

**IN THE MATTER OF THE ROYAL COMMISSION  
INTO FAMILY VIOLENCE**

**STATEMENT OF ANDREW REAPER**

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I, ANDREW REAPER, Deputy Commissioner, Corrections Victoria, SAY AS FOLLOWS:

1. I am the Deputy Commissioner of Offender Management within Corrections Victoria (**Corrections**). I have held this position since June 2012. Prior to this, I held the position of Project Director, Corrections, where I oversaw the Department of Justice and Regulation's response to the Ombudsman's report into the death of Carl Williams.
2. In my role as Deputy Commissioner, I am responsible for the coordination of a whole-of-sentence approach to the management of sex offenders, the delivery of best practice programs and treatment to reduce reoffending, prisoner sentence classification, prisoner placement and management and providing support to the Adult Parole Board.
3. My prior correctional experience includes responsibility for HM Prison Barwon, Marnongneet Correctional Centre, community corrections in the Barwon South West Region as the Regional Director, and over 13 years experience in the youth justice system.

**SCOPE OF STATEMENT**

4. I have received a notice from the Royal Commission into Family Violence pursuant to section 17(1)(d) of the *Inquiries Act 2014* (Vic.) requiring me to attend to give evidence at the Royal Commission and to provide a written witness statement.
5. In this statement I respond to a request by the Royal Commission for information regarding Module 10: *Perpetrator Interventions*.

- 2 -

6. I understand that the Royal Commission is particularly interested in:
  - 6.1 the use of a Men's Behaviour Change Program (**MBCP**) for family violence offenders who are on a community correction order (**CCO**); and
  - 6.2 other perpetrator interventions made available by Corrections more generally.
7. I am aware that Marisa De Cicco, a Deputy Secretary within the Department of Justice and Regulation, will be providing information to the Royal Commission about MBCPs in the context of family violence intervention orders. I refer the Royal Commission to Ms De Cicco's witness statement for further information on this topic.

## **MEN'S BEHAVIOUR CHANGE PROGRAMS: THE CURRENT FRAMEWORK**

### ***Men's Behaviour Change Programs***

8. MBCPs are group-based psycho-educational (psych-ed) programs which are accompanied by a simultaneous support and safety-planning service offered to current and previous partners of program participants. They are skills-based and designed to facilitate changes in behaviours relevant to family violence offences.

### ***Undertaking a MBCP as part of a CCO***

9. Corrections utilises MBCPs for male family violence offenders on CCOs where the CCO contains a condition that permits or requires a MBCP to be provided. Such a condition usually takes the form of a treatment and rehabilitation condition requiring the offender to undergo programs that address factors related to their offending behaviour. This type of condition requires the offender to participate in any recommended offence related intervention. In addition, instead of this general form of condition, some Magistrates impose a condition that expressly requires the offender to attend at a MBCP.

### ***Undertaking a MBCP in other contexts***

10. As I have referred to above, MBCPs can also be used in the context of family violence intervention orders, where certain courts can make counselling orders that require eligible men to attend a court-mandated MBCP. Perpetrators of family violence may also undertake a MBCP voluntarily.

**Role of 'No to Violence'**

11. No to Violence (**NTV**) is the Victorian peak body for men's family violence programs. NTV sets the minimum standards for the delivery of MBCPs in Victoria to ensure that the MBCP is delivered in a way that is safe, ethical and accountable. Government funding arrangements of MBCPs mandate compliance with these minimum standards by providers of MBCPs, and require that such providers be members of NTV.
12. The NTV minimum standards require MBCPs to be undertaken for a minimum number of hours, namely 24 hours in total. Typically, MBCPs delivered in a correctional setting are about 24 to 30 hours in duration, undertaken over a 12-week period with two hours of attendance each week. Components of a MBCP generally include:
  - 12.1 assessment of participants;
  - 12.2 involvement in groups where participants engage in processes and practices to take responsibility for their use of violent and controlling behaviour; and
  - 12.3 work with partners and ex-partners to maximise their safety.
13. In accordance with the NTV minimum standards, MBCPs are delivered by facilitators with qualifications equivalent to the Graduate Certificate of Social Science (Male Family Violence – Group Facilitation). MBCP facilitators are not trained clinicians, which is appropriate given that MBCPs are a psycho-educational intervention, rather than a clinical intervention.

