



Children's Court
of Victoria

2016/17 Annual Report

Artist: Bruce
Armstrong's 'Eagle'
inspired by
"Bunjil", the
eaglehawk regarded
as a spirit creator
by the people of the
Kulin nations.

About the Court

The Children's Court of Victoria is a specialist court with two divisions dealing with cases involving children and young people.

The **Family Division** hears: applications relating to the protection and care of children and young persons at risk, and applications for intervention orders.

The **Criminal Division** hears: matters relating to criminal offending by children and young persons.

Acknowledgment

The Children's Court of Victoria acknowledges the Aboriginal and Torres Strait Islander people as the Traditional Custodians of the land. We also acknowledge and pay respect to their Elders, past and present.

Strategic Priorities 2016 -2020

Our Value Statement

The Children's Court of Victoria is a fair, accessible, specialist court. Judicial officers bring legal expertise and experience to the consideration of matters involving children, young people and their families. Court processes are effective, equitable and clear. Our workforce is highly professional and committed.

Our Culture

The culture of the Court is characterised by judicial officers who encourage parties to resolve matters in a way that is collaborative and respectful and where possible, utilising less adversarial processes. The Court's judiciary exercise proper control of the legal and court process. Resources are allocated to cases commensurate to their complexity.

The relationship between the judiciary and court staff is one of mutual regard and respect. Judicial officers and senior managers are partners in building the Court's reputation as a high performing, innovative and respected jurisdiction in the State's court hierarchy.

We aim to work collaboratively and cooperatively with all those who interact with the Court. This includes Courts Services Victoria, other jurisdictions, government and non-government agencies and service providers.

Dear Governor

CHILDREN'S COURT OF VICTORIA
ANNUAL REPORT 2016/2017

In accordance with section 514 of the *Children, Youth and Families Act 2005* I have much pleasure in submitting the Children's Court of Victoria Annual Report for the year 2016/2017.

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

Yours sincerely



Judge Amanda Chambers

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Reports

Report of the President

Judge Amanda Chambers



I am pleased to present the Annual Report of the Children's Court of Victoria for the 2016/17 year.

Last year I reported on a number of significant initiatives aimed at positively impacting of the specialist work of the Children's Court. In the 2016/17 year, the Court introduced and expanded case management programs and other initiatives that enhance and build upon this impressive track record of performance and innovation. These developments, aimed at furthering the implementation of the Court's Strategic Priorities for 2016-20, include:

- The launch of Marram-Ngala Ganbu, a Koori Family Hearing Day, at the Broadmeadows Children's Court in July, 2016;
- The expansion of intensive case management through the docketing of all child protection proceedings in metropolitan venues of the Children's Court from 1 January, 2017;
- The launch of the Children's Court Bench Book developed in collaboration with the Judicial College of Victoria in February, 2017;
- The state-wide expansion of the Youth Diversion program, with a Youth Diversion Coordinator appointed to every venue of the Children's Court from 1 January, 2017; and
- The introduction of a Fast Track Remand Court at Melbourne Children's Court in May, 2017.

Family Division

This is a first full reporting period following the introduction of significant legislative changes to the child protection provisions of the *Children, Youth and Families Act 2005*, with the *Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014* that came into effect on 1 March, 2016.

The aim of the amendments is to promote the stability and permanency of placement for children in need of protection in a timely manner. In part, the legislation seeks to achieve this objective through the introduction of a new suite of child protection orders and, in particular, the introduction of prescribed time frames within which a family reunification order can be made once a child has been placed in out of home care.

The Children's Court reports at **pages 35 to 43** on the trends observed with protection orders made in the Family Division of the Court following the introduction of the permanency amendments.

Workload

Last year I reported on the 44 per cent increase in the number of child protection applications (primary and secondary) issued in the Children's Court over the past five years, from 11,912 in 2011/12 to 17,108 in 2015/16. This has had significant resource implications for the Court.

The 2016/17 year is no exception, with the total number of applications increasing to 18,133. However, it is notable that for the first reporting period in six years the number of primary applications has decreased whilst workload demand has been driven by a significant increase in secondary applications, being applications to either breach or vary existing child protection orders. The number of secondary applications totalled 13,004, which represents an increase of 11 per cent on the previous reporting year.

Docketing

The Children's Court continues to expand case management initiatives to manage the child protection workload. Docketing – put simply, one child, one magistrate – was introduced as a pilot in the Court's Family Division at Broadmeadows in October, 2015. This approach to case management, where one magistrate oversees the proceedings from commencement to finalisation, has a number of clear advantages. Firstly, the consistency of having a magistrate with knowledge of the case and the child's circumstances. Secondly, improved inter-agency collaboration and involvement and thirdly, earlier resolution of child protection cases with fewer court events.

From 1 January, 2017 the Children's Court expanded the docketing system to all child protection proceedings in metropolitan Melbourne. It is notable that at venues where docketing is in place, the finalisation rates exceeded initiation rates in this reporting period. Docketing has proved successful in managing workload increases and reducing delays to finalisation: an outcome that also improves certainty for children and families.

Conciliation Conferences

Conciliation conferences continue to be an effective non-adversarial approach to the early resolution of disputed child protection cases, with 1230 matters resolved through conciliation in the 2016/17 year.

Marram-Ngala Ganbu (Koori Family Hearing Day)

In an Australian first, the Children’s Court at Broadmeadows established a Koori Family Hearing day, known as *Marram-Ngala Ganbu* meaning “We are One” in Woiwurrung language, on 1 July, 2016 in the Court’s Family Division.

Marram-Ngala Ganbu aims to improve the participation of Koori families and communities in child protection proceedings in order to achieve better outcomes for Koori children. It does this by providing a culturally appropriate court process to assist in decision-making and to improve adherence to the Aboriginal Child Placement Principles in the *Children, Youth and Families Act 2005*.

Critical to the success of the initiative is the role played by the Koori Services Coordinator, Mr Ashley Morris in coordinating the Koori Family Hearing Day, and providing information and referrals to relevant community organisations, legal services and other cultural support for Koori children and their families.

In the reporting period, a total of 357 Koori families have participated in *Marram-Ngala Ganbu*, where the proceedings are intensively overseen by the one magistrate, assisted by a collaborative, culturally-informed team.

Marram-Ngala Ganbu is a Children’s Court initiative to respond to one of the key recommendations of the *Protecting Victoria’s Vulnerable Children Inquiry* and the findings and 2016 report of the Aboriginal Commissioner for Children and Young People, *In the Child’s Best Interests*.



The Marram-Ngala Ganbu Possum Skin Cloak created by Banmirra Arts in partnership with the Broadmeadows Children’s Court.



Family Drug Treatment Court

Responding to the concerning number of children whose families are impacted by drug and alcohol abuse, including ice addiction, the Children’s Court created a specialist Family Drug Treatment Court in May, 2014 in the Melbourne Children’s Court and, operating at the Court’s Broadmeadows complex since October, 2015. This judicially-monitored, multi-disciplinary approach aims to deliver targeted therapeutic interventions to address issues of substance misuse, mental health, housing, and provide other supports, to achieve the permanent and sustainable reunification of parents with their children. In this financial year, 98 families were referred to the program.

Intervention Orders

The effective intervention of services to support families where adolescents are violent in the home is a key focus of the Children’s Court where an application for an intervention order is sought under the *Family Violence Protection Act 2008*.

In this reporting period, the Children’s Court created a specific role to assist families through this process, with referrals available through a Court Support Coordinator based at the Melbourne Children’s Court. Into the future, the Court Support Coordinator will work together with specialist family violence services, with funding for Court-based applicant and respondent workers, to assist families and to provide referrals to evidence-based intervention services and behavioural change programs. This year, 1,866 applications for intervention orders were made to the Children’s Court under the *Family Violence Protection Act 2008*.

Criminal Division

In Victoria, the number of young people found guilty of a criminal offence in the Children's Court had dramatically reduced over the past nine years as evident from the table below.

In 2016/17 a total of 2,822 young people were found guilty of an offence, a reduction of 3.7 per cent on the previous year, and evidence of a significant and continuing downward trend since 2008/09 when a total of 6,633 young people were found guilty of an offence, an overall reduction of 57 per cent over that period.

However, this statistic alone does not provide a complete picture. Despite this overall reduction in numbers, for a small cohort of young people, the serious nature of offending has resulted in an increasing number of orders for detention being made by the Children's Court which the *Children, Youth and Families Act 2005* provides as the sentence of last resort.

In 2016/17 a total of 240 orders for detention were made, an increase of 54 per cent on the 155 detention orders made in 2014/15.

Fast Track Remand Court

Since 2013, the number of alleged young offenders being admitted to remand has increased significantly. Moreover, the number of young people on remand, proportionate to the number sentenced to detention, has increased substantially over this four year period

with the remand population reaching 79 young people in May, 2017.

In response to this concerning trend, the Children's Court initiated a Fast Track Remand Court (FTRC) on 29 May, 2017. Supported by government funding of \$3.4 million for additional judicial and registry staff in addition to prosecution and legal aid resources, the FTRC aims to finalise criminal charges where a young person is on remand within strict time frames governed by Children's Court of Victoria Practice Direction 2 of 2017.

In the first 23 days of its operation, a total of 138 matters were listed in the FTRC with cases finalised, on average, within 50 days. Clearly, the impact of the FTRC in this reporting period is difficult to ascertain, but it is anticipated that over the next 12 months this initiative will have a significant impact on both the proportion of young people on remand and the length of time they are held on remand.

State-wide Youth Diversion Program

Following the success of the Youth Diversion Pilot Program which operated from June 2015 to December 2016, the government announced funding to deliver a state-wide youth diversion program from January, 2017.

Research indicates that diverting young people from the criminal justice system can be an effective means of reducing the likelihood of further offending, and improving community safety.

Criminal Matters

Number of Offenders Found Guilty

2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
6,174	5,427	4,533	4,155	3,778	3,523	2,928	2,822

Number of Offenders Ordered to be Detained

2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
246	247	219	169	141	155	219	240



With Youth Diversion Coordinators at every venue of the Children’s Court, youth diversion offers eligible children the opportunity to participate in diversion activities and, engage with support services to address the underlying causes of their offending behaviour, under judicial supervision. On the successful completion of a diversion program, the Children’s Court is able to discharge the child with no recorded finding. By June 2017, 751 young people had been referred to the youth diversion program, with an 85 per cent completion rate.

