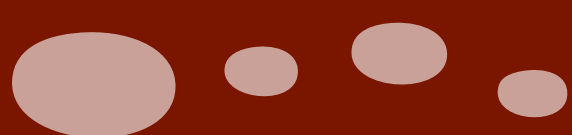




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ABOUT US

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

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

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

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.

On 1 January 2018 NAAJA commenced operations in Central Australia.



OUR VISION

True justice, dignity and respect for Aboriginal people.

OUR MISSION

Empower Aboriginal people and communities through the delivery of culturally appropriate, high quality innovative and cost effective law and justice services.

OUR VALUES

Courage . Accountability . Respect . Excellence



NAAJA'S STRATEGIC GOALS

NAAJA has adopted the following four Strategic Goals to guide its activities in 2017-2020:

- NAAJA to lead the delivery of high quality, culturally proficient and accessible legal and justice services.
- Continue to grow as a strong and leading Aboriginal organisation.
- To assist and empower Aboriginal people and communities to engage with the legal system.
- To lead justice reform.
- To co-ordinate meaningful Partnerships & Relationships.

CHAIRPERSON'S REPORT



Ruby Stanley

Chairperson

On behalf of the NAAJA Board, I am pleased to introduce the 2018/2019 Annual Report.

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

I wish to acknowledge and thank my fellow Directors for all their support and hard work throughout 2018 and 2017/19. Vernon Patullo, Illona Wilson, Tony Wurrumarrba, Norman George, Rosemary Birch, Natalie Ellis, Michael Petterson, Joel McLennan, Colleen Rosas, Nick Espie, Joe Carter, Geoffrey Shannon, Carol Smith and Leisa McCarthy.

I am extremely proud of how far our organisation has come over the past 13 years, this would not have been possible without the support of our community and the dedicated services of countless Board and staff members throughout the decades.

Our organisation is staffed by professional and committed people, who are making an exceptional contribution to Aboriginal people in the Northern Territory.

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.

It's crucial we listen and respond to the community we serve. In addition to our Board and members being from the local community, formal feedbacks through client satisfaction surveys have been introduced to identify areas for improvement.

NAAJA is proactive in developing and delivering programs that are aimed at reducing Aboriginal 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.

I also take this opportunity to thank the Commonwealth Attorney-General and his department and the Minister for Indigenous Australians for their continued funding of our organisation.

We continue to enjoy a mutually respectful and beneficial working relationship.

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 people."

CHIEF EXECUTIVE OFFICER'S REPORT



Priscilla Atkins

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.

The organisations values of courage, accountability, respect and excellence continues to underpin our organisations approach and in turn our performance.

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.

We have grown NAAJA over the years in response to our increasing Aboriginal population and the emerging legal needs of our community.

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.

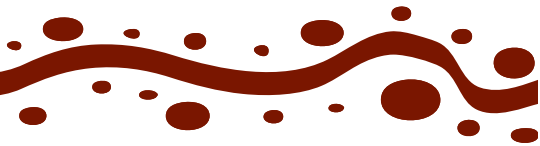
In addition to the complexity of our work, the volume continues to grow. In 2018/2019, NAAJA

provided advice and representation to 25,843 Aboriginal people for civil and criminal matters.

We now employ 170 full time staff, which includes 63 solicitors. We are proud of the fact that 43% 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 people.

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.

"I thank the Board, management and staff for their support and efforts throughout 2018/2019, 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."



OUR SERVICES

NAAJA delivers high quality and culturally proficient Aboriginal legal services to 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:

NAAJA Criminal Section

Our Criminal Law Section represents clients on criminal charges in the Local Court, Youth Justice Court, Bush Courts, Supreme Court and in some circumstances the High Court of Australia if they are:

- In custody (24 hours service for those arrested or taken into police custody).
- Facing a jail sentence.
- Facing loss of their livelihood or substantial hardship as a result of the likely sentence.
- A juvenile.

Legal advice can be provided over the phone or preferably face to face.

NAAJA also provides services specifically for young people including:

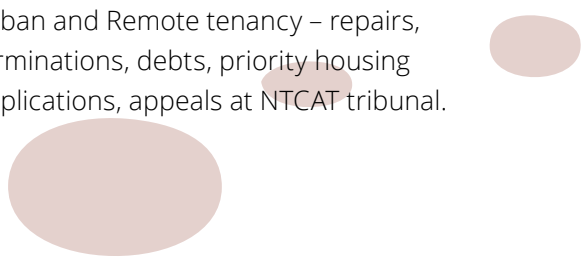
- Representing young people in court.
- Ensuring that young people understand their rights and what they are charged with.
- Advocating for young people to participate in Diversionary Programs.
- Liaising with families.

NAAJA Civil Section

Our Civil and Family Law Section provides legal advice and representation in areas such as:

- Complaints about Government services and Departments (Police and Prison officers)
- Compensation claims against Police and other Government departments for (negligence, false imprisonment, assault).
- Forfeiture of seizure of property – Where property was used to take Liquor, Kava or Drugs into a restricted area or used in the commission of a crime.
- Child protection matters including a duty service at the Children's Court.

- Statutory compensation (MACA, CVSU).
- Consumer matters (credit, debt, motor vehicle sales and repairs).
- Health Care Complaints.
- Discrimination and Human Rights.
- Coronial Inquests.
- Employment.
- Urban and Remote tenancy – repairs, terminations, debts, priority housing applications, appeals at NTCAT tribunal.



- Centrelink and Income Management Including; Appealing debts – waiver and reduction, decisions about payments – refusal to grant, nonpayment periods, and rates of payments, income management exemptions, intervention.
- Decision about living arrangements (marriage like relationships, care of children).
- Family Tax Benefit Issues.

NAAJA Law & Justice Projects Section

Our Law and Justice Projects section was established to develop programs and initiatives to reflect our organisation's role as a justice agency and to complement the criminal, youth and civil law practice areas. These programs build on NAAJA's strengths as a non-government organisation led by an Aboriginal board and Aboriginal management and our meaningful commitment to developing cultural competency.

Current projects and initiatives include:

- A specialised Community Legal Education (CLE) practice across the Northern Territory including a dedicated program in the Top End supported by the Department of Prime Minister and Cabinet. This practice includes active support for select Law and Justice groups (or Elder groups or Cultural Authorities with their own names).
- The Bilata Legal Pathways Program to increase the access and participation of Aboriginal and Torres Strait Islander people to the studies and practice of law.
- The Law and Justice project at Galiwin'ku supported by the Northern Land Council and community trust funds involving specialised CLE and community based responses as an alternative to prison.
- A partnership with the Australian National University 'College of Law' to deliver the 'Legal Education for True Justice: Indigenous Perspectives and Deep Listening on Country' course.
- The Alcohol Action Initiative supported by the Northern Territory Government.
- Serving a key role contributing to NAAJA's Cultural Competency Framework 2017 – 2020.
- Serving an assisting role with NAAJA's approach to Health Justice and Health Justice Partnerships.

Indigenous Throughcare Program

NAAJA's Alice Springs and Palmerston based Indigenous Throughcare Program Case Managers aim to reduce recidivism and incarceration rates by supporting Aboriginal people preparing to leave prison and detention through the delivery of intensive, high quality case management service provision that continues post-release.

Case management support is provided to help people in prison and detention develop strong and

holistic post-release plans that address their goals, risks and transitional needs, as well as keep them linked in to therapeutic support post-release where necessary. We start working with people and their families up to six months before they leave prison and detention, and provide post-release support for as long as they wish to remain involved and there is an identified need.

Kunga Program

The Kunga Stopping Violence Program is a prison through care program working specifically with Indigenous women who have committed a violent offence. The program is based in Alice Springs. The Kunga program is delivered in a professional and culturally safe way by local Aboriginal staff and a qualified social worker.

Women are referred to the Kunga program through Alice Springs Correctional Centre and through the criminal lawyer representing their case. Some women are referred when they have received their sentence, while other women are referred while they are on remand in custody, awaiting their sentence.

When a woman is referred we conduct a lengthy assessment with the woman to understand her circumstances and explain the Kunga program.

Participation in the Kunga program is voluntary so a woman decides if she wants to participate. All women in the program participate in a four week (20 full days) trauma specific course facilitated by the Kunga staff in Alice Springs Correctional Centre prior to their release. This course builds a strong relationship with the Kunga participants and staff and helps begin a healing journey as all the women we work with have experienced significant complex trauma in their lives.

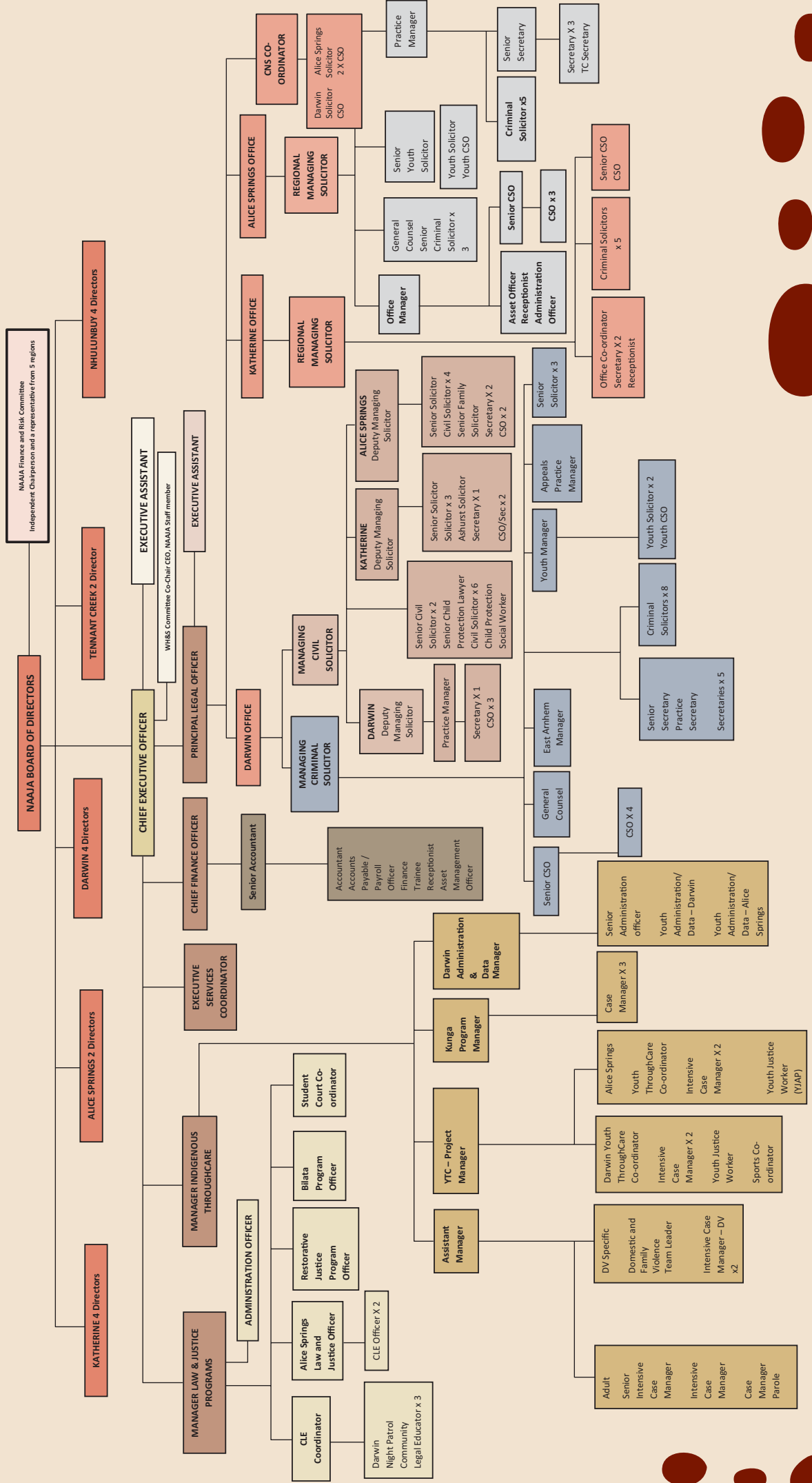
When the women are released from the prison the Kunga program staff stay engaged with them via home and community visits, through drop in at our accessible office in the centre of Alice Springs, and via telephone and through service coordination. The women are provided a minimum of 12 months intensive support.

Custody Notification Service

The CNS is a 24 hours/7 days a week Custody Notification Service (CNS) for the whole of the Northern Territory.

The aim of the program is to prevent Aboriginal deaths in custody. NAAJA's model will provide Aboriginal people in custody medical, mental health, legal and welfare support, with the physical and emotional welfare of the person of paramount importance.

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 as well as principles of transparent corporate governance.

Katherine



Ruby Stanley | Chairperson

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 socializing with family and friends.



Norman George | Director

Crow prefers to be known by my 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 recognized for my 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 attend 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 organizations and Councils. He has also spoken very strongly against laws and legislation that are being passed in Parliament that are discriminatory and how they have impacted upon Aboriginal people throughout the Northern Territory. We all have choices in our lives,

“Whether we make the right choice or the wrong choice it's neither here nor there.”



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 as the Regional Coordinator with the Aboriginal Interpreter Service for the Big Rivers and Barkly Regions. 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, prisoner’s rehabilitation, mental health and support programs that promote stronger families.



Rosemary Birch | Director

Rosemary has extensive experience in the Katherine region where she has resided her entire life.

Rosemary comes from a local family as her mother’s clan comes from the Roper River region and her father’s clan comes from Neutral Junction area. Her family connections range from Darwin in the North to Alice Springs in the Central Region. She is a traditional owner for the Roper River Region, and English is her first language.

Rosemary recently retired from the Wurli Wurlijang Health clinic after about 25 years of service as an Aboriginal health worker. Health has always been a passion of hers.

During my working period, she has provided high level of leadership and management within the Wurli-Wurlijang Health service health team to ensure that departmental objectives are met.

MIWATJ



Tony Wurramarrba | Director

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 at the Angurugu Community Government Council and a member of a number of Indigenous organizations as a Board Member.

With the support of the 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.





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.



Laura Hopkins | Director

During her time with NAALAS/NAAJA she successfully completed Associate Diploma in HR/Business Management (CDU), National Indigenous Legal Advocacy and Governance at Tranby Aboriginal College, Sydney.

Laura has worked a total of 24 years with Aboriginal Legal Services in WA and the NT and has a good understanding of the stress and hardship NAAJA clients and community face in their everyday life, and believe Laura brings a wide range of experience and knowledge to NAAJA.

Darwin



Michael Petterson | Director

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 services are delivered effectively and appropriately for our people.



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.





Colleen Rosas | Director

Colleen Rosas has lived in the Northern Territory for 50+ years and is originally from Cairns, North Queensland and is a descendant of the Gudjula nation.

Colleen's employment history has been across a range of areas including Aboriginal education and the criminal justice area. Colleen was the inaugural Director of the Northern Territory Aboriginal Interpreter Service and held this position for approximately 20 years. Under Colleen's directorship, the Northern Territory Aboriginal Interpreter Service grew from 2 staff in 2000 to become a service with a national reputation of excellence. She has formal qualifications in Management, and Indigenous research and Development.



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).

Central Australia



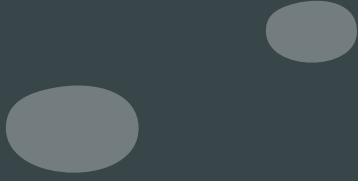
Carol Smith | Director

Carol is an Arrernte woman from Central Australia, having been born and raised in Alice Springs.

Carol initially studied for a Bachelor of Law at the Queensland University of Technology whilst working as a Field Officer at the Aboriginal & Torres Strait Islander Legal Service in Brisbane. Carol was then successful in obtaining a Cadetship with the Defence Material Organisation (DMO) of the Department of Defence, where she continued my studies and completed a Graduate Diploma of Legal Practice at the Australian National University. After she graduated, Carol was employed by the DMO as a Contract Officer. Carol returned to Alice Springs in 2011 and was admitted to the NT Supreme Court in 2012.

Since being admitted to practice, Carol has worked for the Central Australian Aboriginal Family Legal Unit (CAAFLU) in Alice Springs and the Domestic Violence Legal Service in Darwin.

Carol is currently employed as a Solicitor with CAAFLU, providing advice and representation to Aboriginal victims of domestic violence.





