court, Youth Justice Court and Supreme Court. Our section operates out of Darwin and represents Aboriginal defendants in 15 court circuits in Aboriginal communities. We are the largest criminal defence practice in the Northern Territory.

This past year was one in which NAAJA faced one of the gravest challenges in its long history, with the prospect of a significant reduction of funding that would have imperilled legal services to our clients. However the groundswell of support that came from the public, legal organisations, government and politicians resulted in the reversal of this decision. This outcome reflects the strength, integrity and value of Aboriginal legal services.

A major achievement for our section in this financial year was the successful transition of services to East Arnhem Land from our Nhulunbuy office (which closed in December 2014) to our Darwin office. The success of this difficult move has in large part been due to the exceptional work done by our East Arnhem team: in particular manager Sophie Parsons, lawyer Alex Bowen and Senior Client Service Officer Harold Dewis. The East Arnhem team of 5 lawyers and 2 client service officers has maintained strong connections with communities such as Galiwinku, Gapuwiyak and Alyangula in regular community meetings on local issues and advocating for greater community involvement of courts.

Our specialist youth justice team represents some of the most vulnerable clients, with complex legal and social needs. The past year has been unprecedented in the number and seriousness of the issues that have arisen concerning conditions and treatment of youth at the Don Dale Youth Detention Centre. These issues have been the subject of investigation and report by the Children's Commissioner and the 'Vita Review' which made recommendations for wide-ranging changes. We continue to have serious

concerns about the welfare of children in youth detention – 95% of whom are Aboriginal.

Our youth justice lawyers Shahleena Musk, Franky Bain and Crystal Triggs have done extraordinary work in ensuring through these difficult times that youths have had the best representation and advocacy.

During the course of the year there has been special focus by the criminal section on accountability in the use of powers of search, arrest, detention and use of force, particularly concerning Alcohol Protection Orders and Alcohol Mandatory Treatment Orders. We have conducted summary hearings concerning the use of police powers against homeless clients around Darwin which have highlighted unlawful searches. We have also challenged the use of force by staff at mandatory treatment facilities. The Darwin Criminal Section continues to defend the rights of clients subject to these unjust laws.

The year saw the departure of a number of long-serving staff. We were sad to farewell Peter Bellach, Trevor Moses, Will Collins-Putland and Anna Tucker, all of whom made a very significant contribution to NAAJA's work. However with the departures of friends there has been the commencement of keen and talented staff: Marty Aust, Travis Jackson, Laura McDonough, Paul Morgan, Rory Pettit and Tim Farhall.

To lead the delivery of high quality, culturally proficient and accessible legal and justice services

The Darwin Criminal Section maintains its expertise and cultural proficiency through conducting specialised in-house training, often in conjunction with the Aboriginal Interpreter Service around questioning Indigenous witnesses and working with Aboriginal language interpreters.

Our team strives to achieve a deeper understanding of the lives of Aboriginal people in the Northern Territory.

CRIMINAL LAW REPORT *(cont'd)*

Our staff travel to Aboriginal communities prior to court sitting days to ensure adequate time for face to face consultation with clients and provide a greater quality of representation.

Our indictable practice continues to achieve impressive results. In this financial year, we undertook 126 cases before the Supreme Court. Our indictable practice has now depth and seasoned experience with David Woodroffe, Beth Wild, Marty Aust, Giles O'Brien-Hartcher and Travis Jackson doing the majority of our Supreme Court trial work in-house. We have represented 12 clients in trials which resulted in 6 acquittals, 5 nolle prosequis and one conviction.

The year also saw successful Justices Appeals concerning issues including arbitrary exercise of police powers of arrest of Aboriginal people and positive developments to the law in a Court of Criminal Appeal decision that has seen a much more expansive approach to the test of exceptional circumstances to avoid the 'mandatory sentencing' outcomes.

In our summary practice, we continue to provide a duty lawyer service for male and female respondents to Domestic Violence Orders (DVOs). In addition to advice, our service has assisted in 103 orders being made by consent, varying 18 matters to ensure conditions are reasonable and sustainable and providing 18 alternative undertakings. This service operates as a preventative measure for the breaching of orders and offending, by ensuring that respondents have a better understanding, and acceptance of, orders. A potential provisional indicator of some change of the benefits of such a service has been a reduction of criminal matters for breach of DVO of 279 matters in 2015 from 350 matters in 2014.

It is with thanks we acknowledge those barristers over the past 12 months who have assisted our clients in complex matters: John Lawrence SC, Jon Tippet QC, Felicity Gerry QC, Alastair Wyvill QC, Mark Thomas, Jodi Truman,

Koulla Roussos, Peter Bellach and Matt Hubber at the local bar. We would also like to thank our interstate colleagues David Sexton, Scott Johns, John Kelly and George Georgiou SC.

A major resource for our team and clients has been those volunteers who have given of their time. We are indebted to each volunteer and to the Aurora Program for its assistance in securing placements. NAAJA has been able to establish a successful partnership with Charles Darwin University with law student placements assisting in developing comprehensive bail reports for people on remand in prison. Special thanks to Felicity Gerry QC of the Law Faculty.

Continue to grow as a strong and leading Aboriginal and Torres Strait Islander Organisation

The Darwin Criminal Section contains 12 Aboriginal staff out of a total of 28, in a variety of positions from the managing solicitor, lawyers, personal assistants and client service officers. The Darwin Criminal Section is committed to meeting NAAJA's Aboriginal Employment Policy goals and in supporting Aboriginal staff who are undertaking further study, including in law degrees.

The continuity of legal teams of lawyers and client service officers to Aboriginal communities has resulted in productive relationships, such as the Ponki mediators on the Tiwi Islands and Maka Gamarr at Galiwinku. These relationships have seen positive court outcomes and prison-based alternatives. Special recognition should be given to our 5 client service officers and particularly Harold Dewis for the sterling work they do as the first contact and assistance for our clients.

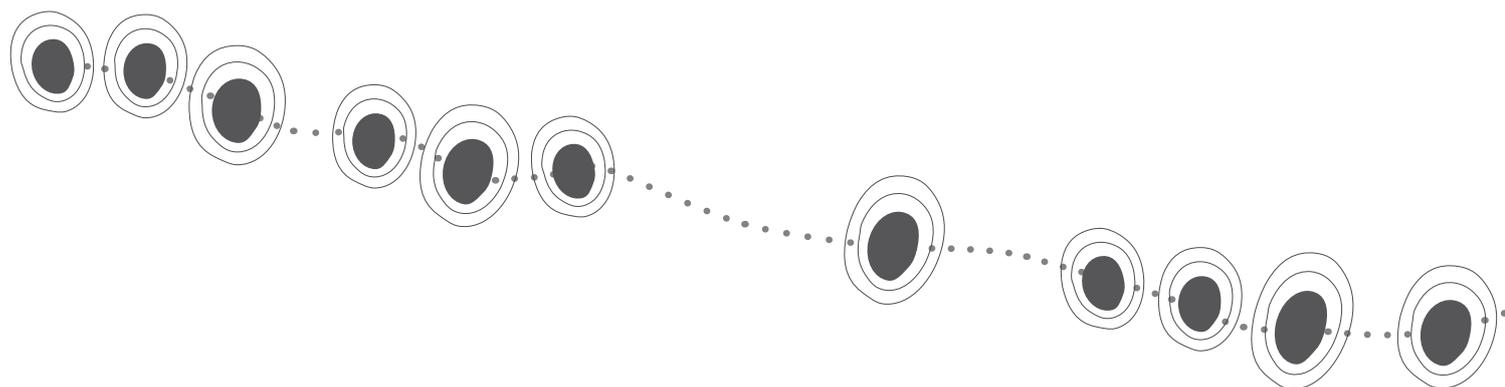
Conclusion

The importance of strong criminal legal aid services has never been more apparent than in the past 12 months, with extreme challenges being faced by Aboriginal people



and communities. The integrity and professionalism of our staff has remained a beacon throughout this period. We look forward to 2016 as another key milestone, being the 10th anniversary of NAAJA's establishment from the three Aboriginal legal aid services in the Top End. During that time, NAAJA has had a truly significant impact in relation to the criminal justice system through the quality of legal representation provided for our clients. The Darwin Criminal Section continues to maintain its position as the peak criminal legal practice in the Northern Territory.

David Woodroffe
Managing Criminal Solicitor





CIVIL AND FAMILY LAW REPORT

Philippa Martin
Managing Civil Solicitor

The work of the Civil Section in this last financial year has again highlighted the diverse nature of the work we do and its importance in improving the lives of Aboriginal people, particularly in remote communities.

To lead the delivery of high quality, culturally proficient and accessible legal and justice services

The Civil Section has had a sustained focus on remote service delivery, given the vast unmet legal needs of people in remote Aboriginal communities and the lack of other legal service providers. This has resulted in more than 50% of our clients now being from remote communities. High retention rates of quality staff and the stability and regularity of our trips to communities have been critical in achieving this.

The fact that we are 'on the ground' also means that we can quickly resolve some problems with a simple phone call or letter, before they escalate. We have worked particularly hard to engage with East Arnhem communities following the closure of NAAJA's Nhulunbuy office at the end of 2014. As a result we have increased our numbers of clients from that region and have taken up priority issues such as high rates of homelessness caused by lack of housing, particularly following the cyclone in early 2015 which hit Elcho Island.

We have also introduced a 'practice group' approach to the work of the Darwin office, adding a civil liberties and child protection team to the welfare rights team. This allows lawyers to gain expertise in one area of the law within their otherwise general practice and provides better outcomes for our clients.

Almost 40% of our casework in this past year focused on the civil liberties of those with intellectual disabilities, mental health conditions and alcohol addiction. This year we represented people subject to adult guardianship orders, and those coming before the mental health and Alcohol Mandatory Treatment Tribunal. Our role in these matters is to ensure that orders restricting our clients' rights

are made as a last resort and that the decision making is procedurally fair.

The team approach allows us to take on matters with increasing diversity and complexity and also to observe and address systemic issues. Our welfare rights team has been particularly successful this year in achieving systemic outcomes in the areas of housing, consumer and social security law. Our child protection team is achieving significant results in presenting plans which enable children to remain with their families in their communities.

Casework highlights

Tenancy

One in four Aboriginal people in the NT are homeless, many because they have no stable housing and instead are living in severely overcrowded conditions. These facts guide our urban and remote tenancy work.

The prevention of homelessness remains a focus for our urban tenancy work, with the bulk of our eviction matters settling shortly after our clients approached us with eviction notices from the Department of Housing. We help our clients to negotiate repayment arrangements if they have fallen into arrears and also to notify the Department of their personal circumstances which may put them at risk of breaching their lease. We also won Local Court proceedings challenging evictions where clients were accused of failing to maintain their back yards, of nuisance and anti-social behaviour. The Court has repeatedly weighed the seriousness of the breach of the tenancy with the risk posed to the tenant and their families if the eviction were to proceed. Many of our clients or their family members have disabilities and other serious health conditions which make them particularly vulnerable if they lose their home.

This year we also won a long-standing eviction matter for a single mother with two children. Our client had



been given a 'no reason' notice of termination and the Commissioner of Tenancies upheld the termination.

This case was significant because NAAJA has been concerned that the Department was using 'no reason' notices of terminations contrary to its policy and with the effect that the Commissioner of Tenancies was not able to consider the legal, social, and psychological consequences of eviction. We appealed to the Local Court which overturned the decision of the Commissioner and considered our client's particular circumstances in deciding not to terminate her tenancy. Further the Chief Magistrate commented that the Department of Housing's termination of our client's tenancy was 'with complete disregard for' its published policies and an 'obvious tactical decision...(which) was unbecoming of a model public landlord...and inconsistent with its role as a provider of public housing... The Respondent's behaviour undermined one of the primary objects of the Act, which is to fairly balance the rights and duties of both tenants and landlords'.

With high rates of overcrowding, our focus in assisting remote tenants is to obtain safe and healthy housing. We help clients apply for transfers, priority housing and get emergency repairs. Where language, literacy and remoteness act as barriers, our clients need help navigating the application process.

This year we helped a family with 7 children who had been moving from house to house for the last 8 years. They had applied for a house in 3 locations but the Department had lost some applications, and cancelled others. After we renewed the applications and provided support letters from doctors about the family's urgent needs, they were allocated a house in Katherine.

Many of our remote clients wait months and some have waited years, for 'emergency' repairs to be completed. In one matter, after many attempts to resolve the issue with Territory Housing directly, we commenced proceedings in the Commissioner of Tenancies. We sought

emergency repairs to the roof - a serious leak had been causing electrical faults for nearly 3 years - as well as compensation. Around the same time, our client's shower started leaking into her bathroom, hall and bedrooms. We again attempted to resolve that issue directly with Territory Housing. Within one month, Territory Housing had done all the repairs and offered to compensate the client for our client's inconvenience and distress.

Alcohol Protection Orders and Alcohol Mandatory Treatment

The Northern Territory has a controversial approach to regulating alcohol and this year was the first full year to observe the impact of two new alcohol laws. Both the Alcohol Protection Order and the Alcohol Mandatory Treatment regimes disproportionately impact on Aboriginal people.

In October 2014 we were successful in our tender application to provide advocacy services at the Alcohol Mandatory Treatment Tribunal. While many of our clients receive treatment orders on the grounds that they will benefit from mandatory treatment, we have also been successful in challenging the orders proposed - for example where clients have cognitive impairments or have been subject to repeated orders; on the basis that the apprehensions for protective custody were unlawful; and most commonly, that a less restrictive order is appropriate. We have also been successful in challenging decisions of the Tribunal in the Local Court. These appeals are based on errors of law and issues of procedural fairness.

