



TOP END WOMEN'S LEGAL SERVICE INC.

FREE LEGAL ADVICE FOR WOMEN

Advice | Information | Referral | Advocacy

*Celebrating 23 years of providing legal
services to women in the Top End*

ANNUAL REPORT 2018/2019



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Chairperson's Report

“One step at a time.”

The women we help at TEWLS have a myriad of legal problems, from being pursued by a debt collector to long running family law proceedings. On top of that, a majority have experienced domestic and family violence and many are or face homelessness.

Life is, for many of our clients, overwhelming, and sometimes there appears to be little in the way of solutions.

But that is the very reason TEWLS **is** here – to listen, provide legal direction and, hopefully, a way forward.

Last year, my Report talked about the limited resources we have and the problems we face allocating those resources. That situation continues.

But, while the reality is that we continue to have limited resources and must sometimes turn women away, we are luckily over achievers within the resources available.

So, for this Report, I would like to highlight the assistance we **have** been able to provide over the year and the programs that are helping the women that we serve.

This year we have had an extra pair of hands, so we have been able to extend service provision, particularly to publishing resources and making representative complaints.

It is so pleasing to finally see service capacity extending to address systems abuse whilst also providing legal advice and assistance to even more women.

We continue to provide legal advice to women in prison, where demand for our help outweighs our resources, but we are able to provide legal advice to many. Our recent Legal Health Check Project has resulted in 150 new legal matters, which are being actioned in a proactive and holistic fashion.

Then we have our Royal Darwin Hospital and Dawn House Women's Shelter outreach legal clinics. It is so important to provide services at crucial junctures in women's lives, which these clinics both do.

And we continue to service Palmerston and provide Darwin evening volunteer advice sessions, both of which are regularly booked out, and continue to experience periodic waiting times.

We also continue our longstanding service to local and nearby Indigenous communities, where demand continues to rise as word gets out about our excellent staff and positive outcomes.

So, we **are** here, providing legal advice to many women who may not otherwise have any access to justice.

Once again, thanks to all; the volunteers, the Committee and the hardworking and committed staff. I am proud to be part of this organisation and your involvement makes it all worthwhile.

Chris Osborne
Chairperson



Managing Solicitor's Report

As a small team of five, with a project consultant, it has been a highly productive year, with multiple service and project highlights, and the occasional victory champagne!

Service achievements include TEWLS having assisted over 3,000 women, and exceeded all targets by up to 1,000%.

In FY2018/2019, project achievements include TEWLS having:

- Launched an updated TEWLS website; adding submissions, resources, helpful links and service information in four Indigenous language audio translations. You can visit the website at www.tewls.org.au and note TEWLS new 'Yams and Berries' branding by Muluymuluy Wirrpanda.
- Published the Legal Information Booklet for women incarcerated at Darwin Correctional Centre (DCC), which DCC will include in arrival packs and place in the resource library.
- Published four family law factsheets on separation, divorce, parenting and property. These are now available on TEWLS website with hard copies available at appointments and CLE presentations.
- Secured the introduction of a new Volunteer Practising Certificate to expand pro-bono servicing, extending service capacity, and addressing unmet need.

Funding successes include TEWLS having:

- Received a Territory Families "Safe Respected Free from Violence Grant" of \$25,000 to address gender equity via Legal Health Checks, and CLE, with women incarcerated at DCC and CALD women.

- Secured an ex-NTG 4WD vehicle via the Community Benefit Fund to replace TEWLS' 10-year-old 4WD.
- Received a Northern Territory Law Society Public Purpose Trust grant of \$15,000.00

Every additional dollar is gratefully received, and the above grants significantly extend service provision whilst ensuring improved capacity to address existing unmet need.

With high level achievements energising service provision, a major challenge for the coming year remains – advocacy to secure specialist domestic and family violence counselling for incarcerated women (to address complex trauma, progress well-being, and to reduce recidivism rates).

A longer-term goal is meeting the challenges posed by Australia's first quantitative assessment of the legal and related needs that coincide with domestic and family violence, where findings reinforce the need for specialist and holistic legal assistance for DFV to be a government priority. *

Finally, and as always, a very grateful and bountiful thank-you to TEWLS management committee and volunteers who value-add immeasurably with expertise and energy to advance service provision, strategic planning and the management of TEWLS.

**Vanessa Lethlean
Managing Solicitor**

** NSW Law and Justice Foundation: Quantifying the Legal and Broader Life Impacts of Domestic and Family Violence, Justice Issues, Paper 32, June 2019.*

TEWLS' Clinics

In-house advice clinics:

Darwin: Every Wednesday (evening)
Weekdays by appointment

Women's Correctional Centres:

Darwin Correctional Centre: Every third Thursday

Community outreach advice clinics:

Acacia: Second Tuesday of every second month
Amangal: First Tuesday of every second month
Bagot: Mondays, monthly
Belyuen: Last Wednesday of every month
Knuckey Lagoon: Every second Monday
15 Mile / PIV: Every second Monday

Outreach advice clinics:

Adult Migrant English Program (AMEP): Once a semester and during semester as requested
Palmerston: Every second Wednesday
Royal Darwin Hospital Pilot: Every Thursday
Dawn House Women's Shelter Pilot: Every second Tuesday



Map of TEWLS Clinic Locations created by Kristy Brown

Strategic Plan 2016 – 2019

Vision

A community in which women enjoy and are entitled to legal and social justice.

Purpose

To advocate to achieve justice for women, to promote women’s human rights, and to redress inequalities experienced by women.

Values

- Courage
- Connectivity
- Innovation
- Specialisation
- Respect
- Collaboration
- Excellence
- Inclusivity
- Integrity
- Accountability

Goals and Strategies

Excellence in Service Standards

To provide high quality civil law and related services through referral, information, advice, representation, community legal education and law reform submissions that are accessible, proactive, responsive, timely, of a high standard, and, culturally appropriate.

Inclusivity and Respect

To provide specialist and innovative services inclusive of the needs and interests of all women, including Indigenous and Culturally and Linguistically Diverse women, with particular focus for women with domestic and family violence indicators, older women, young women, women in prison, women at risk of homelessness, LGBTIQ+ women, and women with disabilities.

Connectivity and Collaboration with Organisations and Communities

To partner with people, organisations and communities; and, to support and strengthen connectivity, collaboration, and coordination with pro-bono partnerships, key sector stakeholders, government, and peak bodies.

Innovation for Change

To identify obstacles to justice and options for reform; to contribute and respond to policy development; to provide community legal education; and, to initiate policy change and law reform.

Integrity and Accountability

To apply best practice governance, management, service delivery, and employee engagement.

TEWLS Personnel (as at 30 June 2019)

Management Committee

TEWLS thanks Management Committee members for their ongoing support of staff and overarching direction and management of the service, being:

Chris Osborne Chairperson

Rose Mills Treasurer

Sim O'Callaghan Secretary

Carol Cummins

Danielle Eveleigh

Emma Farnell (from 26.04.19)

Alex O'Donnell (to 28.09.2019)

Khami Aughterson (to 28.09.2019)

TEWLS Staff

TEWLS employs a team of legal and non-legal staff. As at 30 June 2019, our team consisted of:

Vanessa Lethlean Managing Solicitor

Caitlin
Weatherby-Fell Senior Solicitor

Gabrielle McMullen Solicitor

Elena Zola Project Officer

Kara Mills Administration Officer

Volunteers

TEWLS was again supported by a number of volunteer solicitors over the year; through the Wednesday Night Clinic, many of whom are senior specialist experts, via pro-bono partnerships, and by Aurora Project interns and Practical Legal Training (Graduate Diploma of Legal Practice) Placements.

TEWLS extends a very warm thank you to all volunteers who contribute their time so generously. This volunteering facilitates a high level of expertise, value adds to in-house expertise and ongoing case work, and increases service capacity in the context of service requests continue to exceed capacity.

Supervising and Volunteer Solicitors

Supervisors

Chris Osborne
Peggy Cheong
Julie Franz
Cathy Spurr
Jamon
Phelan-Badgery

Solicitors

Sarah Newman
Michelle Duggan
Ainslie Corridon
Alanna Grimster
Kendra Frew
Jessica Holgersson
Nicole Festing
Kathryn Baumeister
Amy Dargan
Nicola Leach
Anne-Marie Chin
Charmaine Lentija
Jacqui Griffin
Thelma Gray
Tessa Mitchell
Briana Ganesharajah
Leanne Kerr
Allison Clark
Isabel Roper
Lucy Hopkinson
Shannon Coetzee

Volunteer Students

Alannah Lenehan
Sara Rowe
Rebecca McLellan

Paige Bisset
Mary Parker

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Leanne Kerr
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Paige Bisset
Mary Parker

Our Services: Snapshot of the FY2018/2019

In total, TEWLS assisted **3,000 women** by providing legal information and referral, legal advice, case work and representation legal services.

3,000
women assisted in
FY2018/2019



TEWLS provided free one-off legal advices on a range of civil and family law matters, as well as representation and casework services, with matter types including:

- Family law, such as divorce, parenting and property
- Consumer issues, such as credit and debt, and fines
- Domestic Violence and Personal Violence Restraining Orders
- Complaints, such as discrimination and police complaints
- Injury compensations, such as victims of crime, motor accidents and workplace injuries
- Tenancy and housing matters
- Deceased estates and superannuation
- Employment law
- Sexual assault

1,600+
women assisted with
information or referral
services



700
women received legal
advice in over 2,000
matter types



These services were provided in Darwin, Palmerston, at the Royal Darwin Hospital, Dawn House Women's Shelter; the local Adult Migration English Programs, the Darwin Correctional Centre, and the following Indigenous communities:

600+
women received legal
casework assistance
(including
representation)



- Acacia Community
- Amangal Community
- Bagot Community
- Belyuen Community
- Knuckey Lagoon Community
- 15 Mile (PIV) Community

175+
community outreach and
legal clinic visits



TEWLS provided **advocacy and submissions** on issues of salient importance to women across the Top End. TEWLS provided submissions independently, as a member of the Northern Territory Women's Legal Services coalition, and in collaboration with other key stakeholders.