Leisa Mccarthy | Director

Leisa McCarthy is a Warumungu woman from the Tennant Creek region and grew up in Alice Springs and the Top End. Leisa's professional background is a Public Health Nutritionist with a 25-year career in Aboriginal health within Government and the Aboriginal Community Controlled Health sectors. For the past 10 years Leisa has worked in health research, specifically in the Aboriginal community control and management of health research and in Aboriginal social and nutrition research. During this time Leisa studied and obtained a Doctor of Philosophy in Public Health Nutrition. With Leisa's experience as an Aboriginal health researcher, for the past four years has had membership as an independent Aboriginal researcher on the Central Australian Aboriginal Congress Aboriginal Corporation Board Research Subcommittee.

Katherine



Joe Carter | Director

Joe comes from the Warrumungu (Tennant Creek) and Anmatjere (Ti Tree) peoples in Central Australia. He has worked at the senior management level for over 20 years in Aboriginal organisations and government agencies. Joe has worked in Aboriginal Affairs since the early 1980's, and he has been a member on many boards & committees over the years. He has travelled extensively through the NT visiting almost every remote Aboriginal community. He has established many networks and friends in his travels in the NT and nationally.

Joe is currently the Regional Housing Manager for the Barkly Region based in Tennant Creek.



Geoffrey Shannan | Director

Geoffrey was born at Philip Creek Mission and attended Kormilda College in Darwin. Geoffrey has his Diploma of Teaching and has worked as a teacher at Ali - Curung. Geoffrey has his Mental Health Certificate II and worked in the Julalikari Night and Day Patrol.

He worked as a Community Cultural Advisor at Julalikari and was an interpreters for the Aboriginal Interpreter Service.



OVERVIEW OF OPERATIONS

PRINCIPAL LEGAL OFFICER'S REPORT



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

The year of Indigenous Languages

As we celebrate the 2019 International Year of Indigenous Languages we should recognise the continued importance of Aboriginal languages and the role of interpreters in the Northern Territory. The work of the Aboriginal Interpreter Service interpreters is critical to the functioning of the justice system as a whole in ensuring that Aboriginal people are able to participate, understand and access justice.

The protection of this human right for Aboriginal people is fundamental to workings of NAAJA in ensuring people's ability to understand, communicate and make informed decisions in their own language when engaging in areas of health, justice, government and services.

NAAJA creates a legal practice that meets the needs of Aboriginal language speakers and Aboriginal

sign users. All staff as part of their induction will undertake training in working with interpreters and learning the skills of instruction taking, advocacy and representation and with regular ongoing training.

Our service seeks to assist Aboriginal language speakers throughout their legal cases from the first point of contact with police in custody through the Custody Notification service, clinics, Court matters and court based outcomes.

NAAJA recognises the great value of its own staff who are Aboriginal language speakers. Our service has provided for regular Community Legal Education services in 2018 in remote Arnhem communities by Yolngu language speakers by NAAJA Yolngu staff.

Legal Services to Central Australia and the Barkly Region

From the 1 January 2018, NAAJA has provided legal services in Central Australia and the Barkly Region as the first Aboriginal legal service provider for the whole of the Northern Territory. NAAJA has sought to continue the proud tradition of the CAALAS in meeting the unique and important needs of Aboriginal people within these regions.

NAAJA has increased its number of the Board of Directors to include Aboriginal men and women from Central Australia and the Barkly Region who provide for the strategic direction of our legal services. Our service has seen the continuation of ongoing CAALAS staff and the importance of their knowledge, skills and work for our people.

NAAJA has recognised the requirement of increased resources and needs for Alice Springs in providing a specialist Youth Team for Central Australia of lawyers, client service officer for youth and

Indigenous Youth Justice Worker. Our youth team provides comprehensive and culturally appropriate services for youth who may present with complex issues, mental health needs, FASD or disabilities. The work and dedicated commitment of our youth team during this period has led to greater outcomes for youth as a central issue nationally and the Northern Territory through past and present members of Rachel Gregory, Lucy Patterson, Kiyomi Noble, Derek Denton and James Lowery.

NAAJA is now able to provide specialist services for Aboriginal youth in Central Australia in youth justice and care and protection matters. We continue to practice and achieve trauma informed, culturally proficient and model services through training on trauma, cognitive brain development, FASD of children and with the inaugural Children's Court Practitioners conference that was attended by NAAJA, NTLAC, DPP and police.

“Continue to grow as a strong as a leading Aboriginal organisation.”

Valuing our Aboriginal Staff

NAAJA is the largest employer of Aboriginal people who work within the justice system of the Northern Territory. Our organisation is focused to ensuring our workplace is more responsive to the needs of Aboriginal staff and how we attract and retain people. From 2018 NAAJA has employed Aboriginal staff from Central Australia who bring to the organisation extensive cultural knowledge and skills for our services and the community.

Our organisation is Aboriginal led and governed by an Aboriginal Board of Directors, Executive of Chief Executive Officer and Principal Legal Officer, Managers, lawyers, client service officers, personal administration assistants and caseworkers. A key feature of NAAJA as a culturally proficient legal service is the learning and guidance to all staff through a cultural framework, inductions, and cultural tours for all offices in Alice Springs, Katherine and Darwin.

Language and the Law Conference in Alice Springs

NAAJA and its staff value the importance of the role of Aboriginal languages in working in the legal system. The importance of working with interpreters has occurred through training with

staff of the Aboriginal Interpreter Service and for many staff to attend the Third Language and the Law Conference in Alice Springs in April 2019.



Solomon Islands Partnership Project

In 2018 and 2019 saw the continuation of NAAJA's partnership with the Solomon Islands Justice Project for indigenous Solomon Islander lawyers and paralegals who have sponsored placements at our Darwin office. NAAJA is committed as a First Nations organisation to work with and assist other Indigenous people and nations as a great

opportunity for Indigenous lawyers to meet and compare practices and issues.

In sharing knowledge and experiences for the first occasion a NAAJA Aboriginal lawyer Micah Kickett was sponsored to go to the Solomon Islands at Honiara.

An Ethical and Cultural Legal Service

As an Aboriginal Principal Legal Officer I am very committed to share my knowledge and to teach all staff of the importance of our work for Aboriginal people. In 2018/2019 I have conducted a number

of CPDs for lawyers on 'Being an Ethical ALS lawyer', 'Advocacy and Aboriginal witnesses' and 'Conducting a Supreme Court Plea in the Local Court'.


“To assist and empower Aboriginal people and communities to engage with the legal system.”

A Custody Notification Service for the Northern Territory

In April 2019, NAAJA commenced a Custody Notification Service (CNS) for the Northern Territory for Aboriginal adults and youth who are in police custody. This key service for the Northern Territory reflects the needs and concerns of vulnerable Aboriginal people stemming from the Royal Commission into Aboriginal Deaths in Custody and

the Royal Commission into Youth Protection and Detention Systems.

The CNS is a partnership between the Commonwealth, Northern Territory Government and NAAJA to ensure that vulnerable Aboriginal people can speak with our service on a 24 hour basis.



NAAJA CNS is geared to the particular needs of the Northern Territory of a team of dedicated Aboriginal CNS workers who are highly skilled professionals, caseworkers, language speakers and justice workers. Our team is able to identify

the range of needs of Aboriginal people in police custody such as ensuring that they have access to an interpreter and in referring Aboriginal people to health, legal, and support services on peoples release from police custody.

“To lead justice reform.”

Leading Reform

During 2018/2019 was a key year for the Northern Territory justice system in which NAAJA has led and brought about reform on a wide range of issues. NAAJA has been productively involved in a range of Commonwealth and Territory government reforms following on from the Royal Commission into Institutional Child Abuse, Royal Commission into Child Protection and Detention Systems of the Northern Territory.

Our service has also been engaged in Northern Territory policy reform for Aboriginal people of Local Decision Making and the draft Aboriginal Justice Agreement. NAAJA has made a submission to the Productivity Commission on the ‘Expenditure of Money on Children in the Northern Territory’ on waste, management and barriers for Aboriginal for children, families and kinship carers. NAAJA is also a representative on the new tripartite arrangement of the Commonwealth, Northern Territory Government and non-government agencies for the better coordination of services and their delivery.

Our reform commitment has been led by dedicated and hardworking NAAJA staff of Clare Parsons, Lauren McCauley and Kristy Bloomfield who have led our responses to legislative changes, policy development and needs, strategic reforms that reflect the perspectives of Aboriginal people and the cultural learnings of our staff and service.

NAAJA has been working with other legal services and non-government organisations with the Office of Territory Families for legislative reforms in respect of the Care and Protection Bill of 2019 and Youth Justice and Related Legislation Amendment Bill of 2019.

Our service has sought to hold government to account where reforms do not hold to international human rights as with ‘use of force and restraints’ and ‘continued isolation’ of children in detention. NAAJA’s has given evidence to the Social Policy Scrutiny Committee of the Northern Territory Legislative Assembly on the human rights principles and Aboriginal perspectives of important issues for Aboriginal youth of ‘raising the age of criminal responsibility’, arrest by police as a last resort, bail law reforms and protection of the privacy and confidentiality of children in Court proceedings.

In February 2019, Clare Parsons and Kristy Bloomfield appeared at the United Nations, Human Rights Committee in Geneva to address the importance of empowering Aboriginal decision making, kin, culture and language when it comes to the care and protection of Aboriginal children in the Northern Territory.

“To co-ordinate meaningful Partnerships and Relationships.”

Partnering with Aboriginal Medical and Health Services

NAAJA believes in the importance of creating partnerships with Aboriginal medical services to meet the health needs of Aboriginal children, youth and adults in the justice system and detention or prison.

NAAJA has a key partnership with Central Australian Aboriginal Congress for the provision of psychological reports and FASD assessments for children in detention at the Alice Springs Youth Detention Centre. NAAJA similarly has a key partnership with PATCHES in Darwin for the provision of similar reports for Darwin and are integral in identifying the diagnosis of children, formulating case plans and treatment.

Our service is also committed to working in partnership with Aboriginal Community Controlled Health services to improve health and legal outcomes for people in our communities. Our focus has been developing the Mäwaya Health Justice program with Miwatj Health Aboriginal Corporation, and for people in Nhulunbuy, Gunyangara and Yirrkala. Evidence shows addressing unmet civil legal needs improves health outcomes and serves as an early intervention and preventative measure. People are also more likely to talk to a health professional about an unmet civil legal problem, and through improved identification of legal issues and integration of services we are seeking to also improve health outcomes.

The Mäwaya Health Justice program is the first of its kind between two Aboriginal Community Controlled health and legal organisations in Australia and we are currently seeking funds to formalise the program into a Health Justice Partnership.

“I would like to thank NAAJA’s lawyers and staff, senior executive management and NAAJA Board for the hard work, vision and empathy for making our organisation a truly unique Aboriginal organisation.”



David Woodroffe

Principal Legal Officer

ROYAL COMMISSION INTO THE PROTECTION AND DETENTION OF CHILDREN IN THE NORTHERN TERRITORY (RCPDCNT) REPORT



The Children's Court Practitioners Training Conference in Darwin, March 2019.

NAAJA was intensively involved in the Royal Commission into the Protection and Detention of Children in the Northern Territory (RCPDCNT), appearing as a party at all public hearings, providing an legal advisory service (CICAYDAS) and assisting and representing clients who gave evidence, and developing detailed policy submissions that reimaged the way that the youth justice and care and protection systems could work to support better outcomes for Aboriginal children, families, and communities.

Aboriginal children still continue to make up the overwhelming majority of children in detention in the Northern Territory, and as such the issues examined by the RCPDCNT remain central to the work that NAAJA does. Since the RCPDCNT handed down its final report in November 2017, NAAJA has been actively involved in advocacy regarding implementation of the 227 recommendations that were made.

NAAJA was fortunate to have Clare Parsons in the role of Royal Commission Coordinator for most of the 2018/19 financial year. Clare was a key member

of the small team originally established at NAAJA to drive our organisational response to the RCPDCNT during its inquiry. Clare's in depth knowledge of the issues and ongoing commitment to seeing meaningful change in the youth justice and care and protection systems in NT has been invaluable to NAAJA's ongoing advocacy in this area, and we wish her well in her position with the Aboriginal Justice Unit of the Department of the Attorney General and Justice.

NAAJA provides a broad spectrum of services to Aboriginal young people throughout the NT and its varied urban and remote areas. These services range from representation for criminal matters, advice and representation for civil matters including complaints, and therapeutic case management from the NAAJA Youth Throughcare teams. We have unique insight and institutional knowledge of the problems faced by young people in the youth justice and care and protection settings, including during interactions with police. Much internal consultation occurs between different sections of NAAJA and the Royal Commission Coordinator to ensure that senior management are well briefed on ongoing and emerging issues so that any concerns can be acted on accordingly. During 2018/19 NAAJA continued to pro-actively raise issues relating to the wellbeing of children in the youth justice and care and protection systems in the course of regular meetings with the Northern Territory Government, and the Office of the Children's Commissioner. We will vigilantly maintain this going forward.

During the 2018/19 financial year, NAAJA also participated in a number of forums related to the implementation of the Commission's recommendations and the monitoring of progress in this regard. Such forums included the Children and Families Tripartite Forum, the Legislative Amendment Advisory Committee and Territory Families Youth Justice Operations meetings. NAAJA provided feedback on specific legislative reform including the Care and Protection of Children Amendment Bill 2019, and the Youth Justice and related Legislation Amendment Bill 2019, appearing before the Social Policy Scrutiny

Committee in relation to the latter. In response to a recommendation from the RCPDCNT, the Productivity Commission undertook a study of Expenditure on Children in the Northern Territory. NAAJA made a detailed submission to this Productivity Commission study, identifying gaps in service delivery and barriers experienced by our clients when seeking to engage with services. We also provided feedback to the Kendrick Review into administrative systems, procedures and records in the detention setting.

NAAJA is represented on the various working groups overseeing the design of new youth detention facilities in Darwin, Alice Springs and the Barkly. Our contributions to these working groups have been enriched and informed by our contact with experts from Diagrama, in Spain, about the best practice model that exists there. We have also continued to work closely with the Northern Territory Government on a range of reforms aimed to make the detention setting safer and more culturally appropriate for clients who are accommodated there. This includes the development of an Aboriginal elders and mentors framework, and a culturally appropriate mediation policy to address conflicts in detention centres. We have also provided input in relation to establishing the position of an Aboriginal Children's Commissioner in the NT, and look forward to progress in this area given the vital importance of such a role in the NT setting.

NAAJA staff have contributed to the provision of programs and support to children in detention in a range of ways, through the Community Legal Education sessions provided by our Law and Justice Section and through activities staff undertake on a voluntary basis in their own time, such as mentoring and the Serving Thyme cooking program. During critical situations such as the fire that occurred at Don Dale in late 2018, NAAJA staff from various sections rallied to provide swift responses aimed at protecting the safety and wellbeing of the clients affected.

In 2019, the funding and establishment of a Custody Notification Service (CNS) at NAAJA put into practice a recommendation made by the RCPDCNT, and a previously outstanding recommendation from the Royal Commission into Aboriginal Deaths in Custody. This Service plays a crucial role in monitoring and safeguarding the wellbeing of Aboriginal people in police custody.

The RCPDCNT also highlighted the need for a greater level of specialisation amongst professionals working with children in the youth justice setting. NAAJA is a member of the

Children's Court Training Steering Committee, which encourages and facilitates specialist, trauma informed and appropriate responses to children appearing at court. We also sit on a working group overseeing the development of a specialist Youth Court in Alice Springs. NAAJA played a significant supporting role in organising the Children's Court Practitioners Training Conference that was held in Darwin in March 2019, which brought together passionate youth advocates and promoted best practice, innovative and expert approaches to working with vulnerable youth.



NAAJA staff Clare Parsons and Kirsty Bloomfield at the United Nations in Geneva.

In the area of care and protection, NAAJA was a steering committee member in relation to SNAICC's development of an out of home care (OOHC) strategy for Central Australia. We continue to be involved in work concerning the transfer of OOHC to the Aboriginal Community Controlled Sector. On the world stage NAAJA was extremely proud to be represented by our staff Kristy Bloomfield, Law and Justice Officer, and Clare Parsons, Royal Commission Coordinator, at the United Nations in Geneva. In this forum Kristy delivered a statement by NAAJA which highlighted the need to empower Aboriginal decision making in the care and protection setting, and the importance of connections to kin, culture and language.