**Dardi Munwurro Program**

14. The Dardi Munwurro Program is a men's behaviour change program that is designed for Aboriginal prisoners and offenders with family violence related offending. It is delivered by Corrections both in prisons and in the community. The program is a culturally specific men's behaviour change program with a focus on family violence, cultural identity, leadership and the role of an Aboriginal man in the family setting. Two programs were delivered in 2014, five are currently underway, with a further two scheduled to be delivered before the end of 2015. I attach information about the Dardi Munwurro Program at (**Attachment AR-1**).

***Funding for MBCPs***

15. As I have stated, Victoria has a mix of voluntary, court mandated and Corrections' MBCPs. Responsibility for voluntary MBCPs sits with the Department of Health and Human Services. Responsibility for mandated program sits with the Magistrates' Court of Victoria.
16. Funding of MBCPs used by Corrections is a relatively new addition to Victoria's MBCP suite, and was implemented by Corrections to ensure priority access to a MBCP for family violence perpetrators on CCOs.
17. Corrections has funded the delivery of some MBCPs specifically for offenders in community correctional settings in 2011/12 and 2012/13.
18. Since 2013, Corrections has funded the delivery of MBCPs on an 'ad hoc' basis, when community correctional locations experience significant demand that cannot be met through the delivery of MBCPs funded by the Department of Health and Human Services.
19. In the 2015/16 state budget, Corrections received an additional \$2 million over two years for the delivery of more MBCPs. I discuss this funding below under the heading 'Implementation of a panel for the delivery of Men's Behaviour Change Programs'.

***The role of Community Corrections Officer in recommending programs as part of a CCO***

20. Before a CCO can be imposed on an offender, a Community Corrections Officer undertakes an assessment of the offender's suitability for such an order, and provides the Court with a pre-sentence report. Pre-sentence reports address not only the offender's suitability to be placed on a CCO, but also provide advice to the Court about any appropriate conditions that should be attached to the order, and inform the Court of the offender's consent to an order being made.
21. Guidance to Community Corrections Officers in undertaking court assessments, including preparing pre-sentence reports, is contained in Deputy Commissioner's Instruction - Court Assessment and Advice (**Attachment AR-2**) (**Court Assessment and Advice DCI**).

22. The Court Assessment and Advice DCI requires Community Corrections Officers to conduct assessments and provide advice to the Courts on an offender's suitability for a CCO taking into account:
  - 22.1 offence factors, including the nature, number and seriousness of offending along with the general risk of re-offending by applying risk of reoffending tools;
  - 22.2 any immediate and significant risks to community safety;
  - 22.3 the necessary balance between the offender's rehabilitative prospects and community safety;
  - 22.4 attitudes and motivation: including willingness to comply with order requirements;
  - 22.5 previous compliance with orders; and
  - 22.6 the offender's individual circumstances, including community links (eg supports, family, employment).
23. Community Corrections Officers use risk assessment tools to assess an offender's general risk of reoffending as either low, medium or high and include this information in the pre-sentence report to the Court.
24. The Court Assessment and Advice DCI also provides specific guidance to staff on assessing whether any conditions should be attached to a CCO, including a treatment and rehabilitation condition requiring the offender to undergo programs that address factors related to their offending behaviour.
25. If the Community Corrections Officer assesses an offender as either a medium or high risk of general reoffending, they will recommend to the Court, via the pre-sentence report, that a 'treatment and rehabilitation' condition be attached to the CCO. If the Community Corrections Officer identifies that the offending involves family violence, they will recommend a 'treatment and rehabilitation' condition irrespective of the offender's general risk of reoffending.
26. The treatment pathway for the offender may differ as a result of their risk of reoffending subsequent to the Court imposing this condition. For example, it is standard practice for offenders assessed as low risk of general reoffending to be excluded from offence specific programmatic interventions. This is consistent with

evidence that suggests engaging low risk offenders in offence specific treatment can actually increase their risk of reoffending. The delivery of MBCPs to offenders assessed as low risk of general reoffending is an exception to this practice.

27. Perpetrators who are assessed as a higher risk of general reoffending are dealt with differently, and receive different forms of intervention. I describe these forms of intervention below under the heading 'Other Perpetrator Interventions Offered by Corrections'.