Children’s Koori Court

Providing a culturally appropriate environment for Koori youth, the Children’s Koori Court aims to ensure greater participation of the Aboriginal community in the sentencing process of the Children’s Court through the role played in that process by Aboriginal Elders and Respected Persons and others such as the Children’s Koori Court Coordinator.

As one of the first Children’s Koori Courts, commencing in June 2006, the Children’s Koori Court sits at Melbourne, Heidelberg and Dandenong and in regional Victoria at Shepparton, Swan Hill, Mildura, Warrnambool, Morwell, Bairnsdale and Geelong.

In 2016/17, 163 Aboriginal children had their cases heard in the Children’s Koori Court with 238 matters finalised.

Education Justice Initiative

The importance of reconnecting children and young people to education and training to address offending is recognised by the Children’s Court by having education staff based at Court through the Education Justice Initiative (EJI).

Funded by the Department of Education and Training and managed by Parkville College, in the 2016/17 year, the EJI assisted 201 young people at Court to return to education by liaising and advocating with schools and training providers on their behalf.

Community Education and Overseas Delegations

Children's Court Bench Book

Working in close collaboration with the Judicial College of Victoria (JCV), the Children's Court Bench Book was launched by the JCV in February, 2017 at an event attended by the judiciary, the profession and the media. The Children's Court Bench Book is intended as a vital educational tool not only for the judiciary and the legal profession, but also for the broader community. It is a part of the Children's Court commitment to inform the community more broadly of the long-standing legal principles that apply to the treatment of children in the justice system.

South Pacific Council of Youth and Children's Courts

The South Pacific Council of Youth and Children's Courts (SPCYCC) is an independent judicial council comprised of the Heads of Youth and Children's Courts, open to all self-governing countries of the South Pacific and the States and Territories of Australia.

The Children's Court of Victoria hosted the Annual Conference of the SPCYCC on 21-24 November, 2016, attended by the Heads of all Australian State and Territory Children's Courts, the Principle Youth Court Judge of New Zealand and other representatives from

Nauru, Vanuatu, Cook Islands, Kiribati, Samoa, Tuvalu and UNICEF.

Presenters at the Conference included Professor James Ogloff, Forensicare, on trends in youth offending, Dr Anna Smith, Royal Children's Hospital, on clinical forensic medicine for children and a report on the UNICEF study on diversion.

Community education and professional development

During 2016/17 the Children's Court continued its program of professional, multi-disciplinary and community education programs including presentations made to the Magistrates' Court of Victoria professional development programs, to Monash University law students, the Victorian Bar Readers, bail justices, the Supreme Court of Victoria's Innovation & Excellence in Court program on the Children's Koori Court the County Court of Victoria annual conference, Law Week, the Jesuit Social Service's National Justice Symposium and the Juvenile Justice Summit in New South Wales.

In October 2016 I met with United Nations Special Rapporteur Michel Forst to discuss initiatives to address the over-representation of Aboriginal children in the juvenile justice system.



Delegates of the SPCYCC, November 2016.

I thank the magistrates of the Children’s Court for their ongoing commitment to this comprehensive program of community education, and for regularly giving their time to address foster carers, law students, legal professionals, social workers, youth workers, child protection practitioners, maternal and child health specialists and journalists on the jurisdiction and operation of the Children’s Court.

Participation on Boards, Councils and Committees

During the year, I, together with other members of the Children’s Court, participated on a number of Boards, reference groups and advisory bodies.

These included:

- CSV Courts Council;
- CSV Courts Council portfolio committees, including Human Resources (Chair), Executive Remuneration, Finance, Information Technology, Assets and Accommodation;
- Judicial College of Victoria;
- Aboriginal Justice Forum;
- JCV Children’s Court Bench Book Steering Committee;
- Child Witness Advisory Committee;
- Children’s Court Youth Diversion Steering Committee (Chair);
- Project Advisory Group, Youth Justice Review;
- PIPA (Positive Interventions for Perpetrators of Adolescent Violence in the Home) Project Steering Committee (Co-Chair) in conjunction with the Centre for Innovative Justice (RMIT);
- Magistrates’ Court /Children’s Court Royal Commission into Family Violence Implementation Steering Committee (Co-Chair);
- Family Violence Taskforce.



Acknowledgements

As always, I wish to acknowledge and thank all who work for the many organisations that support the work of the Children's Court:

- Children's Court Clinic;
- Victoria Legal Aid;
- Youthlaw;
- Solicitors and barristers who practice in this Court;
- Department of Health & Human Services;
- Child Protection Litigation Office;
- Youth Justice Court Advice Unit;
- Secure Welfare;
- Victoria Police;
- Parkville College;
- Education Justice Initiative;
- Judicial College of Victoria;
- Court Network;
- Salvation Army; and
- Wilson Security.

I wish to express my sincere gratitude to the magistrates of the Children's Court for their expertise and continuing commitment to the work of the Court. I also extend my thanks to my Chief Executive Officer, Simon McDonald and the Court's Executive management team for their strategic governance and sound advice. The registry and other specialist support staff, including the Children's Koori Court Officer, Koori Support Coordinator and Court Support Coordinator, who all provide outstanding assistance to the children and families attending at court and are critical to the spirit of the court. I thank my Executive Assistant, Nola Los and the Court's Senior Legal Researcher, Lisa Lee for their invaluable support, expertise, dedication and good humour.

Finally, the Children's Court is a State-wide court and its effective operation would not be possible without the contribution of all magistrates. I thank them for their commitment to the work of the Children's Court, particularly in the face of increasing workloads. I also extend my gratitude to the Chief Magistrate and the State Coordinating Magistrate for their assistance and cooperation throughout the reporting period.

Report of the CEO

Simon McDonald

The Children's Court has a unique and specialist role in the Victorian court system and as CEO I am privileged to work in a jurisdiction that provides service to many of the State's most vulnerable and often most disadvantaged children, young people and families.



The end of the 2016/17 year provides the Court the opportunity to reflect on its Strategic Plan which sets out the major strategic objectives of the organisation between 2016 and 2020. The plan commits the Court to improving its technology systems, delivering program and case management innovation, promoting effective organisational partnerships and maintaining a well-trained, highly capable and committed workforce.

My last annual report message reflected on the challenges created by aging IT infrastructure and the constraints this placed on the Court's capacity to introduce more efficient and effective processes. It is within this context that the Court welcomes the very substantial funding received in the 2017/18 State Budget to develop a new case management system in partnership with the Magistrates' Court of Victoria.

The Court currently relies on old computer systems which lack much of the functionality modern organisations rely on to deliver contemporary services to the community. A new system will reduce our reliance on paper and manual systems, enable better identity management and information sharing practices and more effectively integrate court information systems with justice system partners. It will also enable a significant organisational reform project as we look to take advantage of these digital opportunities and create improved systems and services within the Court. We look forward to working together with the Magistrates' Court of Victoria and Court Services Victoria on this important initiative. I thank all staff involved for their work during the course of this year to get us to this point.



The success of any organisation is directly attributable to its people. In the context of the Court’s overall workforce strategy, we remain deeply committed to investing in the professional and personal development of staff.

The Court’s conciliation conferencing program has continued to assist parties to achieve high rates of negotiated outcomes both at the Conference Centre at Melbourne and across regional Victoria. An independent evaluation of the conferencing program has shown that it is operating effectively and provides an important avenue for sustainable outcomes for children and families. The Court continues to pursue possible expansion of non-adversarial and other Alternative Dispute Resolution (ADR) approaches to improve the court experience and outcomes for children and families across the Court.

The Court welcomed government’s support for the Family Drug Treatment Court program to continue at Broadmeadows Children’s Court. The leadership of Her Honour Kay Macpherson and the excellent work of the multi-disciplinary team has been critical to the success of this initiative during the year and I thank each of them for their efforts. Also at Broadmeadows,

the Court was very proud to formally launch our Koori Family Hearing Day initiative — Marram-Ngala Ganbu — on 25 August 2016. No mention of Marram-Ngala Ganbu would be complete without an acknowledgment of Mr Ashley Morris, Koori Services Coordinator, whose extraordinary efforts and commitment have been instrumental to the success of the program.

More recently, the Court commenced the pilot Fast Track Remand Court (FTRC) which aims to more effectively manage the increasing number of young people held in custody awaiting trial. Whilst in its early days, the FTRC is producing very good results with respect to minimising the time between charge and sentence for young people held on remand. The FTRC could not have been established without the support of Victoria Police, Victoria Legal Aid, Youth Justice and other key stakeholders and I thank them for their participation in this important initiative.

The Court will continue to pursue improvement through innovation, using available technology, development and trialling of new programs and ongoing review of services. As always, we will continue to seek opportunities to work closely with other jurisdictions, agencies and service providers to develop coordinated and systemic solutions to the common challenges we face in trying to continually improve the way we do things.

The success of any organisation is directly attributable to its people. In the context of the Court's overall workforce strategy, we remain deeply committed to investing in the professional and personal development of staff. Over the course of this year, the Court has developed a Learning Development Framework and advanced our suite of leadership, succession and professional development programs. The provision of high quality services to the community requires well trained, expert and committed staff and the Court will continue to invest heavily in these areas to maintain and enhance service quality across the Court.

Acknowledgements

It has been yet another busy year for the Children's Court and I would like to acknowledge Judge Amanda Chambers for her leadership over this period.

Thanks also go to Dr Patricia Brown, Director of the Children's Court Clinic, and her staff of highly skilled clinicians for their tireless work to provide expert, independent advice to assist magistrates in their decision making.

Finally, I am fortunate to work alongside an outstanding and dedicated Children's Court team. My special thanks go to the Court's management team and in particular Leah Hickey, Cate Ryan, and Leanne de Morton for their support and advice and as always, to all our staff who continue to work with enthusiasm and dedication to deliver Children's Court services across Victoria.





Year at a Glance

30.1%
Criminal

6.7%
Intervention

21.2%
Infringements &
Fines

42.0%
Child Protection



In the 2016/2017 year the Children’s Court of Victoria finalised a total of 40,477 cases.

When analysing the statistical information provided on these pages it should be noted that while country venues of the Court hear cases in both divisions, in the metropolitan area Family Division child protection cases are heard at the Melbourne, Moorabbin and Broadmeadows (from October 2015) venues of the Court. Suburban venues of the Court, other than Moorabbin and Broadmeadows, hear criminal matters and applications for intervention orders only.

More information about the operations of the Court is available on [page 25](#).





