

# Children's Maintenance Act 1919, Victoria

1919 – 1929

**Other Names:** • Maintenance of Children Act 1919

**URL:** [http://aiatsis.gov.au/sites/default/files/catalogue\\_resources/53531.pdf](http://aiatsis.gov.au/sites/default/files/catalogue_resources/53531.pdf)

## Details

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Under the terms of Children's Maintenance Act 1919, No. 3001, mothers without sufficient means of support could apply to the Department of Neglected Children for financial assistance toward the maintenance of their children, rather than have the children committed to the Department's care. This change was a means of regularising the practice, recently ruled unlawful, of 'boarding out' children with their own mothers as a means of providing the mother with a means of support. By 1930, the number of children maintained with their impoverished mothers peaked at about 10,000.

The Children's Maintenance Act 1919 was a means of regularising the practice, recently ruled unlawful, of 'boarding out' children with their own mothers as a means of providing the mother with a means of support. For example, the Melbourne Orphan Asylum had begun the practice of paying maintenance to mothers around 1876.

Jaggs writes of how when the Bill was introduced to the Victorian parliament, the Member for Fitzroy pointed out that

*the practice of boarding out children with their mothers had been better and more humane than fostering them with strangers but still required respectable women to go through the farce of bringing well cared-for children before the Children's Court as 'neglected' and undergoing a police enquiry into their character before their children were returned.*

Part II of the Bill made provision for children to be admitted to State guardianship on the ground of destitution alone. Jaggs writes that this section of the Maintenance Act gave 'legal recognition to what had long been, in effect, the Department's main function'.

The Children's Maintenance Act 1919 became law in September 1919. Families receiving maintenance payments were still subject to the supervision of the Department, and mothers could expect inspections from the Ladies Committees who supervised boarded-out children. In cases where money was found being used inappropriately, the Minister could authorize the cessation of maintenance payments, in which case the child would automatically become a state ward. In 1921, 31 children became State wards in this way. In 1926, 39 maintained children were made wards, as a result of the mother's 'bad conduct' (in the words of the Secretary of the Department).

This Act was repealed by the Maintenance Act 1928 No. 3001 and the Children's Welfare Act 1928 No. 3654 on 18 December 1929.

This scheme of keeping children with their mothers by providing weekly maintenance payments was a forerunner to the current system of social security payments to parents.

## More info

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### Chronology

- **Children's Maintenance Act 1919, Victoria (1919 – 1929)**
  - Children's Welfare Act 1928, Victoria (1929 - 1955)
  - Maintenance Act 1928, Victoria (1929 - 1958)

### Related Entries

#### Related Organisations

- [Department for Neglected Children, State Government of Victoria \(1901 - 1924\)](#)

The Children's Maintenance Act 1919 made it possible for mothers to apply to the Department for Neglected Children to seek financial assistance toward the maintenance of their children.
- [Melbourne Orphan Asylum \(1853 - 1926\)](#)

The Melbourne Orphan Asylum was one institution that had been making maintenance payments to some mothers so that they could support their children, before the passage of the Children's Maintenance Act regularised this practice.

#### Amends

- [Neglected Children's Act 1915, Victoria \(1915 - 1929\)](#)
- [Children's Court Act 1915, Victoria \(1915 - 1928\)](#)

#### Is amended by

- [Children's Maintenance Act 1924, Victoria \(1924 - 1929\)](#)

### Resources

- Exon, E., *Three complementary methods of care for dependant children*, The care of dependent, neglected and wayward children. Being a report of the Second Section of the International Congress of Charities, Corrections and Philanthropy, Chicago, June 1893., 1894

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