50+
law reform submissions,
Community Legal
Education sessions, and
networking and
advocacy actions



The **Community Legal Education** program delivered sessions on frequently requested areas of law including domestic violence, discrimination, family law, victims of crime financial assistance and mandatory reporting obligations in respect of domestic and family violence.

Over 25 legal volunteers, as solicitors, interns and GDLP placement students volunteered their time to TEWLS.

1,000+
turnaways due to
insufficient service
capacity



Legal Services

Our clients

TEWLS' clients often present with multifaceted legal and related matters, with multiple foundational vulnerabilities and barriers to accessing justice.

- Over 70% of all clients have **domestic and family violence indicators**.
- Over 70% of all clients were **financially disadvantaged**.
- Over 20% of all clients have **homelessness indicators**.
- Over 20% of all clients have **no income**.
- Over 20% of all clients have a **disability or mental health indicators**.
- Over 20% of all clients **speak a language other than English** at home.

Our clients' feedback

Client feedback is an important element of service provision, strategic direction, and continuous improvement processes.

The most recent TEWLS client survey records:

- 94% of clients report it was **easy to contact** TEWLS when they first needed help.
- 94% of clients say TEWLS **listened** to their legal problem.
- 100% of clients state TEWLS **helped them to understand** their legal problem.
- 100% of clients **know where to go** if they require legal assistance in the future.
- 100% of client **would recommend** TEWLS to other people.



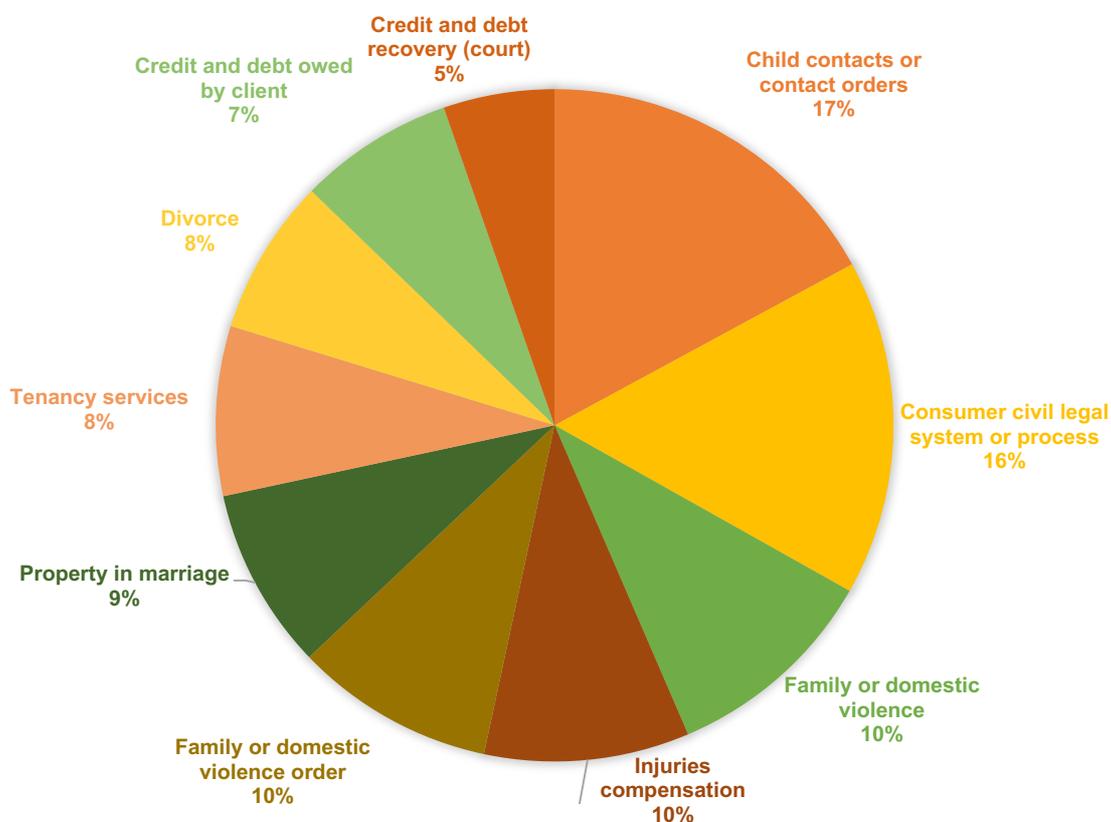
TEWLS staff participating in a weaving workshop at Knucky Women's Centre, Belyuen

Legal advice

In FY2018/2019, TEWLS provided legal advice to nearly 700 women across 500 matter types across a range of locations.

The graph below illustrates the top ten legal advice matter types this financial year –

Top 10 areas of legal advice sought FY2018/2019



Legal Representation

In FY2018/2019, over 600 women in the Top End were provided legal representation (casework) assistance by TEWLS, including NTCAT appearances, Local Court, Federal Circuit Court and Supreme Court appearances, family dispute resolutions, and complaints.

The most frequently provided legal representative matter types this year included:

- Child contacts or contact orders
- Consumer
- Credit and debt
- Family or domestic violence

Advocating for clients

The following deidentified client stories reflect our work over FY2018/2019, illustrating the high-quality representative services provided by TEWLS as a specialist women's legal service –

Telecommunications trends lead to ACCC investigation

Miranda* is an Aboriginal woman living on a remote community in the Northern Territory, where English is her second language. During one of TEWLS' visits to Miranda's community, Miranda showed TEWLS multiple letters of demand that she had received by mail. The letters of demand said that Miranda owed over \$8,000 in respect of a mobile phone from Telstra and threatened legal action if Miranda did not pay the debt. Miranda told TEWLS that she felt great worry about the debt, that it was impacting her and her family, and that she did not understand how she owed so much money to Telstra.

TEWLS advised Miranda of her rights under the Australian Consumer Law and Telecommunications Consumer Protection Code and assisted Miranda to seek documents in respect of the debt. Upon receipt of the documents, Miranda told TEWLS that she had not understood the contract at the time of signing, and that the Telstra staff had not listened to her when she had attended the store. TEWLS was successful in seeking that Miranda's debt to Telstra be waived, excluding costs of the handset retained by Miranda, and assisted Miranda to enter into an affordable payment plan for the outstanding amount.

Following TEWLS' advocacy on behalf of Miranda and in multiple other matters with similar scenarios, TEWLS is now a party to the ACCC investigation of Telstra practices with Aboriginal and Torres Strait Islander consumers in the Northern Territory and Western Australia. TEWLS, along with select financial counselling service providers, continue to work with the ACCC in their investigation, where we seek future protections for our clients so that similar situations do not occur.

Lawyer-assisted Family Dispute Resolution success

Katie* is a newly single mother from a CALD background, where she requires an interpreter to give instructions and receive legal advice. Katie first met with TEWLS during the TEWLS' Dawn House clinic, where Katie sought assistance regarding parenting, as well as property and domestic and family violence matters. Katie told TEWLS that since leaving her ex-partner, his violence towards her had de-escalated, but that she was frightened that it would increase if they were to disagree about parenting for their child.

TEWLS assisted Katie in the first instance to liaise with her ex-partner and agree to interim parenting arrangements that were in the best interests of their child. TEWLS then assisted Katie to engage in lawyer-assisted Family Dispute Resolution, where TEWLS acted on Katie's behalf. TEWLS facilitated the attendance of an interpreter for the Family Dispute Resolution, so that Katie would be engaged and supported during the process, and the parties successfully made a parenting agreement as a result of the conference.

Reconnecting with family – varying a Domestic Violence Order to permit contact with children

Karie* is an Aboriginal woman incarcerated for offences committed whilst ‘ice’ affected, including placing one of her children at serious risk of harm. Initially subject to a care and protection order, the children moved interstate shortly after Karie was sentenced. Prior to sentencing, care and protection authorities facilitated weekly face-to-face contact between mother and children. Once interstate, the family member caring for the children declined to facilitate communication between Karie and the children. Of note, Indigenous women are imprisoned at 21 times the rate of other women.

Karie completed programs to address drugs, domestic and family violence, self-esteem and complex trauma acquired as a child. She then sought assistance to vary the Domestic Violence Order to continue communication with her children. TEWLS obtained Supreme Court orders permitting this, and annexed expert reports in support which identified health and well-being benefits for both Karie and the children of ongoing supervised communication, that responded appropriately to the paramountcy of the safety of the children.

Maintaining safe connection to family is vital for incarcerated women, and assists in reducing recidivism. Of ongoing concern, incarcerated women’s access to services to address reasons foundational to criminality is severely limited, which increases rates for recidivism.

Raising awareness of rights under Discrimination legislation

Tenille* is an Aboriginal woman living on a remote Aboriginal community in the Northern Territory. Tenille often journeys into Darwin to visit and spend time with family and is a member of a local sports club. During one of TEWLS’ visits to Tenille’s community, Tenille told TEWLS staff about her most recent attendance to the sports club, where she and her sister had been refused entry as a consequence of their living on their community. Tenille told TEWLS that she felt shamed by the sports club’s conduct and asked TEWLS for help about what she could do.