NAAJA has continued to collaborate with other Aboriginal organisations and NGOs on youth justice and care and protection policy issues through alliances such as Making Justice Work and Central Australian Youth Justice (CAYJ). NAAJA shares the concern held by advocates and organisations across the youth sector about the lack of funding from the Commonwealth government for the implementation of the RCPDCNT's recommendations. We have engaged with Ministers and parliamentarians at both the NT and Commonwealth levels of government about the need for resourcing the implementation of recommendations, and for gaps in service delivery to be filled. During 2018/19 this included meetings

with senior members of government such as Hon Mark Dreyfus QC MP, Senator Malarndirri McCarthy and former Senator the Honourable Nigel Scullion.

Since the final report of the Royal Commission into the Protection and Detention of Children in NT was handed down in November 2017, some promising steps have been made towards the much needed redesign of the youth justice and care and protection systems in the NT. However there is still much to be done, and progress in some areas has been slower than hoped. Crucial areas that are yet to be progressed include raising the age of criminal responsibility from 10 to 14; and more clearly expressing the principle of arrest as last resort in legislation so that police compliance with this principle will be improved.

“NAAJA will continue applying pressure advocating on these issues, given their centrality to the daily experiences of our young clients and the need to stem the poor outcomes that continue to flow all too frequently for children interacting with the youth justice system.”



Lauren Macaulay

Policy Co-ordinator

The RCPDCNT was a critical moment in time for the NT and Australia more broadly; and the outrage, compassion and drive for meaningful change that it sparked remains a powerful and palpable force. NAAJA will continue our work in the post-RCPDCNT landscape, advocating for the implementation of recommendations and closely monitoring progress in this regard. In doing so, we will be guided by the experiences and interests of our clients, and our enduring belief in the potential for youth justice and care and protection in the NT to be the therapeutic, safe, and culturally appropriate systems that Aboriginal families and the broader community need them to be.



DARWIN CRIMINAL LAW SERVICE REPORT

High Quality Legal Services

Darwin Criminal section fulfils a vital role by offering high quality, culturally proficient, front-line legal services to our clients. Client Service Officers, lawyers, administrative assistants, a Youth Justice Worker and the interns of the Criminal Section work tirelessly together and strive to deliver just outcomes for our clients. However we operate in a system beset by challenges.

The 'tough on crime' rhetoric prevails in the Northern Territory. The impact of the harshly punitive criminal law is overwhelmingly felt by

Aboriginal people. Aboriginal women in particular are disproportionately represented in the criminal justice system and are the fastest increasing group in the prison population. At the time of writing the prison population in Darwin has swollen to an all-time high. There is no repeal or even reform of the mandatory sentencing regime in sight. The recommendations put forward by NAAJA to the Australian Law Reform Commission Inquiry into the incarceration rate of Aboriginal and Torres Strait Islander peoples in 2017 have been unheeded.

Court Advocacy

NAAJA was extremely fortunate to have Phil Boulten SC volunteer his time and expertise in 2018 and 2019. NAAJA was given leave to file written submissions in relation to the special leave application in the High Court in the case of *The Queen v Singh*. Marty Aust is General Counsel. He has been involved in the High Court matters, has been successful in the Northern Territory Court of Criminal Appeal and regularly appears in complex jury trials before the Supreme Court with a high rate of success for our clients.

Julian Murphy is our Appeals Practice Manager. He took extended leave recently to study for the

bar and has been replaced in this role by Elana Scoufis. Julian and Elana co-ordinate the appeals practice across all the offices including Alice Springs and Katherine to ensure a quality controlled cohesive approach to appeals. We are actively instituting appeals where we have outcomes which we deem to be unfair, unjust or erroneous.

Senior lawyers Jalal Razi, Gabriel Chipkin, Elana Scoufis and myself all appear as lead counsel in complex jury trials. Not every trial is won but each is fought with determination and excellent forensic analysis.

East Arnhem

At the end of 2018, the Manager of East Arnhem Natalie Elliott and her partner welcomed their first child and re-located to Melbourne. The incoming East Arnhem Manager Daniel Thomas has been based in Nhulunbuy for twelve months.

While based in Nhulunbuy, Daniel has continued to develop the strong relationships NAAJA has in the East Arnhem region with the community and key stakeholder organisations. This has included being

able to conference clients and meet families with Yolngu Matha interpreters in remote Homelands, such as Bukudal and Dhalinybuy Homelands, conferencing and assisting persons (and their families) who have been charged and arrested, and being a point of contact in Nhulunbuy, Yirrkala and Gunyangara for Aboriginal people seeking legal assistance. Daniel has also been able to support persons remanded in custody in Darwin

or Katherine from East Arnhem, through assisting family members and friends to provide letters in support of a client's character, post-release plan or bail proposal, leading to improved outcomes in the Local and Supreme Courts for clients.

Daniel presented at the 2019 Dirramu Wellbeing Camp at Garrthalala in June 2019, the annual Boys' Wellbeing Camp run by the Laynhapuy Homelands Aboriginal Corporation for persons aged 13-18 years old living in the Laynhapuy Homelands region.

The Layna Youth Program thanked NAAJA for its presentation on the topic of "Dirramu Balanda Law". Daniel was particularly privileged to be shown the Country by Traditional Owners, the Yirrkala Rangers and the camp's participants.

The East Arnhem team continued to enjoy the invaluable work of experienced client service officers (CSOs) Harold Dewis and Travis Carroll, and owes its success and good reputation in the East Arnhem region to their ongoing contributions.

Darwin Youth Team (Crime)

Following the Royal Commission into Youth Detention and Child Protection the landscape of youth justice in Darwin over the past twelve months has been one of gradual change. There has been a decline in young people remanded in detention with courts granting young people bail to supported bail accommodation. A large number of young people are being referred to diversion which has seen a decline in young people facing charges in court.

The Youth Team have played a pivotal role in advocating for young people and in keeping young people out of detention. The Youth Team is committed to ensuring young people's voices and perspectives are heard within the criminal justice system. The Youth Justice Worker role continues to do crucial work with Joanne Edwards, and now Megan Donahoe, working closely and collaboratively with lawyers, young people, their families and other agencies to develop responsive

individual case plans. Phillip Carroll with his experience in mental health issues, disabilities and education has once again taken on the role of Youth Client Services Officer. His dedication to our clients supports young people remaining out of custody. NAAJA continues to recognize the need for specialist youth lawyers and the dedicated lawyers in the Youth Team and Solicitors James Lowrey and Micah Kickett are committed to meeting the complex needs of NAAJA's most vulnerable clients.

The challenges of youth justice remain. There is a high level of scrutiny on youth offenders and the Youth Justice Court by both the media and the wider community. Despite the beginnings of change in the youth justice landscape, we still face significant challenges and the problems underlying youth offending remain. The Youth Team continues to advocate for ongoing change so that we can provide the best representation possible to our clients.

Cultural Proficiency

Cultural Competency continues to be a significant differentiator of NAAJA staff and our service delivery model. Many examples illustrate the knowledge and connections of NAAJA that allow for just and creative outcomes that maximise the involvement of people and their communities in Court outcomes. For example our client was found guilty by a jury after a trial in the Supreme Court and was due to be sentenced to a term of imprisonment. Nevertheless his lawyer convinced the Chief Justice to release him on very strict bail

so that he could attend to extended ceremonial business. The effort then involved an all of office co-ordination to ensure that our client was able to attend his very remote outstation and return to court some months later to be sentenced. The funeral ran late and an additional extension was granted by the court. The Bunnuwrra writing group wrote to the court to express the important role he serves within the community and the reparations he had made for his offending. The court took this into account when sentencing. Sadly mandatory

sentencing was still applicable and he was sentenced to a minimum term of twelve months.

In spite of the high level of cultural competency displayed in this case, it must be said that the NT Justice system itself has gone backwards in terms of its cultural competency. As submitted in NAAJA's 2017 submission Law Reform Commission this is because of several contributing factors:

- De-funding of community courts and the de-valuing of cultural authority across the justice system.
- Expansion of mandatory sentencing across sentences.
- Legislative prohibitions on the judiciary considering aspects of customary law and related limitations on the judiciary.
- Following 10 years of the Northern Territory National Emergency Response (NTER, or 'the Intervention'), a substantial increase across all aspects of the justice system with minimal Aboriginal involvement across these areas.
- The unaddressed access to justice issues including unmet legal need, the challenges of interpreting legal concepts in ways that are 'untranslatable', a busy and under-resourced court and legal services system and other access to justice issues.

Relationships

We value our close relationship with the Aboriginal Interpreter Service and regard it as a cornerstone in ensuring accessibility of the justice system for many of our clients. We continue to work collaboratively with counterparts at Northern Territory Legal

Aid and The Department of Public Prosecutions. We also have solid working relationships with Rehabilitation Services, Corrections, NT Police and Territory Families.

Staff

The Darwin Criminal Section presently consists of thirty-one staff: eighteen lawyers, five client services officers, a Youth Justice Worker, six personal assistants. As Senior CSO Harold Dewis manages his team of five CSOs and all of the bush courts run out of the Darwin office. Harold has been employed at NAAJA for over 10 years and is highly respected by the community and the judiciary alike.

Kacie Winsley is the senior secretary leading her team of six and ensuring that the office runs efficiently. The section would quickly come to a halt without the endless dedication of the PA team. Thank you to Kacie, Kate, Rachel, Lydia, Krisha, Kailin and Jenna.

Kate Redpath has been appointed as the Practice Secretary of the Criminal Section. The unrelenting workload of the criminal section requires meticulous organization and constant supervision. This is the first time the position has been held by a

member of the administrative team. In moving the position to the administrative rather than the legal team we are recognizing that the strength of our organization is based in the experience and loyalty of administrative and CSO teams.

“The Darwin team continues to work closely with our Katherine and Alice Springs Criminal Counterparts and collaboratively with the Civil Section, Throughcare, Community Legal Education and our new Custody Notification Service.”



Beth Wild

Managing Criminal Law Solicitor

CIVIL LAW SERVICE REPORT

We respectfully acknowledge the Larrakia people in Darwin, the Jawoyn, Dagoman and Wardaman people in Katherine and the Arrernte people of Mparntwe (Alice Springs) who are the traditional owners and custodians of the country on which we live and work. We also respectfully acknowledge our board, members and all nations of the Northern Territory, whose people, customs and traditions inform the work we do. The provision of a quality Aboriginal and Torres Strait Islander legal service is possible because we are Indigenous led, our work takes place on country, often in language, and is informed by the peoples we service.

NAAJA recognises the hard work and dedication of all current and past staff in the provision of a high quality, culturally proficient and accessible legal and justice services to Aboriginal and Torres Strait Islander peoples. In 2018/2019 NAAJA Civil, with a team of 23 solicitors, 12 client service officers and one child protection social worker, provided legal advice and case work to over 2734 clients. This includes opening 1845 new files and resolving 1595 matters. Individual solicitor's progress high file loads of around 120 files per annum with rigor, empathy and cultural sensitivity. We practice in over 16 areas of civil legal need such as Child Protection (180 matters), Consumer (254), Tenancy (355), Social Security (117), Police Complaints (387), Victims of Crime (362) and Motor Vehicle Accidents (183).

NAAJA Civil are proud to be able to offer regular legal clinics in very remote Northern Territory, providing services to the following communities on a regular basis; Alyangula, Ampilatwatja,

Barunga, Bickerton Island, Bulman, Beswick, Borrollola, Docker River, Galiwinku, Gapuwiyak, Jabiru, Kalkarindji, Lajamanu, Maningrida, Milikapiti, Milingimbi, Mutitjulu, Nhulunbuy, Numbulwar, Ngukar Oenpelli, Peppiminyati, Pigeon Hole, Pirlingimpi, Pulumpa, Ramingining, Santa Teresa, Ski Beach, Tennant Creek, Timber Creek, Utopia, Wadeye, Wurrumiyanga, Yarralin, Yirrkala, Yuendumu, Yuelamu. As the only civil law service that provides civil law legal assistance in a broad range of practise areas to very remote Aboriginal and Torres Strait Islander clients, we provided over 2000 points of assistance in Community in 2018/2019. Underpinning all interactions, including access to justice, between Aboriginal people and the dominant structural systems is a history of ongoing sociocultural and political isolation stemming from colonisation and its continuing, devastating impact on Aboriginal Australians and their culture. We believe that Closing the Gap means building trust and shifting control to enable Indigenous peoples to participate more effectively in managing their justice outcomes including accessing services, including justice and legal education, whilst living on country. We also believe that a vital step in improving Indigenous health and mortality rates is reducing stress related illness caused by unresolved justice issues. With barriers to accessing justice in the Northern Territory transcending significant geographical reach, language and culture, providing a very remote service is vital.

We continue to partner with the Aboriginal Interpreter Service to provide advice and casework in language, at every available opportunity. Access to justice starts with comprehension and the right to tell your story.

Finally we draw on the experience of our clients and our organization to inform and drive our law reform submissions in areas of systemic failure and legislative amendment including submissions to the following reforms; The NT Homelessness Strategy, Northern Territory Civil and Administrative Tribunal Amendment Bill 2018, Residential Tenancies Amendment Bill 2018, Social Security Legislation Amendment(Community Development Program) Bill 2018, Housing for Young People Program, ILAP review , Social Policy Scrutiny Committee Care and Protection of Children Amendment Bill 2019, Social Policy Scrutiny Committee Youth Justice Amendment Bill 2019 , Victims of Crime Reform Submission, Productivity Commission's Inquiry into Mental Health, the Department of Housing and Community on their draft Debt Management policy, Seizure and Forfeiture Provisions in the Liquor Act 1984, Liquor Act Amendment Bill 2018, Local Court Family Law Pilot evaluation, Productivity Commission review into expenditure on youth in the NT.

We would like to thank our pro bono partners for their continued support, advice, secondments and philanthropy which assists NAAJA to provide high quality legal services including Ashurst, King Wood Mallesons, Maurice Blackburn, the Human Rights Law Centre, Piper Ellis Lawyers, Halfpenny's Lawyers, the very many members of the NT and interstate Bar Associations and many more.

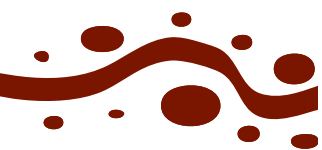
NAAJA civil also acknowledges the collaborative work that has occurred with other Aboriginal Community Controlled Organisations, such as MIWATJ Health, to empower Aboriginal led decision making and solutions. We value the ability to assist clients, who may not have otherwise accessed a legal service, by ensuring clients have trusted relationships formed by true community control.

"I thank and congratulate our talented, devoted and passionate staff for their continuing work."



Clara Mills

Managing Civil Law Solicitor



CUSTODY NOTIFICATION SERVICE REPORT



From right to left: CNS Coordinator Stephen Karpeles with CNS staff Ben Tait and Katie Davern at the CNS launch in Alice Springs.

2019 saw the commencement of NAAJA's Custody Notification Service or "CNS". The origin of the service can be traced to the 1991 Royal Commission into Aboriginal Deaths in custody with its twin aims of preventing avoidable harms in police custody for Aboriginal and Torres Strait Islanders and providing them with early legal advice to better equip them to understand and exercise their rights while in custody. In December 2018 the Commonwealth announced 3 years of funding for NAAJA to administer this service in the NT.

The service has been enabled by regulation requiring the NT police to notify NAAJA when an Aboriginal or Torres Strait Islander is taken into custody for new offending or on a warrant. The notification is made when police call a 24 hour telephone service. 6 specially trained NAAJA staff members, half of whom are Aboriginal, answer

the calls from police. Prior to commencing on the service and during its early stages, these staff members completed training focused on working with interpreters, trauma informed practice, suicide awareness and mental health first aid, understanding health risks for Aboriginal people in the watch house, cross cultural training, data entry and software, working with youth in the justice system, and hours of roles plays. In addition, an extensive manual has been developed to guide staff through the different and challenging situations they will encounter.

In order to reduce avoidable harms while in custody a key component of the service is to provide Aboriginal and Torres Strait Islanders in custody with reassurance and a wellbeing check. This is particularly important for vulnerable people like youths, breast feeding mothers, victims of domestic violence, disabled and chronically ill. The wellbeing check specifically identifies their needs and CNS

staff work with the police to ensure those needs are met while the person remains in custody.

