Children's Court of Victoria

1906 –
URL: https://www.childrenscourt.vic.gov.au/

Details

The Children's Court of Victoria was established in 1906. Before this time, children were dealt with in the same courts as adults. The Children's Court heard cases involving children under the age of 17 related to criminal matters (juvenile offending) as well as welfare matters (such as determining if a child was 'neglected' or 'in need of care' under the provisions of child welfare legislation). An appearance before the Children's Court was part of the process through which children became wards of the state. Children were charged with neglect or other terms such as 'being in moral danger' or 'likely to lapse'.

The Children's Court of Victoria continues to operate – in 2024 its Family Division has jurisdiction to make orders in relation to the care and protection of any child under the age of 17 years.

Originally, the Children's Court moved around, and was held wherever hearings of the Court of Petty Sessions took place. From 1908, Children's Court hearings were held at the Gordon Institute on Bowen Street. In 1941, the Court moved to Carlow House on the corner of Flinders Lane and Elizabeth Street.

In 1960, a new Children's Court was opened on Batman Avenue (on the former site of the Morgue). The Batman Avenue building also housed the probation officers and the Children's Court Clinic.

In 1990, the Children's Court moved to Queensbridge Street, South Melbourne. In 1999, it moved into a purpose-built court complex at 477 Little Lonsdale Street, Melbourne.

From 1944, the investigative arm of the Children's Court has been the Children's Court Clinic. The Clinic assesses children and parents and provides reports to the court on the child's best interests. It also assists the Magistrates' Court in dealing with child witnesses.

A series of Children's Court Acts have governed its operations since 1906. The Children's Court Act 1956 resulted from new thinking in regard to the problem of 'juvenile delinquency', and made some important changes to sentencing and to the numbers of offenders who also became wards. It also finally abolished whipping as a sentence.

In 1982, the 'Carney report' of the Child Welfare Practice and Legislation Review made a number of recommendations affecting the structure of the Children's Court. Many of these recommendations were not put into practice until the passage of the Children and Young Persons Act 1989. This established the Family Division of the Children's Court, which is separate from the Criminal Division.

In 2000, the Children's Court became independent of the Magistrates' Court. In 2018, the Children's Court sits at locations throughout metropolitan Melbourne and country Victoria.

More info

Related Entries

Related Events
- Child Welfare Practice and Legislation Review, Victoria (c. 1982 - 1984)

Related Legislation
- Children's Court Act 1956, Victoria (1957 - 1959)
- Children and Young Persons Act 1989, Victoria (1991 - 2007)
- Children, Youth and Families Act 2005 (2007 - current)
- The Neglected Children's Act 1890, Victoria (1890 - 1915)
- Children's Court Act 1906, Victoria (1906 - 1915)
- Children's Court Act 1973, Victoria (1974 - 1992)
- Children's Court Act 1958, Victoria (1959 - 1974)
- Children's Court Act 1928, Victoria (1929 - 1957)
- Children's Court Act 1915, Victoria (1915 - 1928)

Related Organisations
- Gordon Institute (1886 - 1951)
  The Children's Court was situated at the Gordon Institute from 1908 to 1941.
- Children's Court Clinic (1942 - current)

Related Concepts
- Juvenile Justice (1860s - current)

Resources

- Jaggs, Donella, *Neglected and criminal: foundations of child welfare legislation in Victoria*, 1986
- McCallum, David, *Law and norm: justice administration and the human sciences in early juvenile justice in Victoria*, Newcastle Law Review, 2004
- Wilkie, Douglas, *They Judge Children, Cheating Children Article 4*, The Sun News-Pictorial, 4 September 1953

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