TEWLS advised Tenille of her rights under the NT Anti-Discrimination legislation and assisted Tenille to contact the sports club to resolve the issue before moving through the legislation’s conciliation processes. TEWLS was successful in seeking a prompt response from the sports club, and with discrimination being found to have occurred, the sports club offered Tenille and her sister an apology and compensation. Tenille instructs that she felt supported and culturally safe during the complaint process, and now knows how to help herself and any family who experience the same discrimination.

Following TEWLS’ advocacy on behalf of Tenille, TEWLS was contacted by the Board of the club for assistance in seeking training and education for staff so that Tenille’s experience would not occur again. As a consequence of Tenille’s complaint, the club have actively progressed their staff’s understanding and practise of anti-discrimination legislation, leading to better outcomes for future patrons.

Collaboration resolves consumer complaint

In 2015, the ACCC initiated proceedings against a vendor who had allegedly pressured vulnerable and/or disadvantaged consumers into buying products that they could not afford. In response to the proceedings, the vendor was ordered to pay a large penalty and to offer refunds to all relevant customers who had purchased products prior to the proceedings.

Lisa* attended TEWLS at one of our regular clinics at her community. An Aboriginal woman living on a remote Aboriginal community in the Northern Territory with English as a second language, Lisa instructed TEWLS that she had purchased products from the vendor a long time ago but had never received the relevant goods. In advising Lisa, TEWLS found the orders sought by the ACCC and subsequently collaborated with the ACCC's Sydney office to liaise with the vendor. Working with the ACCC, TEWLS advocated on Lisa's behalf to the vendor and was successful in acquiring a full refund of the contract for Lisa of \$2,000.

Submissions opposing parole

When assisting clients to apply for financial assistance as a victim of crime, TEWLS provides advice regarding the NT Victim Register and lodges applications when instructed. The Victims Register facilitates safety planning, and permits submissions regarding applications for parole. Ordinarily, submissions for consideration of the Parole Board address conditions of parole, and do not oppose parole.

In this reporting period, TEWLS provided submissions opposing parole where the applicant had a 30-year criminal record including multiple domestic and family violence convictions where **Angela*** and each of her children were victims and current protected persons to a DVO. Submissions noted attempted strangulation and stalking offences as the highest risk indicators and potential precursors to DFV homicide, ongoing high-level safety concerns despite relocation, and sentencing remarks acknowledging the arguable appropriateness of not fixing a non-parole period.



TEWLS' International Women's Day (IWD) Canvas – contributed to by many who attended TEWLS' IWD stall at the 2019 IWD march and celebration

Holistic service provision leads to better family outcomes

Mary* first met with TEWLS during our fortnightly clinic at Dawn House Women's Shelter. Mary had sought refuge at the shelter with her two young children and was also pregnant with the third child of her and her abusive partner's relationship. As a CALD client who speaks English as a second language, Mary presented with a complex matrix of legal issues, including credit and debt (consumer), domestic and family violence (including court orders), parenting and property.

TEWLS assisted Mary to liaise with her ex-partner and set up safety parameters for the children to spend time with him, including an interim parenting plan, whilst also attending to property matters. TEWLS also provided assistance to resolve Mary's credit and debt matters. Following the birth of Mary's child, TEWLS subsequently acted for Mary in a lawyer-assisted Family Dispute Resolution, where the parties were able to reach final agreement in respect of the children, including parentage issues, which had caused a great deal of stress for Mary.

Holding Government to account

Abbey* is incarcerated in the Darwin Correctional Centre. During her incarceration, Abbey approached TEWLS during one of our regular clinics for advice and assistance regarding a housing debt. Abbey instructed that she had been a tenant of Government housing prior to her incarceration and that she had given up her house as a result of the length of her sentence, leaving behind a substantial debt.

TEWLS represented Abbey in her communications with Government, seeking information on her behalf and subsequently advising Abbey that the Government had incorrectly issued a substantial proportion of the debt. TEWLS then advocated on Abbey's behalf to have the incorrect proportion of the debt waived, where the Department agreed that around \$7,000 of the debt had been incorrectly issued. Abbey instructs that she felt strongly supported and informed during the process, and that she likely would have had to pay off the debt if it had not been for TEWLS' assistance.

Avoiding the National Tenancy Database

Casey* attended TEWLS Royal Darwin Hospital legal advice clinic. She had separated from John, as a consequence of domestic violence assaults to her and the parties' two young children. Alternate safe accommodation had been obtained, and Casey sought advice with respect to her prior tenancy where she and John were both parties to the tenancy.

The police initiated Domestic Violence Order did not address the parties' tenancy. Within a week of separation, Casey informed the real estate of her changed circumstances. The Real Estate agreed to remove Casey from the tenancy, however John did not. The lease expired 6 weeks after separation, however John did not vacate the premises or pay any rent during this period.

The Real Estate obtained NTCAT proceedings for termination, possession and compensation with service upon John only. Casey was liable for rental arrears of 10 weeks and received notification of intention to register her on the national tenancy database. Prior to the date of separation, Casey who was born overseas and speaks limited English, diligently discharged her tenancy obligations. TEWLS submissions on behalf of Casey were successful in avoiding registration on the National Tenancy Database which flowed from conduct of John that Casey had no control over.

Specialist approach to family law matters resolves long-standing court proceedings

Ashley* sought assistance from TEWLS after her family law matters – parenting and property – had been on foot in the Federal Circuit Court for more than 18 months. After struggling with addiction, Ashley gave instructions to TEWLS that she was ready and able to engage in the proceedings. TEWLS agreed to represent Ashley and commenced acting on her behalf in both parenting and property matters, where it was found that both parties had had a history of non-compliance.

In representing Ashley, TEWLS focussed upon taking a specialist, holistic approach to her matters – by assisting Ashley to resolve her underlying issues and trauma, TEWLS were able to present her changes as growth to the Court, assisting all parties to commence negotiations. After participating in a Conciliation Conference in respect of property, TEWLS was able to negotiate Consent Orders in both parenting and property matters, bringing the long-standing court proceedings to a close. Since completing the proceedings, Ashley’s time with her child has gradually increased, assisting to build and maintain their meaningful relationship.



TEWLS staff outside our Darwin Office demonstrating the “Balance for Better” theme of International Women’s Day 2019

Advocating for changes to the law and systemic change

In addition to legal advice and casework assistance, TEWLS advocates for law and policy law reform where we identify systemic issues arising to the detriment of women in the Top End.

Where possible, we seek to advocate in coalitions with other legal and non-legal services, and within established networks, such as the NT Women's Services Network (NTWSN), the Domestic & Family Violence Network (DFVN) and NT Women's Legal Services coalition (NTWLS).

In FY2018/2019, TEWLS made **over 25 advocacy actions, submissions and reviews**, focussed on gender inequality, domestic and family violence, victims of crime, the NT sex industry, and the wellbeing of women incarcerated at the Darwin Correctional Centre.

Victims of Crime Reform – Northern Territory Women's Legal Services (NTWLS) Submission

In March 2019, the NTWLS made a joint submission in response to the NT Department of the Attorney-General and Justice's discussion paper: *Victims of Crime Reform* (November 2018).

Within this submission, the NTWLS responded to select questions of the Discussion Paper and also advocated for a number of reforms and actions to support such reforms, including:

- Resources to be extended to support additional specialist domestic and family violence counsellors at Women's Shelters across the NT, including at Alice Springs Domestic and Family Violence Court, the Sexual Assault Referral Centre, the Ruby Gaea Darwin Centre and NPY Women's Council;
- Greater education and publicity about the Victims Register across the Territory to empower victims to use the register, and enable all services providers to best assist victims of crime;
- The definition of a "violent act" to be broadened to include non-criminal acts of domestic and family violence. The NTWLS suggested that victim impact statements, letters of support from GPs, counsellors and domestic violence specialist workers, domestic violence orders and statutory declarations be used to establish the existence and impact of non-criminal acts of violence;
- The definition of "psychological harm" to be broadened, as to enable varied understandings and experiences of psychological suffering to be recognised under the scheme; and
- Increasing the accessibility of counselling services for victims and providing remote face-to-face counselling services for Aboriginal women with Aboriginal mental health workers and traditional healers, such as the Ngangkari of Central Australia.

Submissions

TEWLS' **submissions** individually, as part of the NTWLS (which is made up of the three NT Women's Legal Services: the Central Australian Women's Legal Service [CAWLS], the Katherine Women's Legal Services [KWILS] and TEWLS), and with other related key stakeholders, such as the NT Working Women's Centre (NTWWC), included:

- Submission to the National Disability Insurance Agency (NDIA); Regarding Gender Inequality in the NDIS
- Submission to the Senate Legal and Constitutional Affairs Committee's Inquiry into the Federal Circuit Court and Family Court of Australia Bill 2018; Federal Circuit and Family Court of Australia (Consequential Amendments and Transitional Provisions) Bill 2018
- Submission to the Inquiry into the Modern Slavery Bill 2018 (Cth)
- Submission to the Inquiry into the Family Law Amendment (Family Violence and Cross-Examination of Parties) Bill 2018 (Cth)
- Submission in response to the NT Department of the Attorney-General and Justice's Discussion Paper; Reforming Regulations of the Sex Industry in the Northern Territory
- Joint submission to the Minister for Immigration, Citizenship and Multicultural Affairs on IAAAS and the need for legal assistance for non-citizen women experiencing domestic violence, including potential separation from their Australian Children, for DFVN.
- Submission to the NT Department of the Attorney-General and Justice in respect of section 16 of the *Residential Tenancies Act 1999* (NT)
- Submission in response to the Commonwealth Minister for Families and Social Services; Review into the coordination and funding of financial counselling services across Australia
- Submission to the Australian Human Rights Commission's Inquiry; National Inquiry into Sexual Harassment in Australian Workplaces
- Submission in response to the NT Department of the Attorney-General and Justice's Discussion Paper; Victims of Crime Reform (November 2018)
- Submission to the Mental Health Inquiry Productivity Commission, focusing on the experience of women incarcerated at the Darwin Correctional Centre
- Submission, and subsequent oral evidence, to the Select Committee on a Northern Territory Harm Reduction Strategy for Addictive Behaviours

A snapshot from NTWLS' submission in response to the NT Department of the Attorney General and Justice's Discussion Paper; "Reforming Regulations of the Sex Industry in the Northern Territory"

"... Noting the current situation in the NT, where it is anecdotally evident that some sex workers are offering sexual services illegally, it is clear that risks of violence are exacerbated when sex workers feel unable to report incidents to police because their work is illegal. Further, the current requirements for sex workers in relevant instances to be included on a life-long register held by police has produced instances of this record being used against sex workers..."

