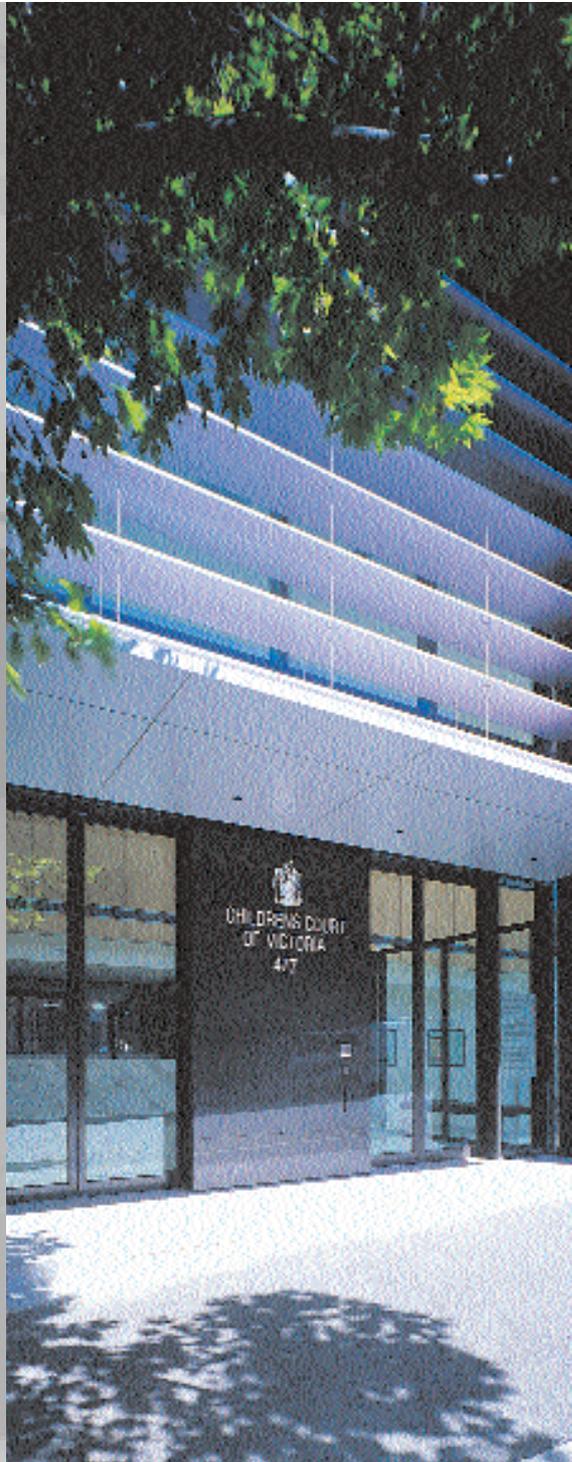


CHILDREN'S COURT OF VICTORIA



ANNUAL REPORT
2003 - 2004



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Judge Jennifer Coate
President
Children's Court of Victoria

Phone (03) 8601 6800
Facsimile (03) 8601 6810



Children's Court
Victoria

477 Little Lonsdale St
Melbourne Vic 3000

DX 212561

7 March 2005

Mr John Landy AC MBE
Governor of Victoria
Government House
MELBOURNE VIC 3004

Dear Governor

CHILDREN'S COURT OF VICTORIA - ANNUAL REPORT 2003-2004

In accordance with section 14A of the *Children and Young Persons Act* 1989 I have much pleasure in submitting the Children's Court of Victoria Annual Report for the year 2003-2004.

The report covers the Court's operation and performance, and provides information on our activities and achievements during the reporting period.

Yours sincerely

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Judge Jennifer Coate
President
Children's Court of Victoria

1 OVERVIEW

During the reporting year, the following statements were formulated as part of a Three Year Strategic Plan, and an Annual Action Outline (see page 13) for the Children's Court of Victoria.

OBJECTIVES

- Provide court facilities which are modern, non-threatening, responsive, accessible and secure.
- Develop effective, efficient and consistent practices in the management, operation and administration of the Court at all venues throughout the State.
- Recognise and meet the needs of the community in a just and equitable manner, with emphasis on the special needs of children, young persons and their families.

VISION

To facilitate the administration of justice by providing a modern, professional, accessible and responsive specialist court system focussed on the needs of children, young persons and their families.

PURPOSE

To provide an efficient, modern and responsive specialist court to hear and determine cases involving children and young persons in a timely, just and equitable manner which is easily understood by court users and the public generally.

VALUES

- Independence of the judiciary.
- Openness, accessibility and respect whilst protecting the anonymity of children and young persons before the Court.
- Timely, just and equitable resolution of cases.
- Innovative use of systems and technology.
- Community awareness of and confidence in the court process.
- Staff development and rewarding initiative.

PRESIDENT'S REPORT

This reporting year has been one of consolidation of major projects commenced in 2002/03 together with a steady flow of cases coming into both jurisdictions of the Court across all regions of the State. There have been only small fluctuations in numbers but nothing of significance.

Pre-hearing Conference Review

The reporting year has seen the commencement of a complete review of the current system of pre-hearing conferences.

It has been over a decade since the introduction of pre-hearing conferences into the Family Division of the Court. In 1992, the *Children and Young Persons Act 1989 (Vic)* was amended by the insertion of sections 37A, 82A and 82B to provide for pre-hearing conferences to be conducted in protection applications in the Family Division.



Judge Jennifer Coate
President
Children's Court of Victoria

Pre-hearing conferences were introduced to provide, under the auspices of the Court, an opportunity for open and confidential discussions between relevant and interested parties presided over by independently appointed convenors. It was hoped that such discussions would encourage and facilitate the parties to:

1. reach voluntary agreements rather than Court imposed orders;
2. provide parties with the opportunity to participate in open confidential discussions to assist in the preservation and strengthening of family relationships; and
3. clarify areas in dispute in those cases that did not resolve.

No legislative guidelines or regulations were enacted to establish how pre-hearing conferences were to be conducted.

Whilst various discussions and published papers endeavoured to provide some assistance to convenors, no model or clear framework has been authoritatively established. Consequently, a range of practices have developed, some less effective than others. It is also clear that there are less than consistent practices statewide which need to be addressed. It is a credit to the convenors that they have managed the process to date with relatively little guidance, assistance or support.

Thus, the review of the pre-hearing conference system and legislative base was initiated to address these issues and a range of others.

After a series of meetings and discussions between all interested parties terms of reference were decided upon and an advisory group established comprising representatives from the Department of Human Services, Victoria Legal Aid, the Department of Justice, the Victorian Aboriginal Child Care Agency, the Court and convenors. Ms Andrea Dagleis was appointed as the project officer with Ms Jeanette Maughan, Magistrate, supervising her. It is anticipated that the first draft of the report will be presented to the advisory group by December 2004.

Standing Committee of Australian and New Zealand Youth and Children's Courts

The Standing Committee of Australian and New Zealand Youth and Children's Courts (SCANZYCC) met twice during the reporting period, in Darwin from 2 - 4 July 2003 and Canberra from 28 - 30 April 2004.

As a result of Australia and New Zealand's continued efforts to include and encourage our Pacific colleagues into this valuable group, representatives from Samoa, Fiji and Papua New Guinea attended the Canberra meeting. All participants benefited greatly from the opportunity to discuss a wide range of issues and to hear presentations on a range of relevant topics and visit local institutions and agencies.

In recognition of the expanding membership, it was resolved at the Canberra meeting to change the Committee's name to the "Council of Youth Courts" (CYC).

It was agreed that Fiji would host the next meeting due in July 2005.

Fiji Juvenile Justice Workshop

In conjunction with Judge Peter Boshier, Principal Judge of the Family Court of New Zealand, I was invited to present a two day workshop on Juvenile Justice for Magistrates in Fiji in February 2004.

In discussions between Justice Nazhat Shameem of the High Court of Fiji, Judge Boshier and myself, a wide ranging program was developed and delivered over two days. Two thirds of Fiji's Magistrates attended.

The workshop which was opened by the Chief Justice of Fiji was well received and all those attending participated with marked enthusiasm and interest.

Community Education



Magistrate Sue Blashki talking to a group of students during a visit to Melbourne Children's Court.

The Court continues to provide a range of opportunities to both special interest groups and members of the public generally who visit the Court at Melbourne. In the reporting period approximately 65 groups officially visited the Court by arrangement through the office of the Court's Liaison Officer, Janet Matthew. These groups included secondary school students and their teachers, foster carers, social work students, law students, youth work students, judges' associates, and maternal and child health nurses. Magistrates from the Melbourne Children's Court continue to give their time to provide addresses to these groups and answer questions.

The practice of the Court in providing addresses and presentations through its President and specialist magistrates to a wide range of forums has continued this year. These forums have included:

- Department of Human Services Induction/Training Program
- Child and Adolescent Psychiatrists
- Victorian Bar Readers' Course
- Foster Care Association of Victoria

- AIJA Judicial Training for Indonesian Judges
- Infertility Treatment Panel
- Law Institute President's Lunch Forum
- Judicial College of Victoria Full Day Workshop on "Children as Witnesses"

Participation on Boards, Councils and Committees

During the reporting period, the Court through the President has been represented on a number of boards, councils, groups and committees including the following:

- Council of the Australian Institute of Judicial Administration
- Courts Consultative Council (Chair: Attorney-General)
- Co-ordinated Health Services for Abused Victorian Children (Chair: Judge Jennifer Coate)
- Group Conferencing Advisory Committee (Chair: Judge Jennifer Coate)
- Courts Strategic Directions Working Group
- Family Violence Protocols Committee (Chair: The Hon. Justice Sally Brown)
- Child Protection Review Project Group
- Criminal Justice Consultative Forum
- Early Years Project Team
- Victorian Law Reform Commission
- Koori Children's Court Reference Group
- Victoria Police Ethical Standards Consultative Committee
- Juvenile Justice Ministerial Roundtable

Regional Sittings

The full-time members of the Children's Court at Melbourne have provided a record number of regional sitting days to the country regions of the Family Division of the Court as shown in the table below.

Melbourne Children's Court magistrates sitting in regional courts

	2001/02	2002/03	2003/04
Country (Family Division contests)	41	51	75

Koori Children's Court

In February 2004 the Attorney-General and the Minister for Community Services announced the introduction of a Koori Court into the Criminal Division of the Children's Court of Victoria.

A reference group for the development of the Koori Children's Court was formed and commenced meeting in June 2004. The Court is represented on that group by the President, the Court Liaison Officer and the Principal Registrar.

It is anticipated that the first sittings of the Koori Children's Court will be in 2005 at a location which has not yet been decided.

Child Protection Review

A review of the policy, operation and legislative base for child protection in Victoria was announced by the Minister for Community Services in June 2003. That review is currently still underway and the Court is participating in a range of discussions and meetings arising from it.

Brigadier Doreen Griffiths of the Salvation Army

Last year's annual report included a tribute to Brigadier Doreen Griffiths who passed away peacefully on 9 October 2003 after a lifetime's dedication to public service. For 21 years Brigadier Griffiths worked as a Salvation Army Welfare Officer at Melbourne Children's Court, 18 years of which were in a voluntary capacity following her official retirement. In 2001, the children's play area at the Court was dedicated to Brigadier Griffiths in recognition of her outstanding contribution to the children and families attending Melbourne Children's Court.

