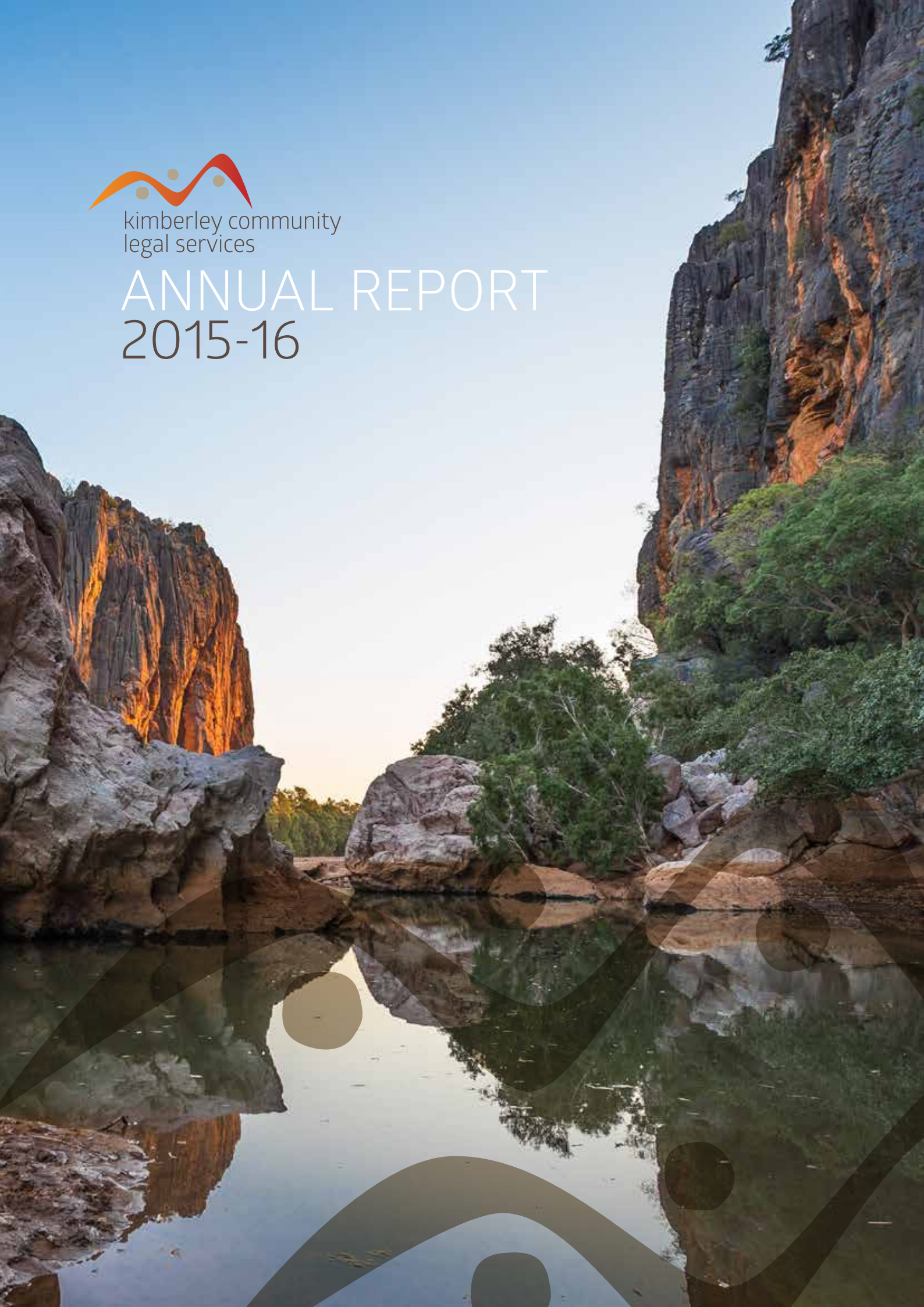




kimberley community  
legal services

# ANNUAL REPORT 2015-16





KCLS ACKNOWLEDGES  
THAT WE WORK ON  
ABORIGINAL LAND AND  
PAYS RESPECT TO ELDERS  
PAST AND PRESENT

CONTACT US

KUNUNURRA

4 Papuana Street, Kununurra WA 6743  
Tel: (08) 9169 3100  
Fax: (08) 9169 3200  
Freecall: 1800 686 020  
Email: office@kcls.org.au

BROOME

3/41 Carnarvon St Broome  
Tel: (08) 9192 5177  
Fax: (08) 9192 5677  
Freecall: 1800 797 088  
Email: office@kcls.org.au



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## WHO WE ARE

KCLS is an independent, not-for-profit community organisation and is one of the largest, remotely located civil law services in Australia. The organisation is governed by a community-based Board of Management that is reflective of the regional community.

KCLS forms part of a national network of community-based legal services and is a member of the National Association of Community Legal Centres (NACLC) and Community Legal Centres Association (WA) Inc. KCLS's participation in a range of networks provides opportunities for joint initiatives and partnerships in professional development, program delivery, policy-making and law reform.

## OUR STRATEGIC PRIORITIES

### COMMUNITY

Strengthen approaches to community development in planning and delivering services

### CAPACITY

Maintain stability and increase services

### SERVICES

Provide high quality accessible services, including community legal education and law reform

## OUR VALUES

- Community participation and collaboration
- Cultural awareness and respect
- Quality and responsive services
- Early intervention in legal issues to prevent escalation.

## OUR VISION

Dignity, human rights and social justice for all people in the Kimberley.

## OUR MISSION

To be a dynamic organisation that makes a positive difference to the people and communities of the Kimberley.





## INTRODUCTION

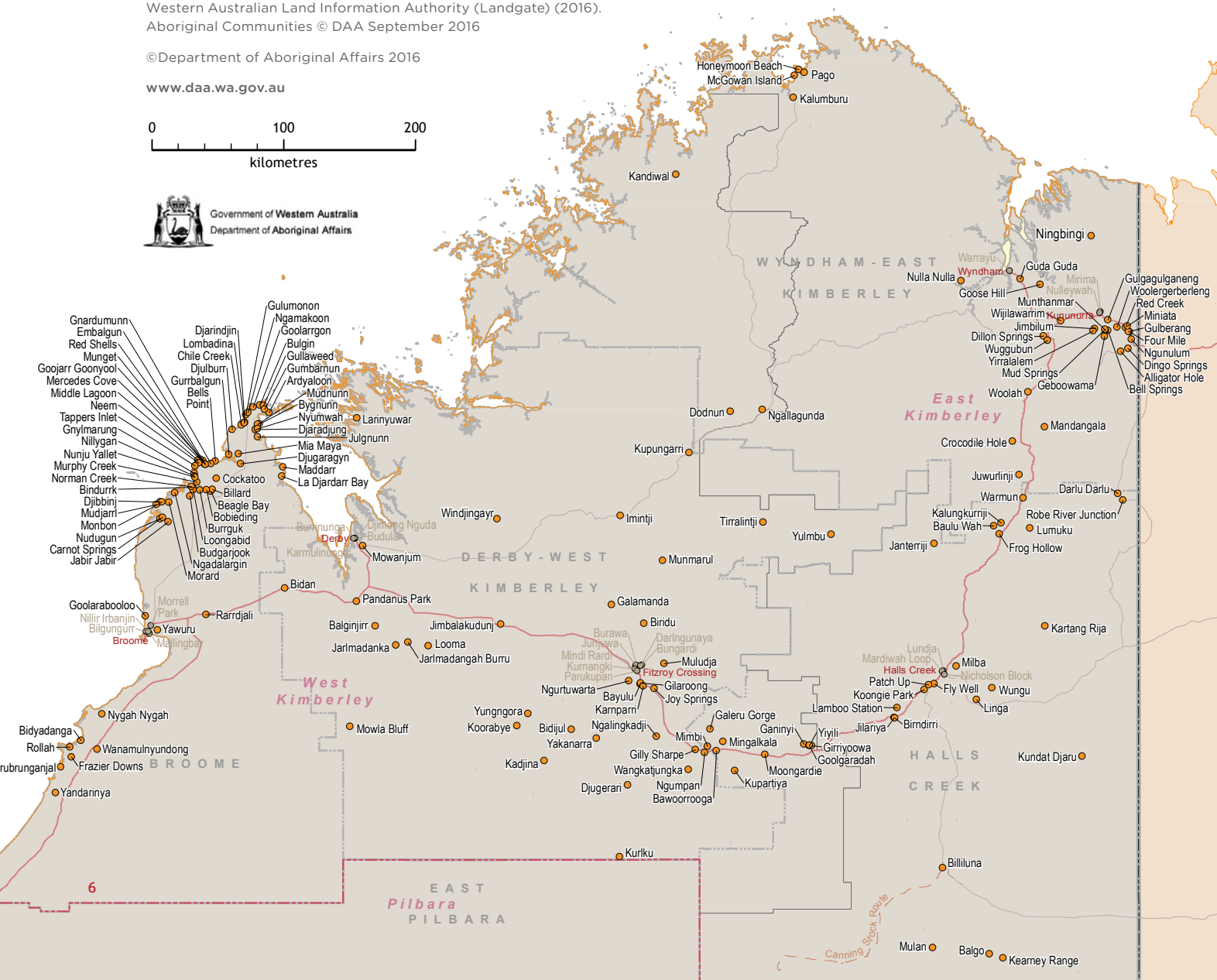
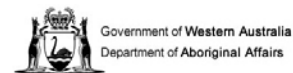
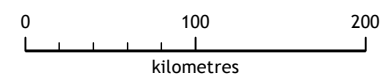
From its base in Kununurra and branch office in Broome, Kimberley Community Legal Services Inc. (KCLS) operates across Western Australian Kimberley region, a total land area of **423,517** square Kilometres.