"... The NTWLS submit that a decriminalised model would be the best practice regulatory model for the NT, where the model would ideally be based upon Aotearoa/New Zealand's legislative model, including limited registration requirements to ensure safety and best practice..."

Inquiry into the Family Law Amendment (Family Violence and Cross-examination of Parties) Bill 2018 (Cth) – NTWLS' submission

TEWLS strongly believe that at a minimum, an alleged victim of domestic and family violence must have legal representation in family law proceedings where the allegations include coercive or controlling behaviours, sexual offending or physical assault causing harm.

TEWLS, as part of NTWLS, opposed the exclusion of persons protected in interim family violence orders from the protections offered under s 102NA of the Bill. We advocated that,

'...A person who has experienced family violence should not be subjected to cross-examination by their perpetrator simply because an interim family violence order is in place as the matter awaits hearing. [NTWLS] believes the distinction to be artificial, contrary to the experience of victims of family violence, and with capacity to undermine the legislative intention to afford appropriate protections to family violence victims whilst facilitating evidence on crucial matters.'

Volunteer Practising Certificates

In 2019, the Northern Territory amended the *Legal Professional Regulations*, to introduce a new class of Practising Certificate, being a volunteer Practising Certificate.

Raised by TEWLS, and endorsed by the Northern Territory Law Society, the amendment commenced from 1 July 2019.

The Volunteer Practising Certificate seeks to address existing service gaps, harness expertise outside the CLC sector to advance women's access to justice, and to retain female practitioners in practise during maternity leave and post retirement.

Representative complaints

In FY2018/2019, TEWLS' advocacy actions also included a number of **representative complaints** made on behalf of women in the Top End.

The following are examples of complaints made by TEWLS to advance our clients' instructions and interests –

Complaint: Unequal and inadequate access to health services for incarcerated women at the Darwin Correctional Centre

TEWLS made complaint to the Ombudsman (NT) that women incarcerated at the Darwin Correctional Centre (**DCC**) are not receiving health services per requisite standards under international, national and NT laws.

Prisoners are entitled to the same standard of health care in prison as that expected in the general community.

The following are two anonymised client stories used to demonstrate the shortfalls in the provision of health services to women at the DCC. They also reflect the extent to which women at DCC have experienced significant domestic and family violence, which then causes and/or consolidates complex trauma.

#1 Josie's Story

Josie* is a young woman who was in a relationship with Peter* for three years. During their relationship, Josie was physically, sexually and psychologically abused by Peter, and sought to escape the relationship on multiple occasions.

While Josie's past experiences meant that a referral to Ruby Gaea for counselling services was possible, Josie has been unable to access counselling and related support services in respect of her domestic and family violence related experiences. When being sentenced in respect of her criminal matters, the judge indicated that Josie's past trauma from domestic and family violence was a contributing factor to her offending and that in order to break the cycle of recidivism, Josie should seek specialist assistance.

#2 Isabella's Story

Isabella* is a woman who was incarcerated at the DCC with a pre-existing medical condition.

During her incarceration, Isabella lodged a medical request form (**MRF**) to attend a doctor or nurse in respect of her condition. After multiple requests, Isabella was able to attend a doctor more than five weeks after lodging her initial MRF. Isabella instructed that during the interim period, she was in pain and was unable to focus because of her medical condition.

Complaint: Crime Victims Service Unit (CVSU)

NTWLS made complaint to the Ombudsman (NT) about the significant inaction on behalf of CVSU in relation to both investigation and assessment of applications under the *Victims of Crime Assistance Act (NT)*.

The following anonymised story demonstrates CVSU's inaction –

Debra's Story

In August 2015, and on behalf of **Debra***, TEWLS lodged an application for financial assistance for domestic violence injuries, compensable scheduled injuries and chronic and severe psychological injuries.

In February 2018 and following receipt of required information, Debra attended expert assessment of the claimed psychological injuries in February 2018.

In April 2018, the CVSU advised the application required review and a recommendation from the Case Manager, and a timeframe for the decision of the assess was unknown.

As at September 2018, the decision of the assessor remained outstanding.

Services for pregnant women at Darwin Correctional Centre (DCC)

TEWLS met **Jenny*** through the pilot program of Legal Health Checks, which seeks to identify unmet legal needs and build a statistical picture of women incarcerated in Darwin. Jenny instructed that she was pregnant but not able to access the Mothers' and Children program or the Mothers' and Children Unit at the DCC, despite having lodged a first instance complaint with the NT Ombudsman.

TEWLS researched mother and child programs across Australia and liaised with relevant stakeholders, including DCC and the NT Ombudsman, to elevate Jenny's access issues. TEWLS successfully advocated with the NT Ombudsman and DCC regarding access to the Mothers' and Children program and the Pregnancy Pod, with access to be in place two weeks prior to the expected due date.

TEWLS also assisted Jenny to access antenatal care from 23 to 33 weeks of Jenny's pregnancy, which is when crucial checks and scans are required.

TEWLS Projects FY2018/2019

1. The Legal Health Check Project

Incarcerated women often present with a number of complex legal issues and unaddressed pre-existing vulnerabilities, which are then compounded by incarceration. Our correctional system focuses on criminal acts and criminalisation and therefore many of the civil legal issues of women incarcerated go unmet. These unmet legal issues exacerbate incarcerated women's pre-existing vulnerabilities, many of which are underlying causes of their offending conduct.

To address this gap and work towards reducing recidivism, TEWLS kicked off our Legal Health Check (**LHC**) project in the DCC on 1 March 2019. The LHC is a legal screening tool that we adapted to 'diagnose' the precursors to incarceration and to identify the multiple legal needs of women incarcerated in the DCC.

TEWLS believes that all clients should be offered a LHC to ensure holistic service provision.



TEWLS solicitors, Vanessa and Gabi, outside the DCC on one of our three-weekly clinic days

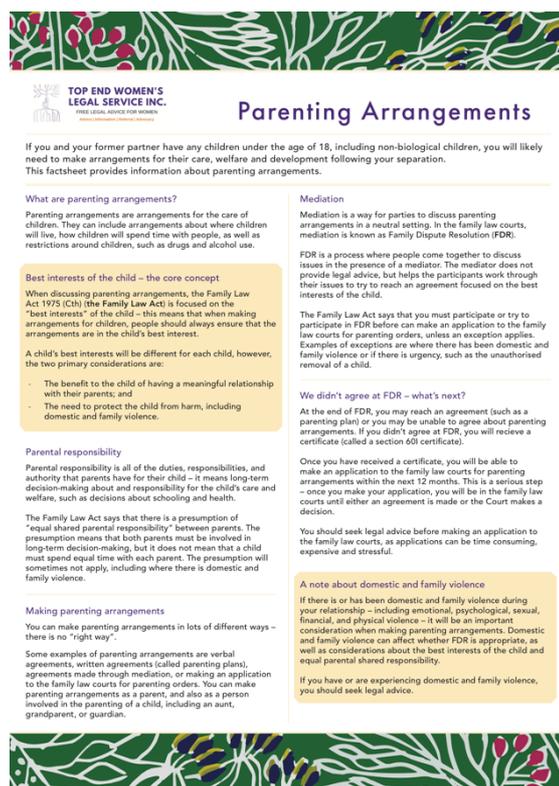
2. Family Law Factsheets

With family law enquiries accounting for more than a third of requests for legal assistance from TEWLS, TEWLS staff undertook to create four (4) stand-alone family law factsheets – a resource that could be given to clients following an appointment or publically accessed via the TEWLS website to empower women with information about family law.

The factsheets address the four primary areas of family law:

- Parenting Arrangements
- Separation
- Divorce
- Property Arrangements

Each factsheet provides information about the respective area, the interrelationship with domestic and family violence, and practical information about available steps and options.



The Family Law Factsheets (examples above) are each a two-page factsheet aiming to empower women with information about the family law system

TEWLS expresses our thanks to graphic designer, Madeline Tzevakos, for her assistance in the design of the family law factsheets – our staff, volunteers, and most importantly clients, love these new resources!