The service also aims to refer people in custody to other service providers for assistance. In order to increase the number of service providers referrals, I've been meeting with stakeholders from across the Territory including AMSANT, Primary Health Care, Danila Dilba, Congress, Wurli, Saltbush, Red Cross, Territory Families, NTLAC, AIS, Regional Mental Health Services, and various residential rehabilitation providers. We are a new service and it has taken time to establish relationships these relationships so the process of identifying referral pathways and protocols with these services is on-going.

I acknowledge the central role the NT police play in the operation of the CNS. Without their support and assistance this service could not exist. In the spirit of cooperation we have worked closely with them to produce a detailed MOU which sets out how the service will operate. The CNS commenced with a trial period from the 11th June 2019 until the 31 July 2019 during which the service was governed exclusively by the MOU. This trial period enabled the NAAJA and NT police to identify and respond to difficulties in the service delivery.

On the 31st July 2019 the Police Administration Amendment Regulations 2019 were gazetted and the CNS became a legal requirement. The following month, CNS staff spoke to 372 people in police custody. In September this number increased to 395. In addition to providing legal advice and wellbeing checks, the vast majority of these people were referred to other service providers for assistance to address their on-going needs.

Despite this upwards trend in notifications, there is a significant shortfall in the number of notifications received compared with the number of people in custody, as well as between the number of notifications and the number of people we have been able to communicate with. The notification process has been a substantial change for the NT

police, who did not receive any additional funding to meet their CNS obligations. The introduction of the service has been met with resistance and confusion from a small number of officers based in some of the watch houses. A much larger number of officers have embraced the service and some have gone to great lengths to work with CNS staff to meet the needs of those people in their custody. I am pleased that the NT police command have been very supportive of the service and has remained receptive and willing to respond to my concerns around non-compliance. I expect that, over time, as awareness of the CNS increases amongst officers and notification becomes an accepted part of police practice, this shortfall will continue to decrease and a greater number of Aboriginal people in police custody will benefit from this important service.

The CNS was officially launched on a glorious Alice Springs morning on the 12th September. The launch was attended by the Honourable Dale Wakefield MLA, a delegate from the Minister for Indigenous Affairs Ken Wyatt and NT Police Commander Bradley Currie, all of whom spoke of their support for the CNS. It was appropriate that David Woodroffe, Priscilla Atkins and Beth Wild were also present because, without their hard work during the initial stages of this project, the service would not have commenced.



Stephen Karpeles

CNS Co-ordinator

LAW & JUSTICE SERVICE REPORT

“NAAJA to lead the delivery of high quality, culturally proficient and accessible legal and justice services.”

As a legal service and justice agency NAAJA is a national leader in its commitment to developing and strengthening the practice of cultural competency. This work is reflected in NAAJA's Cultural Competency Framework 2017 – 2020 (Framework). We have encouraged honest and open conversations in this space leading to changes to our section's practice. We identify the value and importance of improved cultural competency and have strived to improve in this space within the context of significant under-funding of legal services.

During the reporting period our section has:

- Facilitated cultural competency inductions and continued professional development for NAAJA staff including the flagship 1.5 day workshop connecting staff across Darwin, Katherine and Alice Springs. We have delivered external sessions including guest lecturing for university law students.
- Introduced cultural tours of Alice Springs (Mbantua) led by Kristy Bloomfield and Benedict Stevens and Darwin (Larrakia) led by James Parfitt (Fejo).
- Strengthened the reflective practice across our section and, where resources permit, have mentored and provided cultural supervision across NAAJA's practice.
- Led work nationally with the publication of 'Cultural Competency in a Legal Service and Justice Agency for Aboriginal Peoples' (Legal Education Review, Volume 28 Issue 2, 2018).

- Pro-actively supported the executive committee with organisational oversight of the Framework.
- Integrated notions of cultural competency and the Framework to our policy and law reform work. We understand that improving our cultural competency as an organisation builds our confidence and strength to make the case for broader, systemic reform and the need for reflective practice amongst the institutions and agencies involved in law in the NT.

We also thank Senior Indigenous Fellow at the University of Melbourne Law School Eddie Cubillo for providing pro bono assistance in conducting an independent review of the Framework during the reporting period. The results of the review informed ongoing development and strengthening of the Framework and practice.

To complement NAAJA's criminal law practice, our Community Legal Education (CLE) team have actively supported Law and Justice Groups (or Elder groups or cultural authorities or groups with their own names) in select communities by assisting with reference letters for court. This support was limited as we received no specialised funding. In many instances this support has been the only meaningful connection between Aboriginal cultural authority systems and the criminal justice system, and has led to alternatives to prison and more effective and culturally-informed options for sentencing.

Whilst this support has taken place across select communities, during the reporting period we were able to put in place a specialised project led by Kenisha Gumbula and Zhenia Kavunenko at Galiwin'ku (supported financially by the Northern

Land Council and with trust funds invested by the community). This specialised project included concerted CLE the week prior to court and work the week of court to link the Makarr Dhuni group more meaningfully to the criminal justice system.

“Continue to grow as a strong and leading Aboriginal organisation.”

During the reporting period we have:

- Had a 64% Aboriginal employment rate (at its peak) including a diverse mix of backgrounds and skill sets including lawyers and law students.
- Provided pathways for Aboriginal staff to gain more senior professional experiences, and have actively supported staff to study law.
- Delivered Aboriginal leadership in the context of the many external committees, directorships and contributions across the community and sectors.
- Represented NAAJA externally by bringing Aboriginal perspectives and contributing Aboriginal led activity to our organisational partners and professional relationships.
- Actively supported Aboriginal led innovation and creativity in law and justice programs.

“To assist and empower Aboriginal people and communities to engage with the legal system.”



11 Remote
Communities



32 Bush Trips



324 Legal Training
Sessions

Our Community Legal Education (CLE) service is a specialised practice that has maintained stability with our personnel and draws from a diverse set of backgrounds and skill sets ranging from legal practice to linguistics to best practice community

engagement and Aboriginal connections across the NT. Our CLE practice has served to prevent crime by increasing the ability of Aboriginal people to understand and navigate the legal system.

During the reporting period we have:

- Established a Central Australian CLE practice supporting the Girls Academy students at Yirara College, Family Violence programs at Alice Springs Correctional Centre, Akeyulerre (Healing Centre), Central Australia Aboriginal Alcohol Programs Unit and Drug and Alcohol Services Australia, Little Sisters and Karnte town camps amongst others.
- Established the NAAJA Legal Show with CAAMA Radio and as a regular podcast exploring CLE topics and current law reform and policy.
- Worked in collaboration with the NT Legal Aid Commission to deliver "Legal Crew" CLE at Don Dale Youth Detention Centre and the Alice Springs Youth Detention Centre.
- With the support of the Northern Territory Government have put in place an Alcohol Action Initiative and restorative justice training for Aboriginal community elders and leaders in the Northern Territory. Ann Ellison, as an Aboriginal and Torres Strait Islander person and law school and social work graduate with a strong background in mediation, led this work in Maningrida, Groote Eylandt, Tiwi Islands,

Wadeye and Gunbulunya. This project is funded until June 2020 and adds value to our overall practice and impact.

- Delivered CLE across the Northern Territory including Wadeye, Batchelor, Katherine, Ngukurr, Nhulunbuy, Galiwin'ku, Tiwi Islands, Gunbulunya, Kalkarindgi, Lajamanu, Ramingining, Maningrida, Yuendumu, Yuelamu, Utopia, Ampilatwatja, Atitjere, Engawala, Papunya, Mt Liebig, Haasts Bluff, Mutitjulu, Ntaria, Santa Teresa, Tennant Creek, Elliott, and other locations.

For the Top End of the Northern Territory, and in addition to the CLE we provided with funding by the Commonwealth Attorney-General's Department, we are funded by the National Indigenous Australians Agency to deliver Community Night Patrol Legal Training and Support in 10 communities. This greatly enhanced our capacity and coverage across these communities and regions. With NAAJA providing services for the Central Australian region, we lodged an application for similar training for Central Australian communities and are awaiting a formal response.

"To lead Justice reform."

Our section has and continues to provide Aboriginal perspectives including lawyer and law student perspectives to policy and law reform. Our contributions have reflected a holistic, systems-based and trauma-informed approach and we are clear and direct in how we address these distinct views.

During the reporting period our section led, or contributed to, a NAAJA submission to the Liquor Bill 2019, a paper to Territory Families following a visit to 3 youth justice centres in New Zealand, a presentation to the Aboriginal Peak Organisations NT Top End FASD Forum, a submission to the Department of Corrections Services feedback process for the provision of Transitional Accommodation, a submission in collaboration with Ashurst to Civil Litigation Reforms relating to

the Royal Commission Into Institutional Responses to Child Sexual Abuse, and the KPMG report on homelessness in the NT, amongst other policy and law reform initiatives.

During the reporting period Kristy Bloomfield of our section along with Clare Parsons attended Geneva to present to the United Nations Committee with oversight reviewing Australia's compliance with the Convention on the Rights of the Child. Kristy identified the key issues of greater Aboriginal involvement in Out Of Home Care (OHCC) and the importance of cultural plans for young people in the care of Territory Families. Kristy presented a Central Australian voice directly to the Committee and with views that were reflected in the Committee's concluding observations.

Our intent is to continue to influence policy and law reform in these areas and monitor progress of these matters over the long-term. We seek to support Aboriginal and lawyer voices at the

international level where this complements NAAJA's domestic policy and law reform. To support these efforts, please visit our website and click on the 'NAAJA International Fund' page.

"To coordinate meaningful Partnerships and Relationships."

Our section has developed a partnership approach aimed at increasing the access and participation of Aboriginal and Torres Strait Islander people in the studies and practice of law – the Bilata Legal Pathways Program (see www.bilata.org.au). During the reporting period we visited schools to engage students. We also actively assisted the Charles Darwin University Indigenous Pre-Law Program (coordinated by former NAAJA CLE Coordinator Ben Grimes), leading to increased enrolments of Aboriginal people studying law (including past high school students we have engaged). We coordinated a 'Cudgarees (female) and Canapes' event in Darwin and Katherine, building on the 2018 NAIDOC theme 'Because of Her, We Can!'. With support from the US Consul General Frankie A Reed, Native Hawaiian lawyer Jocelyn Doane was a key guest speaker alongside Aboriginal lawyers Natasha O'Connell and Stephanie Monck.

Following a number of years of pro-actively seeking financial support for a youth-led restorative justice 'Student Court' proposal and building on the thousands of peer-based youth justice models in the United States (and established evidence-based practice), unfortunately we discontinued our efforts to establish a model in Darwin. Although we had excellent and experienced personnel willing to lead this program, and active interest and support from Aboriginal law students and young people involved in the pilot, we were unable to secure sustainable funding.

Our section has coordinated NAAJA's intern placement program to connect interns from universities across Australia to our sections across NAAJA. Interns are highly valued and make significant contributions including to research and policy and law reform. We have also been pleased to receive excellent feedback regarding intern experiences.



Cudgarees and Canapes event in Katherine, July 2018. With NAAJA's support an Aboriginal employee in Katherine studying law following completion of the 2019 CDU Indigenous Pre-Law Program.

Our section has contributed significantly to the development of Winkiku Rrumbangi NT Indigenous Lawyers Aboriginal Corporation (see www.winkikurrumbangi.org.au). During the reporting period we also worked extensive hours to coordinate and prepare for the 14th National Indigenous Legal Conference and the 1st Indigenous Health Justice Conference (held 13-14 August 2019 – information to be presented in the 2019 – 2020 annual report).



John Rawnsley

Law & Justice Projects
Manager

ALICE SPRINGS OFFICE REPORT

It has been an incredibly busy and exciting year in the Alice Springs NAAJA Criminal Section. The Alice Springs Office is the newest addition to NAAJA having only joined the NAAJA team in January 2018 (formerly the Central Australian Aboriginal Legal Aid Service) and has embraced great change moving forward with positivity and great motivation for the future.

I would like to acknowledge all of the staff of Alice Springs NAAJA for their hard work and commitment to continuing to provide a dedicated and professional legal service to our clients in the Southern Region throughout the last year.

We have been working hard to meet the strategic goals of NAAJA in many different ways which are set out below.

The Criminal Legal Team – High Quality Legal Service


The Alice Springs Criminal law team consists of the Regional Managing Solicitor, The Criminal Practice Manager Jenna Charles, General Counsel, Tania Collins and 10 Criminal lawyers (consisting of 5 Criminal lawyers, 3 Senior Criminal lawyers and two specialised youth lawyers). This team of lawyers is supported to a very high standard by five Personal Assistants, four Aboriginal client service officers and an Aboriginal youth CSO who are key to keeping the practice running smoothly and ensuring clients are looked after in a culturally appropriate manner and assisted to engage with the section.

The team provides high quality Criminal defence services to Aboriginal and Torres Strait Islander people in the Southern Region of the Northern Territory who are charged with offending in the Youth Court, The Local Court and the Supreme Court of the Northern Territory sitting in Alice Springs. The PA's under the direction of the Criminal Practice Manager and Senior PA Gillian Taylor provide administrative support to the lawyers to ensure the practice is running smoothly and all our court dates are met. Our dedicated lawyers represent clients to Local and Youth Court contested matters (Not Guilty hearings) and also appear on sentencing hearings where a client wishes to Plead Guilty to charges.

The Senior Criminal lawyers work extremely hard to assist Aboriginal clients who are facing the Supreme Court in Alice Springs charged with the most serious of offending such as murders, serious assault matters, robberies and sexual offending. In the last year our team has represented clients in complex contested jury trials as well as regularly preparing pleas of guilty and complicated legal submissions in trials and in relation to appeal matters.

A special acknowledgment must go to Tania Collins our General Counsel who conducts our most serious matters in the Supreme Court and is a dedicated and learned mentor for the rest of the team.

The exceptional standard of legal representation our criminal team provides has been acknowledged at the highest levels. One example is from the Honourable Chief Justice Grant when he stated that in respect to one set of appeal submissions he received from NAAJA, that "...they were the best that he had ever seen in his time as a Judge". Also Her Honour Justice Blokland made a point of congratulating our team on our professionalism and standard of work when she presided over an Alice Springs Supreme Court sittings earlier this year.



We have also been very lucky to have the benefit of very skilled visiting Counsel such as Peggy Dwyer, Jon Tippett QC and Phillip Boulten SC assisting our team and clients in some Supreme Court matters this year. This has not only been a wonderful opportunity for our team's professional

development but has meant that our clients are also benefiting from some of the best lawyers in the country. We particularly extend our thanks to Phillip Boulten SC who conducted a week long Supreme Court trial in Alice Springs pro bono and delivered an educational CPD on Doli Incapax the same week.

Bush Courts

One of the most rewarding aspects of a role in our Criminal team is the bush court circuit work. In one calendar year our teams attend 162 Local Court sitting days outside of Alice Springs, so we spend a great deal of travelling in 4WD's across the stunning Central Australian and Barkly countryside. We send a team consisting of one or two lawyers and an Aboriginal Client Services Officer (CSO) to represent remote clients who are required to appear before the Local Court sitting at the communities of Ali Curung, Ti Tree, Tennant Creek, Kintore, Yuendumu, Papunya, Mutitjulu, Elliott, Arlparra and Ntaria. Our lawyers embrace the opportunity to learn about culture and the land when on community and when spending time with CSO's, sometimes even sharing a kangaroo tail with the interpreter and community members the day before court.

In June 2019 we were also very honoured this year to be welcomed to the community of Arlparra in Utopia at the first ever sitting of the Arlparra

Local Court in June 2019. Utopia Elder, Ray Loy delivered a welcome to country and Her Honour Judge McNamara spoke about the importance of the court travelling to Arlparra to see the Utopia country and communities first hand. The Judge also acknowledged the importance of bringing the court to the community rather than community members having to travel long distances to Alice Springs to answer bail or notices to appear.

At the bush court circuits the lawyers and CSO's work very closely with the exceptionally skilled Aboriginal Interpreter Service interpreters who attend every bush circuit and interpret the many different languages of the Central Australian and Barkly Region. The interpreters' dedication and support when assisting clients is crucial in ensuring that our clients meaningfully navigate and access the justice system and we thank the AIS team for their work with us in the last year.

Tennant Creek Office

We have faced some challenges in resourcing the Tennant Creek NAAJA office and maintaining a permanent legal presence in the community. Whilst we commenced 2018 with a permanent lawyer based in Tennant that lawyer was recalled to be based in the Alice Springs Office. The Tennant Creek office is currently staffed with a full time administration assistant Latenzia Grant who does a

wonderful job running the office. Each court sittings we send a team of two lawyers and one CSO for each Tennant Creek circuit. We recognise and acknowledge feedback that this is not the preferred system for the Community in Tennant Creek and are working to find resources for a permanent lawyer based in Tennant Creek.