### ***Suitability and utility of MBCPs***

28. National and international studies into MBCPs have been consistently unable to make definitive statements about their effectiveness. There have been limited evaluations of the Victorian MBCPs.
29. Some individuals require clinical intervention and, while not a substitute for that, a MBCP can be complementary to the treatment process. Corrections has recently introduced a new clinical program for male perpetrators of family violence called 'Changeabout'. I discuss the detail of this program below under the heading 'New Corrections Initiatives'.
30. MBCPs can be effective in engaging low risk offenders with family violence related offences who are not eligible for a clinical intervention. As I have stated above, evidence suggests that offence specific clinical interventions for low risk offenders can in fact increase their risk of reoffending, and as such, psycho-educational/skills based programs are more suitable for this cohort.
31. Within the family violence sector, participation in a MBCP can see an increase in reporting of family violence incidents. This may be due to the simultaneous support and safety-planning service the current or former partner receives, as such services play an important role in maximising their safety, empowering them to report future family violence and supporting them to leave the relationship if that is a decision they wish to make.
32. The NTV minimum standards for MBCP participation require men to 'acknowledge that they have a problem, or at least demonstrate a willingness to consider the possibility of acknowledging their violent behaviour'. In effect, this means that offenders can be deemed unsuitable for a MBCP or otherwise excluded from the program if they do not accept responsibility for, or admit to,

their offending. I discuss Corrections' strategy to address this issue below under the heading 'Implementation of the new offending behaviour program family violence pathway'.

33. For some time there has been a significant waiting list to undertake MBCPs as a result of increased demand. This demand includes individuals accessing MBCPs from the broader community, as well as offenders subject to CCOs. As I understand it, the current wait time can be anywhere from three to 12 months. I discuss Corrections' strategy to overcome this issue below under the heading 'Implementation of a panel for the delivery of MBCPs'.

## **OTHER PERPETRATOR INTERVENTIONS OFFERED BY CORRECTIONS**

### ***Offending behaviour programs for prisoners and offenders on CCOs***

34. Corrections offers offending behaviour programs to prisoners and offenders on CCOs to target offence specific and offence related factors influencing offending behaviour and engaging offenders towards achieving positive behaviour change.
35. The service delivery model for these programs is contained in the Offending Behaviour Programs Service Delivery Model (**OBP Service Delivery Model**) issued by Corrections in April 2015 (**Attachment AR-3**).
36. The Offending Behaviour Programs Service Delivery Manual (the **Manual**) (**Attachment AR-4**) provides operational guidance for the implementation of the OBP Service Delivery Model and delivery of services across prisons and within the community correctional setting.

### ***A pathways approach***

37. The OPB Service Delivery Model is based on a pathways approach to service delivery, with differentiated service responses provided based on offending and risk profiles. An assessment of the offender is undertaken to identify the risks of violent offending and subsequent treatment needs.
38. Under the OBP Service Delivery Model, two service pathways are currently available: Serious Violent Offender and General Offender. The OBP Model provides, among other things, that:
- 38.1 all offenders classified as Serious Violent Offenders (within the meaning of s 77 of the *Corrections Act 1986* (Vic.)) must be screened for

suitability to participate in some form of offending behaviour program irrespective of risk of reoffending; and

- 38.2 General Offenders (all offenders who are not Serious Violent Offenders or sex offenders within the meaning of schedule 1 of the *Serious Sex Offender (Detention and Supervision) Act 2009*) are eligible for offending behaviour programs if they are deemed to be a medium or high risk of general reoffending. In line with best practice principles, those assessed as low risk of general reoffending are not eligible for such services.
39. There is a separate service pathway for sex offenders. This is facilitated through the Specialised Offender Assessment and Treatment Service within Corrections.

***Screening, risk assessment and program selection***

40. During the intake and screening process, General Offenders and Serious Violent Offenders are also screened for family violence related offending.
41. Those eligible for offending behaviour intervention and who are identified as having committed a family violence related offence have the Spousal Assault Risk Assessment (**SARA**) tool (**Attachment AR-5**) administered by an offending behaviour program clinician as part of their clinical assessment.
42. Offenders found to be a moderate or high risk of spousal assault utilising the SARA will likely be recommended to participate in the 'Changeabout program' (which I refer to below). Treatment recommendations are based on a number of factors and not solely on risk assessment outcomes.
43. Offenders found to be a low risk of spousal assault utilising the SARA will be recommended to participate in a MBCP.
44. Offenders who also display treatment needs in relation to general violent behaviour (i.e. violence which is not limited to violence on a family member) can be recommended for additional treatment such as the Violence Intervention Program (which I refer to below). Additional treatment can be recommended as an alternative to, or in conjunction with, family violence specific treatment (i.e. Changeabout).
45. Where identified risks and treatment needs indicate that violent behaviours will best be addressed with a general violence intervention (notwithstanding that



some of these violent behaviours may have been evident within a family violence context), a Violence Intervention Program will be the recommended intervention.

