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## Netball mum Kelly Anne Howard admits to taking Wathaurung Aboriginal Corporation funds

By Sarah Danckert  
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*Kelly Anne Howard has admitted taking \$240,000 of the Wathaurung Aboriginal Corporation's funds for her own personal use, but not to the larger amount of more than \$475,357.59. Photo: The Courier*

A decorated country netball player accused of defrauding the Wathaurung Aboriginal Corporation has admitted to taking \$240,000 of the company's funds for her own personal use.

Ballarat-based accountant Kelly Anne Howard made the admission in her defence filed in the Supreme Court of Victoria in response to civil action brought against her by Wathaurung Aboriginal Corporation which manages Aboriginal heritage values and culture within Wadawurrung country – a stretch of land that takes in Ballarat, Melton, Geelong and the Bellarine Peninsula.



*Uncle Bryon Powell stood down as chair of the Wathaurung Aboriginal Corporation earlier this year.*

Business Day revealed in July that Ms Howard and her company Kelly Howard Pty Ltd had been accused of defrauding the organisation of more than \$475,357.59 over six years.

The accusations came after an audit found scores of payments to Ms Howard's company.

According to her formal defence, Ms Howard admitted she "paid or cause to be paid the sum of totalling approximately \$240,000 out of WAC's (Wathaurung Aboriginal Corporation) moneys without the authority of WAC to or for her benefit".

Ms Howard's defence added that she, in particular, denies "that WAC suffered loss and damage in the sum of \$475,357.59".

Her defence adds: "The defendants otherwise claim and reserve their right to claim penalty privilege and self-incrimination privilege as to the allegations."

Ms Howard was accused of going on a spending spree on the corporation's dime including interactive comedy dinners and 20 netball dresses.

Ms Howard has maintained that she is not the beneficial owner of Kelly Anne Howard, with her former business partner Ron Jennings having a call option over the business.

Wathaurung also accused Mr Jennings – who was the auditor of Wathaurung Aboriginal Corporation – of negligence.

A search of the Supreme Court file relating to the allegations made against Mr Jennings showed he is yet to file a defence.

Mr Jennings declined to comment, saying the matter was with his legal advisers.

Ms Howard's claim for privilege from self-incrimination comes as Victoria Police confirmed it was investigating the alleged fraud from a business in Ballarat.

"A 43-year-old Ballarat woman has been interviewed by police in relation to the allegation. She has been released pending further inquiries," Victoria Police First Constable Amara Bostock said.

"As the investigation is ongoing, it would be inappropriate to comment further," First Constable Bostock said.

Neither Ms Howard nor her lawyers responded to requests for comment. A lawyer for the Wathaurung Aboriginal Corporation declined to comment.

The accusations against Ms Howard came after a prolonged period of poor financial management and lax governance that sparked an intervention by the Office of the Registrar of Indigenous Corporations following an examination in late 2015 of members of the corporation by ORIC and external auditors at Grant Thornton.

In a report filed on February 15 this year ORIC delegate Peter Armstrong said: "After considering the results of the examination, I suspect on reasonable grounds that there are irregularities in the affairs and financial affairs of the corporation." He also found the corporation's directors were "not monitoring [the corporation's] financial position" and had breached numerous governance standards.

Since the examination process, Wathaurung has addressed the concerns of ORIC, a spokeswoman for the regulator previously told Business Day.