Highlights



L-R: Commissioner for Children and Young People, Liana Buchanan, Minister for Families and Children, the Hon. Jenny Mikakos MLC, Attorney-General, the Hon Martin Pakula MP, President of the Children's Court of Victoria, Judge Amanda Chambers and Commissioner for Aboriginal Children and Young People, Andrew Jackomos.

Koori Family Hearing Day (Marram-Ngala Ganbu)

On Thursday 25 August 2016, the Children's Court and the Victorian government officially opened Australia's first Koori Family Hearing Day, at the Family Division of the Broadmeadows Children's Court.

This specialist list is entitled *Marram-Ngala Ganbu* which means "We are One" in the Woiwurrung language of the Wurundjeri people on whose land the Court is situated.

Marram-Ngala Ganbu sits every Tuesday at Broadmeadows and is designed to be culturally appropriate for Aboriginal people and to provide services that they can relate to and are happy to engage with. A variety of Aboriginal services attend

the court each week. The magistrate, service providers and the participants and their families all sit at the same table and attempt to work out what is in the best interests of the children.

Statistics from 2015 show that Aboriginal children are 12 times more likely to be removed from their homes than non-Aboriginal children, and it is vitally important in these instances that these children are able to remain connected to their culture.

The Koori Family Hearings Days achieve this by focusing on either keeping Aboriginal children in their community, seeking placements with other family members or with another Aboriginal family. It also aims to improve adherence to the Aboriginal Child Placement Principle in the *Children's Youth and Families Act 2005*.

The Education Justice Initiative

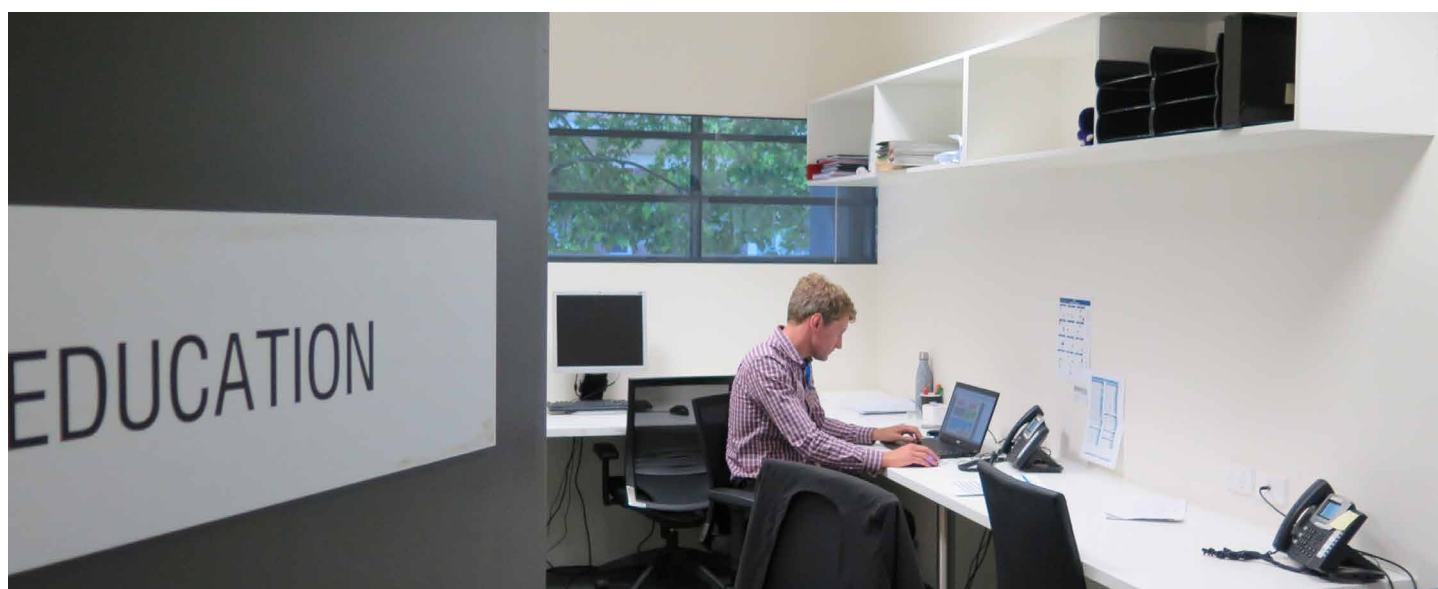
The Education Justice Initiative (EJI) at Melbourne Children's Court, managed by Parkville College, aims to address educational issues among young people involved in the youth justice system. EJI staff liaise with legal practitioners, Youth Justice workers, and magistrates to identify young people at court who are experiencing education-related issues, and provide information, advice, advocacy and support to assist their re-engagement with school or another appropriate education or training option.

During the 2016/17 reporting period, EJI provided assistance to 201 individual young people, of which:

- 96 were received direct support and advocacy with schools to resolve issues;
- 29 supported through secondary consultation (to YJ or other workers); and
- 76 were provided with one-on-one educational advice and information.
- Of the young people EJI worked with, at least 50 were not enrolled in any school at the time of first contact, and at least 45 had not attended school for six months or longer.

The range of issues EJI assisted with included school exclusions, education options and eligibility, school attendance requirements, advocacy for enrolments, and education transitions from custody to the community. EJI also offered support with other education system processes and policies, including the Out-of- Home Care Education Agreement protocol.

In addition to this, transition support for young people currently in custody and at Secure Welfare has been increased through additional resourcing provided by Parkville College.



State-wide expansion of Youth Diversion

In the 2016/17 Budget the Victorian Government announced funding to deliver a statewide youth diversion program. This follows the successful completion of a 12 month pilot.

From January 2017, the Department of Health and Human Services delivered the Children’s Court Youth Diversion service (CCYD) in all Children’s Courts across Victoria.

CCYD provides an opportunity for eligible children and young people appearing before the Children’s Court to:

- address harm caused by their offending by taking responsibility and completing a diversion activity;
- address the underlying causes of their offending;
- where required, receive assistance to engage with support services;
- on the successful completion of the diversion activity have the charge/s dismissed, with a non-disclosable criminal record for the offence/s subject to the diversion order;
- avoid the stigma associated with a criminal record and its impact on future life opportunities.

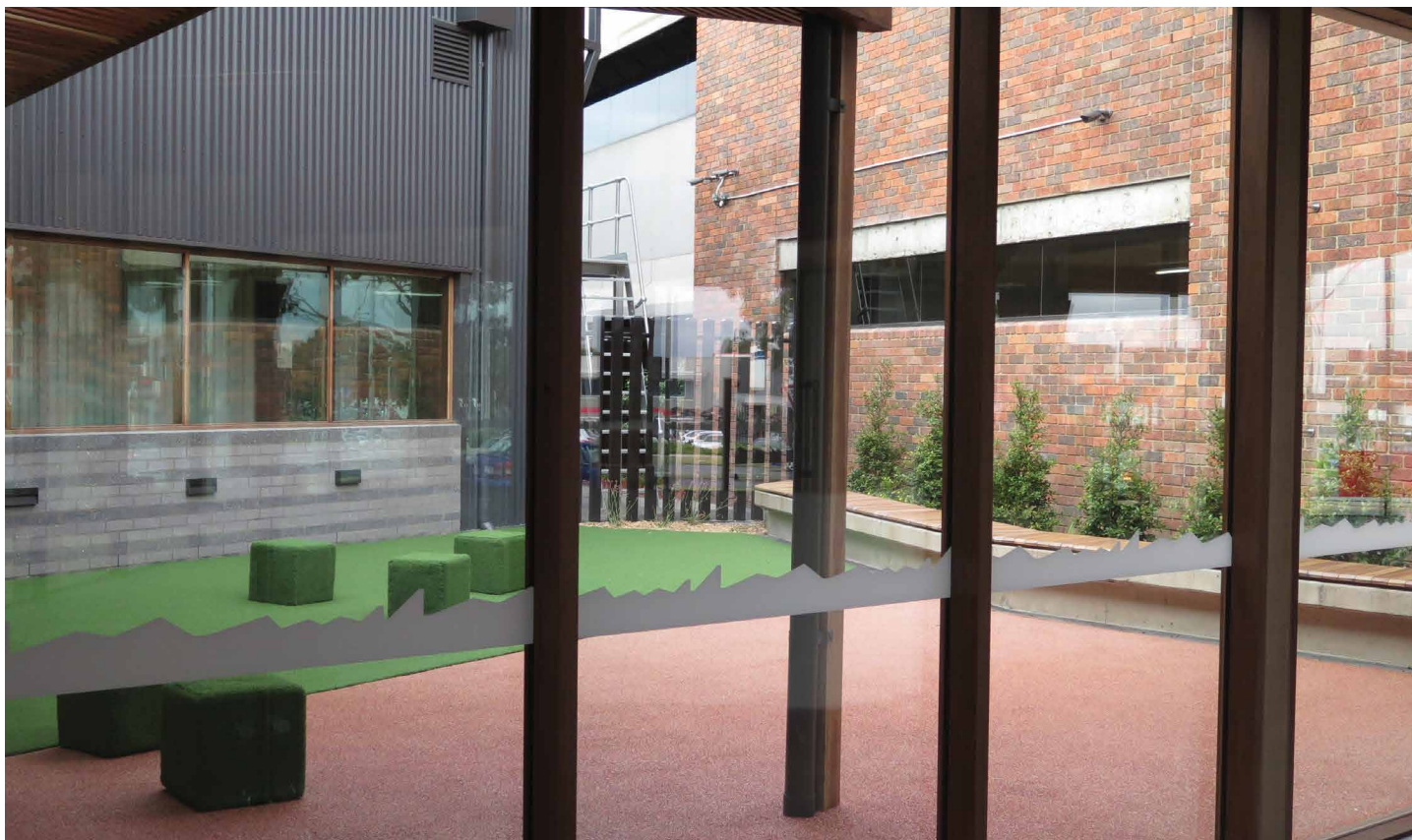
Children’s Court Bench Book

Launched on Monday 27 February 2017 by Chief Justice Marilyn Warren AC and the President of the Children’s Court, Judge Amanda Chambers, the Children’s Court Bench Book provides an accessible guide to the jurisdiction of the Children’s Court. It includes detailed information on both the Family and Criminal Divisions of the Court.