Conclusion

This reporting period has been an extremely busy and demanding time for the staff and Magistrates of the Children's Court of Victoria. The figures contained in this report demonstrate that listing delays at Melbourne have remained virtually static despite the increasing demands of country circuits and increases in contested hearings in both the Family and Criminal Divisions.

My deepest thanks go to all of my judicial colleagues and court staff across the State who provide their commitment and enthusiasm to the work of the Children's Court of Victoria.

The staff at Melbourne have undergone a number of changes during the reporting year including the arrival of Angela Carney as Co-ordinating Registrar following the departure of Sue Higgs.

My thanks to our Principal Registrar, Leanne de Morton, who has managed all of the staff movements together with the statewide operation of the Court.

I also wish to acknowledge and thank the members and staff of the following organisations who have worked co-operatively and diligently with the Court throughout the State:

- Victoria Legal Aid
- Court Advisory Unit, Department of Human Services
- Juvenile Justice Court Advisory Officers
- Victoria Police Prosecutions Unit
- Salvation Army
- Court Network
- Secure Welfare
- Victoria Police, Court Custodial Facility
- Victoria Police Protective Services Officers
- AIMS Security

My appreciation and thanks go to my Associate, Janet Matthew and my Tipstaff, David Whelan for their patient and professional support to me during the year.

JURISDICTION

The Children's Court of Victoria is established by section 8 of the *Children and Young Persons Act* 1989. The Children's Court has authority to hear cases involving children and young people up to the age of 17 years, and in some cases up to 18 years.

The Family Division of the Court has the power to hear a range of applications and make a variety of orders upon finding that a child is in need of protection, or that there are irreconcilable differences between a child and his or her parents.

In the Family Division, the Court also hears applications relating to intervention orders pursuant to the *Crimes (Family Violence) Act* 1987 and stalking provisions of the *Crimes Act* 1958.

The Criminal Division of the Court has jurisdiction to hear and determine summarily all offences (other than murder, attempted murder, manslaughter, culpable driving causing death and arson causing death) where the alleged offender was under the age of 17 but of or above the age of 10 years at the time the offence was committed and under the age of 18 when brought before the Court.

It should be noted that the Victorian Government proposes introducing legislation in the Spring 2004 sittings of Parliament that will increase the upper age limit of the Criminal jurisdiction of the Children's Court by 12 months. This will mean that the Court will have jurisdiction to hear and determine charges against children and young people aged 10 and above, who are under 18 years at the time of the alleged commission of the offence, and under 19 at the time of being brought before the Court. The proposed changes will also increase the Court's jurisdiction under the *Crimes (Family Violence) Act* 1987. This will mean that applications for intervention orders may be heard in the Family Division of the Children's Court where either the "aggrieved family member" or the defendant is under the age of 18 years at the time the application is made.



STRUCTURE AND ORGANISATION OF THE CHILDREN'S COURT OF VICTORIA

Aside from magistrates the Court is staffed by registrars, deputy registrars, court co-ordinators, trainee registrars and administrative staff at each location. There are also two positions, that of Principal Registrar and Court Liaison Officer, based at the Children's Court at Melbourne whose responsibilities are statewide.

President, Magistrates and Staff of the Children's Court at Melbourne

President

Her Honour Judge Jennifer Coate

Magistrates

Ms Sue Blashki
 Ms Jacinta Heffey
 Mr Greg Levine
 Mr Clive McPherson
 Mr Peter Power (First half of reporting period)
 Ms Paresa Spanos (Second half of reporting period)
 Mr Brian Wynn-Mackenzie

Principal Registrar

Leanne de Morton

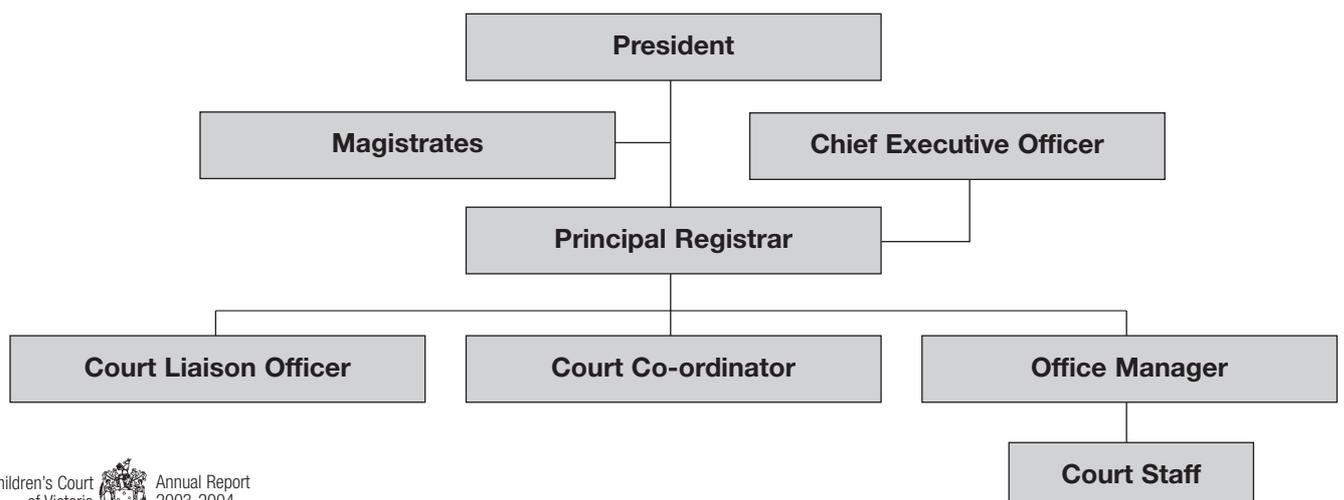
Senior Deputy Registrars

Sue Higgs (Court Co-ordinator - First half of reporting period)
 Angela Carney (Court Co-ordinator - Second half of reporting period)
 Jan Trevaskis and Sandra Tennant (Office Manager - jobshare)
 Russell Hastings (Office Manager)

Court Liaison Officer

Janet Matthew

Organisational Structure of the Children's Court at Melbourne





Leanne de Morton, Principal Registrar, Children's Court of Victoria and Russell Hastings, Office Manager, Melbourne Children's Court.



Angela Carney, Court Co-ordinator (standing) and Ashe Whitaker, Assistant Co-ordinator, Melbourne Children's Court.



Registry staff, Melbourne Children's Court.



Janet Matthew, Court Liaison Officer and David Whelan, Tipstaff to the President.



Janine Williams and Russell O'Callaghan, Administrative Officers, Melbourne Children's Court.

COURT SITTING DAYS

With the exception of Melbourne, the Children's Court of Victoria sits at locations at which the Magistrates' Court is held pursuant to section 5(1) of the *Magistrates' Court Act 1989*. In accordance with section 9(2) of the *Children and Young Persons Act 1989* the Children's Court "must not be held at any time in the same building as that in which the Magistrates' Court is at the time sitting unless the Governor in Council, by Order published in the Government Gazette, otherwise directs with respect to any particular building."

Consequently, the Children's Court of Victoria sits at gazetted times and locations of the Magistrates' Court (detailed below) as published by the Department of Justice in the Law Calendar for each sitting year.

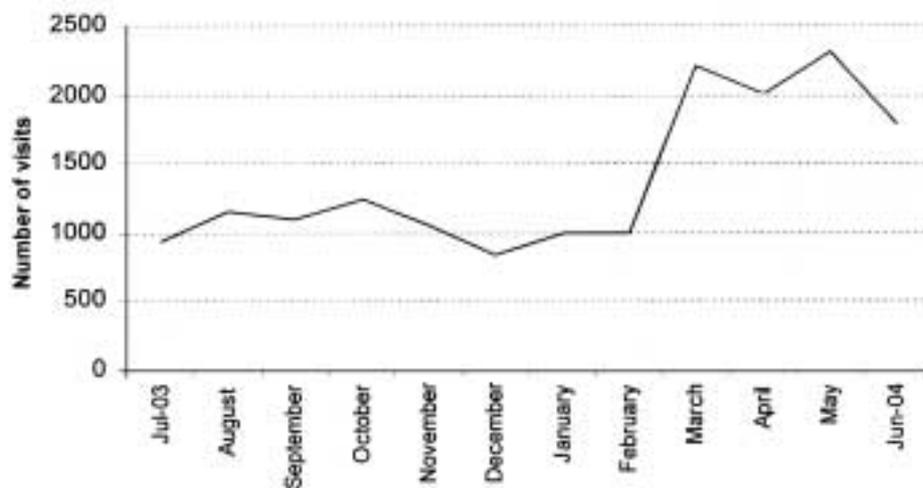
1. Melbourne.
2. Ballarat region:
Ballarat (headquarters court), Ararat, Casterton, Edenhope, Hamilton, Hopetoun, Horsham, Maryborough, Nhill, Ouyen, Portland, St. Arnaud, Stawell, Warrnambool.
3. Bendigo region:
Bendigo (headquarters court), Echuca, Kerang, Mildura, Robinvale, Swan Hill.
4. Broadmeadows region:
Broadmeadows (headquarters court), Castlemaine, Kyneton.
5. Dandenong.
6. Frankston.
7. Geelong region:
Geelong (headquarters court), Colac.
8. Heidelberg.
9. Moe region:
Moe (headquarters court), Bairnsdale, Korumburra, Morwell, Omeo, Orbost, Sale, Wonthaggi.
10. Ringwood.
11. Shepparton region:
Shepparton (headquarters court), Benalla, Cobram, Corryong, Mansfield, Myrtleford, Seymour, Wangaratta, Wodonga.
12. Sunshine region:
Sunshine (headquarters court), Werribee.

The Children's Court of Victoria at Melbourne is the only venue of the Court which sits daily in both divisions. The Children's Court at Melbourne currently has seven magistrates sitting full-time together with the President. Magistrates in metropolitan courts also sit as Children's Court magistrates in those regions on gazetted days, but only in the Criminal Division. Magistrates in country areas sit as Children's Court magistrates in both divisions on gazetted days.

2 ACHIEVEMENTS & HIGHLIGHTS

CHILDREN'S COURT WEBSITE

The Children's Court website was launched in May 2003 and has now been online for its first full year. The statistics collected by the Department of Justice indicate that the site really caught the attention of users early in 2004 (see chart below) with the number of visits more than doubling from February to March. While it is not possible to know with any certainty the reason for this increase in activity the timing does coincide with the start of the academic year.