46. The particular psychometric tools administered to determine an offender's risk of violence will depend on the nature of the offence and service pathway (i.e. Serious Violent Offender or General Offender pathway).
47. All offenders in the Serious Violent Offender pathway will have a violence tool administered in the form of:
  - 47.1 the Violence Risk Scale (**VRS**) for men; or
  - 47.2 the Historical Clinical Risk 20 (**HCR 20**) for women.

I attach a summary of each of these risk assessment tools at **Attachment AR-6**.

48. Where an offender in the Serious Violent Offender pathway has a family violence related offence identified, they will be assessed by the SARA in addition to one of the violence tools I refer to in the above paragraph.
49. Depending on the nature of the offence, offenders in the General Offender pathway may have a violence tool and/or the SARA administered as part of their offending behaviour program assessment.
50. There is some overlap of risk factors identified for family violence and general violence across the violence tools VRS/HCR 20 and SARA. For example, 13 of the 20 risk factors identified through the SARA overlap with general violence risk.
51. Therefore, regardless of whether the SARA is administered in conjunction with, or independently of, the VRS/HCR 20 violence tools, the identified treatment needs may indicate the appropriateness of a general violence intervention - such as a Violence Intervention Program - over a family violence specific intervention - such as Changeabout.

### ***Programs offered***

52. The suite of programs available to Serious Violent Offenders and General Offenders are contained in the Offending Behaviour Program Suite (the **Program Suite**) (**Attachment AR-7**).
53. Corrections offers the High Violence Intervention Program and Moderate Violence Intervention Program in prison and in the community corrections

context. Both programs contain a supplementary module called “Interpersonal Relationships” (**Attachment AR-8**). Though these programs do not specifically address family violence, they do address attachment styles, healthy and unhealthy relationships and cover a range of interpersonal skills such as communication and conflict resolution.

#### *Domestic Abuse Program*

54. Up until March 2015, the family violence clinical program offered by Corrections was the Domestic Abuse Program. Between July 2013 and March 2015, seven Domestic Abuse Programs were delivered in correctional settings (five in community correctional settings and two in prison locations). Programs were delivered internally through Corrections’ offending Behaviour program workforce. The Domestic Abuse Program was accompanied by a partner contact service delivered by an external provider.
55. The Domestic Abuse Program is a 40-hour therapeutic intervention for moderate to high-risk perpetrators of family violence, developed by New South Wales Correctional Services. The program concerns intimate partner violence rather than the broader definition of family violence within the meaning of the *Family Violence Protection Act 2008*.
56. It has a strong emphasis on inviting perpetrators to accept personal responsibility for their offending behaviour, while developing the ability to engage in respectful and non-violent relationships. It consists of five modules: identifying abuse; managing moods, beliefs and attitudes; offence mapping; victim impact; and sexual respect, relationship skills and safety strategies.

#### *Changeabout*

57. On 1 April 2015, Corrections introduced a new clinical program called ‘Changeabout’, which replaces the delivery of the Domestic Abuse Program. I describe this program in detail below.

#### ***Effectiveness of interventions***

58. A review of the effectiveness of interventions for adult male violent offenders (the majority of which were delivered in prisons) concluded that they were effective in reducing general reoffending and violence reoffending (Jolliffe & Farrington, 2009). The success of these interventions was dependent on both the intensity

and content of the program. Programs with greater overall duration and greater duration per individual session and programs which include anger control, cognitive skills, relapse prevention or role playing, are more successful in reducing reoffending (Jolliffe & Farrington, 2009).

59. An evaluation of Corrections' core offending behaviour programs is scheduled across two stages:
- 59.1 a process evaluation will occur in 2017, to determine the extent to which the programs have been implemented as intended and identify short-term outcomes; and
  - 59.2 an outcome evaluation will occur in 2018, to identify the longer-term impact the programs have on reoffending.

