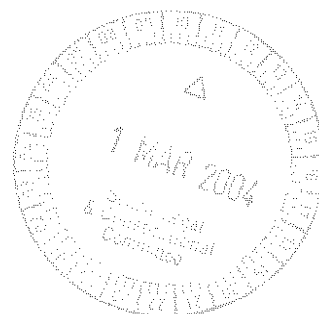




# Warndu Watihilli-Carri Ngura

Aboriginal Family Violence Legal Service Inc

26/02/2004  
Our Ref: 04WAR-M



Senate Legal & Constitution Committee  
Parliament House  
CANBERRA ACT 2600

**Attention: Julie Dennett**

Dear Madam

## **LEGAL AID ENQUIRY**

I refer to our telephone call on Thursday the 26<sup>th</sup> of February 2004. Enclosed is a copy of the "Activity Performance Indicator Report" of this Legal Service for the period 1<sup>st</sup> of October 2003 to 31<sup>st</sup> of December 2003. The performance indicator report is set out in a format established by AT SIS. The report is a mandatory AT SIS requirement necessary for subsequent quarterly funding.

Please telephone if you have a question or need further information.

Yours faithfully

**MARK FORTH**  
Solicitor

ABN 56 370 326 897

26 Jervois Street, PO Box 2087, Port Augusta SA 5700 • DX: 51018

Telephone: (08) 8641 2195 or (08) 8641 1229

Toll Free: 1800 111 052 • Facsimile: (08) 8641 2348 • Email: [wwwcn.afvls@internode.on.net](mailto:wwwcn.afvls@internode.on.net)

**WARNDU WATLHILLI-CARRI NGURA –  
ABORIGINAL FAMILY VIOLENCE LEGAL  
SERVICE INC**

*Activity Performance  
Indicator Report*

Reporting Period:

1<sup>st</sup> October 2003 to 31<sup>st</sup> December 2003

Prepared By:

Susan Dodd  
Coordinator

And Janine Warren

***Warndu Wathilli-Carri Ngura –  
Aboriginal Family Violence Legal Service Inc***

***Project Performance Indicators***

***Description of activities undertaken to advocate for improved services for victims of family violence.***

This organisation has attended at the following conferences, forums and meetings:-

- ❖ **ATSIS Domestic Violence Forum in Canberra.** The forum had a wide variety of subjects. The main subject was domestic violence and issues on addressing family and domestic violence. From this forum central office is keen to hold a national forum probably in Adelaide.
- ❖ **South Australian Police (SAPOL) – Domestic Violence Unit – Port Augusta.** This organisation attended a public forum for organisations to work together to assist our clients and all domestic violence clients for a much better outcome and service throughout all the organisations.
- ❖ **Legal Aid Senate Enquiry Committee –** We reported to the Senate Committee into the access of Justice. Submissions to this enquiry were made by Mark Forth, Solicitor and June Lennon, Chairperson for the length of 30 minutes. There was 3 senators including 2 South Australian ones, Nick Bolkus, Senator Buckland. The service explained about the operation of Family Violence Legal Service (on behalf of all Family Violence Legal Services) of the range of work undertaken as well as deficiencies of the needs within the community. The Senators then sought answers to a number of questions.

***Description of outcomes during the reporting period.***

Our outcomes are as follows:-

- **Restraint Orders/AVO's and DVO's.** Assisted to protect the clients who are in acute danger from their partner and other perpetrators. It is noted that some women are seeking and obtaining restraining orders return to their violent partners within a short period of time following the making of the order which underlines the complexity of the domestic violence prevention programs.