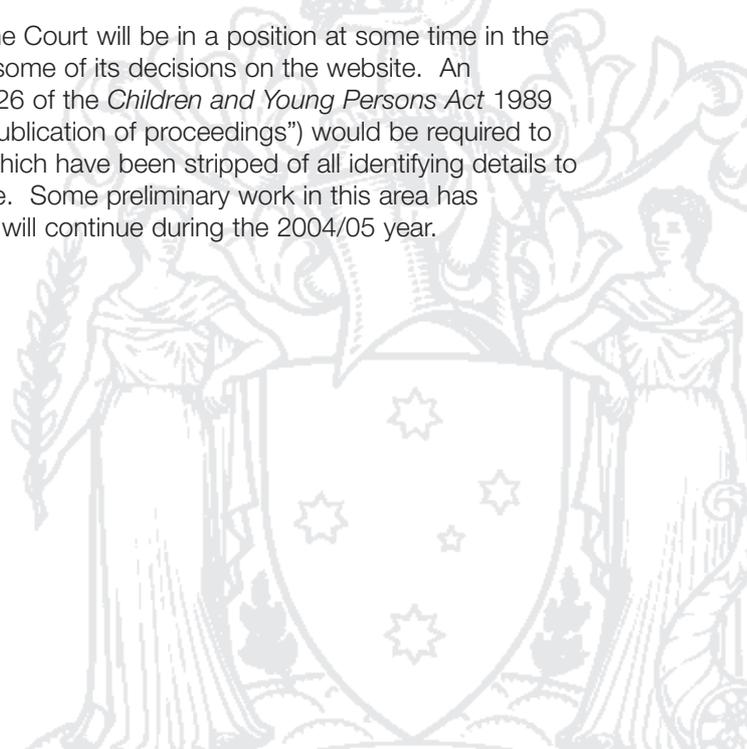


During the reporting period, the website project team has concentrated on maintaining and updating the site. In particular, a great deal of work has been done by Mr Peter Power, Magistrate, in keeping the Research Materials section current. In December 2003 Mr Power added an "Amendments to Research Materials" document to the site which enables regular users to check the latest updates and additions. This is particularly useful with the addition of references to relevant caselaw.



Magistrate Peter Power working on amendments to the "Research Materials" section of the Children's Court website.

It is hoped that the Court will be in a position at some time in the future to publish some of its decisions on the website. An amendment to s.26 of the *Children and Young Persons Act 1989* ("Restriction on publication of proceedings") would be required to allow decisions which have been stripped of all identifying details to be made available. Some preliminary work in this area has commenced and will continue during the 2004/05 year.



CHILDREN'S ARTWORK PROJECT

During 2002, a permanent exhibition of children's artworks was launched at Melbourne Children's Court. The artworks were loaned to the Court by the University of Melbourne's Early Learning Centre which, as part of its activities, manages *Boorai: The Children's Art Gallery*. At the outset it was anticipated that the pictures exhibited would be replaced from time to time. During 2003/04 the 55 pictures provided to the Court were changed and the second exhibition on the theme of "Nature" is now in place. These pictures are the work of children attending the Early Learning Centre all of whom are aged five years and under.

In mounting this exhibition the Children's Court again gratefully acknowledges the invaluable assistance of Jan Deans and Robert Brown of The Early Learning Centre, University of Melbourne.

EARLY YEARS PILOT PROJECT

The Children's Court has long recognised the importance of ensuring that cases in the Family Division are case managed efficiently and resolved without unnecessary delay. This fundamental practice reflects the need to achieve stability in the lives of the vulnerable children the subject of those cases.

In 2003 planning for a pilot project for the case management of cases involving children from 0 - 3 years commenced. In order to provide a useful basis upon which to measure the results of a pilot project the Court, in collaboration with Victoria Law Foundation, commenced a research task involving the analysis of all files relating to children in the 0 - 3 age grouping completed between 2001 and 2003. It became apparent that there were deficiencies in the range of information that could be extracted from the Court's database relating to cases proceeding through the Family Division. As a result, part of the research task has been devoted to the development of improved data collection tools enabling the Court to produce a more comprehensive set of data upon which to analyse cases.



Magistrate Greg Levine and researcher Kirsty Higgins of the School of Behavioural Sciences, University of Melbourne.

Associate Professor Jeanette Lawrence of the Department of Behavioural Science, University of Melbourne, is conducting the research which has already produced significant results. The research will be used to identify critical indicators of effective and efficient case flow management. It will result, importantly, in the Court having a detailed understanding of the way cases travel through the Court process. This unique research, funded by Victoria Law Foundation, is the first stage of the Early Years Pilot Project. The cases involved in the second stage of the project, involving children aged 0 - 3 years, will be managed by the same judicial officer with the aim of achieving the most timely decision making for that critical group of young children.

COMPUTERISATION IN THE FAMILY DIVISION

The "Lex" Family Division computer system was not altered during the 2003/04 year in respect of its core user functions. However, some programming work was done during the year which has enabled the Court to produce a range of statistical reports previously unavailable.

Some of these reports have enhanced the Court's capacity to analyse its primary application caseload in the Family Division. The evidence of this was shown in our 2002/03 annual report and is again shown in the tables and charts that appear in Part 3 of this annual report. Other statistical reports have been added to the Lex program in order to assist with the collection of data required for the Early Years Pilot Project. An update on the progress of that project can be seen on page 12 of this report.

In 2002 an extensive range of improvements were made to the core user functions of Lex. Potential for several additional improvements has now been identified and work will be performed in the 2004/05 year to bring about these and other appropriate enhancements.

THREE YEAR STRATEGIC PLAN/ANNUAL ACTION OUTLINE

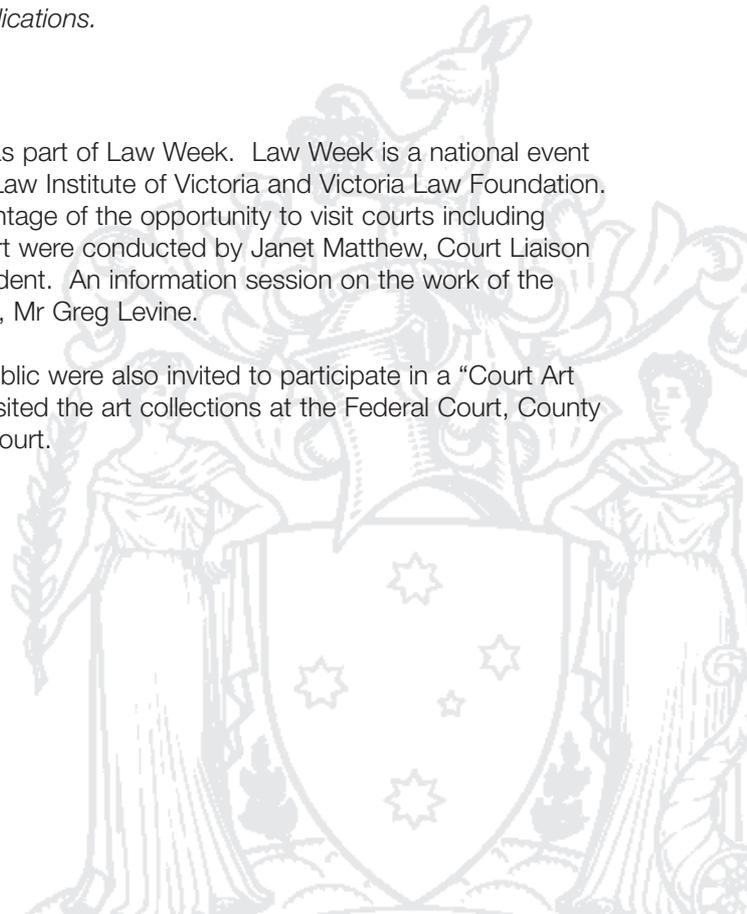
During 2003/04 the Court's strategic plan was once again revised and updated. A three year plan now exists for the 2004/05 to 2006/07 period. When the time comes to produce the next three year plan a great deal of work will have been performed in areas of major impact on the Court's caseload. These areas include the criminal jurisdiction age increase, child protection review, Children's Koori Court, Family Division Pre-hearing Conference Review and the Early Years Pilot Project. These areas of the Court's operations will no doubt feature strongly in the next strategic plan both in terms of achievements in 2004/05 and our ongoing objectives moving into the 2005/06 year.

The current strategic plan is available on the Court's website at www.childrenscourt.vic.gov.au/Resources/Publications.

LAW WEEK - COURTS OPEN DAY

On 22 May 2004 Courts Open Day was held as part of Law Week. Law Week is a national event which at State level is managed jointly by the Law Institute of Victoria and Victoria Law Foundation. Once again, members of the public took advantage of the opportunity to visit courts including Melbourne Children's Court. Tours of the Court were conducted by Janet Matthew, Court Liaison Officer and David Whelan, Tipstaff to the President. An information session on the work of the Children's Court was conducted by Magistrate, Mr Greg Levine.

During Law Week this year members of the public were also invited to participate in a "Court Art Crawl". Four walking tours during the week visited the art collections at the Federal Court, County Court, Magistrates' Court and the Children's Court.



COURT NETWORK AT THE CHILDREN'S COURT

Court Network operates a statewide support service to assist people attending Victoria's courts. In May 2001, Court Network commenced a three year pilot program in the Melbourne Children's Court after receiving funding from the William Buckland Foundation. At the conclusion of the pilot during 2003/04, Court Network advised that operations at Melbourne Children's Court would be ongoing.

A team of 14 trained volunteers, supervised by a professional Program Manager, are rostered to provide two "Networkers" each day working in the Family Division of the Court. Networkers provide information about court procedures and community supports, assist people to make contact with Legal Aid duty solicitors, provide practical and emotional support, refer people to appropriate community support agencies and generally work collaboratively with all other parties to facilitate the court process.

The Court acknowledges the commitment of Court Network's Children's Court Program Manager, Taniya Clifford, and the volunteer Networkers who have worked so successfully at Melbourne Children's Court during the reporting period.

SALVATION ARMY AT THE CHILDREN'S COURT

For many years the Salvation Army has maintained a daily presence in the Children's Court at Melbourne. There are currently two full-time officers based at the Court working in both the Criminal and Family Divisions. As well as providing information and support to adults, young people and children appearing before the Court, the Salvation Army also provides the following services:

- alcohol and drug treatment facilities
- family contact through home visits
- family counselling
- client counselling
- provision of material aid
- crisis care
- accommodation
- practical support

The Court gratefully acknowledges the ongoing dedication and commitment of officers of the Salvation Army working with families in the Children's Court.

3 OPERATIONAL & STATISTICAL REPORT

COURT STATISTICS

The statistics of the Children's Court are an important resource for those directly or indirectly involved with the Court and for the community as a whole. Displayed on the following pages are the statistical reports for each division of the Court for the 2003/04 year collated by the Court Services section of the Department of Justice and by the Court. Statewide statistics are provided unless otherwise stated.

The following factors should be kept in mind when analysing the statistics that follow:

- Whilst much of the statistical information presented in this report deals with primary applications, this accounts for only a portion of the Family Division workload. Much of this Division's workload stems from secondary applications e.g. applications seeking to extend, vary, revoke or breach previously made court orders. Table 5 shows the total of all orders made (by order type) in the reporting year regardless of the application type, compared with the two previous years. It can be seen that the total number of orders made by the Family Division of the Court has increased in each consecutive year. 1,790 more orders were made by the Court in its Family Division in 2003/04 than in 2002/03.
- Whilst the reports show intervention orders issued by Children's Court venues throughout the State it should be noted that the Magistrates' Court and the Children's Court have a dual jurisdiction with regard to intervention order proceedings involving children. This means that whilst the figures accurately reflect the number of these types of proceedings dealt with in the Children's Court jurisdiction it may not necessarily accurately reflect the number of these types of proceedings dealt with statewide that involve children i.e. some proceedings may have been dealt with in the Magistrates' Court jurisdiction.