### KIMBERLEY REGION

Based on information provided by and with the permission of the Western Australian Land Information Authority (Landgate) (2016).  
Aboriginal Communities © DAA September 2016

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[www.daa.wa.gov.au](http://www.daa.wa.gov.au)



## OUR SERVICES ARE DELIVERING

- A community generalist legal service, which provides advice, referral, legal information and casework assistance, representation, as well as engaging in law reform.
- Outreach services to the towns of Wyndham, Halls Creek, Fitzroy Crossing and Derby as well as visits to remote Aboriginal Communities of Warmun, Kalumburu, Balgo, Mulan, Billiluna, Ringer Soak and other – predominantly East Kimberley – remote communities.
- Provision of Community Legal Education (CLE) for community service providers and clients throughout the Kimberley.
- An Indigenous Women's Program that assists Aboriginal people – particularly women – to access legal services, information, advice and education, with a focus on family law and child protection.
- A Tenancy Advice and Education Service which provides information, advice and workshops to public and private residential tenants, to foster both the understanding and exercise of their rights as tenants.
- A Public Tenancy Support Service which provides early intervention services to Department of Housing (DoH) - including Community Housing - tenants in Kununurra, to sustain tenancies and prevent eviction and homelessness.
- A Financial Counselling Service offering financial counselling, education and advocacy for individuals and families – mainly Aboriginal people from Kununurra and surrounding communities – who are on low incomes and experiencing financial difficulties.
- Specialist domestic violence unit- Family Assistance Support Team (FAST)- Delivering collaborative case work framework for women and their children experiencing domestic and family violence in the East Kimberley

## OUR PRACTICE

Access to our services is flexible and has been designed to meet the needs of vulnerable families and individuals, which includes the ability to drop in and phone contact through an 1800 free call number. KCLS also provides services by appointment and extends its services to provide visits to remote Aboriginal communities.

We are providing a weekly service into Wyndham, a fortnightly service to Derby, a monthly service into Halls Creek and Fitzroy Crossing.

FUNDING

COMMONWEALTH GOVERNMENT

- **The Commonwealth Government Attorney-General's Department/Legal Aid**  
As part of the Commonwealth Community Legal Services Program (CCLSP) – funds 151 community legal services across Australia. The CCLSP partially funds our generalist services.
- **Prime Minister and Cabinet**  
Funds our Indigenous Women's Program.
- **The Commonwealth Attorney-General's Department**  
Funds our Specialist Domestic Violence Unit (FAST).

STATE GOVERNMENT

- **Department of Local Government and Communities**  
Funds our Public Tenancy Support Service
- **Department of Commerce**  
Funds our Tenancy Advice and Education Service.
- **Department of Child Protection and Family Services**  
Funds our Financial Counselling Service

In 2015/16 KCLS provided assistance to **1114** clients, comprised of:



MANAGEMENT BOARD 2015/16



BRENDA GARSTONE  
*Chair*



JADE WADE  
*Vice Chair*



YALE BOLTO  
*Treasurer*



KARYN APPERLEY  
*Secretary*



DEBBIE CAIN



PAUL O'NEILL



*ABSENT:* GLORIA MARTIN

BEV RUSS





## VOLUNTEER AND PRO BONO WORK

KCLS is greatly supported by interns and volunteers and we extend our thanks to our volunteer solicitor, Judy Harrison.

We are very proud that Judy was a finalist in the 2016 Attorney General's Community Service Law Award. Judy has been unrelenting in her advocacy and has assisted us in various legal matters, mentored the other lawyers in the team, provided contacts to build our capacity as a service and provided support for the Broome office.

In addition to Judy's support, our strong links with the Aurora Project, the Rural, Regional, and Remote program and Deakin University has given KCLS the opportunity to access many interns over the last year.

KCLS is very pleased through these partnerships to provide an on-the-ground practical learning environment for Legal interns.

This is also providing a wonderful return of volunteer capacity for KCLS and the ability to expose the next generation of lawyers to the challenges and opportunities that working in remote Australia can bring to their practice as a solicitor in the future. We thank Jack Maxwell, Zoe Neumeyer, Kerry Toumbourou, James Blair, Ned Galloway, Sarah Ienna, and Julian Santamaria for their input into helping our clients over the past year.

Interns can be involved in everything that KCLS does, including writing submissions to government inquiries and lobbying the State government to change its policies. There is scope for interns to choose an area of interest and be exposed to that area during their internship.

Photo: Sarah Ienna

## CASE STUDY

Volunteering as an intern at the KCLS office in Kununurra was a highly rewarding experience. I enjoyed life in the East Kimberley, gained experience working with Indigenous clients, and saw first-hand the effects of the structural disadvantages experienced by many of our clients.

My work at KCLS was interesting and varied. I assisted with matters ranging from Criminal Injuries Compensation to Debt and Social Security Law, to Family Law and Child Protection. I was even given a research task on the Dog Act! My tasks included drafting letters, carrying out legal research, meeting with clients, and liaising with other service providers. I was also given the opportunity to attend staff training sessions, observe court proceedings, and accompany KCLS solicitors and staff on the monthly outreach trip to Halls Creek, and on weekly outreach trips to Wyndham.

During my time at KCLS, I was exposed to new areas of law; for example, copyright and royalties. I had never considered before how important this could be to Indigenous artists and their beneficiaries. Family violence and alcohol abuse are also issues for many of the clients at KCLS, so it was particularly exciting to observe the implementation of the new Family Violence Unit at KCLS whilst I was there. My time at KCLS also demonstrated that the current laws do not adequately accommodate the nuanced ways in which KCLS' clients, and in particular the service's Indigenous clients, experience family violence.

Another valuable aspect of my internship was observing how the solicitors at KCLS addressed their clients' legal and non-legal needs. At law school, we were only taught about the legal aspects of a client's problems. However, a lack of understanding of broader issues and a failure to consider the non-legal context may make

any legal advice given to the client effectively useless. While I was at KCLS I also assisted with a research paper on the role of collaboration amongst community services providers, and the ways in which this can address the structural disadvantages experienced by vulnerable clients. This illustrated the important contribution that Community Legal Centres make to advocating for social reform and engaging in debate about social change.