Reviewed by Judge Amanda Chambers and Reserve Magistrate Peter Power OAM, the Bench Book is an invaluable resource for magistrates and practitioners working in this complex and specialised jurisdiction. The Children’s Court Bench Book is available on the Judicial College of Victoria website.



L-R: President of the Children’s Court of Victoria, Judge Amanda Chambers and the Chief Justice of Victoria the Honourable Marilyn Warren AC, at the launch of the Children’s Court Bench Book.



Conciliation Conferences

In the 2016/17 financial year, the Court listed 4045 conferences, of which 3165 proceeded. Outcome results remain relatively stable with 39 per cent of cases being settled on a final order and 26 per cent of cases proceeding to first directions hearing. The number of cases settling at first instance at conciliation conference had a slight decrease from 41 per cent compared to the previous financial year. This is attributed to the impact of the 2016 legislative amendments.

The Conference Unit continues to utilise its quality assurance mechanism. In addition to the feedback from families about the experience in previous conferences, the staff of the Conference Unit continue to develop their skills into safety planning and family violence.

Court Conference staff have embarked on intensive Family Violence training with the view of achieving Standards of Competency in Family Violence practice. This is the first time staff employed by Court Services Victoria have embarked on this training and the Children's Court continues to innovate and professionally develop their staff to work holistically with families.

The Risk Assessment Framework and the Practice Guidelines were also reworked and rewritten during this reporting period.

In the first half of 2016/17, the Conference Unit pilot program of conferences held at the Court's Moorabbin venue was a success with families and child protection workers indicating that accessibility of the venue was important in ensuring families could attend a conciliation conference. The Children's Court continues to conference at Moorabbin Court two days a week. Suitable venues are still being sourced so that all conciliation conferences listed from the Moorabbin Children's Court can remain in the region.

Multi-disciplinary training

The Children's Court, Victoria Legal Aid and the Department of Health & Human Services receive ongoing funding to jointly deliver cross-disciplinary professional development for professionals in the Court's Family Division. This allows participants working in the statutory child protection legal system to come together to learn, share ideas, understand each other's roles and prepare for change or reform.

In August 2016 the second session of a two-part Court Craft Training series on ethics for professionals working in the Children's Court Family Division was held. The session was presented by Amanda Mendes Da Costa, Barrister and Dr Robyn Miller, former Principal Practitioner with the Department of Health and Human Services, now CEO of McKillop Family Services. Presentations were followed by a panel session facilitated by Magistrate Francis Zemljak.

In October 2016 Women's Legal Service Victoria delivered a two-day professional development event entitled, '*Safe and Protected: Multidisciplinary response to family violence*' to more than 150 practitioners operating within the Children's Court Family Division. The program aimed to improve practitioner's skills and knowledge in responding to the complexities of family violence within the Children's Court Family Division, to achieve a shared understanding of roles in responding to family violence and to collaborate to improve outcomes for vulnerable families. Similar training will be delivered to professionals working in the Family Division across regional Victoria next year.

The Victorian Aboriginal Child Care Agency (VACCA) continued to deliver Aboriginal Cultural Awareness training under the Multi-disciplinary Training Initiative. This one day program aims to address the critical issues facing Aboriginal and Torres Strait Islander children and families in the child protection system. Sessions were held in Mildura (October 2016), Warrnambool (April 2017) and Shepparton (May 2017). Sessions are scheduled to be held in the Latrobe Valley and Melbourne in the second half of 2017.





Law Week 2017

Law Week is an annual event facilitated by the Victoria Law Foundation (VLF). The VLF works with a range of legal sector partners to stage numerous events that help the community find answers to their legal questions while gaining information about how the law works. Over 160 events were scheduled across Victoria making this year the biggest Law Week ever.

The Children's Court Law Week Program included:

Sentencing Advisory Council - Youth Justice Forum

Judge Chambers accepted an invitation to participate in the Sentencing Advisory Commission's (SAC) annual community education event. The event was held at the State Library in the evening of Monday 15 May. Fellow panellists included:

- Liana Buchanan, Commissioner for Children and Young People
- Senior Sergeant Sherril Handley, Manager, Police Prosecutors Training Course
- Paul McDonald, CEO, Anglicare.

The forum, hosted by Professor Arie Frieberg, preceded a panel discussion using the story of 'Michael', a hypothetical case of a young offender. The panel discussed the dynamics at play in sentencing Michael, drawing attention to the complex backgrounds of many young offenders.

A recording of the forum is available on the SAC's website.

Artwork Display at William Cooper Justice Centre

The Early Learning Centre (ELC) at the University of Melbourne prepared a range of artworks for display on Courts Open Day (COD) held on Saturday 20 May 2017. The display entitled "I have a symbol in me" was inspired by "*COPE:RESILIENCE: Social and Emotional Skills Program for Pre-schoolers*" research being undertaken by the University.



ELC artwork exhibition at the Melbourne Children's Court

The Court and the ELC have enjoyed a rewarding artwork partnership since launching a permanent art collection at the Melbourne Children's Court in October 2002. The collection aims to recognise the value of personal and socio-cultural visions expressed by pre-school children through their art.

The display was open to the public on COD from 10am-3pm and was arranged in collaboration with the Victorian Civil and Administrative Tribunal (VCAT) who also have an ongoing artwork partnership with an organisation known as Arts Project Australia. The exhibition was well attended throughout the day.

Children's Court of Victoria Information Stand

The Court was represented at the central information hub on Courts Open Day at the County Court Forecourt from 10am-3pm. This location provided an opportunity for volunteer court staff to actively engage with visitors and provide information on the Court's programs including:

- FDTC participant and lawyer information pamphlets;
- Court Advice and Support officer information flyer;
- Practice Direction No.4 of 2016: Marram-Ngala Ganbu;
- Conciliation Conferences information pamphlet; and
- Judicial College of Victoria Children's Court Bench Book Flyer.
- Judge Chambers and colleagues participated in the Charity BBQ for Berry Street.



Operations

The Children’s Court of Victoria has jurisdiction under the *Children, Youth and Families Act 2005* to hear cases involving children and young people up to the age of 18 years, and in some cases up to 19 years.

The **Criminal Division** of the Court has jurisdiction to hear and determine summarily all offences (other than murder, attempted murder, manslaughter, child homicide, defensive homicide, culpable driving causing death and arson causing death) where the alleged offender was under the age of 18 but of or above the age of 10 years at the time the offence was committed and under the age of 19 when proceedings were commenced in the court. The Children’s Koori Court (Criminal Division) has jurisdiction to hear matters relating to criminal offending by Koori children and young persons, other than sexual offences.

The **Family Division** of the Court has the power to hear a range of applications and to 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 has jurisdiction to hear applications relating to intervention orders pursuant to the Family Violence Protection Act 2008 and the Personal Safety Intervention Orders Act 2010 where the “affected family member” (family violence matters) or “affected person” (personal safety matters), or the respondent is a child.

The Children’s Court may also hear and determine an **intervention order** application when both parties are adults if there is a related child protection proceeding.

Criminal Division

Activity within the Criminal Division

General demand in the Criminal Division has slightly increased throughout the State in initiations and finalisations. The total number of young people found guilty of a criminal offence fell to 2,822 (2,928 in 2015/16) and the number of offenders ordered to be detained increased to 240 (219 in 2015/16).

The Melbourne Children’s Court continues to hear and determine custody matters that are not able to be listed at proper venues. Improved video conferencing technology offers an alternative mode of hearing, avoiding the need to transport young offenders to and from court.

Since 2013 the number of children held on remand has increased significantly. In response to this trend, in June, 2017, the Children’s Court of Victoria introduced a Fast Track Remand Court (FTRC) at Melbourne to deal with the criminal charges of young people held on remand in a timely manner.

The FTRC commenced operations on 29 May 2017. In the first 23 sitting days the FTRC heard 46 new remand matters (average 2 per day) and scheduled 138 listings (average of 6 per day).

- 3 matters were finalised that commenced in FTRC at an average completion time of 11 days.
- 12 matters were finalised where the young person was remanded for the full proceeding.
- the average completion time was 50.17 days.

Number of criminal matters initiated, finalised and pending, 2015/16 – 2016/17

Court Region ¹	2015/16			2016/17		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Melbourne	2,105	2,465	567	1,998	2,584	535
Grampians	579	595	120	566	617	115
Loddon Mallee	609	613	179	706	737	156
Broadmeadows	556	627	106	585	621	115
Dandenong	927	1,312	192	785	1,111	132
Frankston	1,030	1,021	250	1,141	1,251	275
Barwon South West	768	906	103	908	981	162
Heidelberg	335	575	82	677	777	195
Gippsland	917	1,031	261	897	950	324
Ringwood	778	819	213	763	896	155
Hume	669	790	114	667	762	134
Sunshine	699	753	249	774	914	274
NJC – Collingwood ²	45	48	16	10	0	1
Total	10,017	11,555	2,452	10,477	12,201	2,573

¹ A detailed list of court regions can be found on page 48 of this report.

² The Neighbourhood Justice Centre was launched on 8 March 2007 and has jurisdiction to hear Children's Court criminal matters where the accused either lives in the municipality of the City of Yarra or the alleged offence was committed in the City of Yarra.