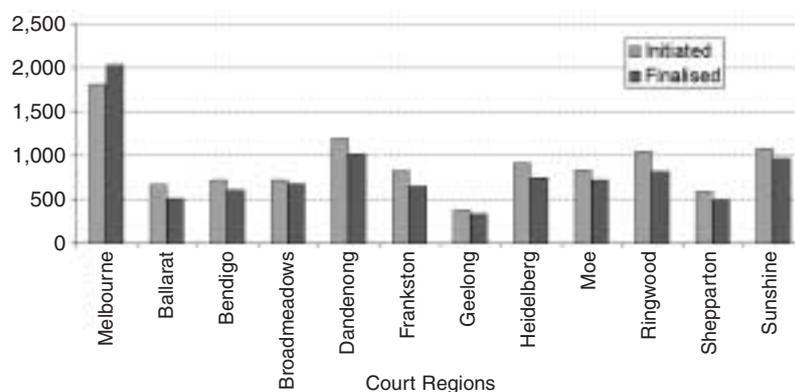
Map indicates locations of suburban and country regional headquarters courts. Refer to page 10 for a full list of court locations.

Criminal Division

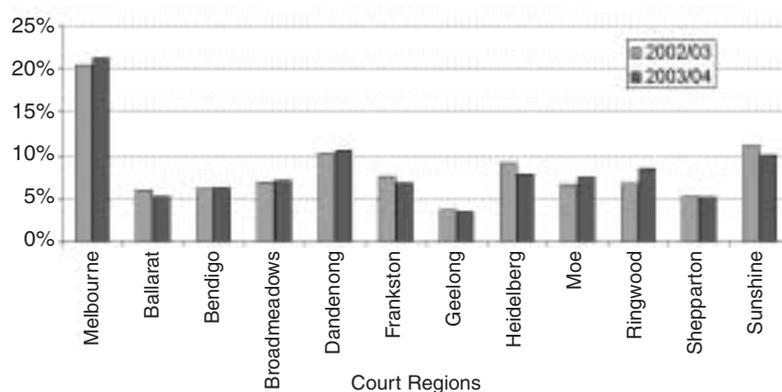
Table 1: Number of matters¹ initiated, finalised and pending, 2002/03 - 2003/04

Court Region	2002/03			2003/04		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Melbourne	1,822	2,142	370	1,810	2,034	447
Ballarat	642	625	74	666	507	97
Bendigo	665	646	123	718	606	122
Broadmeadows	750	723	133	725	675	143
Dandenong	1,133	1,070	185	1,194	1,019	198
Frankston	887	792	131	825	650	123
Geelong	392	388	64	375	331	39
Heidelberg	994	961	170	919	749	197
Moe	704	695	151	833	719	171
Ringwood	751	707	148	1,045	817	220
Shepparton	561	553	106	589	495	89
Sunshine	1,191	1,173	195	1,080	969	181
Total	10,492	10,475	1,850	10,779	9,571	2,027

**Chart 1:
Number of matters
initiated and
finalised, 2003/04**



**Chart 2:
Regional caseload
distribution for
finalised matters,
2002/03 - 2003/04**



¹ A criminal "matter" refers to a charge or set of charges laid by an informant against a defendant.

**Chart 3:
Clearance rates
for criminal matters,
2002/03 - 2003/04**

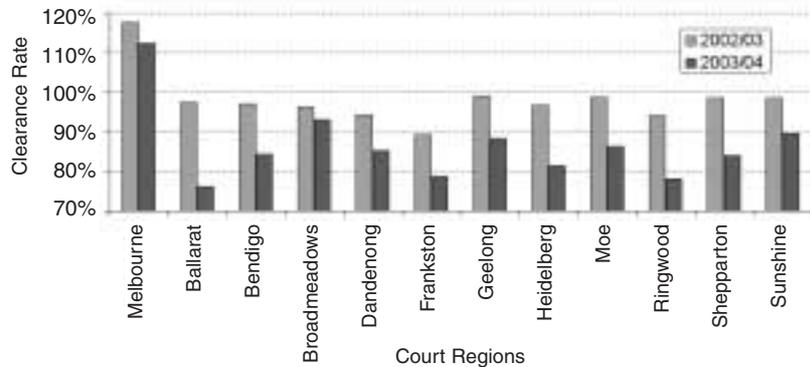


Table 2: Defendants found guilty, by outcome², 2000/01 - 2003/04

	2000/01	2001/02	2002/03	2003/04
	Number			
Convicted and Discharged	5	6	6	6
Unaccountable Undertaking	73	51	78	66
Accountable Undertaking	604	635	743	596
Good Behaviour Bond	1,438	1,656	1,435	1,447
Fine	1,653	2,023	2,788	2,626
Probation	707	679	752	670
Youth Supervision Order	295	234	296	249
Youth Attendance Order	62	46	54	35
Youth Residential Centre	27	28	12	21
Youth Training Centre	179	148	178	145
Total	5,043	5,506	6,342	5,861
	Percent			
Convicted and Discharged	0.1%	0.1%	0.1%	0.1%
Unaccountable Undertaking	1.4%	0.9%	1.2%	1.1%
Accountable Undertaking	12.0%	11.5%	11.7%	10.2%
Good Behaviour Bond	28.5%	30.1%	22.6%	24.7%
Fine	32.8%	36.7%	44.0%	44.8%
Probation	14.0%	12.3%	11.9%	11.4%
Youth Supervision Order	5.8%	4.2%	4.7%	4.2%
Youth Attendance Order	1.2%	0.8%	0.9%	0.6%
Youth Residential Centre	0.5%	0.5%	0.2%	0.4%
Youth Training Centre	3.5%	2.7%	2.8%	2.5%
Total	100.0%	100.0%	100.0%	100.0%

² "Outcome" relates to the penalty attached to the principal proven offence. The principal proven offence is the one charge in a case that attracted the most severe penalty.

The count of "Defendants found guilty, by outcome" in Table 2 and Chart 4 includes 'super cases'. One individual defendant may have three different "matters" (see footnote 1) before the court. For administrative purposes, these separate matters may be consolidated into a 'super case' if the defendant wishes to plead guilty in relation to each matter. As a result of this consolidation, the three separate matters in relation to one defendant would be counted as one 'super case', which will have one outcome based on the principal proven offence.

A charge may attract more than one type of outcome (for example, probation and a fine). One outcome (the principal outcome) has been recorded in relation to each charge that was finalised. Where a charge attracts more than one outcome, the principal outcome will be that which is highest in the sentencing hierarchy. For example, if a charge resulted in probation and a fine, the probation order would be recorded as the principal outcome.

Criminal Division

Chart 4: Defendants found guilty, by outcome, 2000/01 - 2003/04

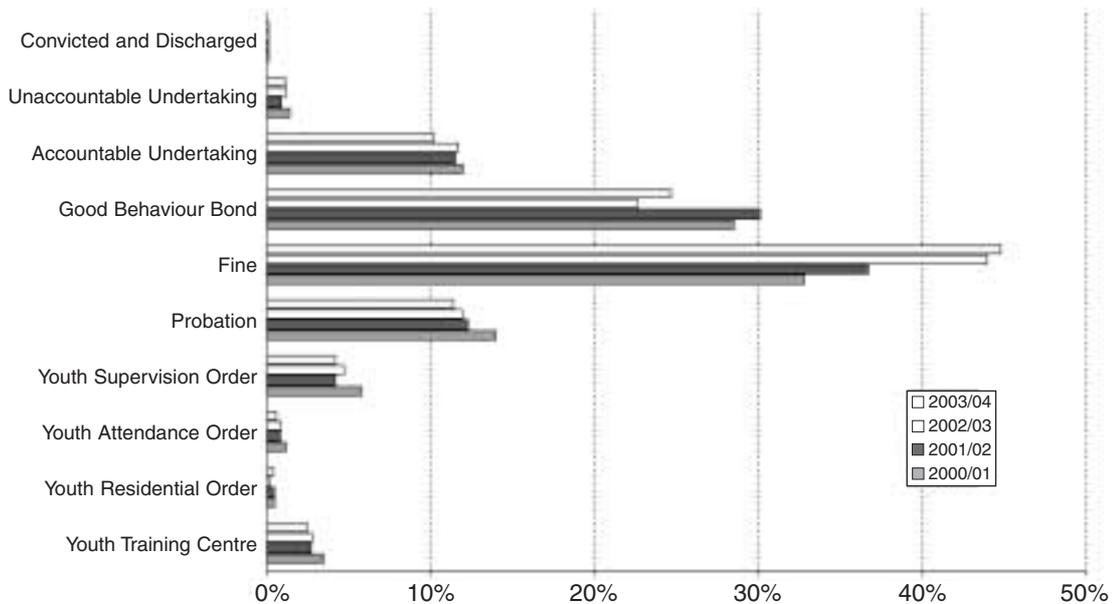


Table 3: Number of matters finalised, by elapsed time between date of first hearing and finalisation, 2001/02 - 2003/04

	2001/02	2002/03	2003/04	2001/02	2002/03	2003/04
	Number			Percent		
0 < 3 months	7,484	8,538	7,864	81.5%	81.5%	82.2%
3 < 6 months	1,237	1,387	1,158	13.5%	13.2%	12.1%
6 < 9 months	293	358	332	3.2%	3.4%	3.5%
9 < 12 months	83	117	116	0.9%	1.1%	1.2%
12 < 24 months	77	64	76	0.8%	0.6%	0.8%
24 months +	5	11	25	0.1%	0.1%	0.3%
Total	9,179	10,475	9,571	100.0%	100.0%	100.0%
6 months +	458	550	549	5.0%	5.2%	5.8%

Criminal Division

Chart 5: Distribution of criminal matter processing times, by elapsed time between date of first hearing and finalisation, 2001/02 - 2003/04