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

While our criminal lawyers are experts in the law they are also keenly aware that often there are underlying issues that may contribute to the clients contact with the law such as mental health, homelessness or addiction. With this in mind we take a holistic approach to our representation and refer clients to other local services where needed such as Congress Social and Emotional Wellbeing

Service, DASA, BRADAAG, CAAAPU, Anglicare and the National Disability Insurance Scheme. We also actively engage with other NAAJA teams such as the Custody Notification Scheme team, the Civil law team and the and newly established Alice Springs Throughcare team so that the client can access all the different types of assistance that NAAJA can offer.

Access to Justice - To assist and empower Aboriginal people and communities to engage with the Justice system.

Our talented CSO staff, managed by Martina Whistler the Alice Springs Office manager and the Senior CSO Maxine Carlton, act as the first port of call for clients at the court house and at bush courts and ensure that our clients have access to a culturally appropriate conduit when talking to NAAJA and seeking representation. Together the CSO'S and Criminal Lawyers work closely ensuring that as per a client's instructions, appropriate family members are informed, references and other information to assist the client, are sourced and presented to the court in an engaging and meaningful manner.


Our Regional Managing Solicitor along with our Deputy Civil Managing Solicitor, Youth Through care manager, Kungas' Stopping Violence Program Manager and Law and Justice Manager of the NAAJA Alice Springs office attended the Elders Visiting Program Forum held in Alice Springs in September 2019. Each manager presented a short summary of the assistance that their sections can offer Aboriginal people in the Central Australian and Barkly Region. It was fantastic to see the united team at NAAJA Alice Springs working together to engage with and listen to the Elders' experiences, receiving feedback and answering the questions that the Elders had about NAAJA and the work that we do.

Increasing Cultural Proficiency

We have a very strong team of Aboriginal staff in Alice Springs who are dedicated to teaching the lawyers and other staff about their culture and learning. Both our Senior CSO Maxine Carlton and Kristy Bloomfield have delivered cultural awareness training to lawyers and staff about how to conduct themselves in a respectful and appropriate manner

when interacting with Aboriginal people both in town and in Communities. This training is invaluable in ensuring that we continue to deliver culturally proficient and appropriate services to our clients.

Our staff also attend yearly training with the Aboriginal Interpreters Service to continue the education of our staff regarding the need to use



interpreters as a priority when communicating with Aboriginal clients where English is not the client's first language. This training serves to remind

lawyers and staff alike of the dangers of gratuitous concurrence or misunderstandings occurring where interpreters are not used.

Youth Practice

The Youth Justice Court listings in Alice Springs are the highest in the Northern Territory. These high numbers are no surprise to our youth team who appear in the Youth court on most days of the week representing youth who have been charged with criminal offending. Our youth team consists of a Snr Youth lawyer, a Youth lawyer and a Youth CSO who do an amazing job of managing the large number of matters in the Youth Justice Court and demonstrate empathy and offer support to clients who present with often complex issues and needs.

The youth lawyers do not just limit their work to Alice Springs but also travel on remote circuit courts so that youth who appear in court on

Community also have the benefit of our youth teams' specialised expertise.

Our lawyers are also keen contributors to many youth justice forums and groups in Central Australia, the Regional Managing Solicitor is a member of the Project Reference Group for the Children's Court in Alice Springs, the Alice Springs Youth Justice Facility Working Group, the Barkly Youth Justice Facility Working Group and she also attends the Territory Families monthly operations meetings. Our Senior Youth Lawyer is a member of the Central Australian Youth Justice Group, the Children's Court Conference Sub – Committee and the Youth Proceedings Education Committee.

A Highlight

We were also honoured to receive a visit from the president of the Law Council of Australia (and advocate for the adoption of the Uluru statement from the heart) Arthur Moses SC in February 2019. Mr Moses met with some of our Senior Lawyers and Law and Justice Staff at our office and was particularly interested in our Youth Justice Practice and the attitudes of police towards youth in Alice Springs and Tennant Creek.

Mr Moses was so impressed with our team that he organized for four members of our Alice Springs team to travel to Darwin to meet with him and attend the Law Society Dinner where he was speaking. We were very grateful for the opportunity to again meet with Mr Moses and put the spotlight on the challenges that our clients face in navigating the Criminal justice system in the Central Australian and Barkly region.

To lead Justice Reform

The Alice Springs Criminal team are active contributors to NAAJA's contribution to law reform submissions on relevant topics. Our PLO gave evidence at the Social Policy Scrutiny Committee

regarding proposed amendments to the Youth Justice Act informed by the work of our lawyers around youth policing and prosecutions in Alice Springs.

The Regional Managing Solicitor is a member of and active contributor to the Project Reference Group for the Specialist Approach for the Domestic Violence Court alongside representatives from other Legal and Non-Legal stakeholders in Alice Springs.

The Regional Managing Solicitor and Criminal Practice Manager have also been working

collaboratively with the NAAJA Civil team to monitor the Alice Springs Correctional Centre's implementation of promised heat mitigation strategies following rioting over conditions during summer at the ASCC in December 2018 / January 2019. We appreciate the assistance and transparency of Corrections throughout that process.

Conclusion

Throughout the 2018/2019 year the Alice Springs Crime team have enjoyed collaborating with and the collegiality of the Darwin and Katherine NAAJA offices. We also extend our thanks to the Board, Priscilla Atkins and David Woodroffe for their strong leadership and support of the Alice Springs office.

"We look forward to continuing to assist and support Aboriginal and Torres Strait Islander people living in Central Australia and the Barkly Region to navigate and meaningfully engage with the Justice system and achieve the best possible outcomes for them."



Anna Gill

Regional Managing Solicitor



KATHERINE OFFICE REPORT



The 2018/19 financial year has been a challenging time in the Katherine office, and I am extremely proud of the manner in which our solicitors, managers and support staff have continued to provide the highest quality legal services to clients in our geographically and culturally diverse region. This report focuses chiefly on the activities of the criminal section.

Staff turnover continues to be a significant issue for the Katherine office, with many high quality and long-serving solicitors departing during this period. On the criminal side we farewelled Dr Russell Marks, Mahnoor Sikandar, Clancy Dane, Danny Zajd and Dominique Lardner. In recent months we have also said goodbye to Alzena Mariani and will soon lose Andrew McCowan to the Victorian Bar. The civil section has seen the departures of Jonathan Hall-Spence and Rachana Rajan and, significantly, long serving Katherine senior civil solicitor Brianna Bell.

High staff turnover rates remain an issue for our clients given the importance of building relationships in the work that we do. The loss of each solicitor means the loss of significant corporate, cultural and local knowledge which is not easy to replace. That said, we are fortunate that NAAJA continues to attract high quality professional staff and it would appear that following a year of high turnover we are entering a period of stability. Our new staff are highly skilled, enthusiastic and motivated to make a difference for our clients and aboriginal people in our region. Our criminal CSOs Natasha Chong and Sharon Macmillan continue to provide the highest levels of client service and are invaluable in ensuring that new staff, particularly those coming from interstate, are quickly trained in dealing with clients in a culturally proficient manner. The office continues to be ably supported by the administrative team headed by Office Coordinator

Anne Manfong, Criminal Secretaries Nardine Ferguson and Sarah Weavers, Administration Assistant Kathy Nilsen and Receptionist Sekari Butler.

Notwithstanding these staffing issues the criminal team in Katherine are leading the way in the provision of high quality legal services to our clients. Particular credit should be given to criminal solicitors Roisin McCarthy and Russell Marks (as well as Katherine office alumni Julian Murphy) for the immense work in the matter of O'Neill v Roy [2019] NTSC 23 and the subsequent Court of Appeal decision of the same name ([2019] NTCA 8). These cases sought to argue the fundamental right of persons to be free from Police interference in the privacy of their own homes, in the context of Police conducting "proactive compliance checks" by attending people's private residences in effect to see whether they were committing any offences. While the decision in the original appeal went in our favour, the Crown's appeal to the Court of Appeal was upheld. We have since drafted an application for special leave to the High Court of Australia, and the Katherine office will continue to provide input into the case should leave to appeal be granted. These sorts of matters are so important to the work that we do as an aboriginal justice agency, and it is pleasing that our small team can contribute to the development of the law in this important area.

More broadly, we continue to have great success in the conduct of contested hearing matters, and continue to provide high-level representation to clients all the way to the Supreme Court in the conduct of trials, plea hearings and appeals. It has been pleasing that our office has allowed criminal solicitors to further develop their skills in a superior court setting. The number of criminal lodgments in the Katherine Local Court has remained relatively steady, however the number of listings per file has

increased markedly which means that solicitors are spending more time in court per file than has traditionally been the case. There is no doubt that this has resulted in added pressure to the criminal solicitors who are working extraordinary hours to provide the necessary level of service to their clients. We have been working with the new Chief Judge Elizabeth Morris to implement strategies to overcome these long sitting days, and we welcome the commitment of extra judicial resources and the introduction of the new Katherine Local Court Practice Directions which aim to cap the number of sitting hours to a level commensurate with the Darwin and Alice Springs Local Courts.

“We have continued to work with the Chief Justice of the Supreme Court who has committed to regular sittings of that court in Katherine. It is of vital importance that the highest court in the Territory continues to have a visible and active presence in Katherine so that the community can see the business of that court and the important work it undertakes. There is a real and tangible benefit to clients from the Katherine region in having family members able to be present in court for their sentencing hearings which is often not possible when matters are heard in Darwin.”

The Katherine office has continued to provide valuable input into NAAJA's broader law reform agenda. In particular, it was pleasing to be able to meet with the authors of the review into forensic mental health services in the Northern Territory during the consultation process for their report. The lack of appropriate mental health services in

Katherine has been an issue for some time now and significantly impacts on our clients. It was pleasing to see the authors highlight the lack of services in the Katherine region in their now-published report as a matter requiring the urgent attention of Government. The introduction of the Custody Notification Service and associated strategic litigation following failures of Police to notify NAAJA of persons in custody (as is now required under legislation) will, given the historic issues in the Katherine region regarding custody notifications, be an area where our office will provide significant input.

A further pleasing aspect of the last 12 months has been the collaborative efforts of the criminal section and the Darwin-based Community Legal Education section in facilitating some innovative access-to-justice and aboriginal-led decision making projects in our regional areas. The continued championing of the Kurdiji Law and Justice Group in Lajamanu, as well as the Ngukurr Elders Reference Group has led to some significant sentencing outcomes for clients in those communities. It is pleasing to see the Local Court embracing these Law and Justice Groups and facilitating their meaningful involvement in sentencing for persons in those communities. I thank James Parfitt and the CLE team for their continued championing of these groups, and hope that these groups form the model for Aboriginal Law and Justice Groups as Government moves to implement the draft Aboriginal Justice Agreement.

The Katherine office has continued to work collaboratively with other stakeholders in the region. We have maintained close working relationships with Territory Families (particularly the YORET team), Community Corrections, the Strongbala Men's Health and Justice Program and

the Venndale residential rehabilitation facility. We have also been fortunate to further develop our partnerships with senior members of the bar who have offered their services to our clients on either a significantly reduced fee or pro bono basis. In particular I would like to thank Philip Boulten SC for continuing to provide his time and services to clients in our region, and look forward to him "treading the boards" in the Katherine Local Court again in 2020. Further to these partnerships it has been pleasing for NAAJA to have been able to have an active presence at community events such as NAIDOC week (hosting the Legal Services breakfast) and the Barunga and Kalkarindji Freedom Day Festivals.

"2020 represents an exciting time in the Katherine office, which will be marked by the opening of the new office on Third Street sometime in the first half of the year. The new office has been long overdue and the development of a new, larger, and more accessible premises represents a real statement of commitment by the organisation to the Katherine Region. We are very much looking forward to celebrating the opening of the new premises once work is completed."

As many of you are aware, next year after two-and-a-half years at the helm I will be stepping down from the role of Regional Managing Solicitor and returning to the Darwin office in a senior solicitor capacity. My time in Katherine has been both challenging and extremely rewarding on both a personal and professional level. The decision to leave was an extremely tough one, and I would like to take the opportunity to thank the NAAJA Board, Executive and all of the Katherine office staff for their tireless work and commitment to justice for our clients in the Big Rivers region.



James Stuchbery

Regional Managing Solicitor



INDIGENOUS PRISONER THROUGH-CARE SERVICE REPORT

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


NAAJA's Indigenous Throughcare Program (the Program) aims to reduce incarceration and recidivism rates by supporting Aboriginal people preparing to leave prison and detention through the delivery of intensive, high quality case management service provision that continues post-release. We provide support to help people in prison and detention develop strong and holistic post-release plans that address their goals, risks and transitional needs; and provide post-release support for as long as they wish to remain engaged in the Program and there is an identified need.

The Program and its clients continue to enjoy notable success. Since commencing in February 2010, case management support has been provided to 1102 clients. Only 143 of which (approximately 13.3%) have been returned to prison for re-offending or a conditional breach while participating in the Program. This figure continues to compare favourably with the NT recidivism rate of 60%, notwithstanding the measures are not directly comparable.

“Continue to grow as a strong and leading Aboriginal and Torres Strait Islander organisation.”

Highlights from the 2018/19 financial year include a more defined focus on the provision of support to young people in contact with the criminal justice system through the creation of a youth specific team within our Top End Throughcare Program and the growth of our domestic and family violence specific practice. While we are excited by these developments in the Top End, NAAJA has been concerned about the challenges our Palmerston-based team experiences providing ThroughCare support to clients in Central Australia ever since our merge with CAALAS on 1 January 2018. We are very pleased to report that this concern will soon be remedied. As a result of new funding from the

National Indigenous Australians Agency (NIAA), we will be extending our adult and youth ThroughCare programming into Central Australia and are looking forward to commencing service provision in the region in the 2019/20 financial year. While we can offer an Alice Springs based team what we consider to be a successful blueprint, we will be recruiting a local team who will give our ThroughCare programming in the region a particularly Central Australian flavour.



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

We continue to work hard to make sure clients living outside Darwin and the Palmerston area and their families are receiving a face to face ThroughCare service. We continue to emphasise the value of visiting our clients’ home communities to meet with their family, community members and their Eldership when formulating plans and providing post-release support. Visiting clients and their families on community remains a challenge due to the cost and the time expended, yet the value of face to face contact with our clients and their families cannot be understated. Without the on the ground contact with clients, their families and Elders we would not be able to continue assisting them to gain insight into the factors that contributed to the offending; help them come up with good responses and strategies to bring about the changes needed; and provide education about the legal system and, in particular, the workings of court or parole orders. We also consider we contribute to NAAJA’s community development aims enabling Aboriginal people to take collective action and generate their own solutions to common problems. We look forward to extending this practice into Central Australia as our team settles into the region.

We are grateful NIAA have announced funding for our Top End Indigenous Prisoners Throughcare Program to allow us to continue into the next financial year, but note there has been no increase to take account of our rising costs. Unfortunately this will result in the discontinuation of our prison-based parole specific ThroughCare support service provision at the end of the financial year.

This is of significant concern to NAAJA. We worry for Aboriginal people in prison with non-parole periods as part of their sentences, particularly if they are denied parole and have to reapply. For a lot of people in this situation, the issue resulting in their initial application being denied by the Parole Board relates to inadequate post-release planning. In the absence of assistance from a service like NAAJA Throughcare, it is very difficult for people in prison to develop an alternative plan for the Parole Board that addresses their concerns. We also note the reapplication process is self-directed and requires people in prison to write a letter to the Parole Board asking to be reconsidered. Given a high percentage of our clients do not have English as a first language and struggle with literacy, reapplying for parole without assistance is a significant challenge. We intend to pursue additional funding to remedy this situation in the next financial year.

We understand the soon to be released NT Aboriginal Justice Agreement will aim to reduce re-offending and incarceration rates of Aboriginal Territorians and, in doing so, may commit the NT Government to addressing the barriers Aboriginal Territorians face accessing parole and providing more post-release services to assist Aboriginal Territorians to successfully complete their orders. Given CAALAS and NAAJA have a demonstrated track record providing Aboriginal parolees with successful pre and post-release support, we will be encouraging the NT Government to consider funding a parolee specific service within our Throughcare Program.