Matters initiated and finalised, 2016/17

	Initiated	Finalised
Melbourne	1,998	2,584
Grampians	566	617
Loddon Mallee	706	737
Broadmeadows	585	621
Dandenong	785	1,111
Frankston	1,141	1,251
Barwon South West	908	981
Heidelberg	677	777
Gippsland	897	950
Ringwood	763	896
Hume	667	762
Sunshine	774	914
NJC - Collingwood	10	0
Totals	10,477	12,201

Regional caseload distribution for finalised matters, 2015/16 – 2016/17

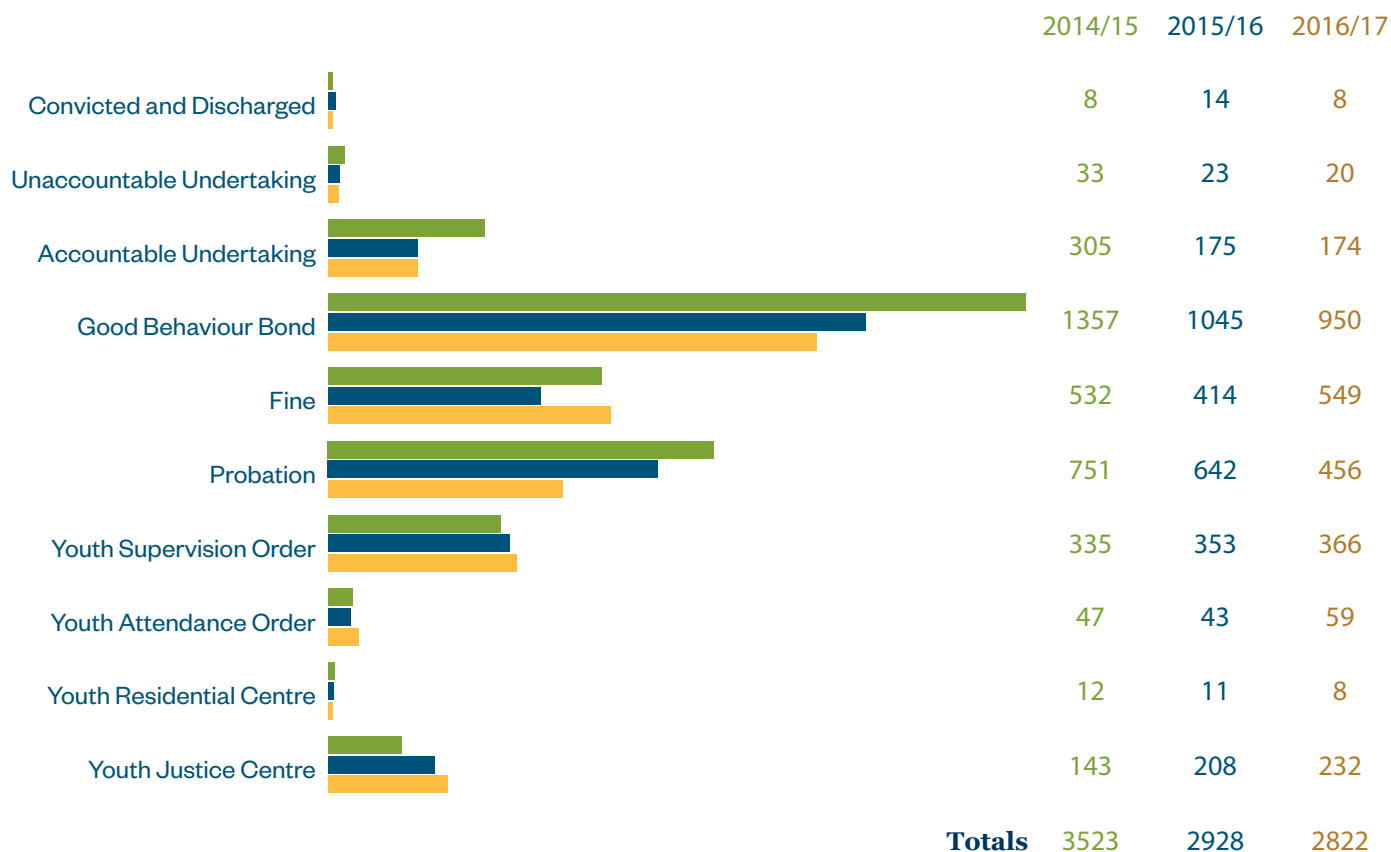
	2015/16	2016/17
Melbourne	2,465	2,584
Grampians	595	617
Loddon Mallee	613	737
Broadmeadows	627	621
Dandenong	1,312	1,111
Frankston	1,021	1,251
Barwon South West	906	981
Heidelberg	575	777
Gippsland	1,031	950
Ringwood	819	896
Hume	790	762
Sunshine	753	914
NJC - Collingwood	48	0
Totals	10,017	12,201

Offenders found guilty, by outcome, 2014/15 – 2016/17

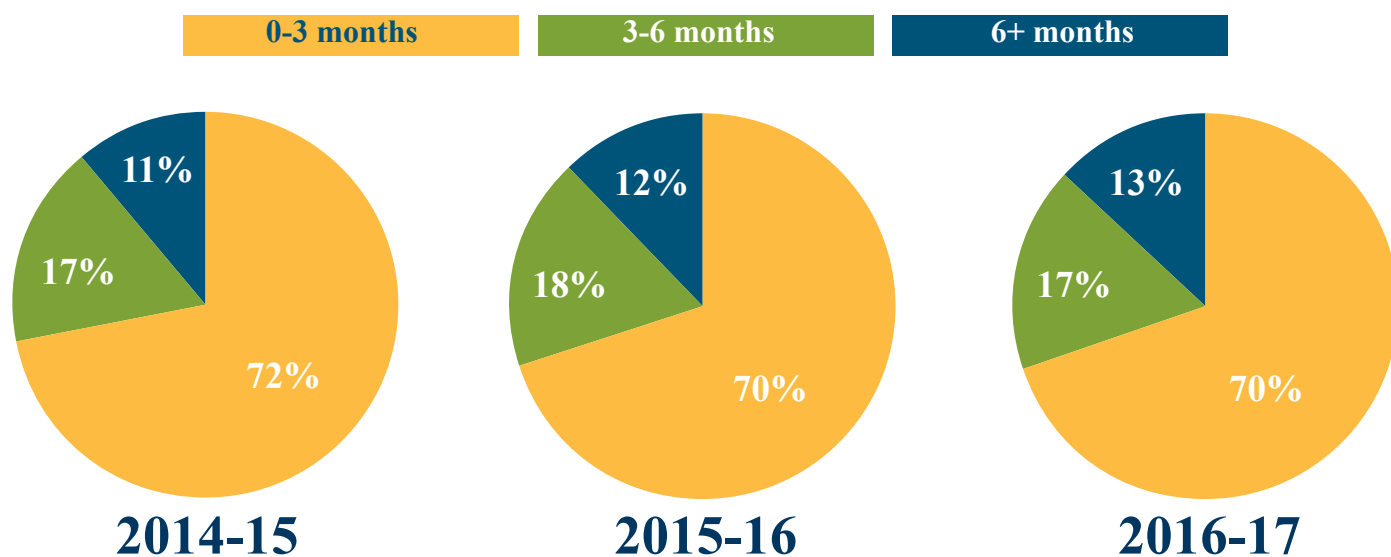
Order	2014/15		2015/16		2016/17	
Discharged	8	0.2%	14	0.5%	8	0.3%
Unaccountable Undertaking	33	1.0%	23	0.7%	20	0.7%
Accountable Undertaking	305	8.7%	175	6.0%	174	6.2%
Good Behaviour Bond	1,357	38.5%	1,045	35.7%	950	33.7%
Fine	532	15.1%	414	14.1%	549	19.5%
Probation	751	21.3%	642	22.0%	456	16.1%
Youth Supervision Order	335	9.5%	353	12.0%	366	12.9%
Youth Attendance Order	47	1.3%	43	1.5%	59	2.1%
Youth Residential Centre	12	0.3%	11	0.4%	8	0.3%
Youth Justice Centre	143	4.1%	208	7.1%	232	8.2%
Total	3,523	100.0%	2,928	100.0%	2,822³	100.0%

³ The Children's Court has undertaken an audit of Criminal Division matters heard in 2015/16 in order to more accurately reflect the number of matters finalised. This has resulted in an increase in the reported number of offenders found guilty, by outcome in 2015/16.

Offenders found guilty, by outcome, 2014/15 – 2016/17



Distribution of criminal matter processing times, by elapsed time between date of first hearing and finalisation, 2014/15 – 2016/17



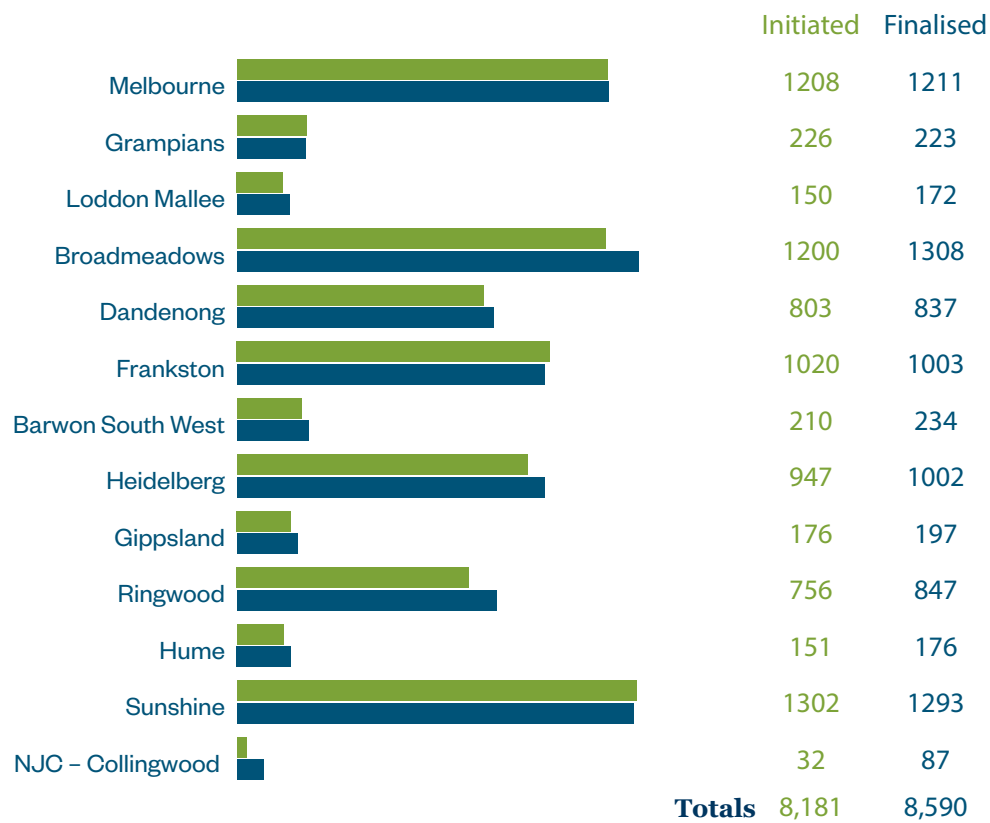
Children and Young Persons Infringement Notice System

The Children and Young Persons Infringement Notice System (CAYPINS) is an alternative system to the traditional open court summons process for dealing with children and young people who fail, in the first instance, to pay on-the-spot and other penalties issued to them by prosecuting bodies such as Victoria Police and the Department of Transport.