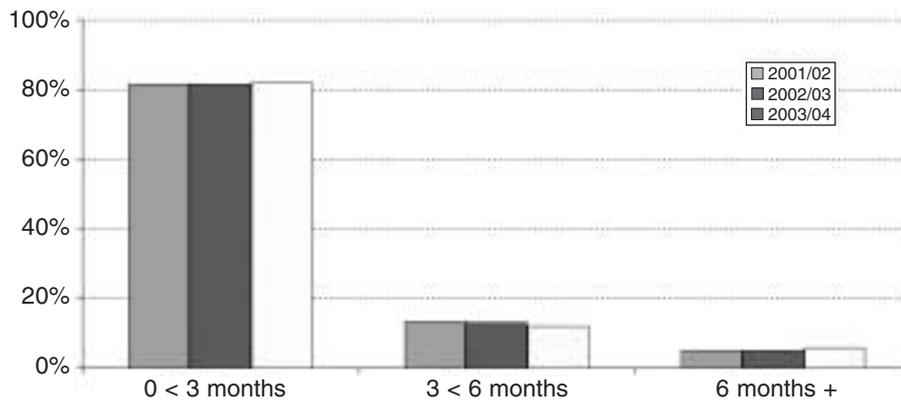
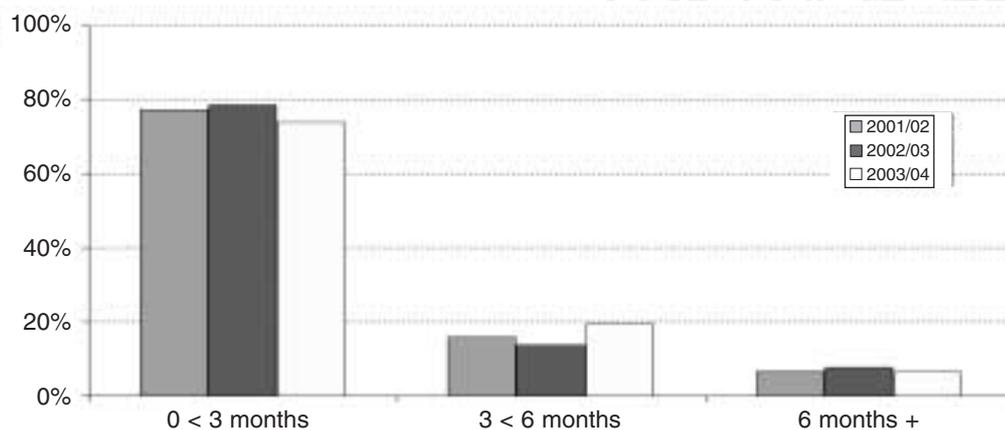


Table 4: Number of matters pending on 30 June, by elapsed time since date of initiation, 2001/02 - 2003/04

	2001/02	2002/03	2003/04	2001/02	2002/03	2003/04
	Number			Percent		
0 < 3 months	1,411	1,454	1,500	77.4%	78.6%	73.9%
3 < 6 months	291	253	394	16.0%	13.7%	19.5%
6 < 9 months	79	96	86	4.3%	5.2%	4.2%
9 < 12 months	31	21	23	1.7%	1.1%	1.1%
12 < 24 months	11	21	22	0.6%	1.1%	1.1%
24 months +	1	5	2	0.1%	0.3%	0.1%
Total	1,824	1,850	2,027	100.0%	100.0%	100.0%
6 months +	122	143	133	6.7%	7.7%	6.5%

Chart 6: Age of pending matters on 30 June, by elapsed time since date of initiation, 2001/02 - 2003/04



Family Division

Many of the following Family Division tables and charts report on primary applications. Primary applications are those applications which commence a proceeding in the Court in the first instance. Primary applications consist of protection applications instigated by apprehension and by notice, irreconcilable difference applications, and permanent care applications that do not flow directly from previous protection order proceedings.

Table 5: Number of orders made³, 2001/02 - 2003/04

Order	2001/02	2002/03	2003/04
Adjournment	4,596	4,730	4,839
Custody to Secretary Order	959	970	963
Custody to Third Party Order	6	8	8
Dismissed	33	33	22
Extension of Custody to Secretary Order	1,000	1,055	1,129
Extension of Interim Accommodation Order	5,925	6,857	7,689
Extension of Guardianship to Secretary Order	619	611	581
Free Text Order ⁴	1,573	1,794	2,368
Guardianship to Secretary Order	325	285	277
Interim Accommodation Order	3,800	3,867	3,775
Interim Protection Order	780	810	887
Permanent Care Order	200	132	167
Refusal to Make Protection Order (s.110(3) CYPA)	130	124	155
Search Warrant ⁵	868	1,065	1,258
Struck Out	509	434	416
Supervised Custody Order	9	13	11
Supervision Order	1,270	1,306	1,314
Undertaking - Application Proved	83	111	89
Undertaking - Dismissed	5	4	19
Undertaking - Refusal to Make Protection Order	28	10	14
Undertaking - Struck Out	83	68	96
Total	22,801	24,287	26,077

³ Most Family Division applications result in a number of orders being made from the date of first hearing to the date of finalisation e.g. multiple adjournments, and multiple Interim Accommodation Orders. Table 5 shows the total number of orders made in relation to all applications before the Court in the Family Division.

⁴ Free text orders most commonly record directions made by the Court and orders made in response to oral applications e.g. directions for the release of Children's Court Clinic reports, and orders joining additional parties to proceedings. Free text orders may also record the withdrawal of proceedings.

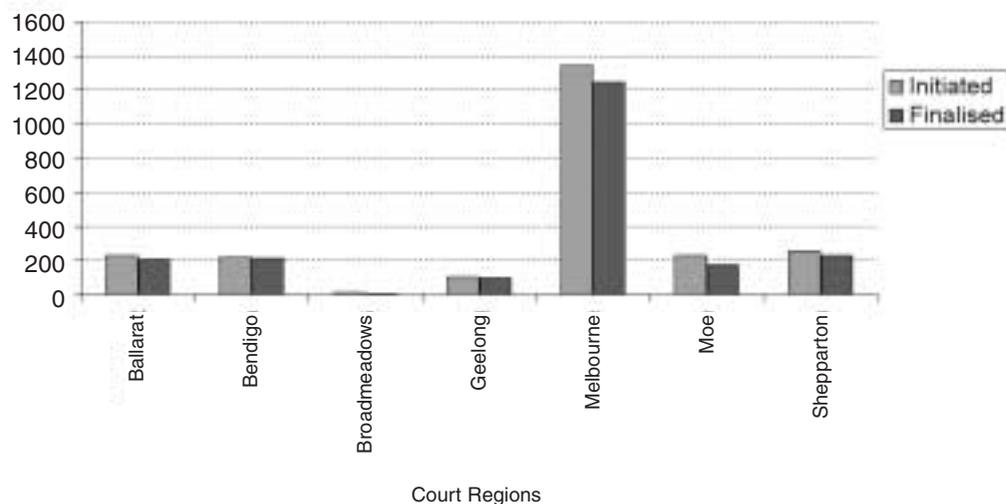
⁵ Search Warrant figures for 2002/03 include search warrants issued after hours from December 2002. Prior to that time after hours warrants were recorded manually and were not counted for annual reporting purposes. Since December 2002 after hours search warrants have been recorded on the Court's computerised system and are included in the above figures from that time.

Family Division

Table 6: Number of primary applications initiated⁶, finalised and pending, 2002/03 – 2003/04

Court Region	2002/03			2003/04		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Ballarat	208	202	59	227	205	58
Bendigo	189	167	65	221	211	46
Broadmeadows ⁷	-	-	-	13	7	12
Geelong	113	97	49	104	99	27
Melbourne	1,382	1,270	48	1,345	1,243	542
Moe	197	179	67	232	176	92
Shepparton	230	191	543	257	231	65
Total	2,319	2,106	831	2,399	2,172	842

Chart 7: Number of primary applications initiated and finalised, 2003/04



⁶ The total number of primary applications initiated in 2003/04 shown in Table 6 differs by 12 from the total number of protection applications initiated for 2003/04 shown in Table 7. This difference is made up of a combination of irreconcilable difference applications initiated and the number of permanent care applications initiated as primary applications during the 2003/04 year. The majority of permanent care applications are secondary applications and are not included in these tables.

⁷ During the 2003/04 year the courts at Castlemaine and Kyneton were reallocated to the court region of Broadmeadows. Prior to this reallocation these courts formed part of the Bendigo region.

Family Division

Chart 8: Regional caseload distribution for finalised primary applications, 2002/03 – 2003/04

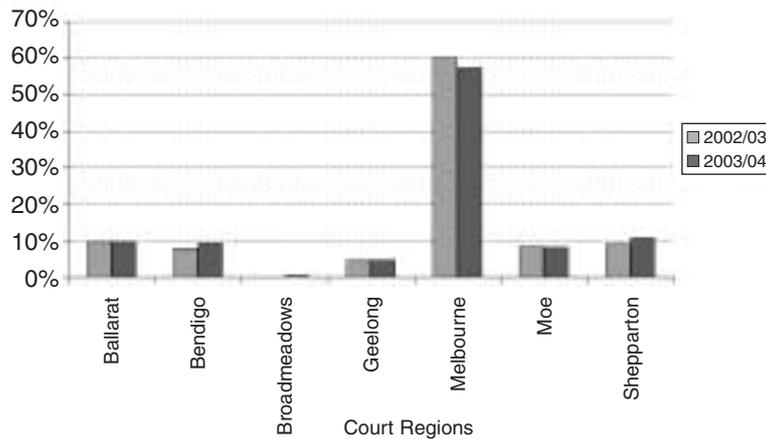


Chart 9: Clearance rates for primary applications, 2002/03 – 2003/04

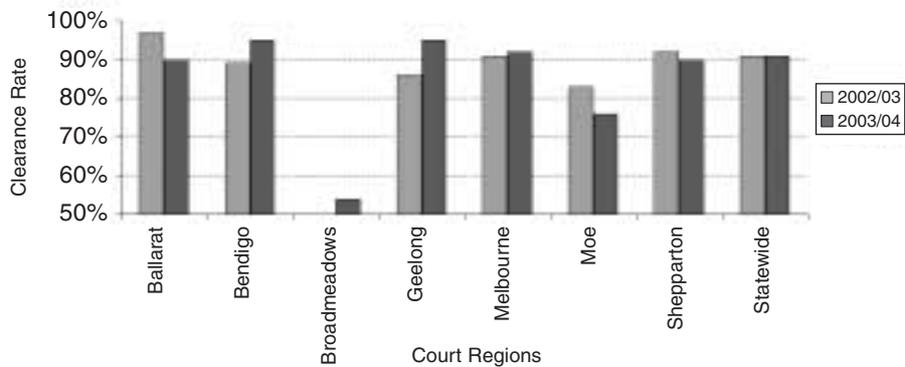


Table 7: Number of protection applications initiated by apprehension/by notice, by court region, 2002/03 – 2003/04

Court Region	2002/03				2003/04			
	By A'hension	By Notice	Total	% by A'hension	By A'hension	By Notice	Total	By % by A'hension
Ballarat	44	164	208	21.2%	81	146	227	35.7%
Bendigo	9	180	189	4.8%	31	190	221	14.0%
Broadmeadows	-	-	-	-	7	5	12	58.0%
Geelong	4	109	113	3.5%	22	82	104	21.2%
Melbourne	795	586	1,381	57.6%	921	417	1,338	68.9%
Moe	51	145	196	26.0%	66	162	228	28.9%
Shepparton	43	187	230	18.7%	32	225	257	12.5%
Total	946	1,371	2,317	40.9%	1,160	1,227	2,387	48.6%

Family Division

Chart 10: Percentage of protection applications initiated by apprehension, 2002/03 – 2003/04

