

# Children's Court of Western Australia

1907 –

URL: <http://www.childrenscourt.wa.gov.au>

## Details

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The Children's Court of Western Australia began under the State Children's Act 1907 and operated within the City of Perth. After amendments, the Court was allowed to sit in the metropolitan area. The Perth Children's Court became known as the Children's Court of WA when the *Children's Court of WA Act 1988* was passed. The Perth Children's Court was initially situated on Irwin Street, Perth; however, children's court cases are also heard in other courthouses throughout the State. The Children's Court hears criminal matters involving young people (aged 10 to 17 years) who are accused of committing offences. If a young person turns 18 after the date of the alleged offence, he or she will still appear before the Children's Court. The Court also deals with protection and care applications for children under the age of 18 years. Witnesses who appear before the Court can be of any age.

Writing in *The Cyclopaedia of Western Australia* in 1912, five years after the establishment of the Children's Court, JS Battye explained why a separate court had been set up for young offenders and matters affecting young people: 'Those children who do wrong are charged in a separate Court from which all but those actually engaged in the case are excluded, and thus the demoralising effects of a public exhibition are avoided.' (Vol 1, p. 504). According to the *Western Mail* in 1908, this provision elevated 'the moral tone of the country'.

To this day, the practice of protecting children's reputations has continued in the court, giving young people the chance to enter their adult lives without the notoriety of juvenile convictions.

The way young people are disciplined by the courts has changed over time. In August 1928 it was reported that the Police Magistrate at Fremantle ordered a 15 year old boy to be 'birched'. Apparently, it was not possible to find anyone in the public service who was willing to carry out this order, though some other citizens had volunteered for the task (Chate, p.41).

## Gallery

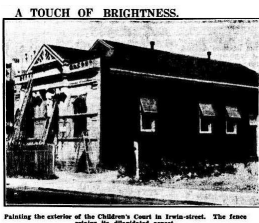
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### Boys Behind Iron Bars

**Description:** This is a picture from a 1954 article in the *Sunday Times* newspaper titled 'Mt. Lawley Reception Home's Detention Methods Are Primitive - But They Have A Tough Job'. The picture shows the 'solitary confinement' wing of the Child Welfare Reception Home at Mt Lawley, where 'delinquent' children were housed. The article condemned this practice and called for better facilities.

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## A Touch of Brightness [Children's Court]

**Description:** This is a picture from the *Sunday Times* newspaper. It shows the Children's Court in Irwin Street, Perth, getting a fresh coat of paint. From 1908, the Children's Court dealt with 'juvenile offenders' as well as with other matters relating to children. When this picture was taken the Perth Children's Court was in an old building on Irwin Street.

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## More info

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### Related Entries

#### Related Events

- [Investigation into the Administration of the Child Welfare Department, State of Western Australia \(1953\)](#)  
The Investigation into the Administration of the Child Welfare Department of Western Australia by RH Hicks made recommendations about the way the Children's Court was organised, its practices and purpose.  
Date: 1953 -

#### Related Legislation

- [Criminal Code Amendment Act 1918, Western Australia \(1918 - current\)](#)  
Amendments to the Criminal Code in 1918 gave the Children's Court jurisdiction over young people under 18 years of age.
- [State Children Act Amendment Act 1919, Western Australia \(1919 - 1948\)](#)  
The 1919 amendments to the State Children Act gave the Children's Court greater discretionary powers over the treatment of children under its jurisdiction.
- [Children's Court of Western Australia Act 1988, Western Australia \(1988 - current\)](#)
- [Child Welfare Act Amendment Act 1965, Western Australia \(1966 - 2006\)](#)  
The *Child Welfare Act Amendment Act 1965* required the Children's Court of Western Australia to commit children to the care or custody of the Director of the Child Welfare Department rather than order a particular type of placement for the child.
- [Criminal Law \(Mentally Impaired Accused\) Act 1996, Western Australia \(1996 - current\)](#)
- [State Children Act 1907, Western Australia \(1907 - 1948\)](#)

#### Holds

- [Children's Court of Western Australia, Records \(1908 - current\)](#)

#### Related Concepts

- [Juvenile Justice \(1860s - current\)](#)

## Resources

- [The Children's Court is Constituted for the Welfare of the Children: Then Pity the Children](#), Truth, 26 June 1926
- [John Walsh interviewed by Hamish Sewell in the Forgotten Australians and Former Child Migrants oral history project](#), 28 March 2011
- Western Australia. Charities Department, *Report by the Superintendent of Public Charities and Inspector of Industrial and Reformatory Schools, 1899 - 1907*. *Relevance:* The Report for 1900 recommended establishing a 'Children's Lock-Up' so that children apprehended by police were not put with adults, p.18; 1907
- [Mt. Lawley Reception Home's Detention Methods Are Primitive - But They Have A Tough Job](#), Sunday Times, 15 August 1954
- Department for Community Development, State of Western Australia, [Submission No 55 to the Senate Inquiry into Children in Institutional Care](#), July 2003
- Department of Justice, State of Western Australia, [Submission No 177 to the Senate Inquiry into Children in Institutional Care](#), 24 September 2003

- Lowe, Janet, [Submission No 223 to the Senate Inquiry into Children in Institutional Care](#), 28 August 2003
- Foster, Darren J, [Submission No 347 to the Senate Inquiry into Children in Institutional Care](#), 3 April 2004
- [State's Treatment Of Juvenile Offenders Is Condemned](#), The West Australian, 13 July 1954
- *Report by the Inspector of Charitable Institutions, 1898. Relevance: 'Report by the Inspector of Charitable Institutions, 1898' recommends establishing a separate Children's Court, p.13*

# Records

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## Records

- [Children's Court Register \(1908 - 1973\)](#)
  - [Charge Books \(1908 - current\)](#)
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You can view this page online by visiting <https://www.findandconnect.gov.au/entity/childrens-court-of-western-australia/>