#### **RESPONSE BY CORRECTIONS TO FAMILY VIOLENCE**

60. Corrections has responded to family violence by:
- 60.1 training around 558 Community Correctional Services staff members on the use of the Victorian Family Violence Risk Assessment and Risk Management Framework (known as the Common Risk Assessment Framework) between 2009-2010 and 2013-2014, which training is ongoing;
  - 60.2 delivering or contracting programs that target perpetrators of family violence, including the Domestic Abuse Program and MBCPs;
  - 60.3 providing support for victims of family violence through delivery of programs and contracting of counselling services, including sexual assault counselling;
  - 60.4 seeking to improve exchange of family violence information between agencies; and
  - 60.5 establishing local relationships between Community Correctional Services locations and other government and non-government providers to facilitate an improved response to family violence.

## **NEW CORRECTIONS INITIATIVES**

### ***Project to review Corrections' response to family violence across the corrections system***

61. A project has recently been established to strengthen Corrections' response to family violence across the corrections system. This project will examine ways to enhance areas including:
- 61.1 the identification of family violence as a factor in offending by perpetrators;
  - 61.2 the delivery of targeted programs and services to family violence perpetrators;
  - 61.3 supporting victims;
  - 61.4 creating an environment for change; and
  - 61.5 working with other systems.
62. A Steering Committee, chaired by the Commissioner of Corrections, has been established to oversee the project, provide direction and make decisions on policy implementation.

### ***Implementation of the new offending behaviour program family violence pathway***

63. At its meeting on 19 June 2015, the Steering Committee endorsed a new family violence service pathway to streamline the delivery of intervention programs to family violence perpetrators. This pathway was developed to ensure that prisoners and offenders, serving sentences in prison and in the community are more consistently identified and streamed into relevant treatment at an early stage.
64. The approach is set out in the Offending Behaviour Program Family Violence Service Delivery Model flowchart (**Attachment AR-9**).
65. Key elements of this new service delivery model are:
- 65.1 delivery of a MBCP to low risk offenders in prison with a family violence offence;

- 65.2 delivery of a MBCP to prisoners on remand where a family violence offence is identified;
- 65.3 utilisation of the SARA during the screening stage as opposed to the assessment stage;
- 65.4 streaming of Serious Violent Offenders and General Offenders (moderate and high risk) with family violence related offences who are serving sentences in the community, into a MBCP while they await assessment to determine suitability to engage in the Changeabout program;
- 65.5 inclusion of a treatment readiness component to assist prisoners and offenders who are eligible to commence a MBCP, but who are yet to take responsibility for their offending; and
- 65.6 reducing the time that family violence offenders in the community wait before being able to commence a MBCP.

***Implementation of a panel for the delivery of MBCPs***

- 66. Corrections is also finalising the appointment of a panel of MBCP providers to deliver an expanded number of programs to meet the demand of family violence perpetrators in community correctional settings and in prisons (as per the approach outlined in the Offending Behaviour Program Family Violence Service Delivery Model). A public tender process is currently underway and will be finalised in the near future.
- 67. In addition to the minimum standards set by NTV, Corrections will require the successful panel members to adhere to Corrections' policies and procedures around program facilitation, including the timely completion of reports and case notes, and regular contact and communication with case managers of participants.
- 68. Once the panel is established, Corrections will commence allocating all waitlisted family violence offenders to a MBCP – regardless of general risk of reoffending - as part of their CCO where an attached condition allows for this. This will remove the existing backlog of offenders waiting to undertake a MBCP.
- 69. It is forecast that offenders who commence CCOs following establishment of the panel will be placed in a MBCP within seven weeks of their CCO commencing.

Where an offender is initially not deemed eligible or ready to participate in a MBCP, they will be offered a treatment readiness program to prepare them for a MBCP.

***The new 'Changeabout' clinical program***

70. Changeabout will be provided to family violence offenders where an assessment demonstrates that a clinical intervention is required.
71. Changeabout is an 'offence specific' program, as it is based around addressing criminogenic needs (that is, risk factors linked to recidivism). Offence specific programs differ from psych-ed programs, like MBCPs, as they aim to decrease the risk of reoffending as well as improving various skills related to criminogenic needs.

***Risk, Need, Responsivity principles***

72. Offence specific programs adhere to 'Risk, Need, Responsivity' principles of:
  - 72.1 matching program intensity to an offenders risk of reoffending (risk);
  - 72.2 focusing on criminogenic factors, that is the risk factors directly related to offending (need);
  - 72.3 delivering interventions in a manner appropriate to the offender's learning style and needs (responsivity); and
  - 72.4 ensuring interventions are delivered as intended (program integrity).
73. It is important that the intensity and length of offence specific programs appropriately match the assessment of risk.
74. Changeabout is an 88-hour intervention. This is an appropriate 'dosage' for an offence specific intervention.