Living in Kununurra was also a fantastic experience. Kununurra is a beautiful part of the country and there are amazing places to explore on the weekend. Coming from a big city, I loved the more relaxed vibe in the town, and the sense of community. Living in such a remote area does have its challenges, however. For one matter I asked a telecommunications company to allow me to send documents by email or post, rather than bring them in person. The phone operator didn't seem to appreciate that our nearest store was 8 hours drive away! Some clients live in areas that are even more remote than Kununurra, making it difficult to get in contact with them. This made me appreciate that in the city there are a large range of resources to draw upon that are not available in a small town like Kununurra, or in the Indigenous communities in the East Kimberley.

My time at KCLS provided the opportunity for me to challenge myself, broaden my horizons and learn more about a unique part of Australia.

I have learnt a lot from my experiences there, and have a greater appreciation for the important role that Community Legal Centres fulfil. Thank you to KCLS for giving me such a valuable experience.

### SARAH IENNA

Volunteer

## CHAIRPERSON REPORT

It is with pleasure that I present the Annual Report for 2015/2016 financial year. Kimberley Community Legal Service continued to offer a highly professional generalist legal and family support service during the 2015/2016 financial year. These services have been delivered to 1114 people across the region including Aboriginal communities.

Whilst the Kimberley region is diverse, remote and challenging, KCLS have established a respected position as a key service provider in the region and worked tirelessly to address the social and economic disadvantage experienced by both Aboriginal and non-Aboriginal people using a human rights approach. I commend the KCLS staff for providing a professional service to the people most in need of legal representation and professional advocacy.

The strength of our organisation was acknowledged with our successful application to deliver a pilot program as part of the Australian Government commitment to the National Plan to reduce violence against women and their children.

I acknowledged the work of our previous Managers Libby Stewart and Liz O'Brien for their contribution to the establishment of this program.

Over the past 12 months the Board of KCLS have had a busy time overseeing the recruitment of the Manager's position and has worked tirelessly to stabilize and improve the management and the financial position of the organisation, to date this has been achieved but we acknowledge that 2016/17 will bring significant challenges as further funding cuts are expected in July 2017. These cuts could seriously impact on our ability to support the most disadvantaged people in the Kimberley and the Board will need a clear coherent strategy to tackle this front on to ensure our service capacity continues.

I would like to take this opportunity to thank my fellow Board members for their level of commitment, passion and energy all be it in a voluntary capacity. For this I have appreciated working alongside dedicated people who have shared their knowledge and expertise to make a difference to the many families who are struggling with obtaining basic human rights that is equal to their broader Australian counterparts.

### BRENDA GARSTONE CHAIR OF KCLS

**CEO, Yura Yungi Medical Service Aboriginal Corporation**

## DIRECTOR REPORT

The year has seen KCLS continue to provide a highly professional and essential service under challenging circumstances. The year brought further funding cuts and a turnover in staff including Managers and Senior Solicitors but KCLS maintained its ability to deliver an effective legal advice and support service to the most vulnerable people across the Kimberley. Our team of 13 staff worked tirelessly to advance the civil and human rights of our clients and I congratulate them for their commitment and dedication to the service.

With the ever pressing demand for legal assistance KCLS has worked hard to obtain additional resources and were successful in securing funding under the National Plan to reduce violence against women and children. This program was implemented in the later part of the financial year and KCLS look to further developing the program to deliver the best service possible to women and children experiencing family violence in the East Kimberley.

KCLS has been proud to represent the local not for profit sector in the newly established District Leadership Group. This group has been set up to assist in the work being undertaken by the State Government Regional Services Reform Project.

The group's key aim is to improve the coordination and the collaboration of services and to collectively address social and economic barriers impacting on the East Kimberley.

KCLS has been able to bring a wealth of knowledge and understanding of the issues impacting on the community and we look forward to continuing this work into the future.

Our Broome office hosted a visit by the Shadow Attorney General, Mark Dreyfus SC, and Senator Patrick Dodson and staff took the opportunity to raise a number of issues, including the over representation of Aboriginal people in the criminal and civil justice system and the pending funding cuts to community legal centres in 2017. It was fantastic to hear Senator Dodson raise these issues at the NACLC conference later in the year.

The year ahead is expected to bring further challenges with the looming funding cuts in June 2017 but we are confident in our practice and the importance of delivering a quality service to vulnerable people and in making sure people have good access to legal advice and support.

I look forward to a brighter future for KCLS as they embark on a review of the Strategic Plan in early 2017.

### MICHELE PUCCI

**Acting Manager**





## LEGAL SERVICES

### PRINCIPAL SOLICITOR'S OVERVIEW

I would like to pay my respect to the traditional owners of the lands on which we work and live, and to their Elders, past and present. Our offices are located on Miriwoong and Yawuru lands, but we provide outreach services on the lands of many traditional owners in the Kimberley and we pay our respects to those cultures.

I also acknowledge the support and wisdom we are provided by our Aboriginal staff members in guiding us through the cultural challenges of two unique systems of law and culture.

Finally I give reverence to the country itself which enriches us all.

### OVERVIEW OF THE PRINCIPAL'S PRACTISE 2015-2016

I started in KCLS in January 2016. I have a varied background in civil law, having working in human rights, family violence, teaching law, and in commercial practice before that. I spent the three years before starting here with the Aboriginal Legal Service of Western Australia and working on coronial inquests, racial discrimination matters, unlawful detention matters, and complaints against the police and prisons. I came to Kununurra excited about the possibilities and challenges of working on such incredible country and hoping to learn from the people around me, and assist in providing a service to people with serious legal needs.

Tom Allen left KCLS in September 2015. I knew Tom in a personal and professional capacity and respected his intellect and dedication. In the period since starting at KCLS I can confidently say that his virtues were valued by everyone with whom I have spoken. In the period of October 2015-January 2016, the practice was managed by Hannah Levy, our senior solicitor, who steered the practice in an incredibly collaborative direction, and in the period since I've started Hannah has provided me with incredible guidance and support.

The first six months of 2016 were met with many challenges and one of my goals was to maintain the consistency and quality of service that we have provided, as well as providing support to people to realise the strength of their capacities. I believe KCLS provides an important service to the people of the Kimberley. We strive to ensure our clients are treated with respect and dignity and to facilitate their navigation of a complex system with deep and entrenched structural barriers.

### LEGAL PRACTICE

The nature of our practice is broad and varied, and so I draw a number of general observations in our practice over the year:

- **Tenancy:** We continued to represent tenancy clients robustly, seeking to reduce debts where they have unfairly accrued, where clients have reasons to be on the priority list, or contesting adverse findings by the Housing Authority. Housing relates to all other factors of social disadvantage and we continue to hold the Housing Authority to account.

### CASE STUDY: TENANCY

Our client, Mr C, was a 45 year old Indigenous man with a cognitive disability, alcohol problem and an end stage chronic disease. Following a number of disruptive behaviour complaints against Mr C, including one involving an allegation that Mr C abused and then threatened his neighbour with a weapon, the Department of Housing filed a Form 12 application to terminate Mr C's tenancy under sections 75A and 73 of the Residential Tenancy Act. Section 75A provides for termination due to objectionable behaviour and section 73 provides for termination where the tenant causes serious damage or injury. Mr C was intoxicated on the day of the trial and could not give evidence. We proceeded with the hearing and successfully defended the application, arguing that Mr C was a highly vulnerable person with complex needs and the impact of losing his home on his health and mental wellbeing should be taken into account by the Court when considering whether the alleged behaviour justified termination of the tenancy. In relation to section 73, we submitted that the complainant's subjective or emotional reaction to the alleged abuse by Mr C was not evidence of injury and that evidence was not lead to show he caused or was likely to cause an injury. The Magistrate dismissed the Department's application, finding that while Mr C's behaviour constituted a nuisance, termination was not justified under s75A and that the case for section 73 termination had not been proved.

- **Child Protection:** We continued to service child protection matters because of the great need that people have for representation here. We typically represent mothers and work with them on the basis of their instructions. We seek to provide support to clients to navigate the complexity of the child protection system.
- **Intestate Estates:** We received many requests for assistance from people who had family who passed away leaving no will, and an estate too small for it to be practical to seek letters of administration. The law in this area is lacking and we continue to look for ways to assist in small estates.
- **Financial disputes and financial hardship matters:** financial stress has been a serious issue in the Kimberley and we deal with various aspects of financial hardship, including seeking payment plans, making



financial hardship requests, and challenging unfairly accrued debt.