“To lead justice reform.”

Given the work we do, members of the Throughcare Team are uniquely placed to contribute to NAAJA's law and policy reform work. Individual advocacy is a significant feature of the case management support we offer and we trust it opens up opportunities for government services to reflect on, critique and improve the systems our clients find themselves within. However, we also enjoy mature and professional working relationships with key stakeholders including NT Correctional Services (NTCS) and Territory Families and thus take our opportunities to engage in systemic advocacy at a more strategic level.

In addition to these elements of our practice, members of the Throughcare Team regularly provide expert opinion and participate in structured law and policy reform opportunities facilitated by NAAJA internally, other service providers and government. In particular, Throughcare has maintained a continued focus on the Recommendations of the Royal Commission into Youth Detention and Child Protection and is attempting to work with Territory Families by providing input about the proposed Youth Detention facilities in the NT using our unique perspective.

“To coordinate meaningful partnerships and relationships.”

Getting our work done relies on strong working relationships with key stakeholders. In particular, we would like to acknowledge the support and assistance we receive from NTCS and Territory Families – we rely on their help and cooperation to visit our clients in the NT's adult correctional facilities and youth detention centres; contribute to and build on the work undertaken by their staff; and maintain working relationships beneficial to the client once they leave a facility, particularly in

circumstances where NTCS or Territory Families remain involved. The willingness of NTCS and Territory Families to work alongside Throughcare undoubtedly makes our job easier and generates better results for our clients.

“Over the next 12 months we look forward to maintaining and further enhancing our working relationships, particularly in Central Australia.”



**Thomas Quayle and
Samantha Taylor-Hunt**

Throughcare Manager and Co-ordinator

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.



Criminal, Civil 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

Katherine Office

The Katherine Office provides legal services in criminal and civil 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.



Palmerston Office

The Palmerston office delivers Indigenous Prisoner Throughcare Services.



Alice Springs Office

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



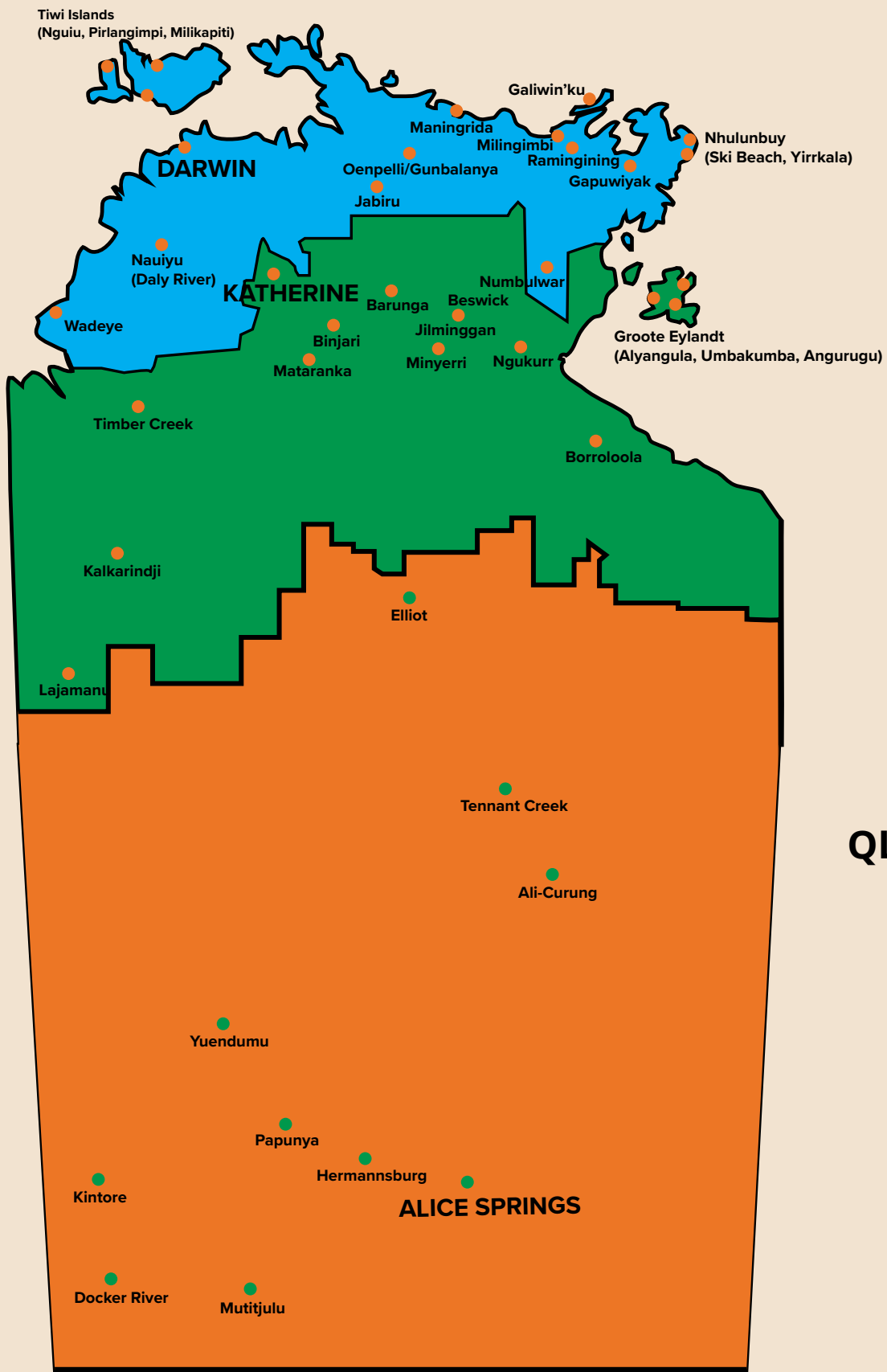
Criminal, Family & Civil Law

Provides high quality, culturally appropriate and accessible legal aid services in Darwin and Top End remote communities including Tennant Creek, Kintore, Hermannsburg, Papunya, Yuendumu, Ali-Curung, Elliot, Docker River and Mutitjulu.

Law & Justice Projects

Provides innovative law and justice programs in Community Legal Education.

NAAJA SERVICE DELIVERY AREA



WA

QLD

SA



NAAJA STAFFING

43% 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 2019 the following staff were employed by NAAJA:

Darwin Office

Executive

<i>Chief Executive Officer</i>	Priscilla Atkins
<i>Principal Legal Officer</i>	David Woodroffe
<i>Chief Finance Officer</i>	Madhur Evans
<i>Accountant</i>	Ruban Sivasubramaniam
<i>Payroll/Accounts Payable/Receivable Officer</i>	Rhiannon Pearson
<i>Trainee Finance Officer</i>	Chiarah Koops
<i>Executive Services Co-ordinator</i>	Kerry Keightley
<i>Receptionist</i>	Rebecca Spry
<i>Asset Management Officer</i>	Leah Dowler
<i>Casual Archivist</i>	Kodi Plane
<i>Executive Assistant</i>	Erica Harvey
<i>PLO Executive Assistant</i>	Jayde Kellie

Law & Justice Projects

<i>Law & Justice Projects Manager</i>	John Rawnsley
<i>Programs Officer</i>	Angie Torr
<i>Community Legal Education Co-ordinator</i>	Nina Ubaldi
<i>Restorative Justice Program Officer</i>	Ann Ellison
<i>Community Legal Educator</i>	James Parfitt Jamie Collins Zhenia Kavunenko
<i>Bilata Program Officer</i>	Mark Munnich

Custody Notification Service

<i>CNS Co-ordinator</i>	Stephen Karpeles
<i>CNS Solicitor</i>	Katie Davern Lola Owen
<i>CNS CSO</i>	Jan Ketchell Kira Dick

Indigenous Prisoner Throughcare Services

<i>ThroughCare Manager</i>	Thomas Quayle
<i>Assistant Manager</i>	Samantha Taylor-Hunt
<i>Office Manager</i>	Alana Sampson
<i>Senior Administration Officer</i>	Sharon Morris
<i>Domestic & Family Violence Team Co-ordinator</i>	Cindy Torrens
<i>Youth ThroughCare Project Manager</i>	Danielle Taylor
<i>Intensive Case Manager Domestic & Family Violence</i>	Salas Abraham
<i>Intensive Case Manager – Youth</i>	Amanda Cox
<i>Prison Based Intensive Case Manager</i>	Rachael Glaister Lavina Murray
<i>ThroughCare Intensive Case Manager</i>	Lana Miller
<i>Intensive Case Manager – Parole</i>	Jeff Prossor
<i>Senior Intensive Case Manager</i>	Matthew McCormack
<i>Throughcare Youth Support Worker</i>	Daniel Connop
<i>Youth Sports Access Coordinator</i>	Braedon McLean
<i>Senior Intensive Youth Justice Worker</i>	Joanne Edwards

Criminal Law Practice

<i>Managing Solicitor</i>	Beth Wild
<i>General Counsel</i>	Marty Aust
<i>Practice Manager</i>	Bronwen Robertson
<i>Managing Solicitor Youth</i>	Shannon Ramsay
<i>Appeals Practice Manager</i>	Julian Murphy
<i>Criminal Solicitors</i>	Sam Emery Elizabeth Colliver Micah Kickett Hannah Donaldson Olivia Freeman Gabriel Chipkin Brighid Feeney Alice Gardoll Elana Scoufis Harita Sridhar Jalal Razi
<i>Criminal Solicitor – Nhulunbuy</i>	Daniel Thomas
<i>Senior Criminal Secretary</i>	Kacie Winsley
<i>Senior Client Service Officer</i>	Harold Dewis
<i>Client Service Officers</i>	Travis Carroll Philip Carroll Caitlin Shepherd Darryl Hayes
<i>Secretaries</i>	Danielle Ponter Kate Redpath Kailin Rosas Lydia O’Grady Jenna Bell Rachel Ponter

Civil Law Practice

<i>Managing Solicitor</i>	Clara Mills
<i>Senior Solicitor & Welfare Rights Co-ordinator</i>	Matt Derrig
<i>Senior Solicitor & Intentional Tort Co-ordinator</i>	John Birrell
<i>Civil Solicitors</i>	Jane Quinlan Jordina Rust Amy Frew Eleanor Kay Nayomi Naranpanawa Uzma Sherieff Brianna Ganesharajah Michaela Vaughan
<i>Social Worker</i>	Dee Hamilton
<i>Practice Manager</i>	Allirra Petterson
<i>Senior Legal Secretary</i>	Viv Floyd
<i>Legal Secretary</i>	Kirby Fitzpatrick
<i>Client Service Officers</i>	Darryal Dockery Abby Wagner Marama Ngamoki

Katherine Office

Criminal Law Practice

<i>Regional Managing Solicitor</i>	James Stuchbery
<i>Office Co-ordinator</i>	Anne Manfong
<i>Criminal Solicitors</i>	Alzena Mariani Dominique Lardner Roisin McCarthy Daniel Zajd Andrew McGowan
<i>Senior Criminal Secretary</i>	Nardine Ferguson
<i>Criminal Legal Secretaries</i>	Sarah Weavers Katherine Nilsen
<i>Senior Client Service Officer</i>	Natasha Chong
<i>Client Service Officer</i>	Sharon MacMillan

Civil Law Practice

<i>Deputy Civil Solicitor</i>	Siobhan Mackay
<i>Senior Civil Solicitor</i>	Brianna Bell
<i>Civil Solicitor</i>	Nicole Stobart Jonathan Hall Spence
<i>Senior CSO/Legal Secretary</i>	Malama Talitimu-Higgins
<i>CSO/PA</i>	Chloe Harris O’Leary
<i>Administration Officer</i>	Narisha Watson
<i>Receptionist</i>	Sekari Butler
Royal Commission Team	
<i>Policy Co-ordinator</i>	Clare Parsons

Alice Springs Office

Executive

<i>Office Manager</i>	Martina Whistler
<i>Asset Officer</i>	Sonya Laughton
<i>Accountant</i>	MD Ziauddin
<i>Receptionist</i>	Codie Steen
<i>Administration Assistant</i>	Jodie Tilmouth

Criminal Law Practice

<i>Regional Managing Solicitor</i>	Anna Gill
<i>General Council</i>	Tania Collins
<i>Criminal Practice Manager</i>	Jenna Charles
<i>Senior Criminal Solicitor</i>	Clancy Dane
<i>Criminal Solicitor</i>	Catherine Voumard Anneke Bossard Jane Curnow Christine Carder Rice Danielle Cooper Holly Fitzsimmons Ben Tait Cassandra Leonard
<i>Senior Youth Solicitor</i>	Lucy Patterson
<i>Youth Solicitor</i>	James Lowrey
<i>Senior Client Service Officer</i>	Maxine Carlton
<i>Criminal Client Service Officer</i>	Sharon Bourke Kevin Corby Troy Appo
<i>Youth Client Service Officer</i>	Kiyomi Noble
<i>Senior Criminal Secretary</i>	Gillian Taylor
<i>Criminal Secretary</i>	Jeanette Tilmouth Judie Gibson Alison Laherty Michelle Wilson

Civil Law Practice

<i>Deputy Managing Civil Solicitor</i>	Katie Gordon
<i>Senior Civil Solicitor</i>	Sarah Black
<i>Family Solicitor</i>	Caroline Lewis
<i>Civil Solicitor</i>	Fatima Rauf Moga Ahmed Sophie Trevitt Shaun Rich Brittany Myers
<i>Civil CSO</i>	Megan Bathern
<i>Civil Secretary</i>	Denika Braun Derek McInnes Devina Lankin

Law and Justice Projects

<i>Law and Justice Project officer</i>	Kristy Bloomfield
<i>Community Legal Officer</i>	Sally Krutsch Bethany Uhe

Kungas Program

<i>Program Manager</i>	Miram Bevis
<i>Case Manager</i>	Michelle McMasters Chelsea Hayes Patrina McMasters

Tennant Creek Office

<i>Administration Assistant</i>	Latenzia Grant
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Volunteers

NAAJA has been fortunate to have the services of some 60 volunteers for 2018/2019 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 Northern Territory.

PERFORMANCE

Over the past ten years NAAJA's criminal matters have increased by 360%.

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Dutywork	1,754	1,146	1,672	2,035	2,505	2,855	2,965	2,280	1,916	2,287
Casework	4,580	5,142	4,745	5,205	5,577	6,378	6,124	6,019	5,303	17,313
Advice	68	62	352	635	781	863	950	1,016	957	4,073
Total Criminal	6,402	6,350	6,769	7,875	8,618	10,096	10,039	9,315	8,176	23,673
Total Civil Advice/ Casework	1,860	2,089	2,675	3,066	3,437	3,826	4,209	3,218	2,495	2,170

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 01 July 2015 - 30 June 2020.