***Differences with the Domestic Abuse Program***

75. Changeabout is more in line with the Risk, Need, Responsivity principles than the Domestic Abuse Program.
76. It also deals with family violence in a broader context than with a direct spouse only.

*The Changeabout program*

77. The Changeabout program contains six modules:
- 77.1 Orientation;
  - 77.2 Beliefs and attitudes that support abuse;
  - 77.3 Managing emotions;
  - 77.4 Relationship skills;
  - 77.5 Alcohol, drug and family violence; and
  - 77.6 Impact on others.
78. Each module (aside from orientation) is accompanied by a workbook. I attach the Changeabout Theory and Program Manual (**Attachment AR-10**) and the Changeabout Program Session Guide (**Attachment AR-11**), which provide further information about Changeabout.
79. The primary outcome being sought through the delivery of Changeabout is a reduction in family violence by those attending and completing the program. This overarching goal is underpinned by a number of key strategies, including:
- 79.1 the application of Risk, Need, Responsivity principles to family violence, which include:
    - (a) matching the intensity of the intervention with the level of risk (the risk principle);
    - (b) targeting criminogenic needs or dynamic risk factors that are known to contribute to family violence (the risk principle); and
    - (c) delivering the program using a cognitive behavioural therapy and social learning approach which accommodates learning styles and capabilities of participants (the responsivity principle).
  - 79.2 delivering the program as designed so that what is known to be effective in reducing reoffending risk gets facilitated in sessions (the integrity principle); and

- 79.3 a strong focus on engagement of participants to improve retention and foster active collaboration between the program provider and participants.

*The development of Changeabout*

80. Changeabout was designed and developed by Hall McMaster and Associates. Hall McMaster and Associates is a New Zealand based group who, for over 20 years, has consulted in the areas of criminal justice, social work with men, family violence prevention training programs, child protection, interviewing children experiencing trauma, abuse, and psychological assessment and theory.
81. As with all newly developed programs, the Corrections Victoria Intervention Accreditation Model (**Accreditation Model**) (**Attachment AR-12**) was applied to Changeabout. The Accreditation Model was developed to establish minimum standards for all interventions delivered across the Victorian justice system, thereby ensuring the ongoing integrity of programs by certifying their alignment with standards that represent best practice in the forensic environment.
82. In conjunction with the Accreditation Model, the Corrections Victoria Intervention Accreditation Panel (**Accreditation Panel**) was established. The Accreditation Panel consists of Department of Justice and Regulation members and independent members from the community with expertise in the forensic setting. Appointment of community panel members is based on professional qualifications, relevant experience, research relevant to the correctional environment and experience in program evaluation or program development. Designated 'Terms of Reference' guide the activities of the panel and panel members.
83. In March 2015, Changeabout received provisional accreditation from the Accreditation Panel, subject to some program enhancements and the finalisation of comprehensive 'Partner Contact Specifications' which directly align the intensity of partner contact support with Changeabout program content, exceeding the NTV minimum standards and in alignment with nationally recognised best practice.
84. The required program enhancements have now been incorporated and endorsed by the Accreditation Panel. Changeabout will retain its provisional accreditation status until the partner contact service model is finalised over the coming months.



Corrections is continuing to deliver a modified partner contact service in the interim, which aligns with the NTV minimum program standards.

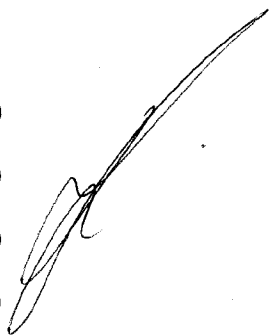
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**Andrew Reaper**

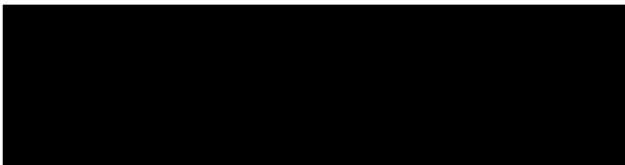
at Melbourne

this 17<sup>th</sup> day of July 2015

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Before me



An Australian legal practitioner  
within the meaning of the  
Legal Profession Uniform Law (Victoria)