Number of CAYPINS matters initiated, finalised and pending, 2015/16 – 2016/17

Court Region	2015/16			2016/17		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Melbourne	2,213	2,179	162	1208	1211	85
Grampians	321	310	26	226	223	29
Loddon Mallee	256	221	51	150	172	20
Broadmeadows	1,519	1,447	179	1200	1308	54
Dandenong	1,565	1,584	103	803	837	64
Frankston	1,738	1,910	34	1020	1003	134
Barwon South West	335	334	48	210	234	19
Heidelberg	1,728	1,850	195	947	1002	92
Gippsland	284	302	37	176	197	12
Ringwood	1,764	2,009	141	756	847	48
Hume	191	210	38	151	176	14
Sunshine	1,690	1,746	116	1302	1293	76
NJC – Collingwood	70	61	11	32	87	0
Total	13,674	14,163	1,141	8,181	8,590	647

CAYPINS Matters initiated and finalised, 2016/17



Children's Koori Court

The Melbourne Children's Koori Court now sits on circuit to Heidelberg and Dandenong. The Children's Koori Court also sits at Shepparton, Swan Hill, Mildura, Warrnambool (including Portland and Hamilton), Morwell, Bairnsdale and Geelong.

Young people appearing and matters finalised, 2015/16 – 2016/17

Location	2015/16		2016/17	
	Number of young people	Matters finalised	Number of young people	Matters finalised
Bairnsdale	4	7	0	0
Dandenong	18	16	24	31
Geelong	0	0	13	26
Heidelberg	4	1	19	37
Latrobe Valley	15	34	14	21
Melbourne	37	69	22	45
Mildura	55	79	48	46
Shepparton	10	27	14	18
Swan Hill	3	2	4	7
Warrnambool Including Portland & Hamilton	6	8	4	7
Total	152	243	162	238

Youth Diversion Program

The Children's Court commenced a the Youth Diversion Pilot Program (YDPP) in May 2015 to offer a diversion program at Dandenong, Broadmeadows, Sunshine, Werribee, Ballarat, Ararat and Stawell. By December 2016, 158 young people had been referred to the program, with 94 per cent completing their diversion plans and avoiding a finding of guilt.

The YDPP ran for 18 months from June 2015 to December 2016 and was delivered by Jesuit Social Services in partnership with Centacare Ballarat at 7 pilot sites (courts) across metropolitan and rural Victoria.

In the 2016/17 Budget, the Victorian Government announced funding to deliver a state-wide youth diversion program. This followed the successful completion of the 12 month YDPP.

From January 2017, the Department of Health and Human Services has delivered the Children's Court Youth Diversion service (CCYD) in all Children's Courts across Victoria.

CCYD provides an opportunity for eligible children and young people appearing before the Children's Court to:

- address harm caused by their offending by taking responsibility and completing a diversion activity;
- address the underlying causes of their offending;
- where required, receive assistance to engage with support services;
- on the successful completion of the diversion activity have the charge/s dismissed, with a non-disclosable criminal record for the offence/s subject to the diversion order; and
- avoid the stigma associated with a criminal record and its impact on future life opportunities.

By June 2017, 751 young people had been referred to the CCYD, with 85 per cent completing their diversion plans and avoiding a finding of guilt.

Sex Offences List (Melbourne)

The Melbourne Children's Court runs the sexual offences list in the Criminal Division designed to better manage these cases. This list is available to magistrates in metropolitan courts who may adjourn sex offence matters into this list for specialised case management.

Education Justice Initiative

The Education Justice Initiative pilot, funded by the Department of Education and Training, was launched in September 2014. Managed by Parkville College, the initiative aims to address educational disadvantage among young people involved in the youth justice system.

Principally, the EJI connects young people appearing in the Melbourne Children's Court, and Heidelberg and Dandenong Children's Koori Courts, to an appropriate, supported education pathway by liaising and advocating with schools and training providers. In 2016/17, 201 young people were assisted via the program.

Family Division

Activity within the Family Division

The Children's Court again experienced demand growth this year.

In 2016/17, the Family Division workload continued to grow with a State-wide increase in the number of total applications (primary and secondary) compared to the previous year. Secondary applications increased by 11 per cent. The most significant increases in secondary applications occurred in the Loddon Mallee, Gippsland and Melbourne regions.

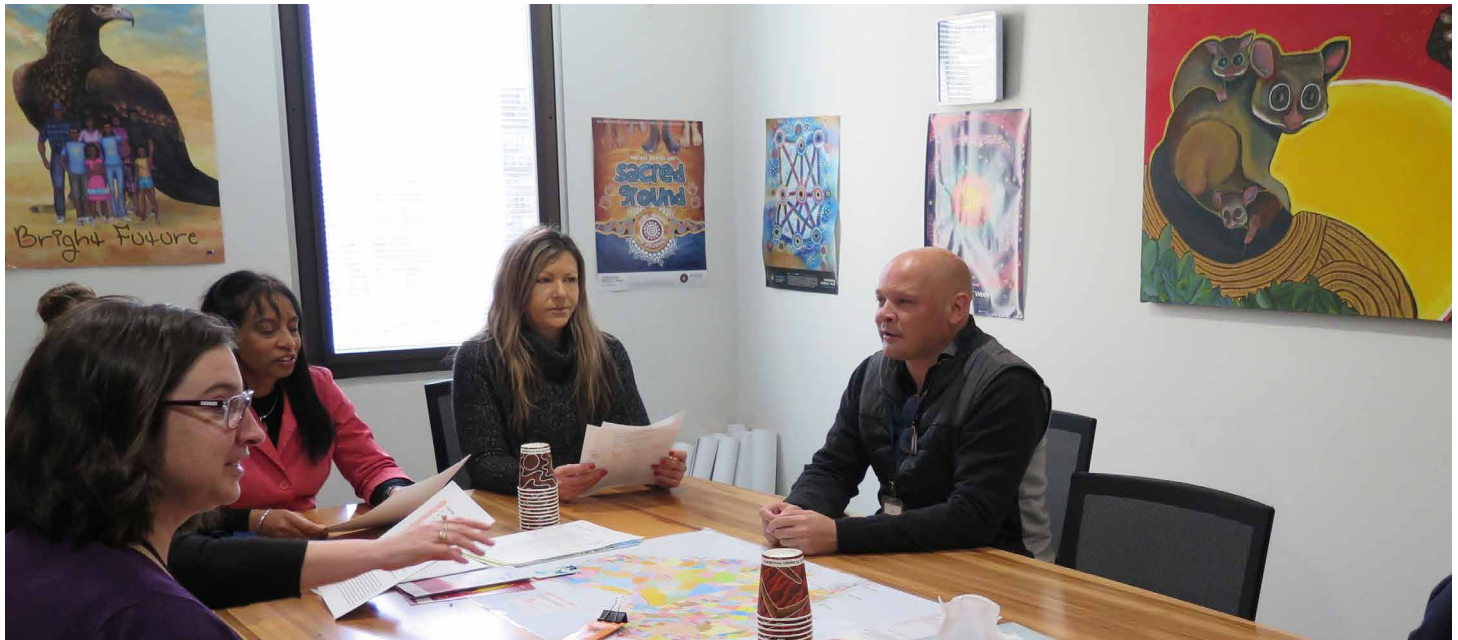
Of the 3,165 Conciliation Conferences conducted, 1168 of these were conducted regionally with a settlement rate of over 50 per cent. The Court is achieving high resolution rates resulting in a reduced number of regional family division contests proceeding.

When reading the statistics in the table "Number of orders made, 2014/15 – 2016/17", on Page 37, the following information should be taken into account:

On 1 March 2016 amendments to the Children, Youth and Families Act 2005 came into operation. The amendments are contained in the Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014. The amendments make significant changes to the regime of court orders that are able to be made by the court when dealing with child protection matters.

The following table lists the child protection orders that can be made by the Court as from 1 March 2016. The orders that could be made by the court prior to 1 March 2016 are also shown for comparison purposes.

Prior to 1 March 2016	From 1 March 2016
Interim accommodation order	Interim accommodation order
Interim protection order	No equivalent order
Undertaking	Undertaking
Supervision order	Family preservation order
Custody to third party order	No equivalent order
Supervised custody order	No equivalent order
Custody to Secretary order	Family reunification order
Guardianship to Secretary order	Care by Secretary order
Long-term Guardianship to Secretary order	Long-term care order
Permanent care order	Permanent care order



Consequent upon the introduction of the permanency amendments, the number of permanent care orders made by the Children’s Court, being orders which give parental responsibility for a child to someone other than the parent(s), has increased significantly. In 2014/15 a total of 305 permanent care orders were made. A total of 485 permanent care orders were made in this reporting period.

It is notable that the number of permanent care orders made in 2015/16 was even higher – at 535, but it is anticipated this spike was largely attributable to the unfettered ability (prior to 1 March, 2016) to impose conditions under the order for contact with parent/s in the child’s best interests. From 1 March, 2016 almost all permanent care orders leave the birth parents with no residual parental rights under the order save for limited contact of a maximum of four visits per year. As a result, a significant number of applications for permanent care orders were sought and finalised prior to 1 March, 2016.

The family preservation order (formerly a supervision order) where the parent/s retain parental responsibility, is still the most common protection order made by the Children’s Court, with 3,159 such orders made in the 2016/17 year.

There were a total of 2270 family reunification orders made in 2016/17. This is also a significant increase on the 1,658 Custody to Secretary orders (the former equivalent order) made in 2014/15.

A total of 1,339 Care by Secretary orders, which confer parental responsibility for a child on the Secretary of the Department of Health and Human Services, were made in the 2016/17 year. This is a significant increase on the 313 equivalent orders (the former Guardianship to Secretary order) made in 2014/15. These administrative orders remain in place for a period of two years. No conditions can be attached to these orders by the Children’s Court under the new legislative scheme.

Of interest, the permanency amendments have also resulted in a substantial increase in the number of cases where the Court has appointed an Independent Children’s Lawyer (ICL) for the legal representation of a child under 10 years of age. An ICL represents the child’s best interests in the child protection proceedings and can be ordered in exceptional circumstances. In 2016/17, 291 ICL’s were appointed, whereas only 147 were appointed in 2014/15. This increase has obvious resource implications for Victoria Legal Aid to provide funding for the representation of the most vulnerable children in the child protection system.