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Statement of Profit or Loss and Other Comprehensive Income

For the year ended 30 June 2019

	Note	2019 \$'000	2018 \$'000
Revenue	3	20,034	16,503
Other income	3	180	247
Total Revenue		20,214	16,750
Employee benefits expense	4	(14,755)	(12,234)
Depreciation and amortisation expense		(413)	(407)
Finance costs		(86)	(86)
Repairs, maintenance and vehicle expense		(533)	(369)
Rental expense		(176)	(166)
Professional fees	4	(147)	(82)
Service delivery expense	4	(2,436)	(2,247)
Insurance		(178)	(99)
Administrative expense		(433)	(262)
Impairment loss	8	(1,123)	-
Other expenses		(448)	(364)
Total expenses		(20,728)	(16,316)
Operating surplus/ (deficit)		(514)	434
Net surplus/(deficit) for the year		(514)	434
Total comprehensive income/(loss) for the year		(514)	434

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

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Statement of Financial Position

As at 30 June 2019

	Note	2019 \$'000	2018 \$'000
Assets			
Current Assets			
Cash and cash equivalents	5	9,570	6,924
Trade and other receivables	6	30	31
Other Assets	7	107	-
Total current assets		9,707	6,955
Non-current assets			
Property, plant and equipment	8	4,477	4,812
Intangible assets	9	2	48
Total non-current assets		4,479	4,860
Total assets		14,186	11,815
Liabilities			
Current liabilities			
Trade and other payables	10	1,959	1,543
Borrowings	12	194	190
Employee Provisions	13	1,613	1,485
Other Liabilities	11	3,575	2,436
Total current liabilities		7,341	5,654
Non Current Liabilities			
Loans and borrowings	12	2,444	1,401
Employee Provisions	13	434	279
Total non-current liabilities		2,878	1,680
Total liabilities		10,219	7,334
Net assets		3,967	4,481
Equity			
Accumulated surplus		3,967	4,481
Total Equity		3,967	4,481

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

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Statement of Changes in Equity

For the year ended 30 June 2019

	Accumulated Surplus \$'000	Total \$'000
Balance at 1 July 2017	4,047	4,047
Total comprehensive income for the year		
Net surplus	434	434
Balance at 30 June 2018	4,481	4,481
Balance at 1 July 2018	4,481	4,481
Total comprehensive income for the year		
Net deficit	(514)	(514)
Balance at 30 June 2019	3,967	3,967

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

Statement of Cash Flows

For the year ended 30 June 2019

	Note	2019 \$'000	2018 \$'000
Cash flows from operating activities			
Receipt of grants		21,056	18,385
Cash paid to suppliers and employees		(18,379)	(15,578)
Other Receipts		211	227
Interest received		80	72
Finance cost		(77)	(86)
Net cash generated from operating activities		2,891	3,020
Cash flows from investing activities			
Proceeds from sale of property plant and equipment		7	12
Payment for property, plant and equipment and intangible assets		(1,155)	(207)
Net cash used in Investing activities		(1,148)	(195)
Cash flow from Financing activities			
Repayment of Borrowing		(190)	(184)
Increase in Borrowing		1,093	-
Net cash generated from/(used) in Financing activities		903	(184)
Net increase/(decrease) in cash and cash equivalents		2,646	2,641
Cash and cash equivalents at 1 July		6,924	4,283
Cash and cash equivalents at 30 June	5	9,570	6,924

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



North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to the Financial Statements

1. General Information

The financial report covers North Australian Aboriginal Justice Agency Ltd ('NAAJA') as an individual Company. NAAJA is a not-for-profit Company limited by guarantee, incorporated and domiciled in Australia.

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

2. Summary of significant accounting policies

Basis of Preparation

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

The financial statements are Tier 2 general purpose financial statements that have been prepared in accordance with Australian Accounting Standards – Reduced Disclosure Requirements, adopted by the Australian Accounting Standards Board and the Australian Charities and Not-for-profits Commission Act 2012. NAAJA 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 NAAJA'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 2019 were approved and authorised for issue by the Board of NAAJA on the 26th September 2019.

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

2. Summary of significant accounting policies (continued)

(a) Changes in accounting policy

AASB 9 Financial Instruments

The Company has initially applied AASB 9 *Financial Instruments* from 1 July 2018.

Due to the transition method chosen by the Company in applying this accounting standard, comparative information throughout these financial statements has not been restated to reflect the requirements of the new standard.

AASB 9 sets out requirements for recognising and measuring financial assets, liabilities and some contracts to buy or sell non-financial items. This standards replaces AASB 139 *Financial Instruments: Recognition and Measurement*.

As a result of the adoption of AASB 9, the Company adopted consequential amendments to AASB 101 Presentation of Financial Statements, which require financial assets to be presented in a separate line item in the statement of profit or loss and OCI. Previously, the Company's approach was to include any impairment of financial assets in other expenses, however there is a nil balance for 30 June 2019.

The Company noted there was minimal impact on transition to AASB 9.

(i) Classification and measurement of financial assets and financial liabilities

AASB contains three principal classification categories for financial assets: measured at amortised cost, Fair Value through Other Comprehensive Income (FVOCI) and Fair Value through Profit or Loss (FVTPL). The classification of financial assets under AASB 9 is generally based on the business model in which a financial asset is managed and its contractual cash flow characteristics. AASB 9 eliminates the previous AASB 139 categories of held to maturity, loans and receivables and available for sale.

AASB 9 largely retains the existing requirements in AASB 139 for the classification and measurement of financial liabilities.

The following table and accompanying notes below explain the original measurement categories under AASB 139 and the new measurement categories under AASB 9 for each class of the Company's financial assets and financial liabilities as at 1 July 2018.

	Note	Original classification under AASB 139	New classification under AASB 9	Original carrying amount under AASB 139 \$'000	New carrying amount under AASB 9 \$'000
<i>as at 1 July 2018</i>					
Financial assets					
Trade and other receivables	(i.a)	Loans and receivables	Amortised cost	31	31
Cash and cash equivalents	(i.a)	Loans and receivables	Amortised cost	6,924	6,924
Total financial assets				6,955	6,955
Financial liabilities					
Loans and borrowings		Other financial	Other financial	1,591	1,591
Trade payables		Other financial	Other financial	1,543	1,543
Total financial liabilities				3,134	3,134

(i.a.) Trade and other receivables and Cash and cash equivalents that were classified as loans and receivables under AASB 139 are now classified at amortised cost.



North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

2. Summary of significant accounting policies (continued)

(a) Change in accounting policy (continued)

(ii) Impairment of financial assets

AASB 9 replaces the 'incurred loss' model in AASB 139 with an 'expected credit loss' (ECL) model. The new impairment model applies to financial assets measured at amortised cost, contract assets and debt investments at FVOCI, but not to investments in equity instruments. AASB 9, credit losses are recognised earlier than under AASB 139.

The Company has determined that the application of AASB 9's impairment requirements at 1 July 2018 did not have a material impact on transition.

(b) 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 conditions are attached to the grant which must be satisfied before it is eligible to receive the 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.

When 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.

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 on an accrual basis using the effective interest method.

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

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

2. Summary of significant accounting policies (continued)

(c) Intangible Assets

Intangible assets are measured using the cost model whereby capital costs are amortised on a straight-line basis over their estimated useful lives, as these assets are considered finite. Residual values and useful lives are reviewed at each reporting date. They are subject to impairment assessment as described in Note 2(g). The following rates are applied:

Intangible asset	Amortisation rate
Software	50%

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.

(d) Property, plant and equipment

Property, plant and equipment

Property, plant and equipment is 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(g) for details of impairment).

Property, plant and equipment that has 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	2.50%
Motor vehicles	20%
Office Equipment	16% - 33%
Leasehold improvements	10%

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 revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained earnings.

(e) 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.

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

2. Summary of significant accounting policies (continued)

(f) Financial Instruments

Initial recognition and measurement

Trade receivables and debt securities issued are initially recognised when they are originated. All other financial assets and financial liabilities are initially recognised when the Company becomes a party to the contractual provisions of the instrument.

A financial asset (unless it is a trade receivable without a significant financing component) or financial liability is initially measured at fair value plus, for an item not at FVTPL, transaction costs that are directly attributable to its acquisition or issue. A trade receivable without a significant financing component is initially measured at the transaction price.

Classification and subsequent measurement

Financial assets - Policy applicable from 1 July 2018

On initial recognition, a financial asset is classified as measured at: amortised cost; FVOCI; or FVTPL. Financial assets are not reclassified subsequent to their initial recognition unless the Company changes its business model for managing financial assets, in which case all affected financial assets are reclassified on the first day of the first reporting period following the change in the business model.

Financial assets - Business model assessment: Policy applicable from 1 July 2018

The Company makes an assessment of the objective of the business model in which a financial asset is held at a portfolio level because this best reflects the way the business is managed and information is provided to management.

Financial assets - subsequent measurement and gains and losses: Policy applicable from 1 July 2018

Financial assets at FVTPL

These assets are subsequently measured at fair value. Net gains and losses, including any interest are recognised in profit or loss.

Financial assets at amortised cost

These assets are subsequently measured at amortised cost using the effective interest method. The amortised cost is reduced by impairment losses. Interest income is recognised in profit or loss.

Debt investments at FVOCI

These assets are subsequently measured at fair value. Interest income calculated using the effective interest method is recognised in profit or loss. Other net gains and losses are recognised in OCI. On derecognition, gains and losses accumulated in OCI are reclassified to profit or loss.

Financial assets - Policy applicable before 1 July 2018

The Company classified its financial assets into one of the following categories:

- loans and receivables;
- held to maturity;
- available for sale; and
- at FVTPL.

Financial assets at FVTPL

Measured at fair value and changes therein, including any interest was recognised in profit or loss.

Financial assets designated as loans and receivables

Measured at amortised cost using the effective interest method.

Available for sale

Measured at fair value and changes therein; other than impairment losses, interest income were recognised in OCI and accumulated in the fair value reserve. When these assets were derecognised, the gain or loss accumulated in equity was reclassified to profit or loss.

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

(f) Financial Instruments (continued)

Financial liabilities - Classification, subsequent measurement and gains and losses

Financial liabilities are classified as measured at amortised cost or FVTPL. A financial liability is classified as at FVTPL if it is classified as held-for-trading, it is a derivative or designated as such on initial recognition. Financial liabilities at FVTPL are measured at fair value and net gains and losses, including any interest expense, is recognised in profit or loss. Other financial liabilities are subsequently measured at amortised cost using the effective interest method. Interest expense is recognised in profit or loss. Any gain or loss on derecognition is also recognised in profit or loss.

Derecognition

The Company derecognises a financial asset when the contractual rights to the cash flows from the financial asset expire, or it transfers the substantial risks and rewards of ownership of the financial asset and it does not retain control of the financial asset.

The Company derecognises a financial liability when its contractual obligations are discharged or cancelled, or expire. The Company also derecognises a financial liability when its terms are modified and the cash flows of the modified liability are substantially different, in which a case a new financial liability based on the modified terms is recognised at fair value.

Offsetting

Financial assets and liabilities are offset and the net amount presented in the statement of financial position when, and only when, the Company currently has a legally enforceable right to set off the amounts and it intends either to settle them on a net basis or to realise the asset and settle the liability simultaneously.

(g) Impairment

(i) Non derivative financial assets

The Company recognises a loss allowance for ECLs on financial assets measured at amortised cost. Loss allowances for trade receivables and contract assets are always measured at an amount equal to lifetime ECLs. When determining whether the credit risk of a financial asset has increased significantly since initial recognition, the Company considers reasonable and supportable information that is relevant and available without undue cost or effort.

The Company considers trade receivables to be in default when the receivable is more than 90 days past due. Loss allowances for trade receivables measured at amortised cost are deducted from the gross carrying amount of the asset. The gross carrying amount of a receivable is written off when the Company has no reasonable expectations of recovering this in its entirety or a portion thereof.

(ii) Non-financial assets

At each reporting date, the Company reviews the carrying amounts of its non-financial assets to determine whether there is any indication of impairment. If any indications exist, then the asset's recoverable amount is estimated. The recoverable amount of an asset is the greater of its value in use and its fair value less costs to sell.

Fair value is the price the Company would receive to sell an asset in an orderly (i.e. unforced) transaction between independent knowledgeable and willing market participants at the measurement date. Value in use is based on the estimated future cash flows, discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to that asset. Fair value less cost to sell is based on market estimates.

An impairment loss is recognised if the carrying amount of an asset exceeds its recoverable amount. Impairment losses are recognised in profit or loss.

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

2. Summary of significant accounting policies (continued)

(h) 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 in 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 current liabilities in the statement of financial position.

Other long-term benefits

The Company classifies employees' long service leave and sick leave entitlements as other long-term employee 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 re-measurement 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 come payable. The Company's obligation 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 (undiscounted) amounts expected to be paid when the obligation is settled and are presented as current liabilities in the Company's statement of financial position.

(i) 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.

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

2. Summary of significant accounting policies (continued)

(j) 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 recoverable from, or payable to, the ATO is included with other receivables or payables in the statement of financial position.

Cash flows are presented on 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.

(k) Income Tax

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

(l) 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.

(m) Comparative figures

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

(n) 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.

(o) Borrowings

The carrying amounts of borrowings are allocated between current and non-current based on loan repayment terms.

(p) 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 assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Company.



North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

2. Summary of significant accounting policies (continued)

(q) Critical accounting estimates and judgements (continued)

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 sick leave and long service 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 leave 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.

(r) Economic dependency

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 grant funding from the Commonwealth of Australia as represented by 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 provide annual grant funding to the Company.

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

3. Revenue

Grant Revenue

Government Grants
Total grant revenue

Other revenue

Donations
 Interest revenue
Total other revenue
Total revenue

Other income

Gain on Disposal
 Rental income
 Other income
Total other income
Total revenue and other income

	2019 \$'000	2018 \$'000
	19,916	16,430
	19,916	16,430
	38	1
	80	72
	118	73
	20,034	16,503
	7	12
	68	70
	105	165
	180	247
	20,214	16,750

Reconciliation of revenue per grant provider:

Funding body	Grants title		
Attorney-General's Department	Operational - North Zone	9,670	9,141
Attorney-General's Department	Operational - South Zone	4,658	2,294
Department of the Prime Minister & Cabinet	Cadetships	-	22
Attorney- General's Department	Children in Care Youth Detention Advisory Service	-	407
Attorney- General's Department	Leave to Appear	-	23
Attorney- General's Department	Data Manual	-	2
Attorney- General's Department	Notice to Produce	-	149
Healing Foundation	Healing	121	226
Department of the Prime Minister & Cabinet	Bilata Program	-	46
Department of the Prime Minister & Cabinet	National Indigenous Conference	20	-
Department of the Prime Minister & Cabinet	Social Worker Cadet	-	39
Department of the Prime Minister & Cabinet	Night Patrol	289	287
Department of the Prime Minister & Cabinet	Throughcare	1,607	1,529
Department of the Prime Minister & Cabinet	Throughcare - Central Australia	69	80
Department of the Prime Minister & Cabinet	SLA	1,368	1,316
Department of the Prime Minister & Cabinet	SLA - Central Australia	1,043	510
Department of the Prime Minister & Cabinet	Kunga Stopping Violence	535	258
Department of the Prime Minister & Cabinet	Youth Justice Advocacy Coordinator	128	28
Department of the Prime Minister & Cabinet	Custody Notification Service	131	-
Department of Health	Restorative Justice training	116	-
Various	Others	161	73
Total grant revenue		19,916	16,430

Refer to note 11 for grants received in advance and unexpended grants for the current financial year.

Notes to financial statements

4. Expenses

Professional fees

- accountancy fees
- audit remuneration
- consultant fees

Total Professional Fees

Employee benefits expense

- salaries and wages
- superannuation
- staff training
- other staff costs

Total employee benefits expense

Service delivery expenses

- computer expenses
- brief outs
- client expenses
- materials
- memberships and practising certificates
- meetings
- telephone
- travel
- bush courts

Total service delivery expenses

5. Cash and cash equivalents

Cash on hand

Cash at bank

Short-term bank deposits

Total cash and cash equivalents

6. Trade and other receivables

Current

Trade receivables

Other receivables

Total current trade and other receivables

Expected Credit Loss provision at 30 June 2019 is \$nil.

7. Other asset

Prepayments

Total other assets

	2019 \$'000	2018 \$'000
4. Expenses		
Professional fees		
- accountancy fees	39	5
- audit remuneration	44	64
- consultant fees	64	13
Total Professional Fees	147	82
Employee benefits expense		
- salaries and wages	13,312	11,012
- superannuation	1,190	975
- staff training	156	151
- other staff costs	97	96
Total employee benefits expense	14,755	12,234
Service delivery expenses		
- computer expenses	252	253
- brief outs	94	89
- client expenses	103	63
- materials	88	136
- memberships and practising certificates	84	82
- meetings	165	157
- telephone	364	307
- travel	946	900
- bush courts	340	260
Total service delivery expenses	2,436	2,247
5. Cash and cash equivalents		
Cash on hand	3	3
Cash at bank	124	474
Short-term bank deposits	9,443	6,447
Total cash and cash equivalents	9,570	6,924
6. Trade and other receivables		
Current		
Trade receivables	16	20
	16	20
Other receivables	14	11
Total current trade and other receivables	30	31
Expected Credit Loss provision at 30 June 2019 is \$nil.		
7. Other asset		
Prepayments	107	-
Total other assets	107	-

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

8. Property, plant and equipment

Land

Cost

Total land

Buildings

Cost

Accumulated depreciation

Impairment loss

Total buildings

Total land and buildings

Motor vehicles

Cost

Accumulated depreciation

Total motor vehicles

Office equipment

Cost

Accumulated depreciation

Total office equipment

Leasehold improvements

Cost

Accumulated depreciation

Total leasehold improvements

Total plant and equipment

Total property, plant and equipment

	2019	2018
	\$'000	\$'000
	30	30
Total land	30	30
	5,964	5,017
	(1,201)	(1,080)
	(1,123)	-
Total buildings	3,640	3,937
Total land and buildings	3,670	3,967
	823	728
	(495)	(344)
Total motor vehicles	328	384
	451	343
	(235)	(172)
Total office equipment	216	171
	743	702
	(480)	(412)
Total leasehold improvements	263	290
Total plant and equipment	807	845
Total property, plant and equipment	4,477	4,812

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

8. Property, plant and equipment (continued)

Movement in carrying amounts

Movement in the carrying amounts for each class of property, plant and equipment from the beginning to 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 2018	5,047	728	343	702	6,820
Additions	947	53	108	41	1,149
Disposals	-	42	-	-	42
Balance at 30 June 2019	5,994	823	451	743	8,011
Depreciation and impairment					
Balance at 1 July 2018	1,080	344	172	412	2,008
Disposals	-	42	-	-	42
Depreciation	121	109	63	68	361
Impairment loss *	1,123	-	-	-	1,123
Balance at 30 June 2019	2,324	495	235	480	3,534
Carrying amount at the end of the year	3,670	328	216	263	4,477

* In December 2018, the NAAJA office (61 Smith Street, Darwin) was revalued by an independent valuator as part of the loan requirement with Commonwealth Bank of Australia. The external valuation produced a market value of the building to be \$3,150,000. The carrying amount of the building at the time of valuation was \$4,273,000 therefore resulting in an impairment loss of \$1,123,000.