3. Our new TEWLS website

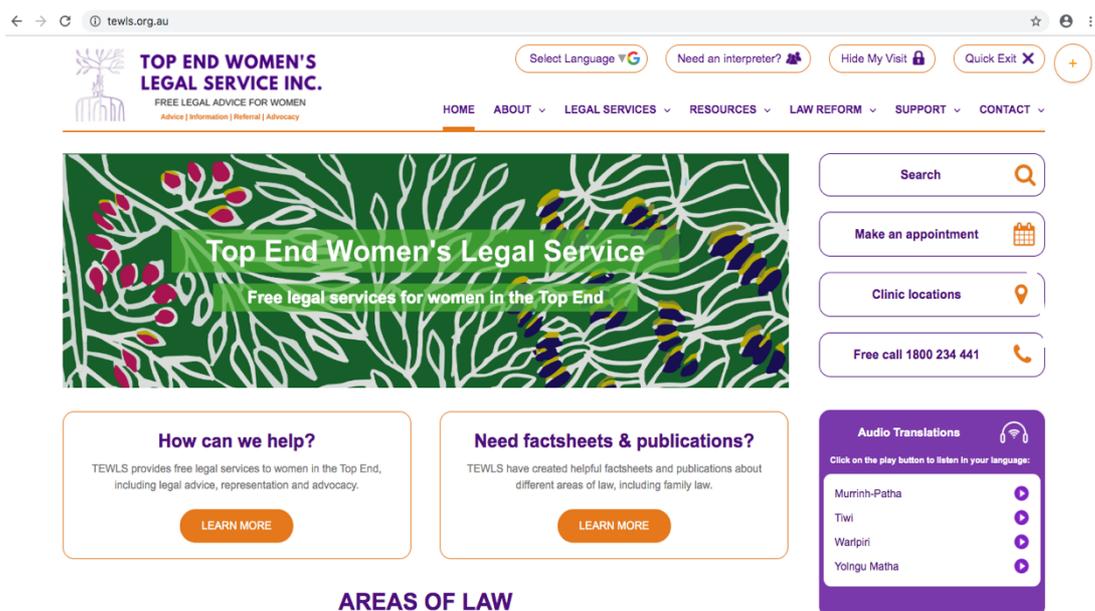
As of 24 June 2019, TEWLS' new website went live! The updated resource includes information about what we do, how we can help, as well as new factsheets and publications.

Our new website includes features, such as:

- “Quick-exit” function, for user safety
- Audio translation (Top End Indigenous languages)
- Legal information about areas of law captured by TEWLS
- Mobile connectivity
- Website translation via Google Translate (over 85+ languages available)
- “Other useful contacts” and “Emergency numbers” pages for contact points
- Accessible TEWLS factsheets and publications, and links to external resources
- Information about TEWLS, including the service’s history and Annual Reports

TEWLS also worked with the Aboriginal Interpreter Service to create an audio translation feature, so that the website content can be explained via audio translations in the four primary Indigenous languages of the Top End – Murrinh-Patha, Tiwi, Walpiri and Yolngu Matha.

TEWLS expresses our thanks to our website designer, Spinifex Valley (Edan Baxter), for his assistance in making this dream come to life!



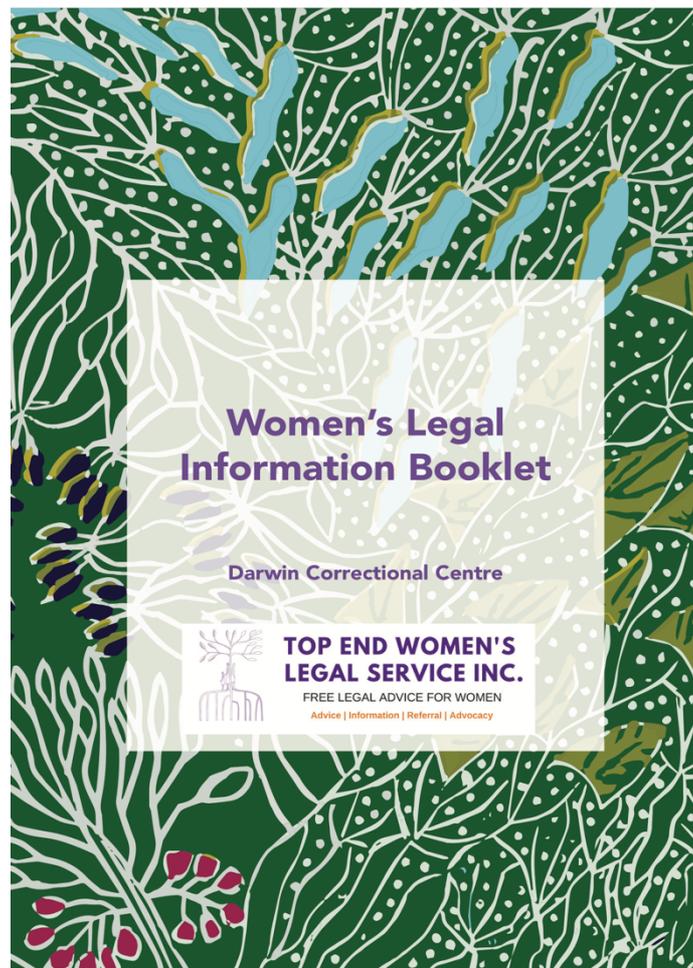
The TEWLS website (homepage above) includes simple and accessible prompts for women accessing the website

4. The Legal Information Booklet

With demand for the TEWLS legal clinic at the Darwin Correctional Centre (**DCC**) continuing to exceed capacity, TEWLS undertook to create the first legal information booklet in the Northern Territory – a resource for women incarcerated at the DCC.

The Legal Information Booklet provides a starting point for women to identify legal issues and practitioner information and steps to resolve same. As a resource, it aims to empower women incarcerated at the DCC with previously unknown information, as well as to provide support.

TEWLS expresses our thanks to Kristy Brown, graphic designer, for her assistance in designing the booklet, as well as to the Northern Territory Correctional Services, who have agreed to include the Legal Information Booklet in the “arrival pack” for all newly incarcerated women at the DCC.



The cover of the Legal Information Booklet

TEWLS in the Community

Community Outreach Clinics

TEWLS provides community outreach clinics in recognition of the vulnerabilities and barriers to access to justice that many women can face when seeking legal assistance.

This year, the service provided **over 120 outreach clinic visits** and experienced a significant increase in the number of requests at community outreach locations for legal assistance, particularly at local Indigenous communities.

Whilst this reflects positive and ever strengthening connectivity, the service has insufficient capacity to meet all requests, noting that requests from both Darwin Correctional Centre, and incarcerated women, has outstripped demand over multiple years.

In addition to our in-house clinics and volunteer clinics, during this financial year regular outreach clinics were provided at the following eleven locations:

- Acacia Community
- Amangal Community
- Bagot Community
- Belyuen Community
- Knuckey Lagoon Community
- 15 Mile (PIV) Community
- Palmerston GP Superclinc
- Darwin Correctional Centre
- Royal Darwin Hospital
- Dawn House Women's Shelter
- Adult Migrant English Program Classes (STEPS)

TEWLS outreach services ensure early preventative access and assistance at important junctures in the lives of women and their children, whilst also facilitating connectivity and holistic service provision. **Our services increase women's awareness of the law, knowledge of their legal rights, and, crucially, their capacity to engage in the legal system.**



TEWLS staff pictured with Bagot Community President, Helen Fejo-Frith, at the Bagot Expo, celebrating 80 years of Bagot Community (December 2018)

Community Legal Education

TEWLS' Community Legal Education (**CLE**) program aims to increase women in the Top End's awareness of the law, their legal rights and access to legal services through presentations, community workshops and stalls.

During FY2018/2019, TEWLS delivered sessions on frequently requested areas of law including domestic violence, discrimination, family law, victims of crime financial assistance and mandatory reporting obligations in respect of domestic and family violence.

Community Legal Education with Northern Territory Anti-Discrimination Commission and YWCA's Women of Worth Program at Darwin Correctional Centre

In April 2019, TEWLS co-facilitated two half-day Community Legal Education sessions together with the NT Anti-Discrimination Commissioner (**ADC**) and YWCA's Women of Worth Program. The sessions took place with ladies incarcerated at the Darwin Correctional Centre and at an outreach session in the Darwin community for those women who had exited prison within the last 12 months. Each session included interactive role plays regarding employment interviews and discrimination.

The sessions covered the role and means of contacting the ADC, including free call from the prison, before commencing a rights-based discussion of the legal framework regarding discrimination on the grounds of criminal record, irrelevant criminal record and employment law – priority issues identified for women post-release seeking employment.

The session was found to be incredibly helpful by the participants as it informed and broke down misconceptions regarding their employability post release, and provided practical assistance on how to approach future employment opportunities. Positive outcomes for the 25 women who attended included feeling able to apply for employment after the session had addressed fears that a prior criminal record was a barrier to employment. Most importantly, participants gained an awareness of anti-discrimination laws and the ADC and are now empowered with the information of what to do if matters relating to discrimination arise.



TEWLS, ADC and YWCA WoW staff pictured after presenting their community legal education session at the Darwin Correctional Centre

Community engagement and fundraising

TEWLS' community engagement further strengthened over FY2018/2019 by broadening and building on existing longstanding relationships within serviced community and network partners and securing an Indigenous employee with excellent pre-existing community connectivity.

Community engagement occurs both informally at all community legal outreach attendances and via formal structures and public events that highlight issues of relevance to women in the Top End, such as International Women's Day, Law Week and market events.

In addition to personal attendances, TEWLS communicates with the wider community through social media such as Facebook, to raise our service profile and reach, to ensure regular updates are provided with respect to legislative changes, key reports in the media, and, to advertise and promote service fundraising events.



TEWLS was again a collection point for “Share the Dignity” – a charity providing sanitary items to women in need.



TEWLS and NTLAC staff womaning their collaborative stall at Melaleuca Refugee Centre's World Music Festival in June 2019



TEWLS was a charity in the local “Grill’d” monthly fundraiser – thank you, Grill’d!