Number of orders made, 2014/15 – 2016/17

Order	2014/15	2015/16	2016/17
Adjournment	10,385	12,552	14,492
Appointment - Independent Child Lawyer	147	261	291
Care by Secretary Order	N/A	375	1,339
Child attend Court	10	13	31
Conference Information Exchange Order	N/A	1,594	5,380
Custody to Secretary Order	1,658	1,076	N/A
Custody to Third Party Order	13	4	N/A
DHHS must file further report	N/A	1,868	6,852
Dismissed	44	41	30
Extension of Care by Secretary Order	N/A	309	499
Extension of Custody to Secretary Order	1,543	1,027	N/A
Extension of Family Preservation Order	N/A	150	495
Extension of Family Reunification Order	N/A	168	664
Extension of Guardianship to Secretary Order	380	231	N/A
Extension of Interim Accommodation Order	15,540	17,913	17,897
Extension of Supervised Custody Order	231	172	N/A
Extension of Supervision Order	380	219	N/A
Extension of Therapeutic Treatment Order	6	6	6
Extension of Therapeutic Treatment (Placement) Order	1	0	0
Family Preservation Order	N/A	1,129	3,159
Family Reunification Order	N/A	798	2,270
Free Text Order	18,620	23,535	21,914
Guardianship to Secretary Order	313	179	N/A
Interim Accommodation Order	8,559	9,554	8,771
Interim Protection Order	1,218	662	N/A
Leave for TAO without Notice Order	0	1	11
Leave to apply to vary/revoke Permanent Care Order	N/A	1	9
Long-Term Care Order	N/A	91	322
Long-Term Guardianship to Secretary Order	40	31	N/A
Order for Costs	124	342	364
Permanent Care Order	305	535	485
Refusal to Make Protection Order	121	78	1
Search Warrant	4,961	5,432	6,478
Struck Out	902	1,861	2,057
Supervised Custody Order	737	616	N/A
Supervision Order	2,516	1,946	N/A
Temporary Assessment Order	4	11	16
Therapeutic Treatment (Placement) Order	0	0	0
Therapeutic Treatment Order	28	17	11
Undertaking - Common Law	25	33	15
Undertaking s.272 PA / IRD Dismissed	26	27	19
Undertaking s.272 PA / IRD Refusal to make Protection Order	8	8	12
Undertaking s.272 PA / IRD Struck Out	243	249	297
Undertaking s.278 Protection Order	196	263	204
Total	69,284	85,378	94,391

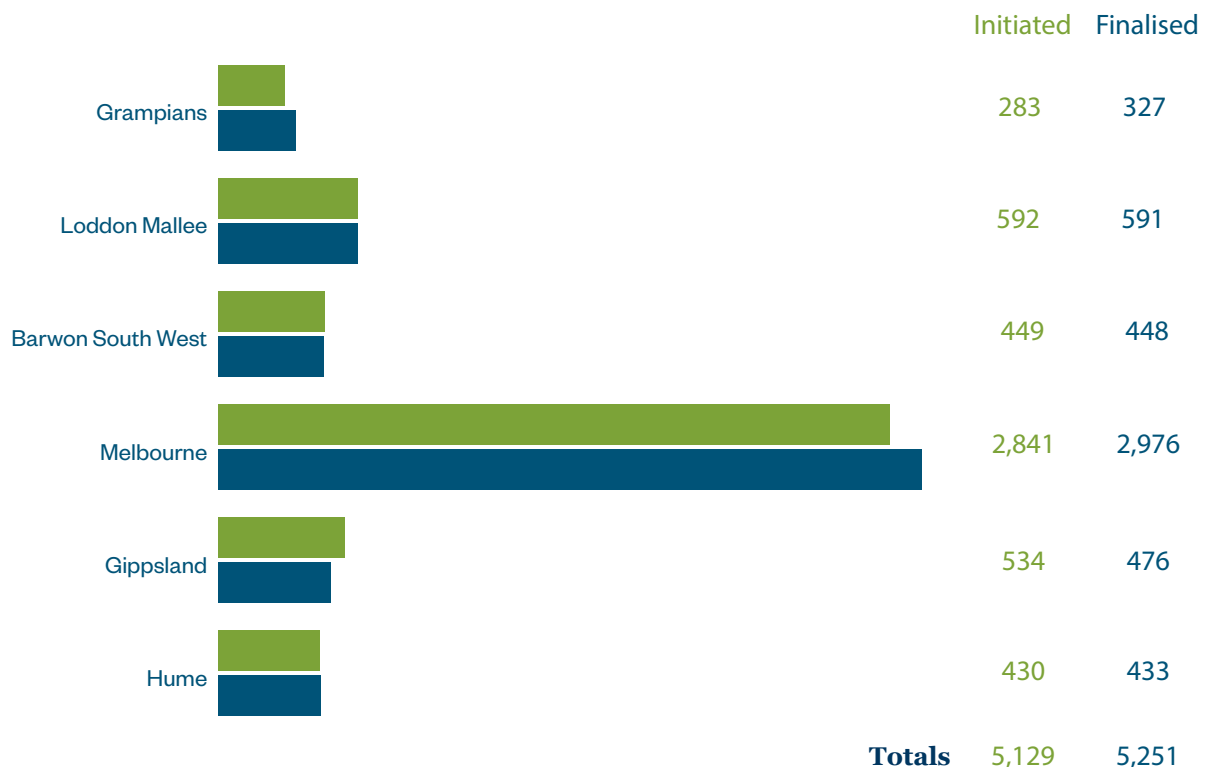
Explanation of orders

Yellow	Green	Blue
New protection orders commencing on 1 March 2016 by virtue of amendments to the <i>Children, Youth and Families Act 2005</i> , resulting from the <i>Children's, Youth and Families Amendment (Permanent Care and other Matters) Act 2014</i> .	Protection orders repealed commencing on 1 March 2016 by virtue of amendments to the <i>Children, Youth and Families Act 2005</i> , resulting from the <i>Children's, Youth and Families Amendment (Permanent Care and other Matters) Act 2014</i> .	Procedural orders that were previously recorded as free-text orders

Number of primary applications initiated, finalised and pending⁴, 2015/16 – 2016/17

Court Region	2015/16			2016/17		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Grampians	499	411	137	283	327	91
Loddon Mallee	572	505	171	592	591	162
Barwon South West	496	487	98	449	448	98
Melbourne	2,810	2,806	1,503	2,841	2,976	1,315
Gippsland	516	1,579	138	534	476	183
Hume	503	543	122	430	433	117
Total	5,396	5,331	2,169	5,129	5,251	1,966

Total number of primary applications initiated and finalised, 2016/17

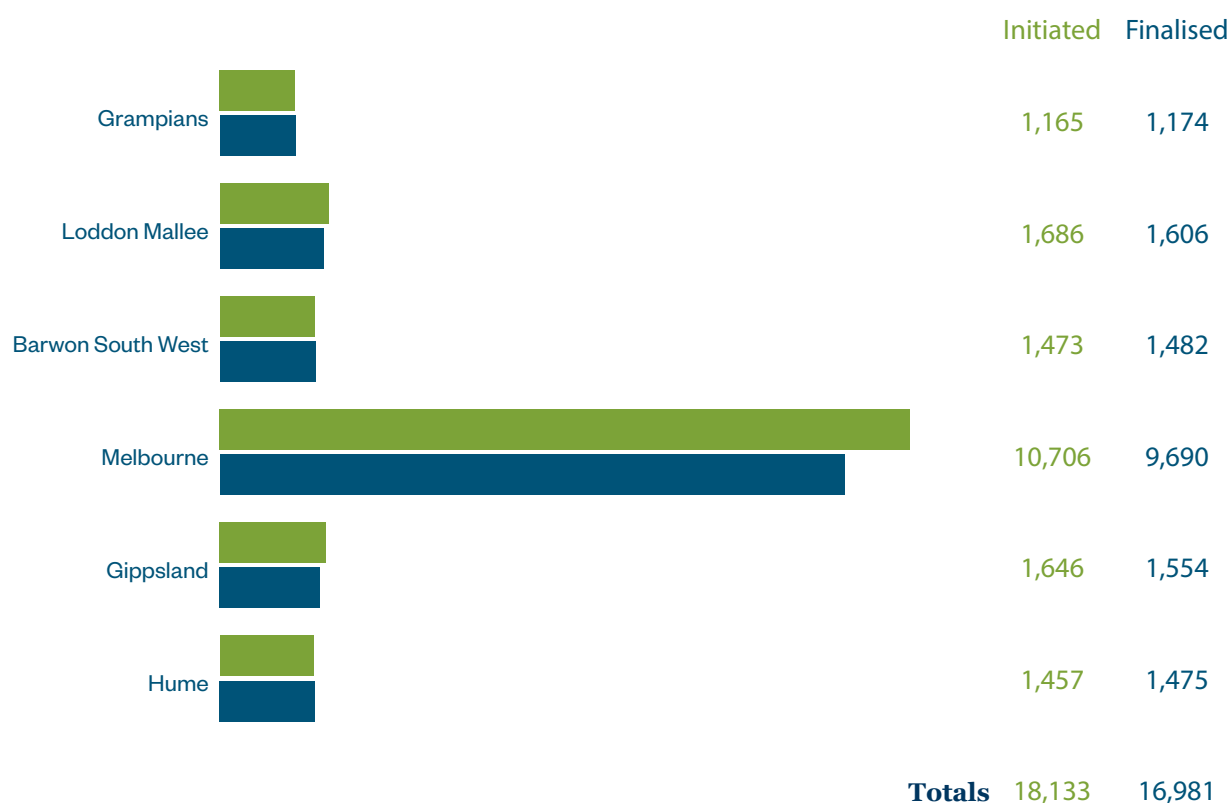


⁴ The Children's Court has undertaken an audit of Family Division matters heard in 2015/16 in order to more accurately reflect the number of matters finalised. This has resulted in an increase in reported matters finalised and in the reported clearance rate.