Alcohol Protection Orders (APOs) make it unlawful for the holder to drink and possess alcohol as well as enter licensed premises. To appeal the holder must write to a senior police officer within 3 days of receiving the order. It is unusual for clients to approach us within that time frame but we have been successful in arguing that clients should have their APOs revoked where the APO is an unnecessary restriction on that person's life (for example where it would prevent entry into one of two community

CIVIL AND FAMILY LAW REPORT *(cont'd)*

shops because it is licensed) and is not going to serve the stated policy aims of the law – reducing alcohol related violence.

One NAAJA client was given 5 APOs in 6 weeks which meant that he was banned from drinking for two years. He had been arrested and charged 9 times in that same period for breaching his APO. We were successful in having his APOs set aside after commencing Supreme Court judicial review proceedings on the grounds that they had been invalidly issued.

Child Protection

NAAJA is concerned about the lack of support for parents to maintain the care of their children. Our child protection solicitors are sometimes able to work with families and other agencies to present plans which are able to satisfy the Court that the child's best interests will be met without the need for removal. We will often work with alternative family carers such as grandparents to have the care they are providing formally recognised with parental responsibility orders. In one case which went to hearing, the Department of Children and Families (DCF) had removed the child because they thought that the mother who had an intellectual disability was not able to care for her child. We presented evidence to show the Court that together the mother and the grandmother could look after the child's best interests.

We regularly apply for 'daily care and control' orders which enable a child to be returned to the care of one of the parents or a family member until the main application is decided. This reduces the time that children are away from their family and community in non Indigenous foster care. In one matter the Court ordered that the grandparents of two children with behavioural problems be given daily care and control. We presented evidence that the school could put strategies in place to manage their behaviour, that the grandparents were willing and able to look after the children and that their condition was deteriorating away from home in foster care in Darwin. In two other

matters where DCF had concerns about the health of the child and the mother's ability to care for their needs, we were able to work with health professionals and others to present plans to support the mother in the care of the children. As a result the mothers were able to retain the care of their young children under daily care and control orders with supervision directions around regular medical visits.

This year we have had particular success with the return of newborns to their mothers in order for them to breastfeed. Evidence establishes particular harm to Aboriginal children if they are not able to breast feed as babies. Where we are able to assist the mother to find supports to manage the potential risks to the baby (drug or alcohol misuse, homelessness or domestic violence) the Court is likely to return the baby under daily care and control orders.

In one of our matters we helped a mother retain the care of her baby as an interim measure. The positive outcome of that step was one of the factors which enabled the parents to take further steps needed to reunite with other children. After they completed a rehabilitation program and returned to the family home, DCF accelerated reunification with the other children. We were then able to negotiate a 12 month order under which the baby remained with his parents under supervision directions around drug and alcohol consumption and domestic violence.

Family law

Domestic violence features in the lives of many of our family law clients and this often leads us to commence proceedings to have their matters resolved. We are also often required to argue for parenting and other orders which test the presumptions of shared care. This year, by providing evidence of the history of family violence we were able to defend recovery orders, obtain the Court's permission to change residence with their children to Darwin from interstate to be with family and orders preventing fathers from spending time with their daughters.



For grandparents who are bringing up their grandchildren a combination of child protection and family law proceedings is often what is needed to get the most secure result. In one of our child protection matters we acted for the maternal grandmother who had been caring for her young grandson for two of his three years. DCF had put him in his grandmother's care under a two year order because his mother had drug and alcohol problems. DCF applied for a further order but abruptly returned the child to his mother and withdrew the care proceedings leaving the grandmother (and father) with no secure plans for access and the boy living with his mother whom he barely knew. We successfully applied for an urgent recovery order in the Federal Circuit Court asking that the boy be returned to his grandmother. The Court granted access to the mother one week in every three. The Federal Circuit Court criticised the way DCF had handled the matter as 'high handed and obstructive' and contrary to the child's best interests.

Coronial Inquests

This year the civil team represented families of deceased in six coronial inquests.

Two of these concerned two young men who died of heart attacks suddenly and shortly after being taken to the clinic in their remote communities. Their deaths raised general concerns about the procedures manual used by NT medical staff, improving the equipment available at remote clinics, improving public health education about the risks of heart disease as well as deficiencies in care for one of the young men.

NAAJA also represented families in three inquests into deaths in custody. While the majority of deaths in custody are as a result of natural causes, we are still able to raise concerns about the quality of health care in the prison system and recommendations about improvements to systems around referrals and intake. The Coroner made positive comments about NAAJA's contributions in these inquests.

Centrelink matters

This year saw a significant broadening of the scope of the Centrelink appeals work of the Welfare Rights team. We continued to help clients with Centrelink debt waivers but also focused on 'activity test' exemptions, and assisting clients with appeals after their applications for Disability Support Pension had been refused.

We also helped two clients to get significant backpayments after their Centrelink payments had been cancelled. We were able to argue that Centrelink had not properly notified our clients about the cancellation of their payments and that the normal time limit to appeal cancellations did not apply. In one of these matters our client received 9 years of Disability Support Pension backpayments. He had been in prison under a custodial supervision order because there are no appropriate facilities for forensic patients in Darwin. Centrelink assumed that because he was in prison he was no longer eligible for the DSP.

Consumer matters

This year we helped two clients complain to the Financial Ombudsman Service about failures to follow 'responsible lending' practices. In one FOS determination our client's debt of around \$17,000 was waived because the lender was on notice that our client had a number of ongoing financial obligations which reduced the amount of money she had to service the loan. In another matter our client had over \$26,000 of his debt from a novated lease waived. In addition to the lessee's failure to engage in responsible lending, we provided evidence to support our client's argument that he did not understand the nature of the agreement.

To assist and empower Aboriginal and Torres Strait Islander people and communities to engage with the legal system

CIVIL AND FAMILY LAW REPORT *(cont'd)*

Staff from the Civil Section work closely with others to increase Aboriginal people's knowledge about and access to the civil legal system: for example with NAAJA's Community Legal Education team (co-presenting and contributing civil law content), the Sydney based Artists in the Black (Arts Law Centre) to help NT artists finalise their wills and the NT government's 'Supportlink' to increase and streamline referrals from police and other NT government agencies to NAAJA.

This year we worked with the Department of Children and Families in the East Arnhem region on referrals of remote kinship carers for family law advice. DCF recognised that some carers who have been looking after children under child protection orders may feel shame with ongoing DCF involvement and that therefore parenting orders through the Federal Circuit Court may be appropriate. NAAJA was very pleased to be able to collaborate with DCF on their positive initiative to promote autonomy for Aboriginal families to raise children outside the child protection system.

To lead justice reform

The civil team meet regularly with stakeholders to raise legal and access to justice issues affecting our clients. This year staff from the Civil Section met regularly with the Commonwealth Ombudsman, Territory Housing, Katherine Legal Services Providers, NT Legal Aid Commission outreach team, National Welfare Rights Network's - Indigenous Sub Committee, the Darwin reference group for the NT Domestic Violence Framework Strategy.

We also worked closely with the Health and Community Services Complaints Commission around the failure to use interpreters in health care; the Katherine Superintendent of Police on protocols for informal police complaints; Centrelink on easier electronic access to clients' information; and superannuation bodies, NGOs and ASIC in preparation for a national forum on superannuation and Indigenous people.

Social Security

This year we continued to make significant contributions in social security law and the impact on our clients especially those living in remote areas. Through submissions to the McClure review, the Forrest review, the Parliamentary Joint Committee on Human Rights into the Stronger Futures legislation, and by raising issues with the Commonwealth Ombudsman we provided case studies to highlight our arguments about: the failures in the effectiveness of income management, in particular when it interacts with school attendance measures; Centrelink freedom of information processes; and Centrelink compliance for Aboriginal people living in the NT.

Following our complaint to the Commonwealth Ombudsman about Centrelink's unlawful practice of refunding money into the clients' income management account, the Department of Human Services updated its policy to ensure that refunds of over-recovered Centrelink debts are deposited into the customer's personal bank account.

Family Law and Child Protection

Staff presented papers about the challenges of our work at the Dili NT Bar Association Conference and the Australasian conference on Child Abuse and Neglect and published a paper in the Indigenous Law Bulletin. We also gave evidence to a Senate Enquiry about our work with grandparents in family law system, provided written submissions on the draft practice direction for child protection matters in the Local Court and provided input into the NAAJA/NTLAC joint submission on permanent care orders.

Amazing Rentals

Working collaboratively with Top End Womens' Legal Service, we gathered clients' complaints to submit to the Australian Securities and Investments Commission (ASIC) about consumer lease provider Amazing Rentals. We



were concerned that Amazing Rentals were targeting vulnerable Aboriginal people, renting overpriced consumer goods and entering into agreements which did not comply with consumer laws. ASIC investigated and as a result entered an enforceable undertaking with Amazing Rentals. Amazing Rentals was required to close its Darwin operations for 12 months; terminate all consumer leases entered into at the Darwin store after 8 October 2011; transfer ownership of goods to the lessee (around 600 contracts); provide refunds to some consumers; and pay \$5000 each to NAAJA and TEWLS to fund ongoing civil legal advice and services to Aboriginal consumers in the NT.

Housing

This year the welfare rights team wrote submissions on the NT's centralised bond holding scheme on how to ensure accessibility for remote Aboriginal tenants and in support of the legal services arguments that interest generated from bonds be used to fund independent tenancy advice services. It also made submissions on the Department of Housing's policies including on domestic violence, tenant damage, housing allocation and inspections.

The Welfare Rights team worked with Aboriginal Peak Organisations NT on the two day NT Remote Housing

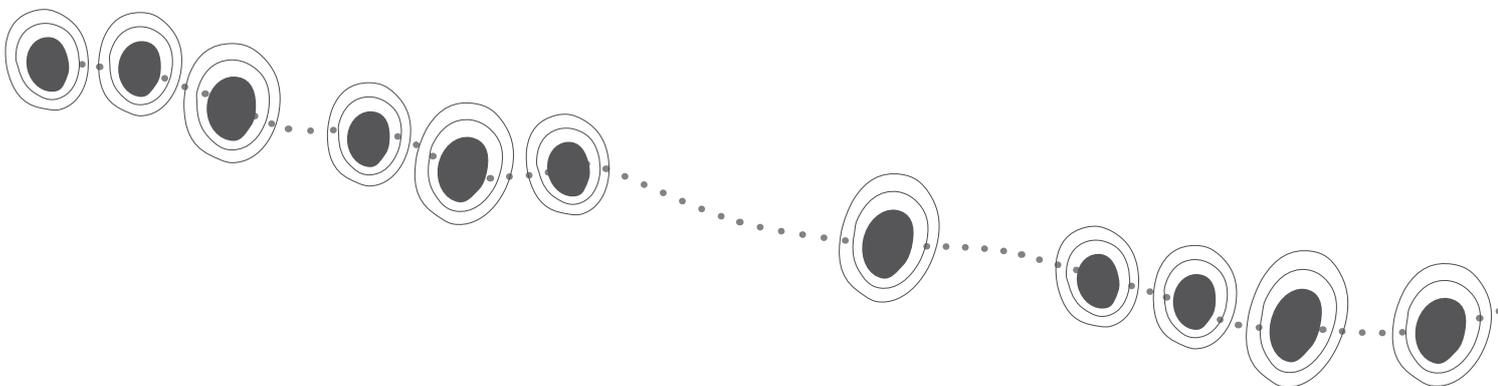
Forum in which over 100 delegates came from around the Territory and interstate to discuss issues and identify solutions in remote housing. The delegates agreed to establish an Aboriginal Housing Body for individuals and organisations who want to take action on housing.

We raised systemic problems with the remote housing allocations process through an appeal for a remote client in the Territory Housing Appeals Board (THAB). Territory Housing had not allocated her a house despite her being eligible. As a result of our submissions, the THAB recommended that the application forms be amended to include detailed information about priority needs criteria, that this information be kept up to date and that written decisions be provided which include information about rights to appeal.

Conclusion

I thank the civil law team for their dedication to providing a comprehensive, high quality and culturally sensitive service to Aboriginal people in the Top End. It is a privilege to lead such a team, which this year achieved significant results for our clients both individually and systemically.

Philippa Martin
Managing Civil Solicitor





LAW & JUSTICE PROJECTS REPORT

Jared Sharp
Manager, Law & Justice Projects

This year has been another extremely successful one for NAAJA's Law & Justice Projects Section. Our dedicated team has showcased what a strong, proud Aboriginal community-controlled organisation can achieve in providing high quality, holistic justice services for Aboriginal people in the Top End.

The Law & Justice Projects Section comprises a diverse range of projects aimed at making the justice system fairer for Aboriginal people, improving access to justice, and reducing reoffending of Aboriginal people leaving custody.

These projects include our award-winning Throughcare Project, Community Legal Education (including for Night Patrol services and in relation to the Royal Commission into Institutional Child Sexual Abuse), Parole legal advocacy, and policy support for the Aboriginal Peak Organisations of the NT (APONT).

We continue to work collaboratively with Government and non-Government agencies through a range of networks, including APONT, the National Aboriginal and Torres Strait Islander Legal Services (NATSILS) and the Making Justice Work coalition, to identify and constructively address systemic issues in the justice system.

Leading the delivery of high quality, culturally proficient and accessible legal and justice services

NAAJA Throughcare continues to be recognised as one of, if not the leading provider of Throughcare services for Aboriginal people. In early 2014, we were asked by the Department of Prime Minister & Cabinet to be part of evaluation conducted by two renowned Harvard University professors. This evaluation has now commenced, and we are hopeful it will provide an increased evidence base to the importance of investing in Aboriginal-specific early intervention and prevention programs to reduce reoffending rates and give our clients the best chance of reintegrating back into the community.