The event poster featuring our sponsors and supporters

TEWLS Annual Fundraiser 2018 – Trivia!

On 26 July 2018, TEWLS held our annual fundraiser at the Darwin Trailer Boat Club – a night of trivia!

Hosted by the hostess with the mostess, the Honourable Justice Jenny Blokland of the Supreme Court of the Northern Territory with able support from TEWLS staff, more than 100 people attended the night in support of TEWLS.

With all rounds featuring questions focused upon super impressive women, the fundraiser was a fantastic opportunity to highlight the work undertaken by TEWLS on a day-to-day basis, as well as to connect with our local community.

We are very grateful to all of the supporters of the fundraiser that contributed to its success – all funds raised have gone into increasing TEWLS’ capacity to provide legal help to women in need.



The fundraiser location – beautiful!



One of the winners with Her Honour, Justice Blokland, and TEWLS Solicitor, Caitlin

Committees

Committees remain an integral part of how TEWLS operates in the legal community in the Northern Territory, as well as Australia wide.

TEWLS works strategically with others by participating in the NT Association of Community Legal Centres, at the National Association of Community Legal Centres and other external committees to advance access to justice and equality before the law for all women in the Top End.

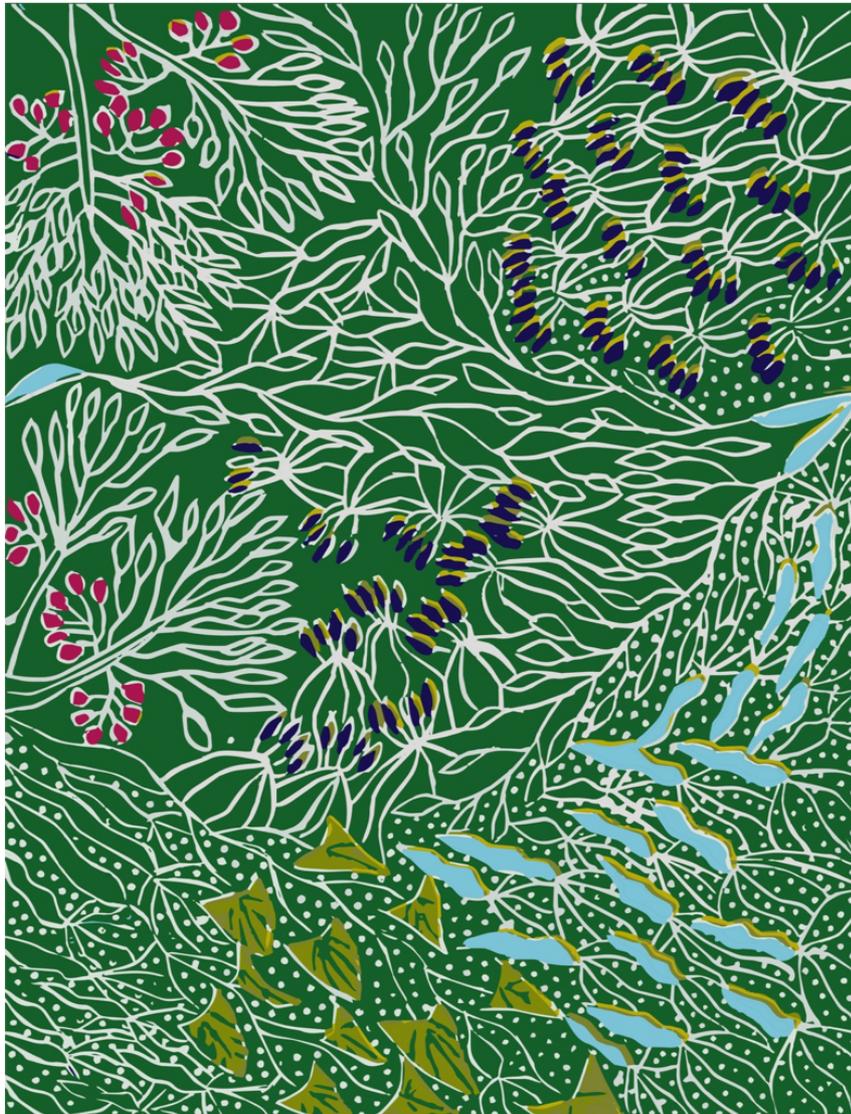
TEWLS staff members also sit as members of committees and boards such as the Crimes Victims Advisory Committee, the Public Housing Appeals Board and the Northern Territory Women's Lawyers Committee, to advance clients' needs in strategic collaboration with other service providers, and legal and non-legal professionals.

The inter-agencies, networks and other legal committees TEWLS is involved with are:

- NT Community Legal Education Network
- NT Legal Assistance Forum
- NT Domestic and Family Violence Network
- NT Women's Legal Services
- NT Association of Community Legal Centre's (Chair)
- Domestic and Family Violence Court User's Forum (Darwin Local Court)
- Palmerston Indigenous Network
- Darwin Correctional Centre Services Providers Group
- NT Territory Families Legal Services Forum
- NT Family Law Pathways Network
- NT Sexual Assault Network
- NT Department of Housing and Community Development Legal Services Group
- Prime Minister & Cabinet Priority Network Group

Our new artwork

TEWLS are excited to share the new artwork that will be featured in our future projects – “Yams and Berries”, by Muluymuluy Wirrpanda. This artwork was chosen in support of a local artist who is able to appeal to women across the Top End of the Northern Territory.



Yams and Berries

Artwork by Muluymuluy Wirrpanda

TEWLS acknowledges artist **Muluymuluy Wirrpanda**, of Baku-Larrnggay Mulka Centre Yirkkala, NT for use of her artwork, “*Yams and Berries*” for the Women’s Legal Information Booklet.

Muluymuluy holds extensive knowledge of native plants of North East Arnhem Land and her artwork embodies this knowledge.

There are four plant species represented in this print, all berries or yams and edible species. They are Buwakul (Dhuwa – native grape), Dilminyini (Yirritja – scaly ash), and Ganguri/Manmuna (Dhuwa – long yam).



TEWLS staff success

TEWLS would like to take this opportunity to celebrate the success of our staff over FY2018/2019 – from presentations, accolades, and being admitted to practise, TEWLS staff have truly had a year of success.



TEWLS Managing Solicitor, Vanessa, was invited to speak at the inaugural “Sharing and Strengthening our Practice Conference” focussed on sexual violence and domestic and family violence in Darwin.



TEWLS Senior Solicitor, Caitlin, was named as a Finalist in the “30 Under 30 2019” awards – a national award event celebrating success and achievements in the legal profession.



TEWLS Senior Solicitor, Caitlin, took out the Northern Territory “Golden Gavel” competition at the Supreme Court of the Northern Territory – a competition of wit and humour.



TEWLS Project Officer, Elly, was admitted to practise as a legal practitioner in the Supreme Court of the Northern Territory.

Pictured is Elly with her mover, as well as TEWLS staff in support, Caitlin and Gabi.

Treasurer's Report

We are pleased to present the FY2018/2019 audited Annual Report of Top End Women's Legal Service Incorporated, trading as Top End Women's Legal Service Inc.

During 2018-19, our core income for services was received from the Department of the Commonwealth Attorney General's Department for women in the Top End of the Northern Territory and the Prime Minister & Cabinet as part of the Indigenous Advancement Strategy.

We also gratefully received in kind assistance from the Northern Territory Government, and pro bono legal assistance to advance client matters from over 20 legal practices, all of which allows us to focus and maximise fund applications to those most vulnerable within our community.

In brief, TEWLS' funding income was made up of:

- Prime Minister & Cabinet - \$188,695.00 (Ex. GST)

- Commonwealth Department Attorney General's Department - \$289,000.00 (Ex. GST)
- Territory Families - \$24,998.00 (Ex. GST)
- Northern Territory Law Society Public Purposes Trust Funds - \$15,000.00

On behalf of TEWLS, I would like to acknowledge with thanks the continuing support provided by the Commonwealth and Northern Territory Governments, and to extend our appreciation to the program officers who have worked with us during the year.

I would also like to acknowledge the Board's appreciation of the contribution of our staff during the last 12 months. Their professionalism and skill have been essential to effective Board management and to the strategic planning of the development of our service.

Rose Mills
Treasurer



TOP END WOMEN'S LEGAL SERVICE INC.

FREE LEGAL ADVICE FOR WOMEN

Advice | Information | Referral | Advocacy

Contact us

Address: 2/17 Lindsay Street, Darwin NT 0801

Post: GPO Box 1901
Darwin NT 0801

Office hours: 8:30am – 4:30pm
Monday to Friday

Phone: (08) 8982 3000

Freecall: 1800 234 441

Fax: (08) 8941 9935

Email: admin@tewls.org.au

Website: www.tewls.org.au

Facebook: Top End Women's Legal Service Inc.

Twitter: @TEWLS_NT



Annexure: Auditor's Report for FY2018/2019

**Top End Women's Legal Service Incorporated
Incorporated**

ABN: 42 830 944 178

Special Purpose Financial Report For The Year Ended

30 June 2019

Top End Women's Legal Service Incorporated Incorporated

ABN: 42 830 944 178

Special Purpose Financial Report For The Year Ended 30 June 2019

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TOP END WOMEN'S LEGAL SERVICE INCORPORATED

ABN: 42 830 944 178

FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2019

COMMITTEE REPORT

The Committee Members submit the financial report of the Top End Women's Legal Service Incorporated for the financial year ended 30 June 2019.