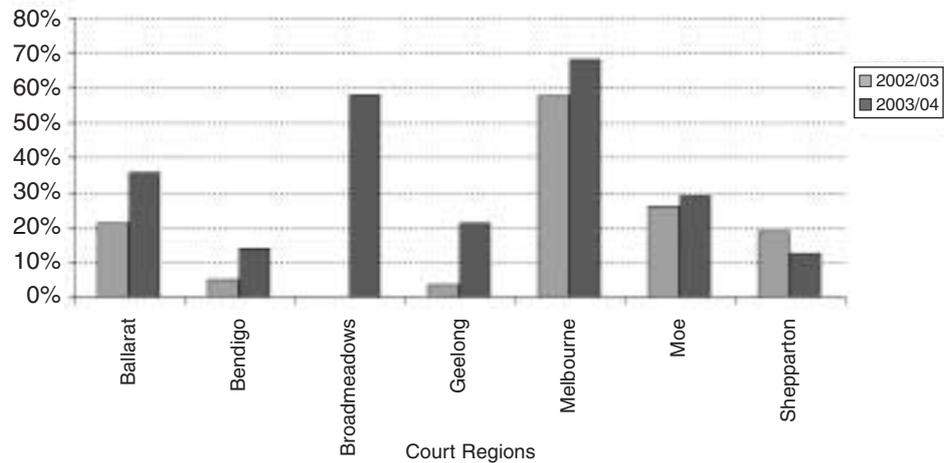


Table 8: Finalised primary applications by outcome, 2001/02 – 2003/04

Order	2001/02	2002/03	2003/04
Dismissed	15	12	8
Struck Out	301	253	251
Refusal to make Protection Order	117	120	150
Undertaking - Application Proved	69	76	62
Undertaking - Dismissed	3	4	9
Undertaking - Refusal to make Protection Order	23	10	12
Undertaking - Struck Out	63	51	71
Free Text Order	111	86	108
Supervision Order	811	839	825
Custody to Third Party Order	5	8	4
Supervised Custody Order	5	5	7
Custody to Secretary Order	570	535	536
Guardianship to Secretary Order	162	102	121
Permanent Care Order	37	5	5
Extension to Custody to Secretary Order	-	-	2
Extension to Guardianship to Secretary Order	-	-	1
Total	2,292	2,106	2,172

Family Division

Chart 11: Distribution of finalised primary applications, by outcome, 2002/03 – 2003/04

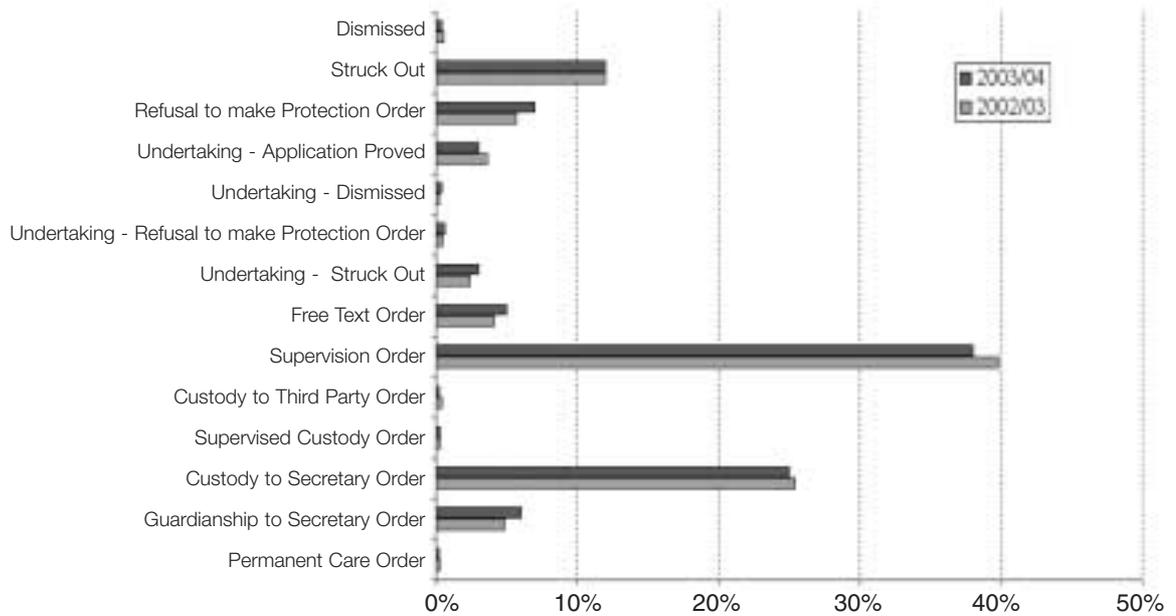


Table 9: Number of primary applications finalised, by elapsed time between date of first hearing and finalisation, 2002/03 – 2003/04

	2002/03		2003/04	
	Number	Percent	Number	Percent
0 < 3 months	1,124	53.4%	1,138	52.4%
3 < 6 months	687	32.6%	675	31.1%
6 < 9 months	201	9.5%	231	10.7%
9 < 12 months	59	2.8%	76	3.5%
12 < 18 months	25	1.2%	40	1.8%
18 < 24 months	3	0.1%	7	0.3%
24 months +	7	0.3%	5	0.2%
Total	2,106	100.0%	2,172	100.0%
6 months +	295	14.0%	359	16.5%

Family Division

Chart 12: Distribution of primary application processing times, by elapsed time between date of first hearing and finalisation, 2002/03 – 2003/04

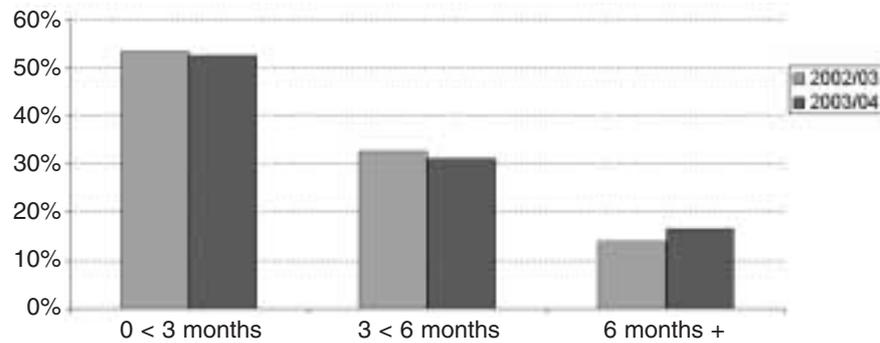
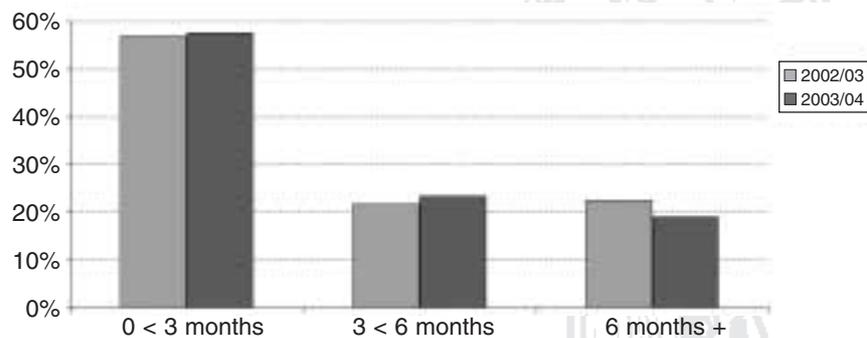


Table 10: Number of primary applications pending on 30 June, by elapsed time since date of initiation, 2002/03 – 2003/04

	2002/03		2003/04	
	Number	Percent	Number	Percent
0 < 3 months	465	56.0%	485	57.7%
3 < 6 months	180	21.7%	197	23.4%
6 < 9 months	79	9.5%	67	8.0%
9 < 12 months	25	3.0%	37	4.4%
12 < 18 months	37	4.5%	16	1.9%
18 < 24 months	27	3.2%	12	1.4%
24 months +	18	2.2%	28	3.3%
Total	831	100.0%	842	100.0%
6 months +	186	22.4%	160	19.0%

Chart 13: Age of pending primary applications on 30 June, by elapsed time since date of initiation, 2002/03 – 2003/04



Crimes (Family Violence) Jurisdiction

Table 11: Complaints for an intervention order finalised, by outcome, 2001/02 - 2003/04

	2001/02	2002/03	2003/04
	Number		
Intervention order made	294	374	474
Refused	19	23	51
Complaint struck out	212	281	305
Complaint withdrawn	99	170	191
Complaint revoked	0	1	0
Total	624	849	1,021

	2001/02	2002/03	2003/04
	Percent		
Intervention order made	47.1%	44.1%	46.4%
Refused	3.0%	2.7%	5.0%
Complaint struck out	34.0%	33.1%	29.9%
Complaint withdrawn	15.9%	20.0%	18.7%
Complaint revoked	0.0%	0.1%	0.0%
Total	100.0%	100.0%	100.0%

Chart 14: Number of complaints for an intervention order finalised, and proportion where intervention order made, 2001/02 - 2003/04

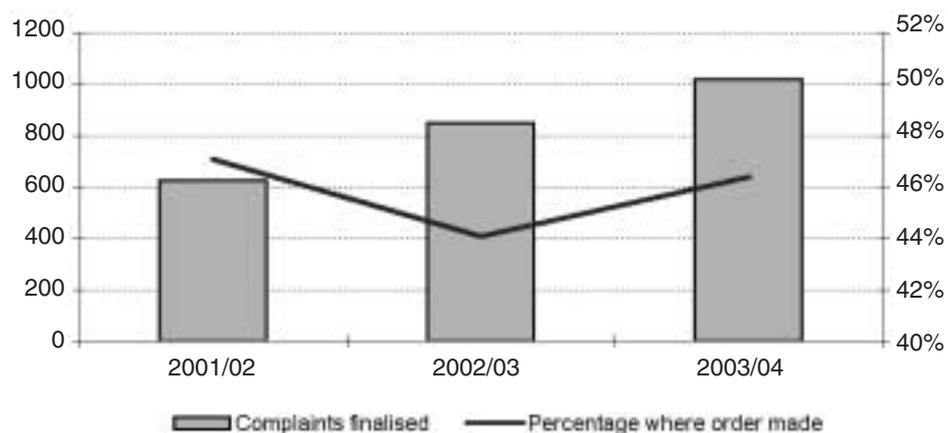


Table 12: Complaints for an intervention order finalised by Act under which complaint made, 2001/02 - 2003/04

	2001/02	2002/03	2003/04
	Number		
Crimes (Family Violence) Act 1987	350	545	643
Crimes Act 1958 (Section 21A)	274	304	378
Total	624	849	1,021

	2001/02	2002/03	2003/04
	Percent		
Crimes (Family Violence) Act 1987	56.1%	64.2%	63.0%
Crimes Act 1958 (Section 21A)	43.9%	35.8%	37.0%
Total	100.0%	100.0%	100.0%

Chart 15: Number of complaints for an intervention order finalised, by Act under which complaint made, 2001/02 - 2003/04