Prison-based Throughcare

NAAJA's two Prison-based Throughcare case managers support clients to proactively plan for their release to parole. Our workers place the utmost emphasis on helping our clients know what services are available, and building their capacity to make informed decisions about planning for their release. They work collaboratively with parole officers to put rigorous, but realistic parole plans in place.

NAAJA's Prison-based Throughcare team also assist highly vulnerable clients to access supports whilst in custody. This includes helping clients maintain contact with family whilst in custody, supporting those at risk of self harm, and seamlessly refer prisoners to access legal assistance in areas of the law including criminal, civil, family and welfare rights.

'Andrew' is from a remote community and was recently released from prison. He participated in a complex mediation process involving Elders from his home community with a view to an eventual return to that community. Andrew has a serious mental illness and his Throughcare worker advocated strongly for him to be considered for a supported accommodation facility post-release from prison. With our help, he was able to obtain a placement. Unfortunately, he continues to struggle with addiction issues, which have the potential to exacerbate his psychiatric illness and could foreseeably lead to serious reoffending. Recently, a further mediation session took place at his home community at which Elders and family members of the victim also attended. Andrew's Throughcare worker will continue to work with him to support his successful transition back into the community.

Intensive Throughcare

NAAJA's five intensive case managers provide culturally appropriate case management to a small number of clients. We work with clients for six months prior to release, and for six or more months post-release. The length of engagement is mainly based on client empowerment and

building each individual's sense of responsibility for their own behaviour.

Intensive case managers support clients with a diverse range of issues. These include accessing programs and counseling to develop insight into their offending behaviour, obtaining housing, accessing employment, education and training, participating in sport and pro-social activities, addressing unmet health issues, developing life skills, obtaining essential documentation such as identification, a driver's licence and opening a bank account, and building connections with family, Elders and their home community. We also provide dedicated support to young people exiting youth detention, including working closely with the Department of Children and Families to ensure a young person's holistic needs are met.

This year, we have continued to work with a significant number of clients whose offending is family violence related. Many of our clients leave prison not having had access to treatment programs, to return to partners who wish to resume their relationship. Some clients and their partners have little understanding of Domestic Violence Orders (DVOs) that might be in force. Our case managers liaise with legal services to ensure independent legal advice is available, that DVOs are workable and appropriate, and that protective plans are in place for both parties. Our goal is to ensure therapeutic interventions are in place to break the cycle of family violence. Sadly, limited access to culturally relevant treatment and counselling, and a lack of legal assistance available for defendants in DVO proceedings, remain significant barriers in the Northern Territory, particularly in remote areas.

'Mick' is a 16 year old boy from Darwin. Whilst in youth detention, Mick struggled with negative, sometimes suicidal thoughts. He expressed a desire to go to Bushmob, a youth residential treatment facility in Central Australia. Mick's Throughcare case manager spoke to his NAAJA criminal lawyer about a possible plan. Bushmob agreed to take Mick, and the presiding magistrate was willing to bail Mick there. His Throughcare case manager accompanied Mick to Alice Springs and stayed at the

family accommodation unit at Bushmob to settle Mick in. After a setback where Mick returned to youth detention for a short time, with the ongoing support of his Throughcare worker, Mick returned to Bushmob and is currently completing the program.

Solicitor, Law & Justice Projects

NAAJA's Solicitor, Law & Justice Projects provides dedicated parole advocacy for our clients in the absence of a parole legal service in the NT. Parole is crucial to helping prisoners manage their transition back into the community. But in the Northern Territory Aboriginal people face enormous challenges obtaining parole. This includes the exclusion of natural justice from the parole process.

In the last 12 months, our Solicitor, Law & Justice Projects has made numerous submissions to the Parole Board that have assisted our clients to have a voice in the decision making process. Importantly, our involvement has made the difference for some clients achieving parole. Statistics from the 2014 NT Parole Board Annual Report demonstrate the impact of our advocacy and support.

In 2009, the Parole Board granted parole to 66 prisoners and had 409 'items of business' (applications for parole that the Board is monitoring). In 2014, 106 prisoners were released to parole and there were 804 items of business. The increase from 2009 to 2014 coincides with NAAJA having a lawyer and case managers to help Aboriginal people in the parole system. It reflects a significant improvement in access to justice for Aboriginal people and a benefit for the community in having more people leaving prison with supports and supervision in place.

In the last 12 months, NAAJA's Solicitor, Law & Justice Projects has also advocated for vulnerable prisoners in relation to prison-based legal issues. An important area of focus has been for prisoners at the end stage of life in relation to their health and palliative care supports, or to be present at the end of life for their loved ones.

LAW & JUSTICE PROJECTS REPORT *(cont'd)*

Assisting Aboriginal people and communities to engage with the legal system

NAAJA's Community Legal Education (CLE) team deliver innovative, culturally appropriate, high quality legal education for Top End Aboriginal Territorians. Our experience over many years is that one-off or short-term CLE programs will simply not be effective for Aboriginal people with limited English, literacy and numeracy skills, who are often unfamiliar with Western legal concepts and terminology, and have markedly different world views.

We have a unique approach to CLE in that we employ a Participatory Action Research approach to all of our CLE work in remote communities. Both our urban and remote legal education sessions are informed by principles of adult and Aboriginal learning styles and two-way learning exchanges.

CLE in Remote Communities

The vast majority of our clients live in regional and remote parts of the Top End. For most, English is their third or fourth language. Our approach in remote communities entails working collaboratively with community members in identifying local needs, delivering CLE tailored to these needs and designing and delivering CLE with the purpose of building capacity. This approach promotes high participation rates, enhances community safety outcomes by taking a community development approach to legal education and training and empowers the communities with which we work. This enables community members to become agents of change in their local community and active participants in the justice system.

This year, we provided CLE to 19 communities, and regularly visited 10 of those communities. We delivered a total of 186 remote CLE sessions.

The Community Law Stories project comprised a series of six short legal education films produced across three communities: Lajamanu, Wurrumiyanga and Ramingining. The topics covered were cyber bullying, child protection, housing, health service complaints and bail and warrants.

The purpose of the project was to create local language films that explain key legal messages in an accessible and entertaining fashion. NAAJA's CLE team worked with an independent filmmaker over a three month period. The project involved the CLE team and the filmmaker exploring key legal messages for each topic, facilitating script-writing by community members, and incorporating these key legal messages in a story that would resonate with the local community. Participants from the communities then acted out the story on location on film. By engaging community members to write the scripts, the messages were tailored to the needs identified by the community, with the aim of resonating with Indigenous audiences and other communities.

We work with Elders and community leaders in several remote communities to build their knowledge of the law and their capacity to convey messages about the law to community members. We also assist Elders to provide information to courts about offenders and offending through Elders reference letters. These letters give the court a fuller picture of the context to offending, and allow the Elders to convey their views on how to better address and prevent crime in their communities.

Promoting Best Practice CLE

In the last twelve months, NAAJA's reputation as a specialist legal education provider for Aboriginal people has continued to grow. We work closely with the legal education sector, and encourage best-practice approaches to legal education involving Aboriginal people. Our team gave presentations at the National Association of



Community Legal Centres' conference on the Community Law Stories and the collaborative Ngukurr Womens' Safe House/DCF DVO poster project and 10 sessions at the Northern Territory CLE workers' conference.

At the invitation of the Central Australian Aboriginal Legal Aid Service ('CAALAS'), the CLE team delivered a 2 day intensive workshop for CAALAS' legal education team. The training workshop covered the fundamental principles of adult learning styles, Aboriginal learning and community development principles as well as substantive legal issues. NAAJA also provided copies of all lesson plans and learning materials to assist the development of the CAALAS CLE team.

Following a longstanding collaboration with the Aboriginal Interpreter Service (AIS) and the Aboriginal Resource and Development Services (ARDS) and funded by the Public Purposes Trust of the Northern Territory, we developed and published the Plain English Legal Dictionary. The Dictionary contains 300 key legal concepts, themed narrations to contextualise the vocabulary and diagrams and photos to illustrate key concepts. The Dictionary was launched in May and the CLE team has begun to use it in CLE sessions. The AIS will also use the Dictionary in training. The Dictionary will make a tangible difference to improving access to justice, by improving the quality of communication between defendants, lawyers and the Bench, and more broadly, community understanding of legal concepts, terminology and procedure.

Night Patrol Legal Project

Since 2012, NAAJA has delivered legal education and training for Night Patrol services in selected Top End communities to help Night Patrolters better understand the legal context of their work, and to ensure community safety. The training draws on real-life scenarios to assist Night Patrolters to determine how to safely and effectively meet their service delivery standards (e.g. defusing violent situations, engaging in dispute resolution and diverting people from unnecessary contact with the criminal justice system).

We conducted training to Night Patrol teams from Ramingining, Gunbalanya, Lajamanu, Kalkarindji, Wadeye, Palumpa, Peppimenarti, Maningrida, Wurrumiyanga, Nhulunbuy, Ski Beach, Yirrkala, Borroloola, Kalano Community in Katherine, Ngukurr, Belyuen and Batchelor. Topics include Night Patrolters' powers, practical responses to critical incidents, domestic violence orders, child protection legislation, criminal law (process, sentencing, bail, rights when arrested, complicity, age of consent, self defence and defence of another), duty of care, school attendance laws, mandatory reporting obligations, cyber bullying, sexting, police powers, liquor laws, civil law, seizure of weapons, false imprisonment/deprivation of liberty, mandatory rehabilitation, protective custody and tenancy law.

A key focus of the Night Patrol Legal Project has been encouraging networking and collaboration between Night Patrolters and other service providers. For example, we have facilitated meetings between and joint training with Night Patrol services and Law & Justice Groups, NT Police, CatholicCare Strong Men's and Women's groups, Red Cross, Womens' Safe Houses and the Nhulunbuy Sobering Up Shelter.

Each of these activities enhance the capacity of Night Patrolters to improve community safety, build on their local connections with other services, Elders and their community, and promotes Night Patrolters as leaders within their communities.

The following feedback from one Community Safety Coordinator demonstrates the quality of training delivered:

They came to give a presentation to our Night Patrol team on DVO'S. The topic on that specific subject was really great. The N.P team asked heaps of intelligent questions and your team was very professional and could answer all my teams questions and concerns. We would like to say thank you to your team, to John, Alex and James for doing an amazing job. They also came after hours between 20:00 and 22:00{2hours}. The N.P team was very impressed and happy that your team came to

LAW & JUSTICE PROJECTS REPORT *(cont'd)*

empower them on issues that are a concern for them and in the community. They will take that positive message to family and friends and try to divert them away from the court system and police. My team will also educate the community, friends and family about DVO'S and how to deal with those issues. Your NAAJA team are always welcome to come and speak to our N.P team about other legal or court an issue that is a concern for them and the community. The evening was great and your NAAJA team did an excellent job sharing there expertise and there experiences with them. We salute them and say thanks.

Youth-focused Legal Education

We deliver a large number of CLE sessions specifically for young people. We have a longstanding relationship with the Casuarina Secondary College's Clontarf program, and again hosted a highly successful Careers and Legal Education Day with Clontarf Foundation. We also delivered sessions to youth on police diversion at YWCA and at the Don Dale Youth Detention Centre on topics including interacting well with police, bail and sentencing, cyber bullying and youth and alcohol laws.

Royal Commission into Institutional Child Sexual Abuse

NAAJA provides legal education to Aboriginal people in the Top End about the work of the Royal Commission. In the last 12 months, we have focussed our efforts on communities of interest of the Royal Commissioner, particularly the Tiwi Islands and Darwin (Retta Dixon Home). We have also provided education in Nhulunbuy and Yirrkala, as well as Katherine on a regular basis.

We have worked hard to assist Aboriginal people who wish to tell their story to the Royal Commission, primarily through referrals to Knowmore legal service. We are also facilitating regular stakeholder meetings to ensure that agencies supporting the work of the Royal Commission are working closely and collaborating effectively.

Leading justice reform

NAAJA provide a strong voice for Aboriginal people on policy and law reform issues. Our written submissions are evidence-based and solutions-focused. Some of our significant submissions included to the Senate Community Affairs References Committee Inquiry into Out of Home Care, our joint submission to the Senate Finance and Public Administration Reference Committee Inquiry into Access to legal assistance services, our submission to the NT Legislative Assembly Select Committee on the prevalence, impacts and government responses to "ice" in the Northern Territory, and our ongoing policy input into the Review of Youth Detention in the Northern Territory.

We work closely with key stakeholders and have strong and durable working relationships with a broad range of Government and non-Government organisations. We meet regularly with Commonwealth and Territory Government Ministers, various departments, police, and other key stakeholders to ensure systemic issues can be addressed as informally and proactively as possible.

In the last 12 months, youth justice has been a particular area of focus. The tear-gassing of six youths in August 2014 signified a youth detention system in distress. NAAJA has continued to raise concerns to ensure humane treatment for young people in detention, including the need for improved staff training, more therapeutic conditions in youth detention, and the need for a purpose-built youth detention facility.

We have also been at the forefront of system-wide change to the youth justice system. As well as being involved in the development of the Youth Justice Framework, our youth justice team have led the way, showing the benefits of restorative justice for seemingly entrenched young people through court referred pre-sentence conferences.

NAAJA has also led efforts to address our spiralling mass incarceration catastrophe, including the need to develop culturally strengthening therapeutic processes in the NT justice system, and reducing the rate of incarceration for less



serious matters. As Pippa Rudd wrote in the Conversation in April 2015, 'If I were asked to outline a plan to ensure increasing incarceration, both generally and of vulnerable groups, I would just point to the Northern Territory of Australia. No need to look to the United States'.