- **Family violence:** we continue to be one of the chief services in the Kimberley to assist in circumstances of family violence. We provide urgent assistance on violence restraining orders, and have challenged other stakeholders on the broad nature of family violence.

The Broome office has managed a steady client workload and handles walk-ins and phone advices on a regular basis. In the period February to September, the Broome office ran three trials and achieved favourable verdicts in two out of the three. Tenancy remains a core focus of the Broome office, but an increase in the number of deceased estate matters, consumer complaints and requests for assistance with care and protection matters was noted. Client intake for Derby increased in the past year. The Broome office also expanded outreach to include Fitzroy Crossing on a quarterly basis, with three outreach trips undertaken to Fitzroy Crossing and a fourth scheduled for November. Remote Aboriginal Community awareness of our services also appears to have grown, with the Broome office receiving a number of requests for assistance from clients from Looma and the Dampier Peninsula in particular.

## LAW REFORM AND RELATIONSHIP BUILDING

We also work in a number of areas of law reform, including continuing to investigate historical injustices, scrutinising welfare reform, supporting Homelands, and investigating cross-border issues for our clients. These matters all require relationships with a multitude of different organisations that can support us and expand our reach across Australia. Some of these organisations include: the Human Rights Law Centre, the Aboriginal Legal Services of Western Australia, DLA Piper, Deakin University, the University of Melbourne, the Aurora Project, the Northern Territory Legal Aid Commission, and Legal Aid Western Australia. These partners have pushed our service provision and allowed us to be collaborative and vital.

## CASE STUDY: LAW REFORM, NETWORKS, AND COLLABORATIONS

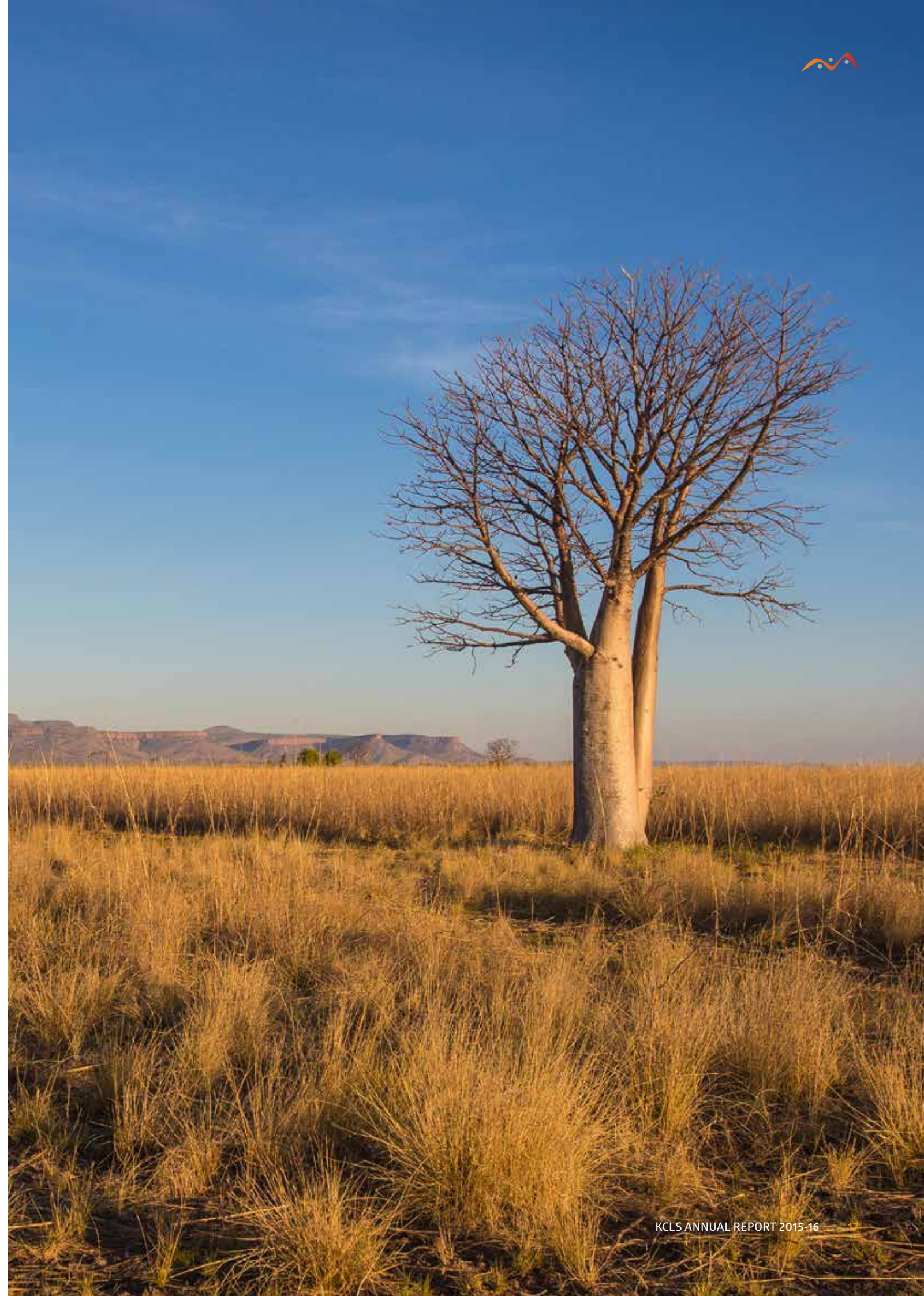
Between 31 October – 2 November 2016, KCLS participated in the Blurred Borders Workshop. Blurred Borders is a joint project between Legal Aid WA and NT Legal Aid involving all East Kimberley and Katherine region legal services. KCLS was asked to join the steering group and has been pushing for attention to be paid to cross-border civil law issues. The primary goal is to develop resources to assist shared clients who cross the NT / WA border understand their legal issues. But it's also a great opportunity for professional development and networking with local legal services.

The Workshop was a fantastic success with a number of key outcomes towards creating resources. Legal Practitioners completed a number of continuing professional development units (compulsory to maintain practicing certificates) in topics such as:

- using plain English in legal communication;
- culture, language and community context in the region. Hannah Levy co-presented in this session outlining Ruth's invaluable role on outreach trips because of her continuity and trust she has built with the communities;
- service mapping and referrals. Melissa Bateman co-presented in this session discussing a complex Estate matter where the deceased passed away in WA but many of the beneficiaries reside in the NT and require interpreters. It prompted a discussion about NT services that could assist in progressing a WA matter.

Some of the practical outcomes that directly impacted KCLS include:

- sharing outreach and court calendars;
- contact persons/organisations for various communities that our clients visit;
- willingness by all legal services to assist with mutual clients including passing on messages to contact lawyers or putting the client on the phone to their lawyer; and
- prospect about joint CLE opportunities for border clients (e.g. Bulla River (NT) clients whose closest town is Kununurra, or shared Desert clients surrounding Balgo, Billiluna, Mulan and Lajamanu).







## OUR TEAM

Our legal practice has been staffed by 3 solicitors and a paralegal in Kununurra, and 2 in Broome. In 2015-2016 the following people left the practice: Tom Allen – our previous principal solicitor, and Kayleen Hunter – our senior solicitor in Broome. We thank Tom and Kayleen for the dedication they had to KCLS.

As at 30 June 2016 our legal team comprised Hannah Levy, Melissa Bateman, Carol Wei, Liz Brown, Vanessa Lynch, as well as our volunteer lawyer, Judy Harrison and Sarouche Razi as Principal.