Committee Members

The names of Committee Members throughout the year and at the date of this report are:

Chris Osborne (Chairperson)	
Rose Mills (Treasurer)	
Sim O'Callaghan (Secretary)	
Alex O'Donnell	Resigned at 2018 AGM
Carol Cummins	
Danielle Everleigh	
Khami Aughterson	Resigned at 2018 AGM
Emma Farnell	Appointed in December 2018

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

Principal Activities

The principal activities of the association during the financial year were:

To provide legal services to women, with special concerns for women who face discrimination for reasons such as, but not limited to: race, culture, language, poverty, age, disability and sexuality;

To educate women and the community in general so that women can participate fully and confidently in legal matters which affect them;

To research and evaluate the impact of existing laws and legal processes on women's access to justice and work towards law reform in areas of particular relevance to women;

To work towards the empowerment of all women within the legal system and consequently within society; and

To support and uphold The principles of the UN Convention on The Elimination of All Forms of Discrimination against women, The UN International Covenant and Civil and Political Rights, and The UN Declaration on The Elimination of Violence against Women.

Significant Changes

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

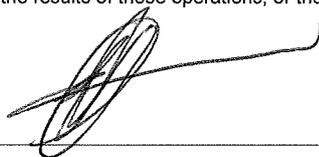
Operating Result

The Association's operating profit for the financial year amounted to \$10,352 (2018: \$53,367).

After Balance Date Events

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Association, the results of those operations, or the state of affairs of the Association in future financial years.

Chris Osborne (Chairperson)



Rose Mills (Treasurer)



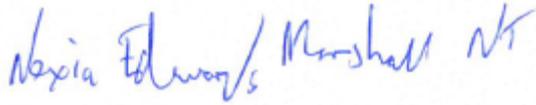
Dated this 31st day of August 2019

**AUDITOR'S INDEPENDENCE DECLARATION
UNDER SECTION 60-40 OF THE AUSTRALIAN CHARTITIES AND NOT-FOR-PROFITS COMMISSION ACT 2012**

TO THE MEMBERS OF TOP END WOMEN'S LEGAL SERVICE INCORPORATED

I declare that, to the best of my knowledge and belief, during the year ended 30 June 2019, there have been:

- (i) No contraventions of the auditor independence requirements as set out in the *Australian Charities 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.



Nexia Edwards Marshall NT
Chartered Accountants



Noel Clifford
Partner

Date: 03 September 2019

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
STATEMENT OF PROFIT OR LOSS
FOR THE YEAR ENDED 30 JUNE 2019

	Note	2019	2018
		\$	\$
Income			
Grant funding for the year		478,376	468,673
Northern Territory Law Society Public Purposes Trust Funds		15,000	15,000
Territory Families, Office of Fomestic, Family & Sexual Violence Reduction Grant *		24,998	-
Interest		427	394
Other		4,044	2,431
Total Income		522,845	486,498
Expenses			
Accounting services		3,975	4,305
Audit fees		3,600	3,500
Cleaning		3,496	4,066
Consultations and planning		755	4,412
Car repairs and maintenance		1,021	5,297
Depreciation		2,781	5,154
Salaries		408,960	323,562
Superannuation expenses		35,612	30,465
Other employee expenses		737	5,288
Insurance		2,248	2,958
Office equipment maintenance		96	445
Other expenses		21,244	8,403
Photocopier costs		4,056	3,672
Practising certificates		5,027	2,385
Telephone and internet		6,150	7,793
Training fees		830	2,449
Utilities		5,092	4,686
Loss on disposal of assets		4,835	-
Website upgrade		1,978	14,291
Total Expenditure		512,493	433,131
Net Profit / (Loss) of the year		10,352	53,367
Total Profit / (Loss) attributable to Members of the Entity		10,352	53,367

The accompanying notes form part of these financial statements.

** Territory Families, Office of Fomestic, Family & Sexual Violence Reduction Grant was received on 20 June 2019.*

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2019

	Note	2019 \$	2018 \$
ASSETS			
CURRENT ASSETS			
Cash and bank	2	467,198	530,759
Other current assets - Prepayments		2,209	-
TOTAL CURRENT ASSETS		469,407	530,759
NON-CURRENT ASSETS			
Property, plant and equipment	3	10,419	14,018
TOTAL NON-CURRENT ASSETS		10,419	14,018
TOTAL ASSETS		479,826	544,777
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables		35,678	51,959
Credit card liabilities		1,897	3,433
Grants received in advance		-	94,348
Accrued expenses		15,014	11,500
Provision for annual leave	4	64,353	47,561
Provision for redundancy		20,053	20,053
TOTAL CURRENT LIABILITIES		136,995	228,854
NON-CURRENT LIABILITIES			
Provision for long service leave		18,846	3,521
Provision for parental leave		9,231	8,000
TOTAL NON-CURRENT LIABILITIES		28,077	11,521
TOTAL LIABILITIES		165,072	240,375
NET ASSETS		314,754	304,402
MEMBER'S FUNDS			
Retained surplus		314,754	304,402
MEMBERS' FUNDS		314,754	304,402

The accompanying notes form part of these financial statements.

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2019

	Notes	<u>Retained Surplus</u>
		\$
Members' Funds		
Balance at 1 July 2017		<u>251,035</u>
Movements in Members' Funds		
Net Profit for the year from operations		<u>53,367</u>
Balance at 30 June 2018		<u><u>304,402</u></u>
Balance at 1 July 2018		<u>304,402</u>
Movements in Members' Funds		
Net Profit for the year from operations		<u>10,352</u>
Balance at 30 June 2019		<u><u>314,754</u></u>

The accompanying notes form part of this financial statements.

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
STATEMENT OF CASH FLOWS FOR YEAR ENDED 30 JUNE 2019

	Note	2019 \$	2018 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from grants		424,026	483,673
Receipts from customers		4,044	2,431
Payments to suppliers		(76,080)	(35,511)
Payments to employees		(411,961)	(326,855)
Interest received		427	394
Net cash (used in) operating activities	5	(59,544)	124,132
CASH FLOWS FROM INVESTING ACTIVITIES			
Proceeds from sale of property, plant and equipment		-	-
Purchase of property, plant and equipment		(4,017)	(4,966)
Net cash (used in) investing activities		(4,017)	(4,966)
CASH FLOWS FROM FINANCING ACTIVITIES			
Net cash provided by/(used in) financing activities		-	-
Net (increase) in cash held		(63,561)	119,166
Cash on hand at beginning of financial year		530,759	411,593
Cash on hand at end of financial year	2	467,198	530,759

The accompanying notes form part of these financial statements.

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
NOTES TO THE FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2019

The financial statements cover Top End Women's Legal Service Incorporated Incorporated as an individual entity. Top End Women's Legal Service Incorporated Incorporated and domiciled in the Northern Territory. Top End Women's Legal Service Incorporated Incorporated is an incorporated Association and operates pursuant to the *Northern Territory of Australia Association Act* and *Australian Charities and Not-for-Profits Commission (ACNC) Act 2012*.

The financial statements were authorised for issue on _____ by the Committee Members.

Note 1 Summary of Significant Accounting Policies

Basis of Preparation

The Committee Members have prepared the financial statements on the basis that the Association is a non reporting entity because there are no users dependent on general purpose financial statements. These financial statements are therefore special purpose financial statements that have been prepared to meet the requirements of the *Northern Territory of Australia Association Act* and the *Australian Charities and Not for Profits Commission (ACNC) Act 2012*. The Association is a not-for-profit entity for financial reporting purposes under Australian Accounting Standards.

The financial statements have been prepared in accordance with the mandatory Australian Standards applicable to entities reporting under the *Australian Charities and Not-for-Profits Commission Act 2012* and the significant accounting policies described below, which the Committee Members have determined are appropriate to meet the needs of members. Such accounting policies are consistent with those of previous periods 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 unless otherwise stated in the notes. Material accounting policies adopted in the preparation of these financial statements are presented below and have been consistently applied unless stated otherwise. The amounts presented in the financial statements have been rounded to the nearest dollar.

Accounting Policies

(a) Income Tax

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

(b) Property, Plant and Equipment

Each class of property, plant and equipment is carried at cost or fair value as indicated, less, where applicable, accumulated depreciation and impairment losses.

Plant and equipment

Plant and equipment are measured on the cost basis less depreciation and any impairment losses.

The carrying amount of property, plant and equipment is reviewed annually by Committee Members, to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount, is assessed on the basis, of the expected net cash flows that will be received from the assets employment and subsequent disposal. The expected net cash flows have been discounted to their present values in determining recoverable amounts.

In the event the carrying amount of property plant and equipment is greater than the recoverable amount, the carrying amount is written down immediately to the estimated recoverable amount. A formal assessment of recoverable amount is made when impairment indicators are present (refer to Note 1 (d) for details of impairment).

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 commencing from the time the asset is available 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 Asset	Depreciation Rate
Office equipment	10-67%
Motor vehicles	25%

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 net proceeds with the carrying amount. These gains and losses are recognised in profit or loss when the item is derecognised. When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
NOTES TO THE FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2019

Note 1 Summary of Significant Accounting Policies (Cont.)

(c) Leases

Leases of fixed assets, where substantially all the risks and benefits incidental to the ownership of the asset (but not the legal ownership) are transferred to the Association, are classified as finance leases.

Finance leases are capitalised by recognising an asset and a liability at the lower of the amount equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

Leased assets are depreciated on a straight-line basis over the shorter of their estimated useful lives or the lease term.

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

(d) Impairment of Assets

At the end of each reporting period, the Association assesses whether there is any indication that an asset may be impaired. The assessment will consider both external and internal sources of information. If such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of that asset, being the higher of the asset's fair value less costs of disposal and its value-in-use, to the asset's carrying amount. Any excess of the asset's carrying amount over its recoverable amount is immediately recognised in profit or loss.