Despite a raft of 'tough on crime' initiatives, crime rates are increasing, not decreasing. Adult prisoners increased 4% from 2013. 86% of Northern Territory prisoners are Aboriginal, and 98% of youths in detention are Aboriginal. There is simply nothing to say that the NT's obsession with prison is making the community safer.

If there was ever a need for new justice approaches, the time is now. NAAJA continues to call for Aboriginal-specific, culturally strengthening justice programs. The NT is the only jurisdiction without any Aboriginal-specific justice programs. There is an urgent need for Elders to be involved in sentencing proceedings, for more detailed pre-sentencing reports that focus on trauma, and more therapeutic alternatives to prison. NAAJA's support for law and justice groups in several remote communities demonstrates the tangible community safety benefits that are possible where Aboriginal people are empowered to take an active role in the justice system.

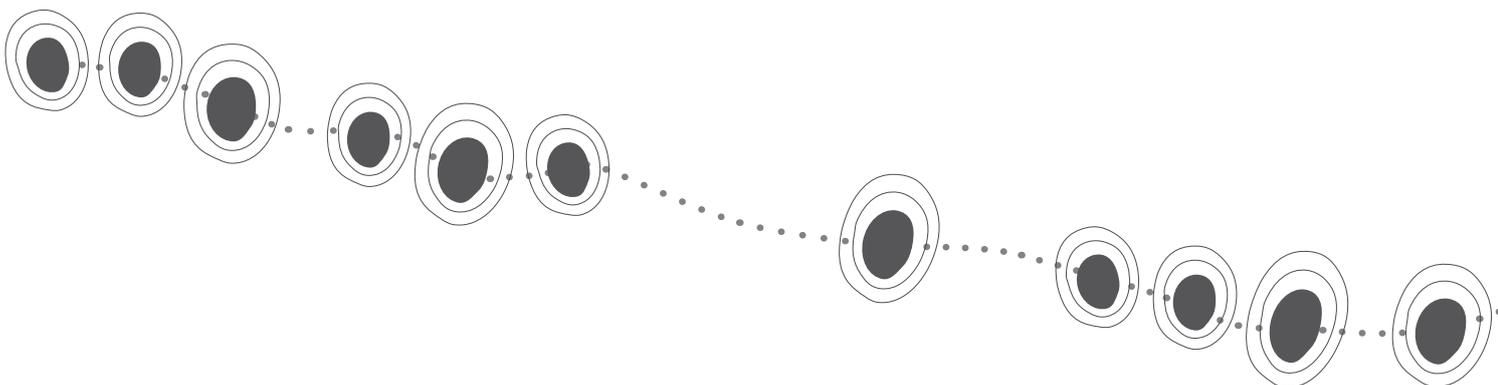
The dismantling of the SMART Court sees the Northern Territory as the only jurisdiction without any therapeutic jurisprudence processes. In the absence of an alcohol

and other drugs court, NAAJA is working with Danila Dilba Health Service to develop an innovative Aboriginal community-controlled approach to dealing with people linked to drug and alcohol issues. We will provide a holistic, health-based approach, to deal with issues underpinning offending and hopefully divert clients from the justice system and into treatment.

We are also working with NTCOSS on a justice reinvestment project in Katherine, to look at what is needed to help keep young people out of the justice system.

NAAJA continues to actively support the Aboriginal Peak Organisations of the NT (APONT). In the last 12 months, a particular highlight was the APONT Housing Forum in March that helped establish the Aboriginal Housing NT Committee with 13 committee members from across the NT. This promises to be an important Aboriginal housing advocacy body to drive and shape housing policy in the NT.

Jared Sharp
Manager, Law & Justice Projects





KATHERINE OFFICE REPORT

Stephen Karpeles
Regional Managing Solicitor

As outlined in the report of the PLO, this year has seen a barrage of legislative changes seemingly designed to increase the amount of contact our clients are having with police, the frequency with which they go to prison and the amount of time they spend in prison. These measures have all served to increase the workload of our already busy criminal lawyers in the Katherine office.

Another measure introduced this year, albeit without the accompanying grant of any legislative power to support it, is the stationing of police officers outside all bottle shops in Katherine during trading hours. Whilst this measure has seen a noticeable and welcome decrease in crime in Katherine, it comes at a substantial cost to the taxpayer rather than the licensee, and has caused significant concern in our region amongst Aboriginal people who have felt unfairly targeted by the policy. It has also appeared to push a large number of problem drinkers to Darwin, shifting the problem, rather than solving it.

Leading the delivery of high quality, culturally proficient and accessible legal services

Access to justice

NAAJA is very pleased to have the Supreme Court recommence sitting in Katherine. Since the last annual report, the court has sat three times and sentenced approximately 15 of our clients for a number of serious offences.

Previously, our clients charged with serious offences were all sentenced in the Darwin Supreme Court, with little or no family support to them. This change has enabled them to be sentenced in a venue that is far more accessible for their family members. A strong display of family support can and often does lead to a more favourable assessment by the sentencing judge of the client's prospects of rehabilitation. It can also ensure the court is better informed about the client's background from the provision of character and culturally significant evidence from people who attend the proceedings. It also enables

interested members of the public to more readily engage in the sentencing process, evident in a sentencing forum conducted by Justice Southwood recently at the conclusion of the sittings.

Notwithstanding the cost of transporting clients from the prison to Katherine to be sentenced, we hope the Supreme Court will continue to recognise the benefits of sitting in Katherine and include it as a regular feature in the court's calendar.

2014 also saw the court of summary jurisdiction return to Kalkaringi, after a hiatus of a few years. This welcome development has reduced the number of warrants that were issuing for Kalkaringi clients who were unable to make the long journey to Lajamanu for their court. We have also set in train a process for the court to commence sitting in Mataranka. This will benefit our clients from Jilkminggan and Minyerri, by allowing them to attend a court which is closer to their communities and one that will not be rendered inaccessible during the wet season.

We continue to strengthen our relations with other service providers in the region. This has included regular meetings with the Aboriginal Interpreter Service (AIS), Katherine Community Corrections, Venndale, Strongbala, Sunrise Health, Mission Australia, the Katherine Women's Indigenous Legal Service and the North Australian Aboriginal Legal Service. The closer relationships have enabled us to refer clients more readily to these services and ensured that our clients are better supported during and after their court appearance. In particular we have welcomed the assistance provided to our clients with mental illness by the Mission Australia 'partners in recovery' program.



High quality legal service

We continue to provide a high quality legal service for clients in the Katherine region, in particular through our appearance work in the Supreme Court. Previously much of this work was undertaken by lawyers from the Darwin office. However, through an increase in lawyer retention and experience in our office, we have been able to maintain carriage of these files. Our lawyers have appeared in the Supreme Court to successfully argue a number of bail reviews, including one that would have resulted in extradition of the client to Western Australia, had it been unsuccessful. Our lawyers have also represented clients in a number of jury trials in the Supreme Court and successfully argued a number of justice appeals, which will be referred to below.

In the face of mandatory sentencing, our lawyers have continued to advocate strongly for just and proportionate sentences on behalf of their clients. I wish to highlight two examples where our lawyers were able to successfully argue against a mandatory sentence of 12 months imprisonment for two female clients, who had both been victims of domestic violence and had unfortunate upbringings. On both occasions, the lawyers involved persuaded the Court, to impose a sentence that did not see the clients serve any actual time in prison. In the former instance, the Crown appealed, and whilst the Court of Criminal Appeal overturned the sentence⁴ the law created by their decision has been favourable for our clients, and we continue to argue that 'exceptional circumstances' apply to ensure just sentencing outcomes.

Increasing cultural proficiency and community engagement

Our lawyers have worked throughout the year on improving their cultural proficiency by attending conferences, festivals (The Milpirri, Barunga and Walking

with Spirits festivals) and specific training sessions. We thank the AIS, and in particular Ben Grimes who attended Katherine to co-ordinate two workshops designed to improve our skills when using interpreters. These skills were further sharpened through the excellent Language in the Law conference hosted recently by the Supreme Court in Darwin, and attended by the Chief Justice of the High Court of Australia, who was a key note speaker. The conference coincided with the release by the Law Society of the second edition of Indigenous Protocols for Lawyers. This publication is an excellent resource and one which will prove invaluable for our lawyers in the future.

Over the past year we have hosted a number of Aboriginal Elders from the different communities in the Katherine region who have come to speak with us and pass on some of their knowledge about their culture and history. This initiative has proven to be such a success that we will continue to facilitate it over the coming year.

We have increased the amount of time our criminal team has spent in the remote communities we service by arriving in the community earlier and by having an additional lawyer attending the remote community. This has relieved some of the pressure on the lawyers attending the circuit, and enabled them to spend more time with clients giving advice and taking detailed instructions and has also enabled them to better engage the client's family and community elders in the sentencing process.

The process of engaging community Elders in sentencing has been facilitated by the amazing work of Will Crawford and his CLE team, who will often attend the communities at the same time as our team, and work in tandem to organise meetings with Elders.

In light of Will Crawford's recent departure from NAAJA I want to acknowledge his fantastic service to the Katherine region (he was previously the Managing Criminal Solicitor in Katherine), and in particular his work with the Kurdiiji Law and Justice Group in Lajamanu, which continues to be a shining example of engaging the community in sentencing.

⁴ *R v Duncan* [2015] NTCCA 2

KATHERINE OFFICE REPORT *(cont'd)*

We remain inspired by Will's achievements and have started the long process of trying to develop a sentencing group in the Barunga and Beswick communities, and will work closely with the CLE team to achieve this goal.

Children and young people

Over the past 12 months we have witnessed an increase in the number of youth clients and the complexity of their needs. Many of those needs appear to be unmet by the existing services in Katherine. The apparent increase in the amount of crime attributed to young people resulted in some disquiet amongst the public in the Katherine region. In a timely response to public concerns the YMCA in Katherine convened a public forum, which was attended by concerned members of the public, stakeholders, politicians and the media. Jared Sharp, the manager of our Law & Justice Projects section, also attended and spoke passionately about the importance of the application of the Youth Justice Act and the policy behind it.

We continue to pursue funding for an Aboriginal Youth Justice Worker. This role has been successfully introduced in Darwin. Whilst we have not been able to fund such a role yet I want to acknowledge the excellent work of Natasha Chong, our Senior CSO, who continues to work closely with youths and their families to assist them in accessing services.

Through additional and targeted training for our lawyers we have increased our level of proficiency in acting for young clients. This training coincided with the arrival of Magistrate Sue Oliver to Katherine as the permanent sitting Magistrate, whose passion and experience in the area of youth justice has really benefitted our clients.

We have also worked closely with Fiona Allison, a senior researcher from James Cook University who, over the past 6 months, has been conducting research into the possible benefits of justice reinvestment in the Katherine region, focusing particularly on youths. We eagerly await the publication of her report.

Lead Justice Reform

Lawyers from our office appeared in eight Justice Appeals over the past year, and succeeded in six of those appeals. Whilst none have resulted in direct legal reform, they have, each in their own way, contributed to jurisprudence in the Northern Territory, and addressed or attempted to address injustice faced by our clients.

One area where we have been successful in leading reform has been in the issuing of police domestic violence orders. One of our lawyers identified a number of deficiencies with the procedure of issuing these orders. The deficiencies formed the foundation of a number of legal challenges, which resulted in the acquittal of some clients and perhaps more importantly, to the amendment of the Domestic and Family Violence Act itself.

We also continue to raise, through our PLO and CEO, justice related issues that are affecting our clients, some of which have resulted in challenges to legislation in Supreme Court (validity of alcohol protection orders) and High Court ('paperless' arrest powers). These challenges will be reported elsewhere.

Thankfully, our threatened funding cuts were staved off at the last minute, but because of a failure to increase our funding we were forced to make redundant a CSO position. This necessitated a re-structure in our administrative section, with one of our personal assistants taking on dual roles as an administrative assistant and CSO. This has made our already busy administrative section even busier but they have met this challenge ably and continue to provide fantastic support for our team of hard-working and talented lawyers.

Finally I would like to thank the invaluable assistance given to us by our volunteers and interns. Their sense of adventure, altruism and dedication continue to energise our office.

Stephen Karpeles
Regional Managing Solicitor

NAAJA OFFICES

DARWIN OFFICE

The divisions of the Darwin Office and their respective roles are set out below.

Executive Unit

In consultation with the NAAJA Board, provides leadership and direction to the operations of NAAJA.

Finance

Develops and maintains accounting policies, procedures, systems and records of NAAJA to ensure the strongest possible financial position for the company.

Recommends implements and maintains internal accounting controls in accordance with Australian accounting standards and the Corporations Act for NAAJA.

Corporate Services

Provides human resource services including drafting of policies and procedures with regard to recruitment, occupational health and safety and equal employment opportunity.

Criminal, Civil, Family and Welfare Rights Law

Provides high quality, culturally appropriate and accessible legal aid services in Darwin and Top End remote communities including Borroloola, Maningrida, Ramingining, Oenpelli, Jabiru, Wurrumiyanga, Milikapiti, Daly River and Wadeye.

Law & Justice Projects

Provides innovative law and justice programs in:

- Community Legal Education
- Night Patrol Community Legal Education
- Indigenous Prisoner Throughcare Service



Darwin Staff

NAAJA OFFICES *(cont'd)*

KATHERINE OFFICE

The Katherine Office provides legal services in criminal, family, civil and welfare rights law in the Katherine region of the Northern Territory.

Duty Lawyer services and legal representation are provided at the Katherine Courthouse. Free legal advice sessions are conducted at the Katherine Office.

Katherine Lawyers travel extensively to bush courts and civil clinics at Barunga, Ngukurr, Timber Creek, Yarralin, Kalkarindji and Lajamanu.