The team is unwavering in its dedication to assisting vulnerable clients who are often in the kinds of situations where they may lose guardianship of their children, where they may lose their home, where they are at risk of family violence, or where a state agency has made a bad decision to their detriment. Our lawyers work to protect their interests. In particular I commend Hannah Levy and Melissa Bateman for the development of their legal skills. Hannah has grown in her practice to be an exceptional lawyer, particularly in the area of child protection, and approaches every matter with deep compassion, creativity, and fight. Melissa has also grown into an outstanding lawyer, with great knowledge in tenancy and victims' compensation matters, and always considers matters with judiciousness and measure. Finally, I commend Carol Wei, who has been able to hold the fort in our Broome office through staffing changes while she has improved her advocacy skills and taken on a broader practice.

Over the year we provided professional development opportunities to the legal team in order to develop their practice.

## CASE STUDY: STAFF INVESTMENT AND PROFESSIONAL DEVELOPMENT

On the week of 23 May 2016, KCLS provided a training week on social security law and welfare reform. Through our connection with Judy Harrison, we contacted Peter Sutherland, one of the premier Social Security law experts in Australia, and he came to Kununurra for a 2 day training session. Some of the topics Peter presented on was: social security law history and developments, the modern welfare system, and strategies of assisting clients in Centrelink debt matters. We conducted a roundtable on welfare reform in the Kimberley, how it may manifest issues for our clients.

The training week was attended by other service providers such as Legal Aid. It allowed us to develop our expertise, foster relationships with other services in the Kimberley, and work collaboratively with our partners.





## SERVICING OUR REGION – OUTREACH

KCLS predominantly services Aboriginal clients, and many of our clients live in remote areas. We model outreach into our service because we believe in providing access to justice to people across the Kimberley, we see outreach as our commitment to Homelands, the significance of country to Aboriginal cultures, and to support Aboriginal peoples in the Kimberley to determine their own needs.

Our strategy for outreach has been to provide a regular service to Wyndham, Warmun, Halls Creek and Derby. We've also expanded into Fitzroy Crossing with a quarterly service. Finally for the remote outreach, we aimed to attend twice over the dry season, to the Western Desert regions and visiting Balgo, Mulan, and Bililuna, to the North-West Kimberley, visiting the Gibb communities, and Kalumburu, and to the Dampier Peninsula.

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### CASE STUDY: OUTREACH

In late September 2016 we received a referral to act for a mother whose child had been removed from her care in Mulan by CPFS.

In this matter we assisted the mother to prepare and file an interim application on the basis that she could provide sufficient safety for the Child Mulan with the support of her family. Prior to filing our application in Court we worked with the mother to develop a safety plan signed by her support network in Mulan to build safety within her community to address the child protection concerns.

This work resulted in the Child being returned to the family within a few days and CPFS amending their application to a supervision order. The legal implications of which are that parental responsibility reverts from CPFS back to the mother.

Matters like this one illustrate the systemic issues with child protection work in the desert. They show examples of CPFS failing to use interpreters when necessary, failing to plan for safety with families and the trend of removing children with medical issues – these matters are generally not resolved at the negotiation stage and often require litigation.

Importantly, they show the significance of KCLS conducting outreach to remote communities, where access to justice is limited and service provision needs fearless scrutiny.

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### SAROUCHE RAZI

Principal Solicitor

## WEST KIMBERLEY OFFICE REFLECTION

The West Kimberley has seen staff changes over the last 12 months and we extend our thanks to Judy Harrison who was able to lead support as a locum during these periods. As a result of Judy's legal practice skills and extensive experience KCLS was able to provide a broaden cope of legal advice and assistance in the West Kimberley.

The Broome office continued to maintain a steady workload despite the staff turnover and Tenancy remains a core focus of our work. We have seen an increase in the number of deceased estate and consumer complaints matters. Outreach to Derby has remained consistent and new client intake has been steady throughout this period.

In Fitzroy Crossing, KCLS has undertaken stakeholder engagement with ALS and the Marniwarntikurra AFVPLS has helped promote awareness of our service and led to a number of client referrals. We have also been able to provide outreach to Looma during the year as well as participation in Open Justice Day and a Wellness day event organised by AFLS.

A number of stakeholder engagement and Community Legal Education (CLE) activities occurred, with the Broome office participating in Open Justice Days in Broome and at Mowanjum. KCLS also attended a meeting with Men's Outreach at the Derby West Kimberley Prison.

At the invitation of AFLS, our senior solicitor delivered a CLE presentation to students at Broome Senior High School. KCLS also hosted a visit by the Shadow Attorney General, Mark Dreyfus SC, and Senator Patrick Dodson. Also in attendance were staff from the local Legal Aid and AFLS offices.

A number of issues were raised with the shadow Attorney General, including pending funding cuts to community legal centres in June 2017 and the over representation of Aboriginal people in the criminal and civil justice system.

Our lobbying work continued at the NACLC Conference in Fremantle, where Senator Dodson expressed concern about the impact of funding cuts on services like KCLS in his keynote address.

The West Kimberley service delivery continues to grow as we further promote our services.

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### CASE STUDY

Our client (C) is a 25 year old Aboriginal mother of three children. C sought our assistance after the Department of Housing (DoH) commenced proceedings to terminate her tenancy, on the basis that C had caused or was likely to cause injury to her neighbours. C was worried that if she lost her home, it would be "impossible" for her to have her children returned to her care.

The behaviour complained of, related to foul/ abusive language and threats. C had recently been diagnosed with bipolar disorder and said her illness caused her to have outbursts of anger. However, following the stabilisation of C's medication, her symptoms had improved.

We sought to negotiate with DoH and avoid the continuation of the court proceedings, on the basis that C's behaviour was connected to her mental illness, she was now receiving treatment and things had settled down. Given these circumstances, DoH agreed to seek an adjournment to monitor C's behaviour at the property. At the second court hearing, DoH confirmed that there had been no further complaints, the matter was dismissed and C was able to remain in her home.

Another favourable outcome was achieved for C, when she recently returned to our office for advice regarding a further tenancy matter. DoH had advised C that her tenancy agreement would not be renewed, and C was concerned about becoming homeless, as she had no appropriate alternative options for accommodation. We were able to assist C, by negotiating a transfer to another home and a further six-month tenancy agreement.

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### CAROL TANG WEI

Solicitor



## PARALEGAL REFLECTIONS

Since completing my training in 2015 I am now able to use the skills I learnt to better support the legal team and our clients. I am no longer caretaking files and am now engaged in the process and this has been a fantastic confidence boost. I'd have to say the most daunting part was having the courage to push myself out of my comfort zone and meet new people. It's never too late to try new things and expand your horizons. I believe the best achievement in life is accomplishing something you think you cannot do.

This last year I have been focused on supporting the legal team, by providing follow up with clients this has been a very important part of my practice and is important for the new solicitors as they are not as connected to the local Aboriginal people. In doing this work I have also been able to provide advice to the team on cultural and family matters. This is vital for many of our clients are Aboriginal people.

Administration support to solicitors has been an ongoing part of my work and it has included preparing correspondence and the lodgement of application to the courts. As our services are in such great demand it is good to be able to assist the solicitors in meeting this demand and helping to reduce their workload.

I think what is really important for the way KCLS works and how I am included in that process that local people recognise and value our practice and are happy to come directly to me to seek information and support.

### VANESSA LYNCH

#### Paralegal

### INDIGENOUS WOMENS PROGRAM COORDINATOR REFLECTION

Although there has been much change across the organisation the Indigenous Women's program has maintained momentum. The IWP has played an instrumental role in supporting the establishment of the Women's safety program known as FAST and has also continued its focus on the delivery of community education targeting women in the East Kimberley.

### RUTH ABDULLAH

#### IWP

### 2016 OUTREACH TRIPS

Since we have changed our visits to Halls Creek for the first week of every month, this has turned out a blessing and most of our clients now know where to make contact with us at the ALS office in Halls Creek. KCLS is grateful for the partnership with ALS in sharing their office space in Halls Creek. The office is easy for our clients to access and central to the shopping area of the town.

We had trialled a field trip to Kalumburu including the Gibb on the way back by car in June and this is a long drive. We departed Kununurra on a Sunday and arrived at Kalumburu in the evening (7pm).

Due to the road conditions at that time (corrugation was very bad and tourists everywhere) it actually was a 9 hour drive (rotation of drivers). The road from Kununurra to the Kalumburu turn off (Gibb River) was pretty good and took us about 4 hours with stops on the way.