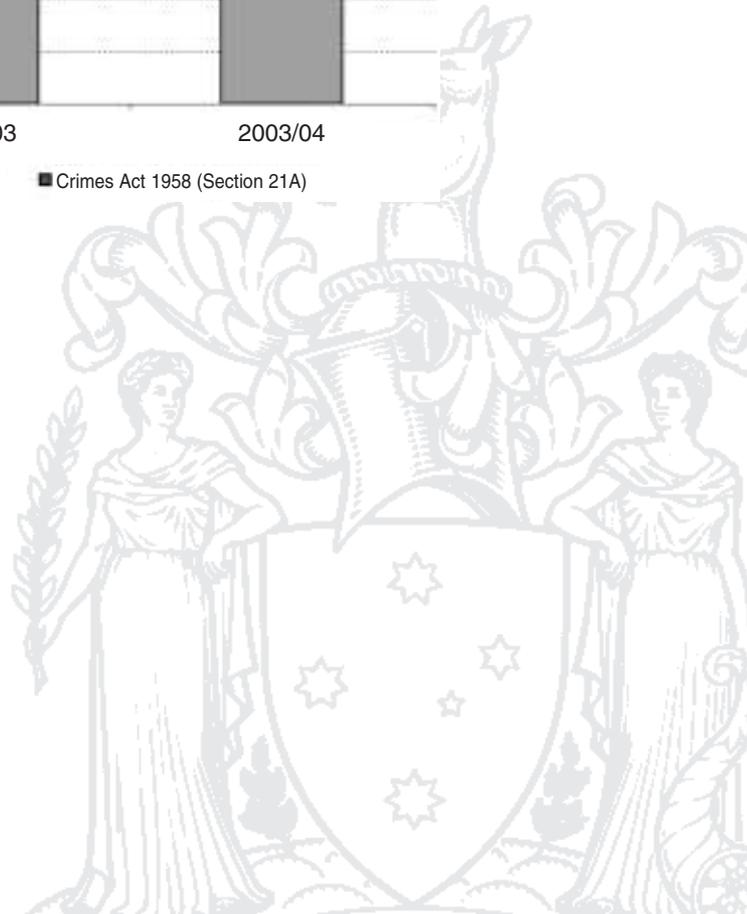
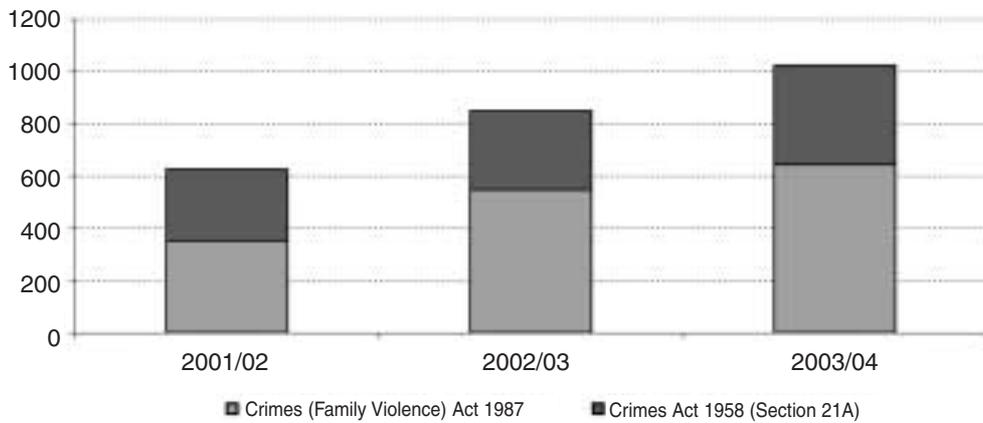


Table 13: Complaints for an intervention order finalised, by elapsed time between date of issue and finalisation, 2001/02 - 2003/04

	2001/02	2002/03	2003/04
	Number		
0 < 1 month	475	592	777
1 < 2 months	84	153	130
2 < 3 months	29	50	62
3 < 6 months	56	82	36
6 < 9 months	6	14	8
9 < 12 months	0	0	0
12 months +	3	8	8
Total	624	849	1,021

	2001/02	2002/03	2003/04
	Percent		
0 < 1 month	76.0%	70.0%	76.0%
1 < 2 months	13.0%	18.0%	13.0%
2 < 3 months	5.0%	6.0%	6.0%
3 < 6 months	4.0%	4.0%	4.0%
6 < 9 months	1.0%	2.0%	1.0%
9 < 12 months	0.0%	0.0%	0.0%
12 months +	0.0%	1.0%	1.0%
Total	100.0%	100.0%	100.0%
6 months +	1.0%	3.0%	2.0%

Chart 16: Number of complaints for an intervention order finalised, and proportion finalised within 30 days of issue, 2001/02 - 2003/04

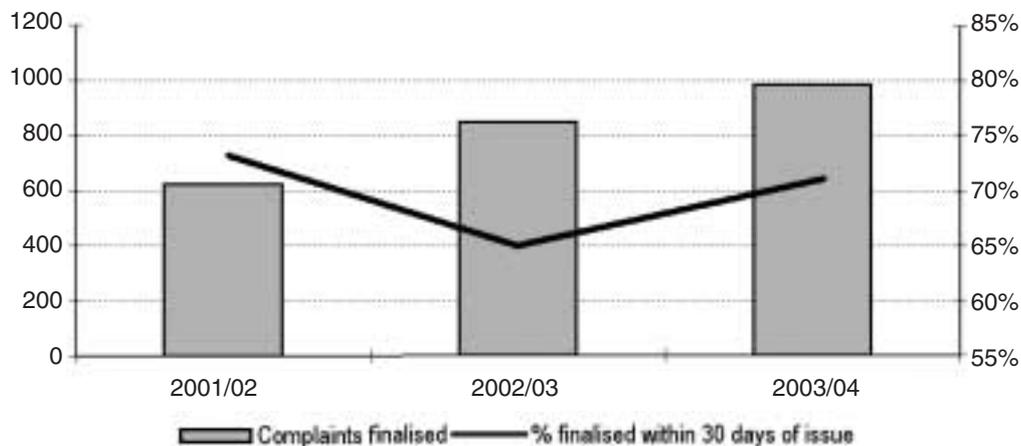
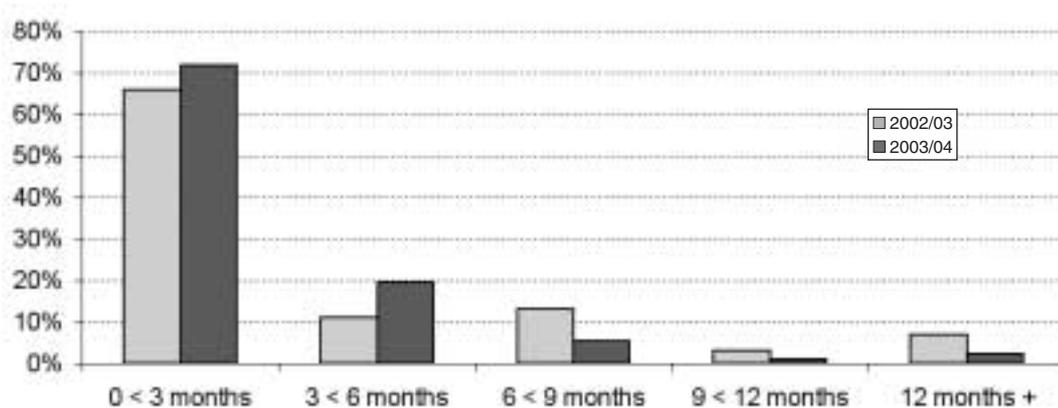


Table 14: Number of complaints for an intervention order pending on 30 June, by age since issue, 2002/03 - 2003/04

	2002/03	2003/04	2002/03	2003/04
	Number		Percent	
0 < 3 months	66	66	66.0%	71.7%
3 < 6 months	11	18	11.0%	19.6%
6 < 9 months	13	5	13.0%	5.4%
9 < 12 months	3	1	3.0%	1.1%
12 < 18 months	5	0	5.0%	0.0%
18 < 24 months	2	2	2.0%	2.2%
24 months +	0	0	0.0%	0.0%
Total	100	92	100.0%	100.0%
12 months +	7	2	7%	2.2%

Chart 17: Age distribution of pending complaints for an intervention order on 30 June, 2002/03 - 2003/04



Listing Statistics - Melbourne Children's Court

Table 15: Number of cases listed, 2002/03 - 2003/04

	Cases Listed 2002/03	Cases Listed 2003/04	02/03 - 03/04 % Difference
Family Division			
Pre-hearing conferences	743	880	18.4% ↑
Directions hearings	453	593	3.0% ↑
Interim Accommodation Order contests	553	576	4.1% ↑
Final contests	429	531	23.7% ↑
Criminal Division			
Contest mentions	371	358	3.5% ↓
Contests	143	144	0.7% ↑

Table 16: Number of country and metropolitan cases listed to be heard at Melbourne, or by Melbourne Children's Court magistrates sitting in regional courts

	2001/02	2002/03	2003/04
Country (Family Division contests)	41	51	75
Metropolitan (Criminal Division contests)	32	20	22

Table 17: Melbourne Children's Court, Family Division listing delays, 2002/03 - 2003/04

	Listing Delay from Pre-Hearing Conference to Final Contest	
	2002/03	2003/04
July	6 weeks	6 weeks
August	6 weeks	7 weeks
September	8 weeks	9 weeks
October	10 weeks	10 weeks
November	11 weeks	13 weeks
December	9 weeks	11 weeks
January	8 weeks	9 weeks
February	8 weeks	9 weeks
March	7 weeks	9 weeks
April	8 weeks	10 weeks
May	6 weeks	8 weeks
June	7 weeks	9 weeks
Average Delay	7.8 weeks	9.1 weeks

Table 18: Melbourne Children's Court, Criminal Division listing delays, 2002/03 - 2003/04

	Listing Delay From Contest Mention to Final Contest	
	2002/03	2003/04
July	9 weeks	9 weeks
August	10 weeks	10 weeks
September	10 weeks	11 weeks
October	9 weeks	11 weeks
November	10 weeks	9 weeks
December	11 weeks	9 weeks
January	10 weeks	9 weeks
February	10 weeks	11 weeks
March	12 weeks	11 weeks
April	11 weeks	10 weeks
May	11 weeks	8 weeks
June	7 weeks	11 weeks
Average Delay	10 weeks	9.9 weeks

PRE-HEARING CONFERENCES

An important part of the work in the Family Division of the Children's Court of Victoria is performed by its pre-hearing conference convenors. The convenors have referred to them almost all matters in the Family Division at the point at which the parties have failed to agree on how to resolve the case. In 2003/04, 24% of cases in the Family Division at Melbourne referred through the pre-hearing conference system fully settled at the pre-hearing stage. A further 8% of cases resulted in interim settlements. At Melbourne Children's Court, facilities are available to enable these conferences to take place inside the court complex with all the advantages of access to court staff, security, child play areas and the Court itself to finalise orders at the end of conferences.

Currently, the Children's Court at Melbourne has six sessional pre-hearing conference convenors (Rosemary Sheehan, Paul Ban, Anne Markiewicz, Sue Green, Michelle Meyer and Emma Bridge) who service approximately four pre-hearing conferences per day. In the country regions of the Court, pre-hearing conferences are conducted by court registrars.