Katherine Staff

NHULUNBUY REGION

The Nhulunbuy region is serviced from Darwin and provides legal services in criminal and civil law to the Northeast Arnhem region which is strongly influenced by traditional culture.

The criminal team attends courts in Nhulunbuy for one week per month and also bush courts in remote townships of Alyangula (one week per month), Numbulwar (one day every three months), Galiwin'ku (one day every three months) and Gapuwiyak (one day every three to four months).

Civil clinics are conducted at Nhulunbuy, Galiwin'ku, Gapuwiyak and Groote Eylandt one to two days every two months.

NAAJA SERVICE DELIVERY AREA



NAAJA STAFFING

41% of NAAJA's staff are Aboriginal people. NAAJA is committed to maintaining and improving our Aboriginal staffing levels through a dedicated Aboriginal Employment Policy.

As at 30 June 2015 the following staff were employed by NAAJA:

EXECUTIVE

<i>CEO</i>	Priscilla Collins
<i>Principal Legal Officer</i>	Jonathon Hunyor
<i>Executive Finance Officer</i>	Steve Rossingh
<i>Executive Assistant</i>	Kerry Keightley
<i>Administration Assistant</i>	Allirra Petterson

FINANCE

<i>Finance Officer</i>	Julie Stark
------------------------	-------------

CORPORATE SERVICES

<i>Corporate Services Manager</i>	Glenn Miller
<i>Librarian</i>	Viv Gasson
<i>Receptionist</i>	Rhiannon Pearson

LAW & JUSTICE PROJECTS

<i>Manager Law & Justice Projects</i>	Jared Sharp
<i>Administration Officer</i>	Angie Torr
<i>CLE Solicitors</i>	Will Crawford
	Jone Lotu
<i>Night Patrol CLE Solicitors</i>	Andreea Lachs
	Alexandria Jones
<i>Night Patrol CLE Officer</i>	James Parfitt
<i>Data/Evaluation Officer</i>	Alana Sampson
<i>Prison Support Admin Officer</i>	Karlla Garling
<i>Throughcare Co-ordinator</i>	Bernie Wilson (Acting)
<i>Throughcare Intensive Workers</i>	Lana Miller
	Matthew McCormack
	Cynthia Murray
	Marinke Chardon
<i>Throughcare Prison-based Workers</i>	Ellouise Davis
	Lavina Murray
<i>Administration Officer</i>	Simone Ahmat
<i>Solicitor - Law and Justice</i>	John Rawnsley
<i>Royal Commission CLE</i>	Julie U'Ren

CRIMINAL LAW PRACTICE

<i>Managing Solicitor</i>	David Woodroffe
<i>Deputy Managing Solicitor</i>	Beth Wild
<i>Practice Manager</i>	Laura McDonough
<i>Criminal Solicitors</i>	Shahleena Musk
	Giles O'Brien-Hartcher
	Franky Bain
	Sandra Wendlandt
	Julia Kretzenbacher
	Sophie Parsons
	Will Collins-Putland
	Rosie Cuppaidge
	Tim Farhall
	Rory Pettit
	Crystal Triggs
	Marty Aust
	Travis Jackson
	Alex Bowen
	Sophie Parsons
<i>East Arnhem Senior Criminal Solicitor</i>	
<i>Senior Criminal Secretary</i>	Jayde Kellie
<i>Senior Client Service Officer</i>	Harold Dewis
<i>Client Service Officers</i>	Travis Carroll
	Telisha Kotzur
	Robert Hale
	Micah Wenitong
	Terry Byrnes
<i>Indigenous Youth Justice Worker</i>	
<i>Secretaries</i>	Krishna Ketchell
	Ruth Brigden
	Annalee Boholst
	Jan Ketchell
	Kahlisha Rioli
	Marsina Fraser
	Matthew Connop
<i>Indigenous Cadets</i>	

CIVIL LAW PRACTICE

Managing Solicitor

Senior Civil Solicitors

Civil Solicitors

Family Solicitors

Welfare Rights Solicitors

Practice Manager

Legal Secretaries

Welfare Rights Secretary

Client Service Officers

KATHERINE OFFICE

Office Co-ordinator

Regional Managing Solicitor

Criminal Solicitors

Criminal Legal Secretaries

Client Service Officers

Philippa Martin
Anna Dawson
Jared Clow
Katie Bates
Claire Deane
Jessica Trappel
Matthew Derrig
Maggie McGowan
Bronwen Robertson
Matthew Strong
Christie George
Lauren Walker
Renee Watt
Rachel McDonald
Martina Whistler
Vivienne Floyd
Katrina McKie
Anna Pusceddu
Darryal Dockery
Leah Dowler

Anne Manfong
Stephen Karpeles
Lucia Pante
Julian Murphy
Rabindra Roy
Lucy Hopkinson
Kate McCrossin

Pamela Norris
Lena Korn
Simone Hayes

Natasha Chong
Graham Campbell

Senior Civil Solicitor

Civil Solicitors

Welfare Rights Solicitor

Alcohol Mandatory

Treatment Civil Solicitors

Civil Secretaries

Receptionist

Siobhan Mackay
Brooke Greenwood
Sara Lane

Harley Dannatt

Brianna Bell
Joanna Laidler

Barbie Manfong
Allyson Croydon
Kiarna Murray

Norelle Pope

VOLUNTEERS

NAAJA has been fortunate to have the services of some 30 volunteers for 2014/2015 including law students, legal practitioners, high school students, work place students, and others. Volunteers provide valuable assistance to NAAJA and we greatly appreciate their contribution to our work.

Volunteers also gain valuable experience they could not receive in any other institution or agency. They assist lawyers with case law research, prepare submissions and policy documents on a variety of subjects and generally have the chance to be closely involved in the work we do. Volunteers often have an opportunity to travel to Bush Courts to witness the administration of justice in remote communities and gain first hand knowledge of the issues facing many Aboriginal people in the Top End.

PERFORMANCE

Over the past eight years NAAJA's criminal matters have increased by 200% and our civil/family matters have increased by 195%.

Statistics of Matters (Darwin, Katherine & Nhulunbuy)

CRIMINAL										
YEAR	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
DUTYWORK	1,571	1,262	1,364	1,754	1,146	1,672	2,035	2,505	2,855	2,965
CASEWORK	3,428	3,740	3,648	4,580	5,142	4,745	5,205	5,577	6,378	6,124
ADVICE	15	13	136	68	62	352	635	781	863	950
TOTAL CRIMINAL	5,014	5,015	5,148	6,402	6,350	6,769	7,875	8,618	10,096	10,039

CIVIL/FAMILY										
YEAR	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
CASEWORK	622	548	517	525	579	562	515	598	982	1,169
ADVICE	1,333	765	1,646	1,335	1,510	2,113	2,551	2,843	2,844	3,040
TOTAL CIVIL/FAMILY	1,955	1,313	2,163	1,860	2,089	2,675	3,066	3,437	3,826	4,209

Statistics of Office (Darwin, Katherine & Nhulunbuy)

	DUTYWORK	CASEWORK	ADVICE	TOTAL
Civil				
Darwin		1	903	1,679
Katherine		1	265	1,349
Nhulunbuy			1	12
TOTAL	2	1,169	3,040	4,211
Criminal				
Darwin	1,861	4,498	552	6,911
Katherine	999	1,326	377	2,702
Nhulunbuy	105	300	21	426
TOTAL	2,965	6,124	950	10,039



FINANCIAL INFORMATION

NAAJA's operational funding is from the Federal Attorney-General's Department.

NAAJA has signed a contract with the Federal Attorney-General's Department for the delivery of Legal Aid Services to Aboriginal Australians from 1 July 2015 - 30 June 2020.



Financial Statements
For the Year Ended 30 June 2015

Table of Contents

Table of Contents
General Information
Directors' Report
Statement of Profit or Loss and Other Comprehensive Income For the year ended 30 June 2015
Statement of Financial Position As at 30 June 2015
Statement of Changes in Equity For the year ended 30 June 2015
Statement of Cash Flows For the year ended 30 June 2015
Notes to the Financial Statements
Directors' Declaration
Auditor's Declaration of Independence
Auditor's Report

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

General Information

Directors

The following Directors were in office at 30 June 2015:

Name	Position	Appointed	Resigned
Hannah Roe	Secretary/Director	2 Feb 2009	*
Colleen Rossas	Public Officer/Director	17 April 2010	*
Joel McIlinden	Director	17 April 2010	*
Banambi Wunungmurra	Director	18 July 2013	*
Norman George	Director	1 Feb 2010	*
Nielake Ellis	Director	2 Feb 2009	*
Ruby Stanley	Director	2 Feb 2009	*
Vernon Paballo	Chairperson/Executive	2 Feb 2009	*
Francis Hayes	Director	18 Sep 2013	*
Tony Wurtjarrba	Director	2 Feb 2009	*
Iona Wilson	Director	2 Feb 2012	*
Michael Peterson	Director	2 Aug 2012	*

*Directors have been in office since the start of the financial year to the date of this report unless otherwise stated.

Registered office and principal place of business

Head Office
81 Smith Street
GPO Box 1084
Darwin 0801

Bankers

Commonwealth Bank of Australia
87A Smith Street
Darwin Northern Territory 0800

Auditors

Merit Partners
Chartered Accountants
Level 2, B Cairnsleigh Street
Darwin Northern Territory 0800

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

Directors' Report

1. Director Information

Hannah Roe – Secretary Credentials

Bachelor of Laws with Honours from the Northern Territory University

Experience

Hannah Roe is of Yawuru descent. Her family is originally from Broome Western Australia. She was born in Darwin and has lived in the Territory all her life. She comes from a long line Darwin family and continues to maintain strong family ties to Broome WA. She graduated in 2002 with a Bachelor of Laws with Honours from the Northern Territory University. She went on to complete Article of clerkship with the Northern Territory Legal Aid Commission and undertook a Judge's Associate position in the Supreme Court of the Northern Territory. She was admitted to legal practice in the Supreme Court of the Northern Territory in 2004 and is currently working for the Office of the Registrar of Indigenous Corporations (ORIC).

Colleen Rossas – Public Officer Experiences

Colleen Rossas has lived in the Northern Territory for nearly 40 years and was originally from Cairns, North Queensland. Colleen is a descendant of the Gujjaris nation. Her employment history has been across a range of areas including Aboriginal education and the criminal justice area. She currently manages the Northern Territory Aboriginal Interpreter Service.

Joel McIlinden

Experiences

Joel is from the Larrakia clan in Darwin. Joel has extensive experience in Correction Services extending 13 years. Joel is active in working with Indigenous people to address their social and economic needs.

Banambi Wunungmurra

Experiences

Banambi was born in Yarrula and attended the local mission school. He later attended the Broome Theological College undertaking a 3 year Youth Leadership Course with the goal of teaching and training younger people to excel in sport.

Banambi moved on to Melbourne to follow his dream of playing in the then AFL and joined the Canning Football Club. Banambi played part of the season in 77 Grade being coached by the famous Patsy Farmer, but a family tragedy intervened back in his home community so he returned to Yarrula for good.

Banambi has worked in a number of organisations including the Chief Ministers Department, Department of Aboriginal Affairs, Layrhapuy Homelands, Murrumbidgee Health Aboriginal Corporation, ATSIC, YBE, Roo Tinto and the Shire President of East Arnhem Shire Council.

Banambi has also held a number of Community Board and Director positions on YBE, Bachelor Institute, Harmony Mawa Mala, Layrhapuy Homelands, Murrumbidgee Health Aboriginal Corporation and AMSANT.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

Norman Gosford Experience:

Norman is from the Ngaliwakan clan from Roper River. He is the Chairperson of the Men's Health Program in the Katherine Region and Chairperson of the Inter-Agency Mental Health Group. Norman is the team leader for Australian Red Cross – Personal Helpers and Mentors program (PHaMs). Norman has an extensive background in Indigenous legal services in his position as a Board Director for NAJAAJAS and is highly recognised for his experience in Indigenous health, employment and leadership.

Natalie Ellis Experience:

Natalie's Aboriginal origins are with the Dalabon people from the Bakung to Bulman region. Her mother was part of the Croker Island Stolen Generation and Natalie continues to be a member of the Northern Territory Stolen Generation Association. She is currently employed with the Charles Darwin University as the Indigenous Academic Support Lecturer for Katherine and the surrounding areas. Natalie believes that education plays a major part in all Indigenous issues. Her particular interests are the over-representation of Indigenous people in the justice system and jail, prisoner's rehabilitation, mental health and support programs that promote stronger families. Natalie also believes that Indigenous people in the NT are under-represented in the Higher Education system and that this must be addressed, if Indigenous self-determination is to be realised.

Ruby Stanley Experience:

Ruby is originally from Queensland but has lived and worked in Darwin and Katherine for 40 years. She has worked tirelessly for many years with the Age Care services at the Kallera and Benjan Communities, and with the Department of Health & Community Services in Katherine. Ruby has been a valuable member of various Committees such as the Indigenous HACC Reference Group for 4 years, the Katherine Club for 4 years and the NAIDOC Committee for 2 years. Ruby is recently retired and enjoys relaxing at home, reading and socialising with family and friends.