The road from Gibb to Kalumburu took us 5 hours (taking into consideration we have never been on this stretch of road before and did not know what to expect). But after staying and reaching our destination safely, working with the community for several days it was worth the drive and the community members commented "we silly people but good people to come that far to see them for few days".

We stayed at Kalumburu until early Wednesday and drove back to meet the Gibb Road to finalise our last outreach trip to the communities along there.

### 2015/16 OUTREACH TRIPS

- Warmun, Halls Creek, Frog Hollow (needs/clients requests) to Bow River, Yiyili communities and hopefully Kundat Djaru in 2017
- Kalumburu/Gibb (completed trial run) possibly look at separating the two trips on different times. First trip completed and another to occur in October.
- Mulan, Mindibungu and Wirrimanu still an ongoing twice a year for a week (spreading our work time between the 3)

As the Indigenous worker I am pleased to be working with such as diversity of skills within the KCLS team and being able to provide support across a range of Aboriginal cultural matters.

### OTHER DEPARTMENTS/COMMITTEES AND COMMUNITIES INVOLVEMENT

- Development partnership with Aboriginal Justice Project/Legal Aid – regular visits to remote communities at times combined as clients issues vary according to their needs
- Meetings on requests from different agencies/departments eg family violence, community issues, suicide awareness
- Looking forward to 2017 working with other legal centres in the delivery of community development and community legal education to remote and towns of issues they request
- keeping close ties with all Council/CEO of remote and town communities of issues that arise and when KCLS outreach trips will be in their areas
- Keeping in contact with women in regards to children needs/safety, domestic violence and safety measures for victims, referrals which are culturally appropriate and they feel comfortable in meeting with the relevant agencies/staff





## TENANCY ADVICE AND EDUCATION SERVICE REFLECTION

Tenancy continues to be an integral part of KCLS and is operated across the Kimberley region by phone or face to face visits.

We have provided information, education, legal advice, case work and advocacy for many clients in almost all aspects of tenancy including helping housing applicants, tenants and those who may have been evicted or vacated their property for various reasons. We also contributed to policy development and reform by liaising with the central tenancy service, Tenancy WA based in Perth.

Many of our clients are limited by language, education, socio-economic status and historical abuse. We offer an invaluable service to people who at times struggle to engage because of generational trauma. 96% of our clients are Aboriginal. We aspire to practice in a culturally appropriate and sensitive manner, especially when on outreach in communities.

Day to day assistance includes listening and obtaining instructions, contacting housing and other service providers to gather further information and trying to negotiate positive outcomes. Some of these outcomes include:

- getting individuals and families on the waiting list for housing;
- getting those eligible on the priority housing waiting list (the majority of client's we assist are eligible for priority housing on the grounds of homelessness, family violence of medical reasons and more often than not it's a combination of these grounds);
- helping clients to stay on the waiting lists;
- assisting clients maintain their tenancy
- working with them around debt, property standards, disruptive behaviour and trying to teach them skills like information gathering and negotiation; and
- assisting clients with transfers (there are many reasons for transfers and some are tragic).

### CASE STUDY

A is an Aboriginal woman whose former partner was in prison for assaulting and terrorising her. She experienced years of abuse. She has a severely disabled child. She has a violence restraining order against the former partner.

She is a Housing Authority tenant and had been approved for a priority transfer to move out of the home she lived in with her former partner before he got out of jail.

She also needed to move to be closer to medical, respite and support services for her son and closer to family who provide essential support.

In the months leading up to her former partner's release date she became more anxious letter to apply for priority housing application. She has been experiencing secondary homelessness since the closure of Oombulgarri Community and has a number of medical conditions that are impacted by her unstable and unsuitable accommodation. We provided a support letter and education about how to apply and A was going to hand her application into housing herself.

A returned for assistance in September 2016. A had been unable to hand in her application herself. She had to go to Kalumburu for cultural reasons and subsequently lost the paperwork. A is eligible for priority housing assistance due to secondary homelessness, her current accommodation is negatively impacting her health and she has no other viable housing options.

On A's return in September 2016 we opened a case as A required high level and ongoing assistance in order to complete her application and ensure it was lodged. We lodged the application on A's behalf.

### MELISSA BATEMAN

Solicitor

## PUBLIC TENANCY SUPPORT SERVICE REFLECTION

During the last year the PTSS service closed 23 clients' files, this is an excellent achievement in being able to support people to maintain their tenancies and we look forward to being able to focus on new clients in 2016/2017.

Tenancies issues are core to the support and assistance KCLS provides across the Kimberley. Our work has focused on empowering our clients by raising awareness of tenancy obligations and supporting them to move towards managing their own tenancies. Community education, personal coaching and practical supports are some methods used by PTSS to achieve positive outcomes for clients.

The work of the PTSS program is intensive and clients continue to struggle with housing services that at times lack understanding and protocols for dealing with cultural difference and the pressures and demands associated with cultural obligations. For example, over-crowding and noise is often part of the realities of life for many Aboriginal families when relatives come to town for funerals or for other family matters.

KCLS is keen as we move into 2017 to build stronger relationships with the Department of Housing in better supporting our clients. There are real opportunities to do things better by collaboration and improving communication across our organisations.

### CASE STUDY

The client was a single Aboriginal mother with two children in her late 20s

Her issues when presenting were rental arrears, tenant liability, antisocial behaviour, Problematic Visitors, Property standards internal & external and issues with neighbours, the client was at risk of eviction. The client was on a fix term lease of six months.

DOH was seeking to have the client apply for a grog band to address issues but the client was not interested in having this applied. The PTSS worker acting as an advocate explained the situation to the client to assist her in understanding why DOH wanted the grog band applied. The PTSS worker then met with the DOH to provide the perspective of the tenant.

PTSS continued to work with the client to address issue of antisocial behaviour and other matters to avoid eviction on a number of occasions.

The PTSS program also assisted through the use of the Brokerage funds. The funds were used to hire a skip bin so the client could clean-up of the yard. The use of the brokerage funds were vital as the client was on Centrelink payments and had limited funds available to fund the clean-up required by the DOH.

Further, ongoing assistance was provided to help the client to complete subsidy forms and to arrange payment plans to address increasing debt.

The complexity and ongoing matters for this client resulted in client remaining in the PTSS program longer than 6 months. This case has now been closed and the client is still a tenant of DOH.

The strength of our relationship and the trust developed with the client is demonstrated in that the client continues to seek support from KCLS from time to time.

### TRACEY RICHARDS

PTSS Worker





## FINANCIAL COUNSELLING SERVICE REFLECTION

The financial counselling service has supported over 150 clients during the period; many of these clients are single parent families and over 60% of our clients are over the age of 30.

The largest proportion of our clients during the year are those receiving government assistance and who are unemployed. We are really proud that in most cases people are self-referring to our service which highlights that the promotion and community education are working in that people know where we are and who we are.

A large proportion of our work during the year related to credit card debt and people facing legal action because of this, and a large percentage of our work has also included issues relating to non- payment of rent.

People also came to KCLS to seek assistance from the many problems that emerged when the Cashless Debit Card emerged. KCLS has had some really good outcomes in working with many of our clients in assisting them to avoid legal action and providing advice and practical assistance to develop effective budgeting to ensure they can meet their financial obligations.

### CASE STUDY

In 2016 we have assisted at least three tenants lodge internal Appeals with the Department of Housing regarding tenant liability charges.

Essentially, a tenant reports maintenance at the house and DOH undertakes repairs. Unless there is a police report number, DOH charge the repairs to the tenant and it's called tenant liability. Tenant liability puts tenants and their families at risk of eviction. Legal advice and financial counselling is recommended for these tenants.

Many tenants have instructed KCLS that they tried to call the Police to report damage to their house or some even visit the Police station personally to report the damage but the Police don't give them a police report number. This is damage caused by invited visitors either when the tenant is there and is a witness or break ins when the tenant is away from the property. Some tenants say the Police or workers at the station say things like: the Police are too busy, the Police will be there as soon as they can, the Police can't help if you didn't see who did it, that's tenant liability and nothing to do with the Police. This last point is something the Police have told KCLS a number of times and it is clear that there is a misunderstanding between the role of the Police in noting and investigating damage reported and DOH's role in determining tenant liability.