- **Family Law Assistance.** There has been a high success in the recover of children to be returned to the family unit. This has been achieved with mutual agreements following initiation of court proceedings without the need to seek police intervention. There has been enquiries made in the early stages of Contact Orders through the court where the parent hasn't had any contact with the child for various reasons. In addition to usual residency and contact orders sought in disputes involving children.
- **Victims Compensation.** From the 10 clients who sought Victims of Crime Compensation, 3 of these clients claims have been settled out of court with satisfaction from the clients. The claims settled out of court are more satisfactory for our clients as they are a much quicker process.
- **Rape and Sexual Assault** – The worker has commenced training at Yarrow Place and been very busy trying to set up the unit from scratch. This is a huge task to tackle. We have had large issues in relation to conflict within the legal service. The conflict has been the mandatory notification. This office has now made the rape and sexual assault a separate unit within the organisation. They now have their own letterhead, memo, files and phone line in order for them to be a separate unit under our umbrella.
- **Other matters.** We have advocated successfully for clients with other agencies. Some of these agencies are very confronting for our clients to approach their service. We have also undertaken some minor counselling for a wide range of various matters including domestic violence and sexual assault. There is also a large increase in debt related matters mostly arising from domestic violence.
- **Queries on other matters.** – We have had queries in relation to Probate matters that we have had to refer on. This is a increasing issue as lots of clients don't have wills. ATSSIS will need to look into this issue to address in relation to people not having wills particularly as compulsory superannuation payments from employers will mean that increasing numbers of probate issues will rise in relation to the payment of superannuation to beneficiaries.

*Warndu Watlhilli-Carri Ngura-Aboriginal Family Violence Legal Service Inc*  
*PPI REPORTS - 1st October to 31st December 2003*

**1) TOTAL NUMBER OF PEOPLE CONTACTING FVPLS**

**a. Total Number of People contacting FVPLS by:**

Number of Phone Contacts	671
Number visiting Office	174
Number referrals by ATSILS	
Number of Referrals by Police	1

**b. Results of Initial Contact Consisting of:**

Number Information Provided	40
Number Referred to other Service Providers	51

**2) TOTAL NUMBER OF CLIENTS BY SEX AND AGE**

**a. Total Number of Clients by Sex and Age:**

Number of Males 0-4 age group	
Number of Males 5-12 age group	
Number of Males 13-17 age group	
Number of Males 18-24 age group	1
Number in males 25-54 age group	8
Number in males 55+ age group	
Number Males age Unknown	
<b>Total Number of Males</b>	<b>9</b>

Number Females in 0-4 age group	
Number Females in 5-12 age group	
Number Females in 13-17 age group	1
Number Females in 18-24 age group	4
Number Females in 25 to 54 age group	50
Number Females in 55+ age group	5
Number Females age unknown	2
<b>Total Number of Females</b>	<b>62</b>

**3) TOTAL NUMBER OF REFERRALS**

**a) Total Number of Referrals consisting of:**

Number referrals to ATSILS	
Number Referrals to other Indigenous Legal Service Provider	7
Number Referrals to Mainstream Legal Service Provider	27
Number Referrals to Other Service Providers	30

**4. TOTAL NUMBER OF LEGAL ASSISTANCE PROVIDED BY LAW TYPE** 64

**a) Preliminary Assistance Provided**

Number Clients provided with Criminal Law Advice/Assistance	1
Number Clients provided with Civil Law Advice/Assistance	7
Number Clients provided with Family Law Assistance	3

**b) Criminal Law Assistance provided by:**

Number Child Sexual Assault Cases	
Number Child Sexual Assault Cases given Committal Hearing	
Number Child Sexual Assault Cases Where Conviction Resulted	
Number Child Sexual Assault Cases where Conviction Resulted	

**Cont Criminal Law Assistance provided by**

Number Adult Sexual Assault Cases

Number Adult Sexual Assault cases taken to Trial

Number Adult Sexual Assault Cases where Conviction Resulted

Number of Assault Cases 3

Number Breaches of Restraining Orders

Number of other Criminal Law Assistance

**C: Family Violence related Civil Law Assistance Provided by :**

Number of Interim Restraining Orders/AVOs/DVOs 4

Number of Children included in Interim Restraining Orders  
AVOs/DVOs 2

Number of Restraining Orders/AVOs/DVOs 1

Number of Children included in Restraining Orders/AVOs/DVOs

Total Victims Compensation sought 10

Total Victims Compensation Granted 3

Number of Civil Law Assistance 3

**d) Family Violence related Family Law Assistance provided consisting of:**

Number of Residency Orders 6

Number of Residency Orders granted by consent 2

Number of Residency Orders Granted by Hearing 1

Number of Contact orders 4

Number of contact Orders Granted by Consent 2

**d) cont Family Violence Related Family Law Assistance Provided Consisting of:**

Number of Contact Granted by Hearing	2
Number of Child Recovery Orders	2
Number of Child Recovery Orders Granted by Consent	
Number of Child Recovery Orders Granted by Hearing	
Number of Child Support / Maintenance	2
Number of Child Support / Maintenance Granted by Consent	
Number of Child Support / Maintenance Granted by Hearing	
Number of Other Family Law Services Provided	1