Yvonne Pasvold - Chalwarison Experience:

Yvonne is a senior member of the Kunjaraban clan from the Finner's River area near Glenorchy. Yvonne has travelled extensively throughout the top end region of the NT working and living with Indigenous peoples mainly in the South and Eastern Arnhem Land regions. Yvonne has been involved in law and justice work for over 20 years and has been an active member of the former Mwalj Aboriginal Legal Service MALS now amalgamated with NAAJA. In his work with MALS he has represented the organisation at all levels and also as a member of NAAJA in dealings with the attorney generals and NT government agencies. Yvonne has held 6 positions from member to Chairperson when working with MALS.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

Francis Isaacs Experience:

Francis is an ex-Service man who served in the Army overseas with 8 R.A.R as a National Serviceman. He is retired now and a pensioner but he still keeps active by helping out in other areas. He is one of the Aboriginal Directors of the Wunambur Aboriginal Health Service Organisation. He is also a volunteer and mentor at the Stunguiyala Male Health Program. He helps by providing assistance and advice in any way that he can in health culture, healing and tradition.

His family are very close and important to him especially his grandchildren. His mother was a Ngalkan woman born on the banks of Roper Bar (Roper River). Her mother was the great leader and speaker Mundulu Senior T.O. for the Ngalkan Tribe. His father came from the desert in Central Australia Kayaj Lentye and Antenna.

Tony Wunambur Experience:

Tony is a well known leader and spokesperson for the Anindilyakwa people. He had held Chairman Deputy Chairman positions on the Anindilyakwa Land Council for more than six years. He was previously Council Clerk of the Anungu Community Government Council and a member of a number of Indigenous organizations as a Board Member.

With the support of the Chairman Yeater Amaguja, and the Land Council's other Executive Members, Tony has been working closely with all levels of Governments, as well as BHP Billiton to meet the needs of his people. He has supported changes which improve the positive impact government programs and policies have in the Groote Archipelago, with a particular focus on raising living standards including through the creation of jobs and training activities. Under Tony's leadership there has been a much greater involvement of Traditional Owners in the monitoring of the large housing program SHIP.

Lona Wilson Experience:

Lona is from North West Queensland and is of Aboriginal descent. Lona lives in Anungu, Groote Eylandt and works for the Anindilyakwa Land Council as Executive Officer of the Anindilyakwa Education and Training Board, where her role focuses on building capacity of Indigenous families and community to engage with schools to support better education outcomes for their children, and strong and effective governance by Indigenous parents of all schools on Groote Eylandt and Extonon Island. Lona has previously served 18 years with the Australian Government in the Northern Territory in the education and employment sector.

Michael Peterson Experience:

Michael is of Aboriginal Torres Strait Islander descent. Michael has lived in Darwin most of his life and has worked in various Government departments including Department of Justice, Family Court of Australia and is currently employed by the Northern Territory Legal Aid Commission as an Indigenous Community Liaison worker. His work involves delivering Legal Services to remote communities. He has been a Board member of several Indigenous organisations trying to ensure that our people receive appropriate service delivery.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

2. Directors meetings

Name	Number eligible to attend	Number attended
Harmali Roe	8	7
Colleen Rossas	8	7
Joel McLennan	8	7
Banambel Wunungmurra	8	6
Norman George	8	8
Mabelle Ellis	8	8
Ruby Stanley	8	8
Vernon Paul'io	8	7
Francis Hays	8	7
Tony Wurramarrba	8	3
Ilona Wilson	8	5
Michael Petterson	8	7

3. Role of the board

The Board is responsible for the overall corporate governance of North Australian Aboriginal Justice Agency Limited ('NAAJJA' or the 'Company') including setting strategic direction; approving and monitoring capital expenditure; setting remuneration, appointing, removing and creating succession policies for Directors and senior Executives; establishing and monitoring the achievement of management's goals and ensuring the integrity of risk management, internal control, legal compliance and management information systems.

The Board is also responsible for approving and monitoring financial and other reporting requirements. The Board has delegated responsibility for the operation and administration of NAAJJA to the Chief Executive Officer and senior Executives. Responsibilities are delineated by formal authority delegations.

4. Principal activities

The principal activities of North Australian Aboriginal Justice Agency Limited (NAAJJA) during the financial year were the provision of legal services to the Aboriginal and Torres Strait Islander population residing in the northern areas of the Northern Territory. No significant change in the nature of these activities occurred during the year.

5. Review and results of operations

The operating profit for the year ended 30 June 2015 amounted to \$79,610 (2014 - loss (realised) \$598,721).

6. Proceedings on behalf of the Company

NAAJJA had no court proceedings issued against it nor did it commence any proceedings during the reporting year.

No person has applied for leave of Court to bring proceedings on behalf of NAAJJA or intervene in any proceedings to which the Company is a party for the purpose of taking responsibility on behalf of NAAJJA for all or any of those proceedings.

7. Members guarantee

North Australian Aboriginal Justice Agency Limited is incorporated under the Corporations Act 2001 and is a company limited by guarantee. In the event of, and for the purpose of winding up of the company, the amount payable by each member is limited to the amount of the contribution that the member has agreed to contribute to the company in the year ending 30 June 2015, subject to the provisions of the company's constitution.

At 30 June 2015 the collective liability of members was \$ 128 (2014: \$ 120).

8. Auditor's independence declaration

The Lead auditor's independence declaration is set out on page 33 and forms part of the Directors' report for the financial year ended 30 June 2015.

Signed in accordance with a resolution of the Board of Directors

VK Botulbo

Vernon Paul'io
Director and Chair, North Australian Aboriginal Justice Agency

Dated at Darwin this 28th day of October 2015

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

The Statement of Profit or Loss and Other Comprehensive Income is to be read in conjunction with the attached notes.

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

	<i>Note</i>	2015 \$'000	Restated* 2014 \$'000
Revenue	4	12,155	11,917
Other income	4	111	121
Employee benefits expense	5	(8,793)	(8,730)
Depreciation and amortisation expense		(320)	(809)
Finance costs		(216)	(226)
Repairs, maintenance and vehicle expenses		(300)	(381)
Rental expense		(139)	(172)
Professional fees	5	(78)	(62)
Service delivery expenses	5	(1,657)	(1,805)
Insurance		(174)	(406)
Administration expense		(258)	(250)
Other expenses		(251)	104
Profit / (Loss) before income tax		80	(699)
Income tax expense		-	-
Profit / (Loss) for the year		80	(699)

There was no other comprehensive income during 2015 and 2014.

* See Note 3.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

The Statement of Financial Position is to be read in conjunction with the attached notes.

Statement of Financial Position

As at 30 June 2015

	Note	2015 \$'000	Restated* 2014 \$'000
Assets			
Current assets			
Cash and cash equivalents	6	2,083	1,547
Trade and other receivables	7	221	146
Other assets	8	237	211
Total current assets		2,541	1,904
Non-current assets			
Property, plant and equipment	9	5,014	5,060
Total non-current assets		5,014	5,060
Total assets		7,555	6,964
Liabilities			
Current liabilities			
Trade and other payables	10	926	369
Borrowings	12	161	118
Employee provisions	13	649	821
Other liabilities	11	686	319
Total current liabilities		2,422	1,627
Non-current liabilities			
Borrowings	12	1,949	2,110
Employee provisions	13	339	462
Total non-current liabilities		2,288	2,572
Total liabilities		4,710	4,199
Net assets		2,845	2,765
Equity			
Retained earnings		2,845	2,765
Total equity		2,845	2,765

* See Note 3.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

The Statement of Changes in Equity is to be read in conjunction with the attached notes.

Statement of Changes in Equity

For the year ended 30 June 2015

	Note	Retained earnings \$'000	Total \$'000
Balance at 1 July 2013		3,464	3,464
Loss for the year (restated)	3	(699)	(699)
Balance at 30 June 2014		2,765	2,765
Balance at 1 July 2014		2,765	2,765
Profit for the year		80	80
Balance at 30 June 2015		2,845	2,845

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

The Statement of Cash Flows is to be read in conjunction with the attached notes.

Statement of Cash Flows

For the year ended 30 June 2015

	Note	2015 \$'000	2014 \$'000
Cash flows from operating activities			
Receipt of grants		12,236	10,229
Other receipts		178	256
Cash payments to suppliers and employees		(11,369)	(10,481)
Interest received		86	119
Finance costs		(212)	(223)
Net cash generated from operating activities		919	(100)
Cash flows from investing activities			
Proceeds from sale of property, plant and equipment		21	30
Payment for property, plant and equipment		(286)	(235)
Net cash used in investing activities		(265)	(205)
Cash flows from financing activities			
Repayment of borrowings		(118)	(328)
Net cash generated by/(used in) financing activities		(118)	(328)
Net increase / (decrease) in cash and cash equivalents		536	(633)
Cash and cash equivalents at 1 July 2014		1,547	2,180
Cash and cash equivalents at 30 June 2015	6	2,083	1,547

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

Notes to the Financial Statements

1. General Information

The financial report covers North Australian Aboriginal Justice Agency Limited ('NAAJAJ') as an individual Company. NAAJAJ is a Company limited by guarantee, incorporated and domiciled in Australia.

NAAJAJ's registered office is 61 Smith Street, Darwin, NT 0800.

2. Summary of significant accounting policies

Basis of preparation

NAAJAJ applies Australian Accounting Standards – Reduced Disclosure Requirements as set out in AASB 1053, Application of Parts of Australian Accounting Standards and AASB 2010-2: Amendments to Australian Accounting Standards arising from Reduced Disclosure Requirements.

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards – Reduced Disclosure Requirements, the Corporations Act 2001 and the Australian Charities and Not-for-profits Commission Act 2012. NAAJAJ is a not-for-profit Company for the purpose of preparing the financial statements.

Australian Accounting Standards set out accounting policies that the AASB has concluded would result in financial statements containing relevant and reliable information about transactions, events and conditions. Material accounting policies adopted in the preparation of these financial statements are presented below and have been consistently applied unless stated otherwise.

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

The financial statements are presented in Australian dollars, which is NAAJAJ's functional currency. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified.

The financial statements for the year ended 30 June 2015 were approved and authorized for issue by the Board of NAAJAJ on 18 October 2015.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

Application of new and revised Accounting Standards

New and revised standards that are effective for these financial statements

No accounting standard has been adopted earlier than the application date as stated in the standard. The following new revised standards, amended standards or interpretations have been adopted in the current year and have only affected the presentation and disclosure of these financial statements. Their adoption has not had any significant impact on the amounts in these financial statements.

AASBs and Interpretations	Applicable from reporting period date
AASB 2013-6 Amendments to AASB 136 arising from Reduced Disclosure Requirements	1 January 2014
AASB 2013-6 makes amendments to AASB 136: Impairment of Assets to establish reduced disclosure requirements for entities preparing general purpose financial statements under Australian Accounting Standards – Reduced Disclosure Requirements arising from AASB 2013-3: Amendments to AASB 136 – Recoverable Amount Disclosures for Non-Financial Assets. AASB 2013-3 makes narrow scope amendments to AASB 136 addressing disclosure of information about the recoverable amount of impaired assets if that amount is based on fair value less costs of disposal.	
Future Application Accounting Standard Requirements There are no new standards/revised standards/interpretations/amending standards that were issued prior to the sign-off date and are applicable to the future reporting period that are expected to have a material financial impact on NAAJAJ.	
Accounting policies	
(a) Revenue	
Grant revenue	
Non-reciprocal grant revenue is recognised in profit or loss when the Company obtains control of the grant and it is probable that the economic benefits gained from the grant will flow to the Company and the amount of the grant can be measured reliably.	
If contributions are attached to the grant as revenue will be deferred until those conditions are satisfied. contribution, the recognition of the grant as revenue will be deferred until those conditions are satisfied.	
When grant revenue is received whereby the Company incurs an obligation to deliver economic value directly back to the contributor, this is considered a reciprocal transaction and the grant revenue is recognised in the statement of financial position as a liability until the service has been delivered to the contributor, otherwise the grant is recognised as income on receipt.	
The Company receives non-reciprocal contributions of assets from the government and other parties for zero or a nominal value. These assets are recognised at fair value on the date of acquisition in the statement of financial position, with a corresponding amount of income recognised in profit or loss.	

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

Service revenue

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

Rental income

Rental income from operating leases is recognised on a straight-line basis over the term of the relevant lease

Donations revenue

Donations are recognised as revenue when received

Interest revenue

Interest revenue is recognised using the effective interest method, which for floating rate financial assets is the rate inherent in the instrument.

All revenue is stated net of the amount of goods and services tax.

(b) Property, plant and equipment

Property, plant and equipment

Property, plant and equipment are measured on the cost basis and therefore carried at cost less accumulated depreciation and any accumulated impairment losses. In the event the carrying amount of property, plant and equipment is greater than its estimated recoverable amount, the carrying amount is written down immediately to its estimated recoverable amount and impairment losses are recognised either in profit or loss or as a revaluation decrease if impairment losses relate to a revalued asset. A formal assessment of recoverable amount is made when impairment indicators are present (refer to Note 2(i) for details of impairment)

Property, plant and equipment that have been contributed at no cost, or for nominal cost, are valued and recognised at the fair value of the asset at the date it is acquired.

Depreciation

The depreciable amount of all fixed assets, including buildings and capitalised lease assets but excluding freehold land, is depreciated on a straight line basis over the asset's useful life to the Company commencing from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

The depreciation rates used for each class of depreciable assets are:

Class of fixed assets	Depreciation rate
Buildings	2.5%
Furniture, fixtures and fittings	20%
Motor vehicles	20%
Other equipment	33%
Computer equipment	33%
Leasehold improvements	10%

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains or losses are recognised in profit or loss in the period in which they arise. When revealed assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained earnings.

(c) Leases

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are recognised as expenses on a straight-line basis over the lease term

(d) Financial instruments

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the Company becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Company commits itself to either purchase or sell the asset (i.e. trade date accounting is adopted). Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified "at fair value through profit or loss" in which case transaction costs are recognised immediately as expenses in profit or loss.

Classification and subsequent measurement

Financial instruments are subsequently measured at fair value, amortised cost using the effective interest method, or cost.