We have successfully argued that it is not the tenant's responsibility to make the Police issue a police report number. Accordingly, tenant liability has been waived which has reduced debt and drastically reduced the likelihood of eviction.

We note, this issue of police report numbers comes up in insurance matters. Other solicitors in Kununurra have reported their own damage or theft of belongings with the intention of making an insurance claim and it has been difficult to get a police report number for the purpose of lodging an insurance claim.

### HANNAH LEVY

Solicitor

## FAMILY ASSISTANCE SAFETY TEAM

In September 2015 the Australian Government announced a \$100 million package of measures to provide a safety net for women and children at high risk of experiencing violence. Of this, \$15 million was allocated to Attorney-General's Department for the funding of Women's Safety Package Legal Support Services.

The package is to improve frontline support and services, leverage innovative technologies to keep women safe, and provide education resources to help change community attitudes to violence and abuse.

KCLS was one of 13 pilot sites across Australia and was offered funding in December 2016. The work to develop the pilot program in the East Kimberley involved extensive community consultation and in June 2016 the program commenced on the ground in Kununurra.

This new and exciting service has developed linkages with 25 services in Kununurra and is providing casework to sixteen clients. Casework includes: writing letters of support, assisting with VRO applications, attending court with the clients, referral to other service providers, safety planning, risk assessment, attending DCP and Strong Families meetings, advocacy, support and encouragement.

The FAST Coordinator participates in the weekly East Kimberley Family and Domestic Violence Safety Teams/Multi Agency Case Management meetings and the monthly EK FDV Forum. Considering the service is still in the early stage of development, the number of clients indicates that it is becoming accepted by the community, particularly as people are now starting to self-refer.

### CASE STUDY

Client A is a single Aboriginal mother with 6 children under 12. KCLS family violence unit has assisted her with a violence restraining order, credit and debt issues and tenancy matters. Her primary concern is her current housing situation. She has been staying with her mother but sometimes stays with her ex-partner to give her mother some space and time away from her family; this puts her at risk of violence again. She is very concerned about the lack of stability for her children in her current living arrangements.

FAST have attended financial counselling sessions with the client, and explored future housing options such as private rental accommodation. The FAST Coordinator attended a Strong Families meeting and has written letters of support to WA Housing Authority and for a no interest loan scheme application. The client has now been advised by WA Housing Authority that her priority housing application is now being processed and a house will in all likelihood be made available for her and the children in mid-August. Once the client is established in a house she has advised the FAST Coordinator that she would like to be referred to Anglicare for counselling. This is to further address issues arising for her and the children from being in a family violence relationship.

### PAM TOWNSEND

Coordinator



## TREASURER'S REPORT AND AUDIT

Kimberley Community Legal Services Incorporated (KCLS) recorded a \$47,727 surplus (2014/2015-\$49,531 deficit) for the period 1st July 2015 – 30th June 2016. The surplus is a result of recognising grant funding in the form of a car as revenue in the 2015 – 2016 financial year. As per the notes in the financial statements all grants were expended apart from the Women's Safety Package grant which was received towards the middle of the financial year.

KCLS reported an increase in grant funding of 11.96% compared to the 2014/2015 financial year. Congratulations to Management in sourcing vital funding in a tough funding environment. As a result the total equity of KCLS has increased by 24.36% to \$243,671 as at the 30th June 2016.

KCLS received another unqualified audit report for the period 1st July 2015 – 30th June 2016. Congratulations goes to the team at KCLS for another successful year of providing legal services to the community whilst also complying with all statutory accounting regulations and providing an unqualified audit report.

I also wish to thank Wunan Kimberley Business Support for their professional support over the past 12 months and also providing help with the year end audit. The audit was completed by LBW Chartered Accountants again this year.

### YALE BOLTO CPA

**Treasurer**  
**Kimberley Community Legal Services Inc**

## FINANCIAL REPORT

FOR THE YEAR ENDED 30 JUNE 2016





## Kimberley Community Legal Services Inc

### COMMITTEE'S REPORT

Your committee members submit the financial report of the Kimberley Community Legal Services Inc for the financial year ended 30 June 2016.

The names of committee members throughout the year and at the date of this report are:

Brenda Garstone	Karyn Apperley
Yale Bolto	Paul O'Neil
Jade Wade	Alena Birch
Debbie Cain	Bev Russ (until May16)
Gloria Martin (until June16)	

#### Principal Activities

The principal activities of the corporation during the financial year were to provide legal services, counselling service, tenancy advocates services, financial counselling services and community legal education outreach program.

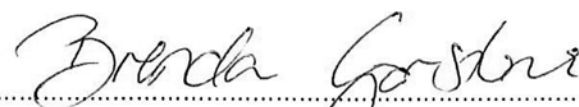
#### Significant Changes

No significant change in the nature of these activities occurred during the year.

#### Operating Result

The surplus from ordinary activities amounted to \$47,727. The deficit for the previous financial year amounted to \$49,531.

Signed in accordance with a resolution of the members of the committee.



Brenda Garston - Chairperson



Dated this 31 day of OCTOBER 2016

## STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2016

	Note	2016 \$	2015 \$
Revenue from Grant Funding & Operations		1,785,181	1,594,492
Unexpended Grants brought forward		(4,706)	62,247
Other Revenue from ordinary activities		1,981	6,993
Employee / Payroll expenses		(1,039,860)	(1,259,032)
Depreciation and Amortisation expenses		(44,734)	(47,861)
Unexpended Grants carried forward	7	(193,100)	4,706
Other expenses from ordinary activities		(457,035)	(411,076)
<b>Surplus / (Deficit) from Ordinary activities for the year</b>		<b>47,727</b>	<b>(49,531)</b>
Income tax expense	1a	-	-
<b>Surplus / (Deficit) after income tax from ordinary activities</b>		<b>47,727</b>	<b>(49,531)</b>
<b>Other Comprehensive Income</b>			
Items that will not be reclassified to profit or loss:		-	-
Items that will be reclassified subsequently to profit or loss when specific conditions are met:		-	-
<b>Total Comprehensive Income for the year</b>		<b>47,727</b>	<b>(49,531)</b>

The accompanying notes form part of these financial statements.



## STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2016

	Note	2016 \$	2015 \$
<b>ASSETS</b>			
<b>CURRENT ASSETS</b>			
Cash	2	427,681	154,023
Receivables	3	8,292	15,095
Prepayments		3,648	14,788
Credit Card Guarantee		16,109	15,722
<b>TOTAL CURRENT ASSETS</b>		<b>455,730</b>	<b>199,628</b>
<b>NON-CURRENT ASSETS</b>			
Property, Plant & Equipment	4	129,189	111,890
<b>TOTAL NON-CURRENT ASSETS</b>		<b>129,189</b>	<b>111,890</b>
<b>TOTAL ASSETS</b>		<b>584,919</b>	<b>311,518</b>
<b>LIABILITIES</b>			
<b>CURRENT LIABILITIES</b>			
Payables	5	77,171	53,974
Provisions	6	70,977	66,306
Unexpended Grants	7	193,100	(4,706)
<b>TOTAL CURRENT LIABILITIES</b>		<b>341,248</b>	<b>115,574</b>
<b>NON-CURRENT LIABILITIES</b>			
<b>TOTAL NON-CURRENT LIABILITIES</b>		<b>-</b>	<b>-</b>
<b>TOTAL LIABILITIES</b>		<b>341,248</b>	<b>115,574</b>
<b>NET ASSETS</b>		<b>243,671</b>	<b>195,944</b>
<b>EQUITY</b>			
Retained surplus / (deficit)	8	243,671	195,944
<b>TOTAL EQUITY</b>		<b>243,671</b>	<b>195,944</b>

The accompanying notes form part of these financial statements.

## STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2016

	Note	2016 \$	2015 \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Receipts from funding and operations		1,791,597	1,607,891
Interest received		1,981	6,993
Payments to suppliers and employees		(1,457,887)	(1,691,429)
<b>Net cash provided by operating activities</b>		<b>335,691</b>	<b>(76,545)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Purchases of property, plant & equipment		(62,033)	(1,239)
<b>Net cash used by investing activities</b>		<b>(62,033)</b>	<b>(1,239)</b>
Net Increase / (decrease) in Cash Held		273,658	(77,784)
Cash at the Beginning of the Financial Year		154,023	231,807
<b>Cash at the End of the Financial Year</b>	<b>2</b>	<b>427,681</b>	<b>154,023</b>

The accompanying notes form part of these financial statements.



## NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016

### NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Association's constitution and its members. The committee has determined the association is not a reporting entity.

The financial report has been prepared on an modified accruals basis and is based on historic costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

#### a. Income Tax

The members are of the understanding that Kimberley Community Legal Services Incorporated is exempt from Income Tax.

#### b. Property, Plant and Equipment (PPE)

##### *Cost or Valuation*

Property, Plant & Equipment are carried at cost.

##### *Depreciation*

Depreciation is provided on the straight line basis. The depreciable amount of all fixed assets are depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

#### c. Revenue Recognition

Revenue is recognised to the extent that it is probable that the economic benefits will flow to the entity and the revenue can be reliably measured.

#### d. Grant Revenue Recognition

Government grants (including non-monetary grants at fair value) are not recognised until there is reasonable assurance that all conditions will be complied with and that the grants will be received.

Grants are recognised in the income statement over the periods necessary to match them with the related costs which they are intended to compensate, on a systematic basis.

The balance of grant income received which has not been recognised in the Income statement is recognised as a liability in the balance sheet as unexpended grants.

#### e. Cash and Cash Equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less.

#### f. Goods and Services Tax (GST)

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

#### g. Employee Entitlements

Provision is made for entitlements payable to employees on the basis of statutory and contractual requirements.

#### h. Going Concern

The future operations of Kimberley Community Legal Services Incorporated are dependant upon adequate future funding from relevant funding bodies and the association being able to pay its debts as and when they fall due.

## NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016

	2016 \$	2016 \$
<b>NOTE 2: CASH</b>		
Cash on hand	193	1,879
Society Bank Account	344,730	8,028
Cheque Account	9,245	5,242
Saving Account	73,513	138,874
	427,681	154,023
<b>NOTE 3: RECEIVABLES</b>		
Accounts Receivable	4,610	3,210
Pay Advance	-	493
Rent Receivables	3,682	11,392
	8,292	15,095
<b>NOTE 4: PROPERTY, PLANT &amp; EQUIPMENT</b>		
Plant & Equipment at cost	203,374	201,111
Less: Accumulated Depreciation	(186,560)	(177,466)
	16,814	23,645
Motor Vehicles at cost	193,305	133,535
Less: Accumulated Depreciation	(88,702)	(60,389)
	104,603	73,146
Leasehold Improvements at cost	58,232	58,232
Less: Accumulated Depreciation	(55,808)	(51,552)
	2,424	6,680
Furniture & Fittings at cost	31,805	31,805
Less: Accumulated Depreciation	(26,457)	(23,386)
	5,348	8,419
Total Property, Plant & Equipment	129,189	111,890
<b>NOTE 5: PAYABLES</b>		
Accounts Payable	23,231	49,805
Tax Payable	49,280	193
Salary Sacrifice Liability	4,660	3,976
	77,171	53,974



## NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016

	2016 \$	2015 \$
<b>NOTE 6: PROVISIONS</b>		
Annual Leave	70,977	66,306
	<u>70,977</u>	<u>66,306</u>
<b>NOTE 7: UNEXPENDED GRANTS</b>		
Public Tenancy Support Services	-	17,916
Women's Safety Package	203,148	-
Indigenous Women's Program (Dept of PM&C)	-	9,168
Tenancy Advice & Education Services	(10,048)	(31,790)
	<u>193,100</u>	<u>(4,706)</u>
	<u>243,671</u>	<u>195,944</u>

The unexpended grants detailed above arise on the basis of allocating expenses to the listed funding bodies at managements' discretion. The excess of income received from a particular funding body plus the carried forward balance (from 2015), less the related expenses gives the figure for each in Note 7.

Due to the above the only items which will make up the final surplus / (deficit) shown in the Income Statement for the association are expenses left un-classified by management.

	2016 \$	2015 \$
<b>NOTE 8: RETAINED SURPLUS</b>		
Retained Surplus	195,944	245,475
Surplus / (Deficit) for the year	47,727	(49,531)
	<u>243,671</u>	<u>195,944</u>

### NOTE 9: EVENTS AFTER THE BALANCE SHEET DATE

Since 30 June 2016, there are no matters or circumstances that have arisen which requires adjustments to or disclosure in the financial statements.

## Kimberley Community Legal Services Inc

### STATEMENT BY MEMBERS OF THE COMMITTEE

The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report as set out on pages 3 to 8:

1. Presents a true and fair view of the financial position of Kimberley Community Legal Services Incorporated as at 30 June 2016 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that Kimberley Community Legal Services Incorporated will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the committee and is signed for and on behalf of the committee by:

Committee Member..... *Brenda Garston*  
Brenda Garston - Chairperson

Committee Member..... *Yale Bolto*  
Yale Bolto - Treasure

Dated this 30 day of September 2016





INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF  
KIMBERLEY COMMUNITY LEGAL SERVICES INCORPORATED

**Report on the Financial Report**

We have audited the accompanying financial report, being a special purpose financial report, of Kimberley Community Legal Services Incorporated (the association), which comprises the statement of financial position as at 30 June 2016 for the year then ended, the statement of profit or loss and other comprehensive income, statement of cash flows, a summary of significant accounting policies, other explanatory notes and the statement by members of the committee.

*Committee's Responsibility for the Financial Report*

The committee of the association is responsible for the preparation of the financial report, and has determined that the basis of preparation described in Note 1 is appropriate and consistent with the financial reporting requirements of the association and are appropriate to meet the needs of the members. The committee's responsibility also includes such internal control as the committee determines is necessary to enable the preparation of a financial report that is free from material misstatement, whether due to fraud or error.

*Auditor's Responsibility*

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

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

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

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF  
KIMBERLEY COMMUNITY LEGAL SERVICES INCORPORATED

*Opinion*

In our opinion the financial report of Kimberley Community Legal Services Incorporated presents fairly, in all material respects the financial position of Kimberley Community Legal Services Incorporated as at 30 June 2016 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements.

*Emphasis of Matter*


Basis of Accounting and Restriction on Distribution

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist Kimberley Community Legal Services Incorporated to meet the requirements of the association. As a result, the financial report may not be suitable for another purpose.

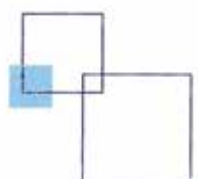
Expense Classification

Kimberley Community Legal Services Incorporated receives funding from a number of funding bodies. As such, shared expenses on a number of occasions have been split and classified to a number of funding bodies sub accounts. The split and classification of these expenses for the financial year has been based on allocations approved by the board.

  
LBW Chartered Accountants

  
Sripathy Sarma  
Principal

Dated this 30<sup>th</sup> day of September 2016

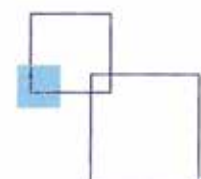


GEELONG  
35-37 Gordon Avenue  
Geelong West 3218  
T: 5221 6111  
F: 5223 1966

MELBOURNE  
Level 3,  
365 Lt Collins Street  
Melbourne 3000  
T: 9670 4444  
F: 5223 1966

COLAC  
7 Bromfield Street  
Colac 3250  
T: 5231 5999  
F: 5223 1966

EMAIL  
lbw@lbwca.com.au  
WEB  
www.lbwca.com.au



GEELONG  
35-37 Gordon Avenue  
Geelong West 3218  
T: 5221 6111  
F: 5223 1966

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kimberley community  
legal services

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