9. Intangible assets

Software

	2019 \$'000	2018 \$'000
Cost	196	190
Accumulated amortisation	(194)	(142)
Total Software	2	48
Total intangibles	2	48

CAALAS License Agreement

In December 2017, NAAJA entered into a license agreement with Central Australian Aboriginal Legal Aid Service Limited (CAALAS). The license agreement provided NAAJA with the benefit to use CAALAS assets at a cost of \$1, recognised as an intangible asset for NAAJA. The acquisition of CAALAS is expected to be completed in the 2020 financial year, subsequent to approval from the relevant regulators.

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

9. Intangible assets (continued)

Movement in carrying amounts

Movement in the carrying amounts for intangible assets from the beginning to the end of the current financial year:

	Software
	\$'000
Cost	
Balance at 1 July 2018	190
Additions	6
Balance at 30 June 2019	196
Amortisation and impairment	
Balance at 1 July 2018	142
Amortisation	52
Balance at 30 June 2019	194
Carrying amount at the end of the year	2

10. Trade and other payables

Current

	2019	2018
	\$'000	\$'000
Trade payables	374	298
Accrued expenses	632	571
Payroll liabilities	102	115
GST liabilities	851	559
Total trade and other payables	1,959	1,543

11. Other liabilities

Current

	2019	2018
	\$'000	\$'000
Grants in advance	2,403	1,610
Unexpended grants	1,172	826
Total other liabilities	3,575	2,436

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

12. Borrowing

	2019 \$'000	2018 \$'000
Current		
Bank loans (i)	194	190
Total current borrowings	194	190
Non-current		
Bank loans (i)	2,444	1,401
Total non-current borrowings	2,444	1,401

(i) An additional loan was obtained from Commonwealth Bank of Australia during May 2019 to acquire 10 Third Street Katherine NT 0850. The new and previous loan had been reassessed by the Bank, therefore revising repayment terms to quarterly at \$44,000 per quarter and the interest rate to 4.73% per annum (variable). Current borrowings presented includes interest payable.

The loan is secured with the property of the NAAJA offices located at 61 Smith Street Darwin NT 0800 and 10 Third Street Katherine NT 0850.

13. Provisions

	2019 \$'000	2018 \$'000
Current		
Provision for annual leave	1,029	1,032
Provision for sick leave	263	270
Provision for long service leave	321	183
Total current provisions	1,613	1,485
Non-current		
Provision for sick leave	134	71
Provision for long service leave	300	208
Total non-current provisions	434	279

	2019 \$'000	2018 \$'000
Analysis of provisions		
Opening balance at 1 July	1,764	1,055
Additional provisions raised during the year	1,752	1,798
Amount used	(1,469)	(1,089)
Balance at 30 June	2,047	1,764

14. Commitments

	2019 \$'000	2018 \$'000
Operating lease commitments		
Minimum lease payments		
- within 12 months	305	270
- between 1 to 5 years	198	243
- after 5 years	-	-
Total operating lease commitments	503	513

North Australian Aboriginal Justice Agency Ltd

Annual Financial Statements for the Year Ended 30 June 2019

Notes to financial statements

15. Contingent liabilities and contingent assets

There are no contingent liabilities and contingent assets in relation to 2019 or 2018.

16. Events after the reporting date

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

Subsequent to year end the Board have approved a \$450,000 renovation of the Katherine Office (10, Third Street, Katherine).

17. Related party transactions

The Company's related parties include its key management personnel and related entities as described below. Unless otherwise stated, none of the transactions incorporate special terms and conditions and no guarantees were given or received.

Key management personnel of the Company are those persons having authority and responsibility for planning, directing and controlling the activities of the Company. These include the Chief Executive Officer, Chief Finance Officer, Principal Legal Officer and the Directors of the Company. The aggregate compensation of key management personnel of the Company is set out below:

	2019 \$'000	2018 \$'000
Key management personnel remuneration	1,068	965
Directors remuneration	61	55
	1,129	1,020

There were no outstanding balances with key management personnel or Directors at 30 June 2019 or 30 June 2018.

There were no transactions between the Company and other related parties during the year ended 30 June 2019 and 30 June 2018.

18. Financial Instruments - Fair values and risk management

The effect of initially applying AASB 9 on the Company's financial instruments is described in note 2(a). Due to the transition method chosen, comparative information has not been restated to reflect the new requirements.

(a) Market risk

Market risk is the risk that changes in market prices, such as foreign exchange rates and interest rates will affect the Company's income or the value of its holdings of financial instruments. The objective of market risk management is to manage and control market risk exposures within acceptable parameters, while optimising the return.

(i) Interest rate risk

The Company has a variable rate interest loan. The interest rate risk is managed by obtaining favourable interest rates on fixed term deposits.

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 2019, the total amount that members of the Company are liable to contribute if the Company wound up is \$500 (2018: \$120).

North Australian Aboriginal Justice Agency Ltd

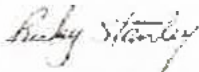
Annual Financial Statements for the Year Ended 30 June 2019

Directors' Declaration

In the opinion of the directors of North Australian Aboriginal Justice Agency Ltd (NAAJA):

- 1 The Company is not publicly accountable.
- 2 The financial statements and notes, set out on pages 15 to 36, are in accordance with the *Australian Charities and Not for Profits Commission Act 2012*, including:
 - a. Giving a true and fair view of its financial position as at 30 June 2019 and of its performance, for the financial year ended on that date; and
 - b. complying with Australian Accounting Standards - Reduced Disclosure Regime and the Australian Charities and Not for Profits Commission Regulations 2013; and
- 3 There are reasonable grounds to believe that North Australian Aboriginal Justice Agency Ltd 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



Ruby Stanley

Director and Chairperson, North Australia Aboriginal Justice Agency Ltd
Dated at Darwin this 26 day of September 2019

Director and Public Officer, North Australia Aboriginal Justice Agency Ltd



Colleen Rosas

Director and Public Officer, North Australia Aboriginal Justice Agency Ltd
Dated at Darwin this 26 day of September 2019



Auditor's Independence Declaration under subdivision 60-C section 60-40 of Australian Charities and Not-for-profits Commission Act 2012

To: the directors of Northern Australian Aboriginal Justice Agency Ltd

I declare that, to the best of my knowledge and belief, in relation to the audit for the financial year ended 30 June, 2019 there have been:

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

A handwritten signature of 'KPMG' in black ink.

KPMG

A handwritten signature in black ink that appears to read 'David Howie'.

David Howie

Partner

Darwin

26 September 2019



Independent Auditor's Report

To the members of North Australian Aboriginal Justice Agency Ltd

Opinion

We have audited the **Financial Report**, of North Australian Aboriginal Justice Agency Ltd (the Company).

In our opinion, the accompanying **Financial Report** of the Company is in accordance with Division 60 of the *Australian Charities and Not-for-profits Commission (ACNC) Act 2012*, including:

- i. giving a true and fair view of the Company's financial position as at 30 June 2019, and of its financial performance and its cash flows for the year ended on that date; and
- ii. complying with *Australian Accounting Standards – Reduced Disclosure Requirements* and Division 60 of the *Australian Charities and Not-for-profits Commission Regulation 2013*.

The **Financial Report** comprises:

- i. Statement of financial position as at 30 June 2019.
- ii. Statement of profit or loss and other comprehensive income, Statement of changes in equity, and Statement of cash flows for the year then ended.
- iii. Notes including a summary of significant accounting policies.
- iv. Directors' declaration of the Company.

Basis for opinion

We conducted our audit in accordance with *Australian Auditing Standards*. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the Financial Report* section of our report.

We are independent of the Company in accordance with the auditor independence requirements of the *ACNC Act 2012* and the ethical requirements of the Accounting Professional and Ethical Standards Board's *APES 110 Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the Financial Report in Australia. We have fulfilled our other ethical responsibilities in accordance with the Code.



Other information

Other Information is financial and non-financial information in North Australian Aboriginal Justice Agency Ltd's annual reporting which is provided in addition to the Financial Report and the Auditor's Report. The Directors are responsible for the Other Information.

Our opinion on the Financial Report does not cover the Other Information and, accordingly, we do not express any form of assurance conclusion thereon.

In connection with our audit of the Financial Report, our responsibility is to read the Other Information. In doing so, we consider whether the Other Information is materially inconsistent with the Financial Report or our knowledge obtained in the audit, or otherwise appears to be materially misstated.

We are required to report if we conclude that there is a material misstatement of this Other Information, and based on the work we have performed on the Other Information that we obtained prior to the date of this Auditor's Report we have nothing to report.

Responsibilities of the Directors for the Financial Report

The Directors are responsible for:

- i. Preparing the Financial Report that gives a true and fair view in accordance with Australian Accounting Standards - Reduced Disclosures Requirements and the ACNC.
- ii. Implementing necessary internal control to enable the preparation of a Financial Report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.
- iii. Assessing the Company's ability to continue as a going concern. This includes disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless they either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

Auditor's responsibilities for the audit of the Financial Report

Our objective is:

- i. to obtain reasonable assurance about whether the Financial Report as a whole is free from material misstatement, whether due to fraud or error; and
- ii. to issue an Auditor's Report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with *Australian Auditing Standards* will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error. They are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this Financial Report.

As part of an audit in accordance with *Australian Auditing Standards*, we exercise professional judgement and maintain professional scepticism throughout the audit.



We also:

- i. Identify and assess the risks of material misstatement of the Financial Report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- ii. Obtain an understanding of internal control relevant to the Audit 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 registered Company's internal control.
- iii. Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Directors.
- iv. Conclude on the appropriateness of the Directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the registered Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our Auditor's Report to the related disclosures in the Financial Report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our Auditor's Report. However, future events or conditions may cause the registered Company to cease to continue as a going concern.
- v. Evaluate the overall presentation, structure and content of the Financial Report, including the disclosures, and whether the Financial Report represents the underlying transactions and events in a manner that achieves fair presentation.

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

KPMG

David Howie

Partner

Darwin

26 September 2019

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 2018/2019.

- Aboriginal Hostels Association
- Aboriginal Interpreter Service
- Aboriginal Resource Development Service Inc. (ARDS)
- Alistair Wyvill SC
- ALPA
- AMSANT
- Amy Knox
- Andrew Harpur
- Anglicare NT
- Anne Cregan
- APONT
- Arthur Moses SC
- Australian National University College of Law
- Ashurst Australia
- Bahkita Centre – St Vincent De Paul
- Balanu Foundation
- Barbara Ramlah – Alyangula
- Barb Shaw
- Bawinanga Aboriginal Corporation
- Ben Grimes
- Ben Wong
- Bunawarra Elders – Maningrida
- CAAPS
- CatholicCare NT
- Central Desert Regional Council
- Central Land Council
- Centrelink
- Christopher Tran
- Mr OF Chui
- Clayton Utz
- Clontarf Foundation
- Community Corrections
- Community Justice Centre
- Craig Lenahan
- DAIWS
- Danila Dilba
- Darwin Correctional Centre
- David McKenzie
- Donnella Mills
- Dr Curtis Roman
- Deewin Kirim Aboriginal Corporation
- Department of Health Prison in Reach Program
- Department of Housing
- Don Dale Juvenile Detention Centre
- Donna and June Nadjamerik – Gunbalanya
- Earth Connect – Alyangula
- East Arnhem Regional Council
- Family Responsibility Centre
- Felicity Gerry QC
- Fines Recovery Unit
- Fiona Djerrkura and the Team at MIWATJ Raypirri Rom Program in Nhulunbuy
- Fiona Hudgson
- Fiona Hussin
- FORWAARD
- Brian Headland
- Healing Foundation
- Helen Bonnar – Department of Children & Families
- Helen Edney
- Helloworld Darwin Team: Rachel Turner & Jayne Walsh
- Human Rights Law Centre
- Ironbark
- Jobfind
- Joeline Napier – Nhulunbuy Court Registrar
- Josephine Langbien
- Kathleen Foley
- Kellie Grainger
- Kurdiji Law & Justice Group – Lajamanu
- Larrakia Nation
- Law Society of Northern Territory
- Liam Flanagan – Operations Manager ALPA RJCP
- Making Justice Work
- Mark Bradley
- Mark Mochinsky SC
- Mark Thomas
- Mike Collins – Groote Eylandt & Bickerton Island Enterprises (GEBIE)
- Mission Australia
- MIWATJ Health Aboriginal Corporation
- National Association of Community Legal Centres
- National Welfare Rights Network
- NATSILS
- Northern Land Council
- Northern Territory Legal Aid Commission
- NTCOSS
- Peggy Dwyer
- Peter Baran
- Phillip Boulten SC
- Ponki Mediators – Wurrumiyanga
- Red Cross
- Relationships Australia
- Roger Latham & The Warrior Priests Band – Wadeye
- Roper Gulf Regional Council
- Rose Lambalamba
- Russell Goldflam
- Strongbala
- Suzan Cox QC
- Tiwi Regional Council
- Tony McAvoy SC
- Hon Trevor Riley QC – Co-Chair of Reference Group (Bilata Legal Pathways Program)
- Top End Forensic Mental Health
- Venndale
- Victoria Daly Regional Council
- West Arnhem Regional Council
- Winkiku Rrumbangi NT Indigenous Lawyers Aboriginal Corporation
- Yilli Rreung
- YMCA
- Yugul Mangi – Ngukurr

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



Palmerston

a) Throughcare Main Office

Unit 2/41 Georgina Crescent
YARRAWONGA NT 0830

Telephone	08 8931 7400
Fax	08 8931 7444
Toll Free	1800 321 201
Email	mail@naaja.org.au
Website	naaja.org.au
Office Hours	
Monday - Friday	8:00am – 4:30pm



b) Throughcare Youth Office

Unit 5/41 Georgina Crescent
YARRAWONGA NT 0830

Telephone	08 8931 7400
Fax	08 8931 7444
Toll Free	1800 321 201
Email	mail@naaja.org.au
Website	naaja.org.au
Office Hours	
Monday - Friday	8:00am – 4:30pm

c) ThroughCare Adult/Parole/Domestic Violence

Unit 6/41 Georgina Crescent
YARRAWONGA NT 0830

Telephone	08 8931 4700
Fax	8 8931 7444
Toll Free	1800 321 201
Email	mail@naaja.org.au
Website	naaja.org.au
Office Hours	
Monday - Friday	8:00am – 4:30pm

Alice Springs

Main Office: 55 Bath Street
ALICE SPRINGS NT 0870

Telephone	08 8950 9300
Fax	08 8953 0784
Toll Free (NT only)	1800 636 07
Office Hours	08:00am – 04:30pm

Kungas

Shop 6/2 Gregory Terrace
ALICE SPRINGS NT 0870

Telephone	08 8950 9300
Fax	08 8953 0784
Office Hours	8:00am – 4:30pm

Tennant Creek

61 Paterson Street
TENNANT CREEK NT 0806

Monday – Friday	8:00am – 4:30pm
Telephone	08 8962 1332
Fax	08 8962 2507
Email	mail@naaja.org.au
Website	naaja.org.au



Victoria River, NT