Where the future economic benefits of the asset are not primarily dependent upon the asset's ability to generate net cash inflows and when the Association would, if deprived of the asset, replace its remaining future economic benefits, value in use is determined as the depreciated replacement cost of an asset.

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

Where an impairment loss on a revalued asset is identified, this is debited against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that class of asset.

(e) Employee Provisions

Provision is made for the Association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee provisions have been measured at the amounts expected to be paid when liability is settled.

Contributions are made by the Association to employees' superannuation funds and are charged as an expense when incurred.

Short-term employee benefits

Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages and salaries.

The Association's obligations for short-term employee benefits such as wages and salaries are recognised as a part of current trade and other payables in the statement of financial position. Other benefits such as annual leave and long service leave are recognised as employee provisions.

Other long-term employee benefits

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

Provision is made for employees leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period which the employees rendered the related service.

The Association records long service leave entitlements for employees on the commencement of their service with the Association.

(f) Cash on Hand

Cash on hand includes 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 borrowings in current liabilities in the statement of financial position.

(g) Accounts Receivable and Other Debtors

Accounts receivable and other debtors include amounts due from customers for goods and services performed in the ordinary course of business and from Members as well as amounts receivable from donors. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
NOTES TO THE FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2019

Note 1 Summary of Significant Accounting Policies (Cont.)

(h) Revenue and Other Income

Non-reciprocal grant revenue is recognised profit or loss when the Association obtains control of the grant and it is probable that the economic benefits gained from the grant will flow to the Association 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 Association incurs an obligation to deliver economic value directly back to the contributor, this is considered a reciprocal transaction and the grant revenue is recognised in the statement of financial position as a liability until the service has been delivered to the contributor, otherwise the grant is recognised as income on receipt.

The Association 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 the statement of profit or loss and other comprehensive income.

Donations and bequests are recognised as revenue when received.

Interest revenue is recognised using the effective interest method, which for floating rate financial assets is the rate inherent in the instrument. Dividend revenue is recognised when the right to receive a dividend has been established.

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

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

(i) 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 a gross basis. The GST components of cash flows arising from investing and 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.

(j) Comparative Figures

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

Where the Association retrospectively applies an accounting policy, makes a retrospective restatement or reclassifies items in its financial statements, a third statement of financial position as at the beginning of the preceding period is presented in addition to the minimum comparative financial statements.

(k) Accounts Payable and Other Payables

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

(l) Provisions

Provisions are recognised when the Association 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. As at 30 June 2019, the Association has recognised Provisions of redundancy and maternity leave.

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
NOTES TO THE FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2019

Note 1 Summary of Significant Accounting Policies (Cont.)

(m) Critical Accounting Estimates and Judgements

The members 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 Association.

Key Judgements

Employee benefits

For the purpose of measurement, AASB 119: Employee Benefits 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. The Association expects most employees will take their annual leave entitlements within 24 months of the reporting period in which they were earned, but this will not have a material impact on the amounts recognised in respect of obligations for employees' leave entitlements

Provisions for Redundancy

Included in current liabilities at the end of the reporting period are provisions for redundancy amounting to \$20,053. The Association expects that this would be the amount payable to employees should redundancy occurs in accordance with the National Employment Standards.

Provisions for Parental Leave

Provisions for parental leave amounting to \$9,231 is additional benefit provided for employees who are eligible for 12 months parental leave. As of reporting date, the Association believes that this would not happen in the next 12-month period and therefore this satisfies the definition of other long-term benefits.

(n) Economic dependence

The Association is dependent on Commonwealth and NT Government grants for the majority of its revenue to operate its programs and business. At the date of this report, the Committee Members have no reason to believe that the above governments will not continue to support the Association. The operations and future success of the Association is dependent upon the continued support and funding by the government bodies, its members and donors and the achievement of operating surpluses and positive operating cash flows.

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
NOTES TO THE FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2019

Note 2 Cash and Bank

	2019	2018
	\$	\$
Cash on hand	-	354
Cash at bank - cheque account	467,198	530,405
Total Cash and Bank	<u>467,198</u>	<u>530,759</u>

Reconciliation of cash

Cash at the end of the financial year as shown in the statement of cash flows is reconciled to items in the statement of financial position as follows:

Cash and Cash equivalents	<u>467,198</u>	<u>530,759</u>
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Note 3 Property, Plant and Equipment

	2019	2018
	\$	\$
Office equipment		
— At cost		
Less accumulated depreciation	22,852	59,956
	(15,598)	(47,819)
Total Office equipment	<u>7,254</u>	<u>12,137</u>
Motor vehicles		
At cost	67,387	67,387
Less accumulated depreciation	(64,222)	(65,506)
Total Motor vehicles	<u>3,165</u>	<u>1,881</u>
Total Property, Plant and Equipment	<u>10,419</u>	<u>14,018</u>

Note 4 Provision for Annual Leave

	2019	2018
	\$	\$
CURRENT		
Provision for annual leave	64,353	47,561
Total Provision for Annual Leave	<u>64,353</u>	<u>47,561</u>

Provision for Annual Leave

The provision for employee benefits includes amounts accrued for annual leave. Based on past experience, the Association does not expect the full amount of annual leave to be settled within the next 12 months. However, the amount must be classified as a current liability because the Association does not have an unconditional right to defer the settlement of the amount in the event employees wish to use their leave entitlements.

Note 5 Cash Flow Information

	2019	2018
	\$	\$
Reconciliation of Cash Flow from Operating Activities		
Current year Profit attributable to Members of the entity	10,352	53,367
Non-cash flows in current year surplus:		
— Depreciation expense	2,781	5,154
— Net loss on assets disposal	4,835	-
Changes in assets and liabilities		
— Increase/(Decrease) in trade and other payables	(108,651)	33,151
— (Increase)/decrease in prepayments	(2,209)	-
— Increase in employee provisions	33,348	32,460
Total Operating Cash Flows provided by (used in) operations	<u>(59,544)</u>	<u>124,132</u>

Note 6 Expenditure Commitments

The Northern Territory Government allows the Association to use their unused premises for free and therefore the Association does not pay rent. The Association has no expenditure commitments as at 30 June 2019 (2018: consultancy expenditure of \$66,000).

Note 7 Contingent Liabilities

The Committee is not aware of any contingent liabilities as at 30 June 2019 (2018: Nil).

Note 8 Other Related Party Disclosure

There were no related party transactions in 2019 (2018: Nil).

Note 9 Association Details

The registered office and principal place of the Association is: 2/17 Lindsay St, Darwin City NT 0800.

TOP END WOMEN'S LEGAL SERVICE INCORPORATED
ABN: 42 830 944 178
DECLARATION BY COMMITTEE MEMBERS
FOR THE YEAR ENDED 30 JUNE 2019

The Committee Members have determined that the Association is not a reporting entity and that this special purpose financial report is prepared in accordance with the accounting policies stated in note 1 to the financial statements.

The Committee Members declare that the financial statements as set out on page 3 to 11 are in accordance with the requirements of the *Northern Territory of Australia Association Act* and with the *Australian Charities and Not for Profits Commission Act 2012* and:

- 1 Comply with Australian Accounting Standards as described in note 1 to the financial statements;
- 2 Give a true and fair view of the financial position of the Top End Women's Legal Service Incorporated Incorporated as at 30 June 2019, its performance and cash flows for the year ended on that date; and
- 3 At the date of this statement, there are reasonable grounds to believe that the Association will be able to pay its debts as and when they fall due.

This declaration is made in accordance with a resolution of the Committee Members and is signed for and on behalf of the Committee Members by:

_____ *[Signature]*
Dated *MANAGING SOLICITOR*

_____ *30 AUGUST 2019*
Dated



**INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE TOP END WOMEN'S LEGAL SERVICE INCORPORATED
REPORT ON THE AUDIT OF THE FINANCIAL REPORT**

Opinion

We have audited the accompanying financial report of Top End Women's Legal Service Incorporated ("the Association"), which comprises the statement of financial position as at 30 June 2019, statement of profit or loss, statement of changes in equity and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies and the Declaration by Members of the Committee.

In our opinion the accompanying financial report of Top End Women's Legal Service Incorporated, is in accordance with the requirements of Division 60 of the *Australian Charities and Not-for-profits Commission Act* and the *Northern Territory of Australia Associations Act*, including:

- a. Giving a true and fair view of the Association's financial position as at 30 June 2019 and of its financial performance for the year then ended; and
- b. Complying with Australian Accounting Standards to the extent described in Note 1 and *Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2013*.
- c. the accounts of the Association have been properly prepared and are in accordance with the books of account of the Association.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. 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 Entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's *APES 110 Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

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

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist Top End Women's Legal Service Incorporated to meet the requirements of the Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012* and the *Northern Territory of Australia Association Act*. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and the Committee for the Financial Report

The Committee is responsible for the preparation and fair presentation of the financial report in accordance with the *Northern Territory of Australia Associations Act* and the *Australian Charities and Not-for-profits Commission Act 2012*, and for such internal control as the Committee Members' determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Committee is responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Association or to cease operations, or have no realistic alternative but to do so.

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE TOP END WOMEN'S LEGAL SERVICE INCORPORATED (CONT.)

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and 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 and 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:

- 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.
- 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 Association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Committee and management.
- Conclude on the appropriateness 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 Association'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 date of our auditor's report. However, future events or conditions may cause the Association to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Committee and management 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.



Nexia Edwards Marshall NT
Chartered Accountants



Noel Clifford
Partner

Dated: 03 September 2019