Amortised cost is calculated as the amount at which the financial asset or financial liability is measured at initial recognition less principal repayments and any reduction for impairment, and adjusted for any cumulative amortisation of the difference between that initial amount and the maturity amount calculated using the effective interest method.

The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that exactly discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when the amount is reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying amount with a consequential recognition of an income or expense item in profit or loss.

(f) Financial assets at fair value through profit or loss

Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short-term profit taking, derivatives not held for hedging purposes or when they are designated as such to avoid an accounting mismatch or to enable performance evaluation where a group of financial assets is managed by key management personnel on a fair value basis in accordance with a documented risk management or investment strategy. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

(f) Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss through the amortisation process and when the financial asset is derecognised.

(g) Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets that have fixed maturities and fixed or determinable payments, and in which the Company's intention is to hold these investments to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss through the amortisation process and when the financial asset is derecognised.

(h) Available-for-sale investments

Available-for-sale investments are non-derivative financial assets that are either not capable of being classified into other categories of financial assets due to their nature or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

They are subsequently measured at fair value with any re-measurements other than impairment losses and foreign exchange gains and losses recognised in other comprehensive income. When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

Available-for-sale financial assets are classified as non-current assets when they are not expected to be sold within 12 months after the end of the reporting period. All other available-for-sale financial assets are classified as current assets.

(i) Financial liabilities

Non-derivative financial liabilities other than financial guarantees are subsequently measured at amortised cost. Gains or losses recognised in profit or loss through the amortisation process and when the financial liability is derecognised.

Impairment

At the end of each reporting period, the Company assesses whether there is objective evidence that a financial asset has been impaired. A financial asset (or a group of financial assets) is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a "loss event") having occurred, which has an impact on the estimated future cash flows of the financial asset(s).

In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered to constitute a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.

In the case of financial assets carried at amortised cost, loss events may include indications that the debtors of a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments, indications that they will enter bankruptcy or other financial reorganisation, and changes in arrears or economic conditions that correlate with defaults.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.

When the terms of financial assets that would otherwise have been past due or impaired have been renegotiated, the Company recognises the impairment for such financial assets by taking into account the original terms as if the terms have not been renegotiated so that the loss events that have occurred are duly considered.

Derecognition

Financial assets are derecognised when the contractual rights to receipt of cash flows expire or the asset is transferred to another party whereby the Company no longer has any significant continuing involvement in the risks and benefits associated with the asset. Financial liabilities are derecognised when the related obligations are discharged or cancelled, or have expired. The difference between the carrying amount of the financial liability, which is extinguished or transferred to another party, and the fair value of consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

(e) Impairment of assets

At the end of each reporting period, the Company assesses whether there is any indication that an asset may be impaired, if such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, to its asset's carrying amount. Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another Standard (e.g. in accordance with the revaluation model in AASB 116). Any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.

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

(f) Employee benefits

Short-term employee benefits

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

The Company's obligations for short-term employee benefits such as wages, salaries, annual leave and sick leave are recognised as a part of current assets and other payables in the statement of financial position.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

Other long-term benefits

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

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

Retirement benefit obligations

Defined contribution superannuation benefits

All employees of the Company receive defined contribution superannuation entitlements, for which the Company pays the fixed superannuation guarantee contribution (currently 9.5% of the employee's average ordinary salary) to the employee's superannuation fund of choice. All contributions in respect of employees' defined contribution entitlements are recognised as an expense when they become payable. The Company's obligations with respect to employees' defined contribution entitlements is limited to its obligation for any unpaid superannuation guarantee contributions at the end of the reporting period. All obligations for unpaid superannuation guarantee contributions are measured at the (unsecured) amounts expected to be paid when the obligation is settled and are presented as current liabilities in the Company's statement of financial position.

(g) Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short-term highly liquid investments with original maturities of three months or less, and bank overdrafts. Bank overdrafts are shown within short-term borrowings in current liabilities on the statement of financial position.

(h) Goods and services tax (GST)

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

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

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

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

(l) Income Tax

No provision for income tax has been raised as the Company is exempt from income tax under Div 50 of the Income Tax Assessment Act 1997.

(m) Provisions

Provisions are recognised when the Company has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions recognised represent the best estimate of the amounts required to settle the obligation at the end of the reporting period.

(n) Comparative figures

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

(o) Trade and other payables

Trade and other payables represent the liabilities for goods and services received by the Company during the reporting period that remain unpaid at the end of the reporting period. The balance is recognised as a current liability with the amounts normally paid within 30 days of recognition of the liability.

(p) Borrowings

Secured and unsecured loans have been obtained. While some loans are interest free, these have not been discounted to present value. Carrying amounts therefore represent amounts expected to be repaid in settlement. Unsecured loans are considered to be repayable at call and therefore presented as current liabilities.

(q) Critical accounting estimates and judgements

The directors evaluate estimates and judgements incorporated into the financial statements based on historical knowledge and best available current information. Estimates require a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Company.

Key judgements

Employee benefits

For the purpose of measurement AASB 119 Employee Benefits (September 2011) defines obligations for short-term employee benefits as obligations expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service. As the Company expects that most employees will not use all of their annual leave and sick leave entitlements in the same year in which they are earned or during the 12-month period that follows, the directors believe that obligations for long service leave and sick leave entitlements satisfy the definition of other long term employee benefits and therefore, are required to be measured at the present value of the expected future payments to be made to employees.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

(o) Fair value of assets and liabilities

The Company measures some of its assets and liabilities at fair value on either a recurring or non-recurring basis, depending on the requirements of the applicable Accounting Standard.

"Fair value" is the price the Company would receive to sell an asset or would have to pay to transfer a liability in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset or liability. The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from the principal market for the asset or liability (i.e. the market with the greatest volume and level of activity for the asset or liability). In the absence of such a market, market information is extracted from the most advantageous market available to the Company at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset or minimises the payments made to transfer the liability, after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

The fair value of liabilities and the Company's own equity instruments (if any) may be valued, where there is no observable market price in relation to the transfer of such financial instrument, by reference to observable market information where such instruments are held as assets. Where this information is not available, other valuation techniques are adopted and where significant, are detailed in the respective note to the financial statements.

(p) Going concern

The financial report has been prepared on the going concern basis, which assumes that the Company will be able to realise its assets and discharge its liabilities in the normal course of business.

The ability of the Company to continue as a going concern is dependent on the continued funding from the Attorney General's Department and management of its financial performance, position and cash-flow. The Company is dependent on the Attorney General's Department for the majority of its revenue used to operate the business. At the date of this report, the Board of Directors has no reason to believe the Attorney General's Department will not continue to support the Company.

At the date of this report and having considered the above factors, the directors are confident that the Company will be able to continue as a going concern. Notwithstanding this there is a material uncertainty whether the Company will continue as a going concern and, therefore, whether it will realise its assets and discharge its liabilities in the normal course of business.

The financial statements do not include adjustments relating to the recoverability and classification of recorded assets amounts, or to the amounts and classification of liabilities that might be necessary should the Company not continue as a going concern.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

3. Prior period restatement

North Australian Aboriginal Justice Agency Limited's financial statements were restated for the year ended 30 June 2014 to take into account the incorrect treatment in the prior year's financial statements. Management of North Australian Aboriginal Justice Agency Limited, when preparing financial statements of the Company for the period ended 30 June 2015, noticed the following errors in the financial statements for the year ended 30 June 2014:

- Prepayments were overstated by \$86,000 and included a number of expenses that should be recognised as expenses. These expenses included insurance, rental, service delivery and other expenses.
- Depreciation of \$557,000 was not brought to account in respect of buildings acquired in the preceding years. North Australian Aboriginal Justice Agency Limited has an accounting policy to depreciate buildings over 40 years.
- Disposal of non-current assets with a net book value of \$27,000 that did not exist at 30 June 2014 did not occur. It was identified that six vehicles no longer existed at 30 June 2014. The other non-current assets that were not disposed off correctly included office equipment and plant & equipment.
- Solunas and wages of \$150,000 were not accrued. Employee provisions were also understated by \$267,000 and were not categorised between current and non-current liabilities.
- Other liabilities were overstated by \$388,000.
- There have been some misstatements between assets and liabilities and also between current and non-current liabilities.

Restated financial statements for the year ended 30 June 2014 are presented below.

Statement of profit and loss (extract)	Note	Original balance \$'000	Adjustment \$'000	Restated balance \$'000
Revenue	v.	11,866	\$1	11,917
Other income	h.	148	(27)	121
Rental expenses	f.	(147)	(25)	(172)
Service delivery expense	i.	(1,793)	(12)	(1,805)
Insurance	k.	(358)	(48)	(406)
Depreciation	g.	(212)	(597)	(809)
Employee benefits expense	iv.	(8,313)	(417)	(8,730)
Other expenses	l & v	(243)	347	104
Profit/(Loss) for the year		29	(728)	(699)

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

3. Prior period restatement (cont.)

	Note	Original balance \$'000	Adjustment required \$'000	Restated balance \$'000
Statement of financial position (extract)				
<i>Current assets</i>				
Trade and other receivables	vi.	-	146	146
Other assets	i.	296	(85)	211
Total current assets		1,843	61	1,904
<i>Non-current assets</i>				
Property, plant and equipment	ii. & iii.	5,664	(624)	5,060
Total non-current assets		5,664	(624)	5,060
Total Assets		7,527	(563)	6,964
Statement of financial position (extract)				
<i>Current liabilities</i>				
Trade and other payables	iv. & vi.	471	(102)	369
Borrowings	vi.	-	118	118
Employee provisions	iv.	1,016	(195)	821
Total current liabilities		1,806	(179)	1,627
<i>Non-current liabilities</i>				
Borrowings	vi.	2,228	(118)	2,110
Employee provisions	iv.	-	462	462
Total non-current liabilities		2,228	344	2,572
Total liabilities		4,034	165	4,199
Net Assets		3,493	728	2,765
Equity				
Retained earnings		3,493	(728)	2,765
Total Equity		3,493	(728)	2,765
Statement of changes in equity (extract)				
Surplus / (loss) for the year		29	(728)	(699)

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

4. Revenue	2015 \$'000	Restated* 2014 \$'000
<i>Grant revenue</i>		
Government grants	11,869	11,568
Total grant revenue	11,869	11,568
<i>Other revenue</i>		
Service revenue	166	119
Donations	-	-
Interest revenue	86	119
Other revenue	34	111
Total other revenue	286	349
Total revenue	12,155	11,917
<i>Other income</i>		
Gain / (Loss) on disposal	11	(21)
Rental income	20	26
Other income	80	116
Total other income	111	121
Total revenue and other income	12,266	12,038

* See Note 3.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

	2015	Restated*
	\$'000	2014
		\$'000
5. Expenses		
Professional fees		
- accountancy fees	42	-
- audit remuneration	30	19
- consultant fees	6	43
Total professional fees	<u>78</u>	<u>62</u>
Employee benefits expense		
- salaries and wages	7,686	7,534
- superannuation	790	655
- staff training	60	82
- other staff costs	257	459
Total employee benefits expense	<u>8,793</u>	<u>8,730</u>
Service delivery expenses		
- computer expenses	72	108
- bush courts	456	353
- brief outs	173	346
- client expenses	145	107
- materials	64	60
- memberships and practising certificates	78	73
- meetings	142	168
- telephone	163	159
- travel	364	431
Total service delivery expenses	<u>1,657</u>	<u>1,805</u>

* See Note 3.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

	2015	2014
	\$'000	\$'000
6. Cash and cash equivalents		
Cash on hand	4	3
Cash at bank	588	257
Short-term bank deposits	1,491	1,287
Total cash and cash equivalents	2,083	1,547

The effective interest rate on short-term bank deposits was 2.03% (2014: 3.5%); these deposits are on call.

	2015	Restated*
	\$'000	2014
	\$'000	\$'000
7. Trade and other receivables		
<i>Current</i>		
Trade receivables	124	2
Provision for impairment	-	-
	<u>124</u>	<u>2</u>
Other receivables	97	144
Total current trade and other receivables	221	146

8. Other assets		
Prepayments	237	211
Total other assets	237	211

* See Note 3.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

	2015	Restated*
	\$'000	2014 \$'000
9. Property, plant and equipment		
<i>Lands</i>		
Cost	30	30
Total land	30	30
<i>Buildings</i>		
Cost	4,888	4,888
Accumulated depreciation	(719)	(597)
Total buildings	4,169	4,291
Total lands and buildings	4,199	4,321
<i>Motor vehicles</i>		
Cost	560	577
Accumulated depreciation	(316)	(217)
Total motor vehicles	244	360
<i>Office equipment</i>		
Cost	166	115
Accumulated depreciation	(60)	(37)
Total office equipment	106	78
<i>Leasehold improvements</i>		
Cost	672	453
Accumulated depreciation	(207)	(152)
Total leasehold improvements	465	301
Total plant and equipment	815	739
Total property, plant and equipment	5,014	5,060

* See Note 3.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

9. Property, plant and equipment (cont.)

Movement in carrying amounts

Movement in the carrying amounts for each class of property, plant and equipment between the beginning and the end of the current financial year:

	Land and buildings	Motor vehicles	Office Equip.	Lease improve.	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Cost					
Balance at 1 July 2014 (restated)*	4,918	577	115	453	6,063
Additions	-	16	51	219	286
Disposals	-	(33)	-	-	(33)
Transfers	-	-	-	-	-
Revaluations	-	-	-	-	-
Balance at 30 June 2015	4,918	560	166	672	6,316
Depreciation and impairment					
Balance at 1 July 2014 (restated)*	597	217	37	152	1,003
Disposals	-	(21)	-	-	(21)
Depreciation	122	120	23	55	320
Impairment loss	-	-	-	-	-
Balance at 30 June 2015	719	316	60	207	1,302
Carrying amount at the end of the year	4,199	244	106	465	5,014

	2015	Restated*
	\$'000	\$'000
10. Trade and other payables		
Current		
Trade payables	163	75
Accrued expenses	84	39
Payroll liabilities	640	279
GST liabilities / (receivable)	19	(41)
Other payables	20	17
Total trade and other payables	926	369

11. Other liabilities

Current		
Unexpended grants	686	319
Total other liabilities	686	319

* See Note 3.