All pre-hearing conference convenors are appointed by the Governor in Council pursuant to section 37 of the *Children and Young Persons Act 1989*.

Table 19: Pre-hearing conferences conducted, 2003/04, Melbourne Children's Court

Month	Cases ⁸ Listed	PHC's Listed	Cases Settled Prior to PHC	Cases Settled at PHC	Interim Settlements	Cases Cancelled	Cases Adjourned	Sitting Days Vacated	Cases Confirmed as Contests
July 2003	137	73	0	31	16	5	9	119	76
August	144	81	0	33	13	10	21	132	67
September	129	79	2	35	10	12	9	143	61
October	142	89	0	39	10	2	12	162	79
November	79	50	1	13	1	1	7	59	56
December	71	50	0	16	10	7	4	88	34
January	101	56	0	20	7	0	5	83	69
February	97	67	2	21	6	5	16	108	47
March	101	60	0	26	10	0	21	96	44
April	118	72	0	25	13	6	9	120	65
May	113	71	4	30	5	8	7	135	59
June 2004	101	61	1	29	8	6	7	101	50
Total	1,333	809	10	318	109	62	127	1,346	707

⁸ Each case relates to one child. Multiple cases may be dealt with in one pre-hearing conference.

CHILDREN'S COURT CLINIC



Dr Pat Brown
Director
Children's Court Clinic

The Children's Court Clinic, under the directorship of Dr Patricia Brown, is an independent body which conducts assessments and provides reports on children and their families at the request of Children's Court magistrates across Victoria pursuant to section 37 of the *Children and Young Persons Act 1989*. The Clinic also has a small treatment function in selected cases still before the Court and is a teaching facility.

The clinicians employed are highly skilled psychologists and psychiatrists who have specialist knowledge in the areas of child protection and juvenile offending. Clinicians may be asked to provide advice about a child's situation in his or her family, the course of the child's development over the years, any special needs within the family, and if it is required, where treatment might be obtained. The Clinic also makes recommendations to the Court about what should happen in the child's best interests.

In December 2001, the Children's Court Clinic Drug Program commenced operation. Under the Drug Program magistrates can ask the Clinic to provide advice about the impact of drug use on a child and his or her family, and to make recommendations about drug treatment. Treatment can comprise referrals to community drug and alcohol agencies or can be provided by drug clinicians within the Clinic.

During the 2003/04 year, 888 cases (222 criminal and 666 protection matters) were referred to the Clinic for assessment, representing a 16.5% increase on the previous year. Included in that number, for the first time, were five referrals for assessment as a result of applications for an intervention order pursuant to the Crimes (Family Violence) Act 1987. The Children's Court Clinic Drug Program received 74 referrals during the year, 57 being for assessment and 17 for treatment. In addition, there were 24 cross-referrals from clinicians at the Court Clinic who felt that an opinion on the drug problem of a parent or young person being assessed would be helpful. Most of those cross-referrals were of young parents in protection matters but also, in nine instances, they were cross-referrals of juveniles on criminal charges where drug problems came to the fore during assessment.

4 GENERAL

AUDIO/VIDEO LINKING

The Children's Court at Melbourne has three courtrooms equipped with video conferencing facilities. These facilities are used extensively for the taking and giving of evidence in both the criminal and family jurisdictions to link courts and court users in metropolitan and country areas. Wherever possible and appropriate, the system allows for the giving of evidence or production of documents without the need for attendance at the hearing court. This results in improved access to justice and significant cost savings.

The Court is also equipped with two remote witness facilities which allow for the giving of evidence in appropriate circumstances in a room at the Court other than the hearing room.

There has been a steady increase in the number of video conferencing links to rural regions for the purpose of conducting pre-trial directions hearings in contested Family matters. In all of those matters where a specialist judicial member from Melbourne is sitting in a contested matter in a rural region, a directions hearing will be conducted from Melbourne by video link.

EDUCATION

Work Experience Program

Throughout the past few years a work experience program has been developed to ensure all participating students receive a rewarding and educational experience at the Children's Court. The Court is a popular placement and hosts one student, sometimes two, per week throughout the year. During the 2003/04 year the Court hosted 68 students.

The students are each given a Work Experience Manual which provides details of the history of the Court, the jurisdiction, orders made, court services provided and information on becoming a deputy registrar.

During the week of the placement the student is encouraged to view a variety of cases in both the family and criminal jurisdictions. The student is shown the Court proceedings from the perspective of a bench clerk, which includes viewing the Court computer programs in operation. The student is shown a number of general office duties performed by deputy registrars and is encouraged to perform small administrative tasks.

All students are given a written report and participate in a discussion with the Work Experience Co-ordinator at the conclusion of their placement. Generally, the feedback from students indicates they have enjoyed an educational week at the Children's Court.

Tours and Information Sessions

The President, magistrates and staff of the Melbourne Children's Court regularly participate in the provision of court tours and information sessions.

During the reporting period approximately 65 visits to the Melbourne Children's Court complex and presentations on the jurisdiction and operation of the Children's Court were conducted. Groups of school students, both primary and secondary, tertiary students of youth work, social work and law, juvenile justice and child protection workers, Maternal and Child Health nurses, Secure Welfare staff and foster carers' associations have visited the Court for a tour and magistrate's information session.

The Court also regularly receives official visitors from overseas, some of whom are members of the judiciary as well as members of the judiciary and administration from other courts within Australia.

Professional Training Sessions

The Children's Court regularly receives requests for either the President or a magistrate to give a presentation on the work of the Children's Court as part of professional training. During the reporting period the Court participated in the following courses:

- Victorian Bar Readers Course
- Bail Justice Accreditation Course
- Aboriginal Bail Justice Accreditation Course
- Department of Human Services Induction Program for New Child Protection Workers
- Court Network training courses

For the last four years, the Children's Court has also participated in a mentoring program for students from La Trobe University's School of Law and Legal Studies. Each year the Court has hosted two or three students on the program. Each student is placed with a magistrate for one day a week over a 10 week period with the aim of providing an opportunity to experience and participate in the operation of the law in practice.

Judicial Education

Ongoing judicial education is valued as an essential part of the specialist work involved in sitting in the Children's Court. The judicial members of the Court engage in regular discussions, both formal and informal with respect to a range of aspects of the Court's work which includes principles of law, policy and psychological and social issues.

Magistrates continue to attend conferences and seminars including those now provided by the Judicial College of Victoria where finances and court commitments allow. Judicial members of the Court also receive copies of relevant decisions and journal articles which are regularly distributed to assist in maintaining their expertise. Further, Magistrates across Victoria sitting in the Children's Court have access to Mr Peter Power's "Research Materials" maintained on the Children's Court website.

5 FINANCIAL STATEMENT

APPENDIX A

Financial Statement for the Year Ending 30 June 2004

	Budget	Actuals
SPECIAL APPROPRIATIONS		
Magistrates' salaries and allowances	\$ 1,309,000	\$ 1,371,025
Total Special Appropriations	1,309,000	1,371,025
OPERATING EXPENDITURE		
Salaries, overtime and annual leave	1,482,700	1,624,043
Superannuation	106,000	126,052
Provision for long service leave	127,300	24,677
Fringe benefits tax	0	104
Payroll tax	90,600	85,199
Total Salaries Expenditure	1,806,600	1,860,075
OPERATING EXPENDITURE		
Travel and personal expenses	46,200	47,417
Printing, stationery and subscriptions	99,500	115,052
Postage and communication	49,000	62,294
Contractors and professional services	122,000	100,429
Consultants	0	0
Training and development	20,000	26,075
Motor vehicle expenses	53,000	61,926
Operating expenses	45,000	51,111
Jury, witness and award payments	5,000	4,351
Information technology costs	44,000	71,857
Urgent and essentials	30,000	37,306
Rent and property services	252,000	204,971
Property utilities	61,000	55,814
Repairs and maintenance	55,000	65,628
Total Salaries and Operating Expenditure	2,688,300	2,764,306
REVENUE RETENTION INITIATIVES		
Shortfall in operating expenses	0	22,198
Security and engineering services	0	23,785
Children's Court Pre-Hearing Conferences	135,000	135,784
Total Revenue Retention Expenditure	135,000	181,767
PARALLEL PROGRAMS		
Children's Court Clinic Drug Program	256,000	179,978
Total Parallel Programs Expenditure	256,000	179,978
Total Recurrent Expenditure	Note 5 3,079,300	3,126,051
DEPARTMENTAL CONTROLLED EXPENDITURE		
Corporate Card fees	Note 1	
WorkCover levy	Note 1	
Government Finance Charge	Note 1, 4	
Depreciation - Land and buildings	Note 1, 2	
Depreciation - Plant and equipment	Note 1, 2	
Total Departmental Controlled Expenditure	2,610,000	2,598,719
TOTAL CHILDREN'S COURT EXPENDITURE	\$ 6,998,300	\$ 7,095,795

Notes to and forming part of the Financial Statements

Note 1

Items identified as Departmental controlled expenditure are fully funded for the year. Any surplus or deficit outcome for the year has no impact on the Children's Court recurrent budget. Any budget savings achieved in these expenditure items cannot be redeployed to meet other general expenses.

Note 2

Depreciation is the process of allocating the value of all non-current physical assets controlled by the Court over their useful life having regard to any residual value remaining at the end of the assets economic life. Financial Management makes this charge on a monthly basis as part of the End of Month process. Depreciation charges are based on the value of each individual asset, the method of depreciation used for each asset, the specified rate of depreciation and the physical location of the asset.

Note 3

Included in operating expenses is expenditure for Children's Court Pre-hearing Conference Convenors that has been funded from retained court fees as approved by the Attorney-General.

Note 4

The Capital Asset Charge is a charge made by the Department of Treasury and Finance (DTF) as a measure of the cost of capital that entities have invested in assets under their control. Currently, DTF send a monthly invoice to Finance for payment. As the Court has no control over funding allocated any surplus or deficit at the financial year's end does not affect the Court's budget.

Note 5

A budget deficit of \$46,751 was achieved in the recurrent budget for 2003/2004 financial year.

Note 6

The Children's Court budget incorporates the Children's Court Clinic and the Children's Court Clinic Drug Program. The Drug Program is funded individually, however this funding forms part of the total annual recurrent funding of the Court.

The assistance of the following persons in the compilation of this Annual Report is noted with much appreciation:

Leanne de Morton, Principal Registrar, Children's Court of Victoria

Russell Hastings, Deputy Registrar

Angela Carney, Senior Deputy Registrar

Janet Matthew, Children's Court Liaison Officer

Victor Yovanche, Manager, Finance and Administration, Magistrates' Court of Victoria

Barbara Ward, Court Services, Department of Justice

Noel Moloney, Court Services, Department of Justice

Kathryn Duncan, Court Services, Department of Justice

ACKNOWLEDGMENT





CHILDREN'S COURT OF VICTORIA

477 Little Lonsdale Street,
Melbourne 3000
Phone: (03) 8601 6700
Facsimile: (03) 8601 6720
www.childrenscourt.vic.gov.au