**5. TOTAL AMOUNT OF COUNSELLING UNDERTAKEN**

**a) Amount of counselling undertaken by:**

Number of times of Counselling for Grief	1
Number of Times of counselling for Domestic Violence	2
Number of times of Counselling for Adult Sexual Assault	
Number of Times of Counselling for Child Sexual Assault	
Number of other Counselling provided	3

**6. TOTAL AMOUNT OF ADVOCACY PROVIDED**

**a) Amount of Advocacy Provided Consisting of:**

Number of Housing Advocacy	6
Number of Centrelink Advocacy	2
Number of Emergency Food / Clothes Advocacy	2
Number of Medical Care Advocacy	1
Number of Schools Advocacy	
Number of Child Placement Advocacy	4



**a) cont Amount of Advocacy Provided Consisting of:**

Number of Family & Youth Services Advocacy

Number of Legal Aid Services Advocacy 6

Other Advocacy 3

**7. AVERAGE NUMBER OF VISITS PER CLIENT**

**a) Indicate Return Clients by Providing**

The Average Number of Visits by Clients to this Service 3-Apr

**8. TOTAL NUMBER OF COMMUNITY AWARENESS RAISING ACTIVITIES**

Number of Presentations to Primary Schools

Number of presentations to Secondary Schools

Number of Community Seminars 1

**10. SUMMARY OF WORKLOAD INDICATORS MEASURED**

1. Total Number of People Contacting FVPLS 1,314

2. Total Number of Clients by Sex and Age 77

3. Total Number of Referrals 28

4. Total Number of Legal Assistance Provided by Law Type 78

5. Total amount of Counselling Undertaken 13

6. Total Amount of Advocacy Provided 16

7. Average Number of Visits per Client 4 to 8

8. Total Number of Community Awareness Raising Activities

***Warndu Watthilli-Carri Ngura –  
Aboriginal Family Violence Legal Service Inc***

***Summary***

***To provide services to Aboriginal People with particular emphasis on providing legal advice, representation, referral and other related support services to Aboriginal victims of Domestic and Family Violence.***

Our Service provides Legal casework assistance to Indigenous people who live in the Port Augusta, Davenport and Stirling North Areas who are involved in Family and Domestic Violence. Our aim is to ensure safety from family and domestic violence and/or to help clients live free from family and domestic violence.

We cannot assist if the client is the perpetrator or it is a conflict for this service we will refer clients to the appropriate service providers that will be able to assist, support them. We advocate on behalf of clients to assist them in obtaining assistance, support and services that they require.

This Service now has a Sexual Assault worker who can give counselling and support to victims and survivors of Rape and Sexual Assaults and to assist and support them with Legal Options Eg. Criminal Injuries Compensation.

***This includes Family Court applications, Restraining Orders, Debt matters caused through Domestic and Family Violence, Criminal Injuries as a result of Domestic and Family Violence and Police Complaints.***

Legal casework in Family Court Applications will normally not be provided unless the client has attempted to resolve the matter.

The police have been referring clients to our service for Restraining Order Applications this includes preparing Affidavits, Statements, Filing of Applications and Court support.

Debt matters are negotiated for clients as many get into debt due to the family and domestic violence.

Criminal Injuries Compensation cases have increased, as clients are now aware that they can be compensated for injuries received through family and domestic violence.

In relation to police complaints we assist clients to fill in the Police complaint forms which are then sent to Adelaide to be assessed.

This organisation is being called upon more frequently to give assistance to people on the border of our Policy manual. This is because their needs cannot be met by other free legal services or the cost of seeking private legal assistance cannot be justified in the circumstances of the particular matter. In addition a legal practitioner can generally only deal with these matters.

## APPLICANT'S CERTIFICATION

### Certification

The applicant certifies that the information in this Activity Performance Indicator's Report is, to the best of her knowledge, true and correct.

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Name

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Signature

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Date