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

12. Borrowings

	2015 \$'000	Restated* 2014 \$'000
Current		
Bank loans (i)	161	118
Total current borrowings	161	118
Non-current		
Bank loans (i)	1,949	2,110
Total non-current borrowings	1,949	2,110

- (i) Secured by a first registered company charge by North Australian Aboriginal Justice Agency Limited over whole of its asset(s) and undertaking(s) including uncalled capital, and secured by a first registered mortgage over the non-residential real property located at 61 Smith Street Darwin NT 0800.

13. Provisions

Current		
Provision for annual leave	468	530
Provision for sick leave	109	163
Provision for long service leave	72	128
Total current provisions	649	821
Non-current		
Provision for sick leave	145	128
Provision for long service leave	194	334
Total non-current provisions	339	462

Analysis of provisions	\$'000
Opening balance at 1 July 2014 (restated)*	1,283
Additional provisions raised during the year	1,125
Amount used	(1,420)
Balance at 30 June 2015	988

14. Commitments

	\$'000
Operating lease commitments	
Minimum lease payments	
- within 12 months	70
- between 1 to 5 years	43
- after 5 years	-
Total operating lease commitments	113

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

15. Contingent liabilities and contingent assets

There are no contingent liabilities and contingent assets that have been incurred by the Company in relation to 2015 or 2014.

16. Events after the reporting date

No adjusting or significant non-adjusting events have occurred between the reporting date and the date of authorisation.

17. Related party transactions

The Company's related parties include its key management personnel. Key management personnel are the directors of company.

	2015 \$'000	2014 \$'000
Key management personnel remuneration	1,068	781
Payments to directors	48	48
Loans to related parties at year end	98	144

	2015 \$'000	Restated* 2014 \$'000
18. Financial risk management		
<i>Financial assets</i>		
Cash and cash equivalents	2,083	1,547
Loans and receivables	221	146
Total financial assets	2,304	1,693
<i>Financial liabilities</i>		
Financial liabilities at amortised cost		
- trade and other liabilities	743	330
- borrowings	2,110	2,228
Total financial liabilities	2,853	2,558

19. Fair value measurements

The Company does not subsequently measure any assets or liabilities at fair value.

20. Members' Guarantee

The Company is incorporated under the Corporations Act 2001 and is a 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. At 30 June 2015 the number of members was \$120 (2014: \$120).

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

21. Grants

Grants	Funding body	Income \$'000	Expenses \$'000	Surplus / (Deficit) \$'000
<i>Title</i>				
Operational	Attorney-General's Department	9,493	(9,557)	(64)
Cadetships	Attorney- General's Department	7	(8)	(1)
Law Society	Law Society of the NT	28	(28)	-
Pilot Peer	Law Society of the NT	4	(4)	-
Healing Foundation	Healing Foundation	35	(35)	-
Night Patrol	Department of the Prime Minister & Cabinet	290	(292)	(2)
Throughcare	Department of the Prime Minister & Cabinet	1,024	(1,025)	(1)
Stronger Futures	Department of the Prime Minister & Cabinet	1,345	(1,345)	-
Self-generated		41	(11)	30
Total		12,267	12,305	(38)

Reconciliation of total grant income to profit for the year	\$'000
Total grant deficit	(38)
Add: Mortgage repayments allowed by AG as expense but in accordance with Accounting Standards, treated as reduction of loan in NAAJA accounts	118
Profit for the year	80

North Australian Aboriginal Justice Agency Limited

Annual Financial Statements for the Year Ended 30 June 2015

Directors' Declaration

In the opinion of the directors of North Australian Aboriginal Justice Agency Limited (NAAAJA):

- The financial statements and notes, set out on pages 9 to 32, are in accordance with the Corporations Act 2001 and the Australian Charities and Not for Profits Commission Act 2012, including:
 - Giving a true and fair view of its financial position as at 30 June 2015 and of its performance for the financial year ended on that date; and
 - complying with Australian Accounting Standards – Reduced Disclosure Requirements (including the Australian Accounting Interpretations), the Corporations Regulations 2001 and the Australian Charities and Not for Profits Commission Regulations 2013; and
- There are reasonable grounds to believe that North Australian Aboriginal Justice Agency will be able to pay its debts as and when they become due and payable.

Signed in accordance with a resolution of the Board of Directors:

VK Petrucci

Vernon Petrucci
Director and Chair, North Australian Aboriginal Justice Agency

Dated at Darwin this 28th day of October 2015



Auditor's Independence Declaration to the Directors of North Australian Aboriginal Justice Agency Limited

In relation to our audit of the financial statements of North Australian Aboriginal Justice Agency Limited for the financial year ended 30 June 2015, to the best of my knowledge and belief, there have been:

- no contraventions of the auditor independence requirements of the Corporations Act 2001 and the Australian Charities and Not-for-profits Commission Act 2012; and
- no contraventions of any applicable code of professional conduct in relation to the audit.

Ment Partners

Ment Partners

Munli Chee

Munli Chee
Partner

DARWIN

28 October 2015

Chartered Accountants (Public Practice) (Member of the Institute of Chartered Accountants in Australia)



Level 2, 97 Grenfell Street Darwin NT 0800 GPO Box 3470 Darwin NT 0801
+61 8 892 1484 mentpartners.com.au ABN 39 371 27 437



Independent audit report to members of North Australian Aboriginal Justice Agency Limited

We have audited the accompanying general purpose financial report of North Australian Aboriginal Justice Agency Limited ('the Company'), which comprises the statement of financial position as at 30 June 2015, the statement of profit or loss and other comprehensive income, the statement of changes in equity and statement of cash flows for the year ended on that date, a summary of significant accounting policies, other explanatory notes and the directors' declaration.

The Directors' Responsibility for the Financial Report

The Directors of the Company are responsible for ensuring the financial report that gives a true and fair view in accordance with the Australian Accounting Standards (including the Australian Accounting Interpretations), the Corporations Act 2001, and the Australian Charities and Not-for-profits Commission Act 2012 is prepared and for ensuring that such internal control as the Directors determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error, is in place.

Auditor's Responsibility

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

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

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

Independence

In conducting our audit we have met the independence requirements of the Corporations Act 2001.

North Australian Aboriginal Justice Agency Limited
Level 2, 5 Caves Road, Storn Point, Darwin NT 0801
T 61 8 8983 1444 | meritpartners.com.au | ABN 93 237 127 437



Opinion

In our opinion, the financial report of North Australian Aboriginal Justice Agency Limited is in accordance with the Corporations Act 2001 and the Australian Charities and Not-for-profits Commission Act 2012, including:

- (a) giving a true and fair view of the financial position of North Australian Aboriginal Justice Agency Limited as at 30 June 2015 and of its performance for the year ended on that date, and
- (b) complying with Australian Accounting Standards (including the Australian Accounting Interpretations), the Corporations Regulations 2001, and the Australian Charities and Not-for-profits Commission Regulation 2013

Merit Partners

Merit Partners

Mui Li Chee
Partner

DARWIN
26 October 2015

CONTACT US

NAAJA has an information barrier between our Criminal and Civil Sections. This allows us to provide our services in criminal and civil or family law to parties where there may otherwise be a conflict of interests.

DARWIN

61 Smith Street Darwin NT 0800
GPO Box 1064 Darwin NT 0801

Criminal Tel 08 8982 5100
Criminal Fax 08 8982 5195

Civil Tel 08 8982 5100
Civil Fax 08 8982 5199

Toll free 1800 898 251
Admin Fax 08 8982 5190



KATHERINE

32 Katherine Terrace Katherine NT 0850

Criminal Tel 08 8972 5000
Criminal Fax 08 8972 5050
Criminal Mail PO Box 1944
Katherine NT 0851

Civil Tel 08 8972 5000
Civil Fax 08 8972 5060
Civil Mail PO Box 1254
Katherine NT 0851

Toll Free 1800 897 728



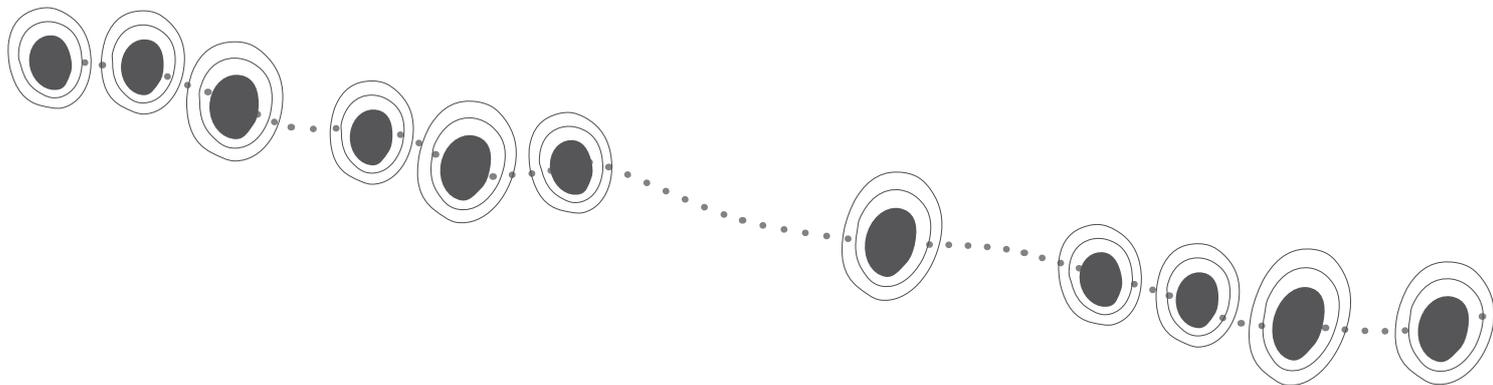
CONTACT US *(cont'd)*

ONLINE

Email mail@naaja.org.au
Website www.naaja.org.au

OFFICE HOURS

Monday-Friday 8.00am – 4.30pm



SPECIAL THANK YOU

On behalf of the NAAJA Board and management we would like to thank the following individuals and organisations for their continued support to NAAJA for 2014/2015.

Aboriginal Hostels Association	Donna and June Nadjamerik –	National Welfare Rights Network
Aboriginal Interpreter Service	Gunbalanya	NATSILS
Aboriginal Resource Development Service Inc (ARDS)	Earth Connect – Alyangula	Ned Aughterson
Alistair Wyvill SC	East Arnhem Regional Council	Northern Land Council
ALPA	Family Responsibility Centre	Northern Territory Legal Aid Commission
AMSANT	Fines Recovery Unit	NTCOSS
Amy Knox	Fiona Djerrkura and the Team at Miwatj	Office of Children & Families
Andrew Harpur	Raypirri Rom Program in Nhulunbuy	Office of Children & Families, Remote
Anglicare NT	Fiona Hodgson	Family Violence Program, Remote
Anne Cregan	FORWAARD	Services
APONT	Georgia Lewer	Peggy Dwyer
Ashurst Australia	Graham Campbell	Peter Baran
Bahkita Centre – St Vincent De Paul	Harold Thomas	Ponki Mediators – Wurrumiyanga
Balanu Foundation	Healing Foundation	Red Cross
Barbara Ramlah – Alyangula	Helen Bonnar – Department of Children	Rex Wild QC
Bawinanga Aboriginal Corporation	& Families	Roger Latham & The Warrior Priests
Ben Wong	Helen Edney	Band – Wadeye
Bill Piper	HelloWorld Darwin Team: Rachel Turner	Roper Gulf Shire Council
Bunawarra Elders – Maningrida	& Jayne Walsh	Rose Lambalamba
CAAPS	Human Rights Law Centre	Ruby Gaia
CatholicCare NT	Ironbark	Russell Goldflam
Central Desert Shire Council	Jobfind	Ruth Barson
Central Land Council	Jodi Truman	Scott Corish
Centrelink	Joelene Napier – Nhulunbuy Court	Shannon Chapman
Christopher Tran	Registrar	Speedy McGuiness
Clayton Utz	John Lawrence SC	Strongbala
Clontarf Foundation	Jon Tippett QC	Sunrise Centre – Salvation Army
Community Corrections	Josephine Langbien	TEABBA Radio
Community Justice Centre	Kathleen Foley	Tiwi Shire Council
Craig Lenehan	Kevin Doolan	Top End Forensic Mental Health
Cynthia Thompson – Department of	Kurdiji Law & Justice Group – Lajamanu	Venndale
Justice	Liam Flanagan – Operations Manager	Victoria Daly Shire Council
DAIWS	ALPA RJCP	Warlpiri Youth Development Aboriginal
Danila Dilba	Mark Bradley	Corporation (Mt Theo)
Darwin Correctional Centre	Mark Mochinsky SC	West Arnhem Shire Council
David McKenzie	Mark Thomas	Yilli Rreung
Deewin Kirim Aboriginal Corporation	Mike Collins – Groote Eylandt &	YMCA
Department of Health Prison in Reach	Bickerton Island Enterprises (GEBIE)	Yugul Mangi - Ngukurr
Program	Mission Australia	
Department of Housing	Miwatj Health – Yirrkala	
Don Dale Juvenile Detention Centre	National Association of Community	
	Legal Centres	