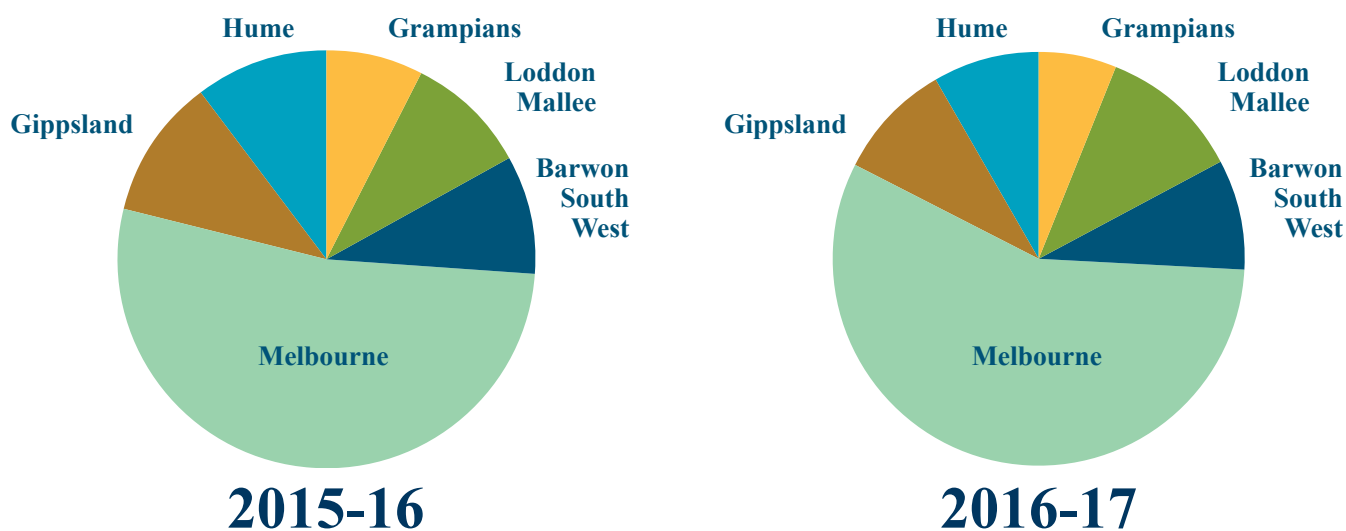
Number of secondary applications initiated, finalised and pending, 2015/16 – 2016/17

Court Region	2015/16			2016/17		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Grampians	1,024	954	230	882	847	201
Loddon Mallee	992	954	232	1,094	1,015	270
Barwon South West	1,053	962	312	1,024	1,034	273
Melbourne	6,550	6,328	2,215	7,865	6,714	1,628
Gippsland	961	994	253	1,112	1,078	201
Hume	1,132	1,051	272	1,027	1,042	211
Total	11,712	11,243	3,514	13,004	11,730	2,784

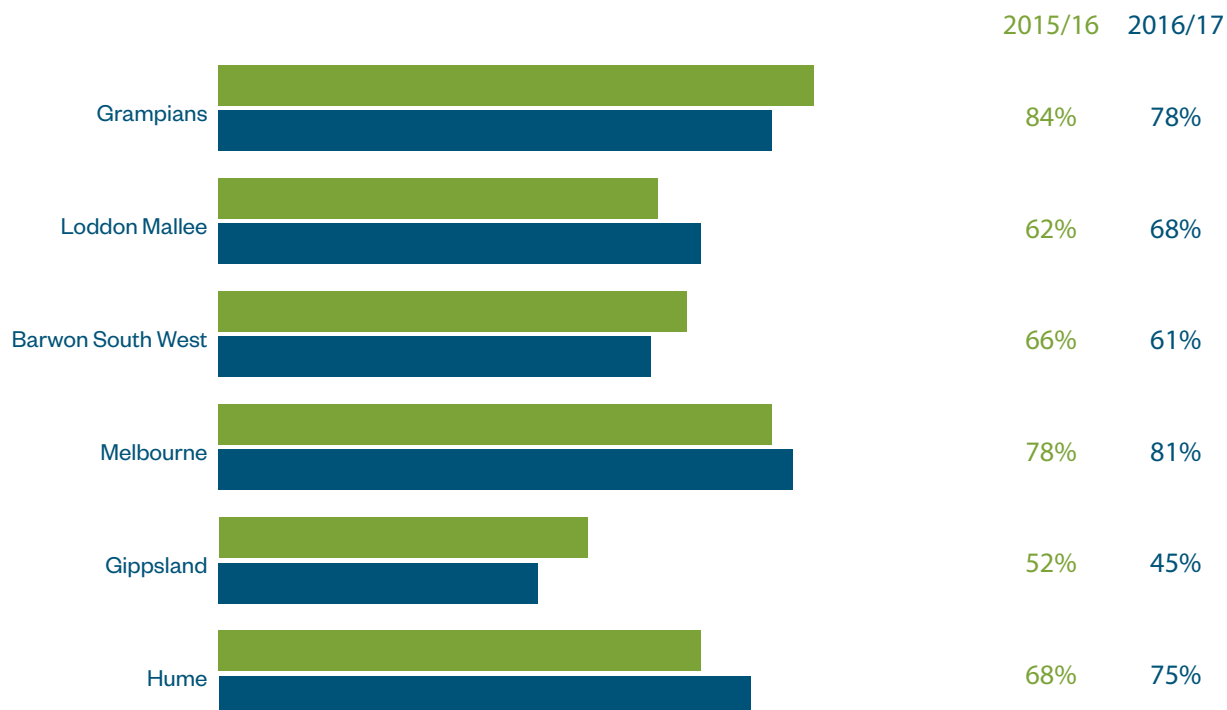
Total number of primary and secondary applications initiated and finalised, 2016/17



Regional caseload distribution for finalised primary applications, 2015/16 – 2016/17

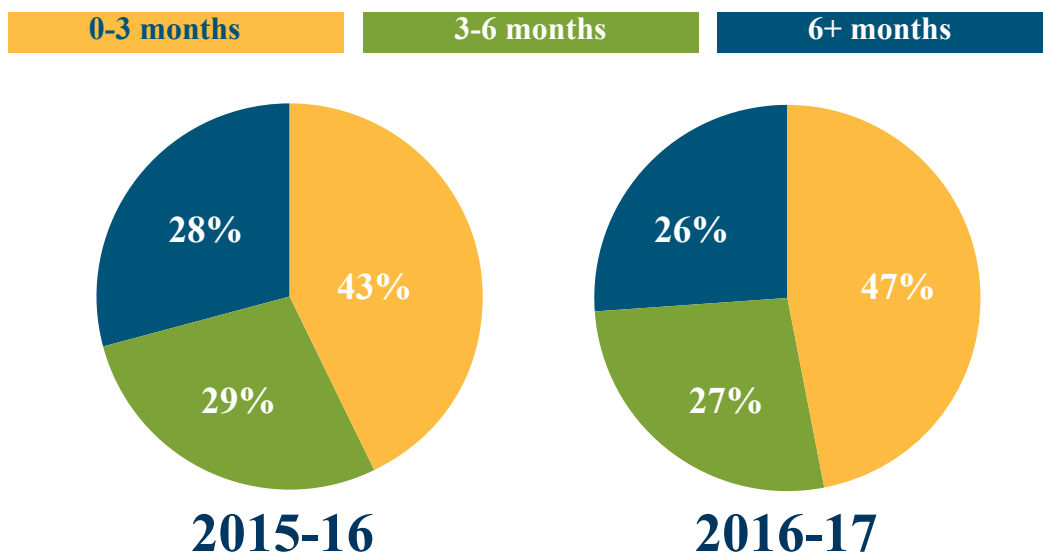


Percentage of protection applications initiated by emergency care, 2015/16 – 2016/17





Distribution of primary application processing times, by elapsed time between date of first hearing and finalisation, 2015/16 – 2016/17



Conciliation conferences

Conciliation conferences in the Family Division of the Children’s Court are intended to facilitate the early resolution of applications through a non-adversarial process.

The Court’s commitment to this model of dispute resolution continues to benefit families in preventing many cases proceeding to a contested hearing. In 2016/17, over 2,000 matters listed for a conference were resolved or partially resolved without a directions hearing by a magistrate.

The conciliation conference process provides for:

- better preparation by participants;
- more time for discussion in an appropriate environment;
- Department of Health & Human Services decision makers being present at the conference;
- appropriate behaviour by all participants; and
- an appropriate process for those children who wish to participate.

Number of conciliation conferences conducted, 2015/16 – 2016/17

2015/16	Total conferences conducted	Conferences resulting in settlements	Conferences resulting in partial settlements	Conferences resulting in directions hearing
Melbourne	1,822	635	644	543
Regional	936	491	271	174
Total	2,758	1,126	915	717

2016/17	Total conferences conducted	Conferences resulting in settlements	Conferences resulting in partial settlements	Conferences resulting in directions hearing
Melbourne Including Moorabbin and Broadmeadows	1,997	662	785	550
Regional	1,168	568	415	185
Total	3,165	1,230	1,200	735

Koori Family Hearing Day

The Children's Court in Broadmeadows became the first Australian court to establish a Koori Family Hearing Day, known as Marram-Ngala Ganbu meaning 'We are One' in Woiwurrung language. It aims to improve outcomes for Koori children in child protection proceedings, providing a culturally-appropriate process to assist in decision making. It also aims to improve adherence to the Aboriginal Child Placement Principle in the Children's Youth and Families Act 2005. A Koori Services Coordinator coordinates MNG and provides information and referrals to relevant services for Koori children and their families.

Marram-Ngala Ganbu sits every Tuesday and commenced sitting on 12 July 2016. An official opening was held on 25 August 2016.

The table to the right provides information on Marram-Ngala Ganbu sittings as at 30 June 2017.

Month	Total Sittings	Number of families
July 2016	2	7
August 2016	5	26
September 2016	4	30
October 2016	4	30
November 2016	5	37
December 2016	3	24
January 2017	4	32
February 2017	4	39
March 2017	4	31
April 2017	3	27
May 2017	5	39
June 2017	4	35

Family Drug Treatment Court

The Family Drug Treatment Court (FDTC) has been established as a pilot program within the Family Division of the Children's Court of Victoria. The FDTC seeks to promote family reunification, child safety and well-being. The program is designed to assist families whose children have been placed in out of home care due to parental substance misuse.

The FDTC provides intensive treatment and supervision for families through a dedicated team of professionals including:

- a Senior Clinician,
- Clinical Case Managers,
- dedicated Child Protection Practitioner,
- And other health professionals and support workers.
- Led by a dedicated Magistrate, the FDTC team work together to support parents and their children in successfully completing their Family Recovery Plan (FRP).

The table to the right provides information on families on the FDTC program as at 30 June 2017.

Parents referred to program	56
Current parent participants	20
Participants awaiting assessment	16
Participants exited program/ returned to mainstream Family Division	21
Participants who graduated from program	10
Children of participants	93
Families reunified whilst on the program	13
Children reunified with parent/s	20

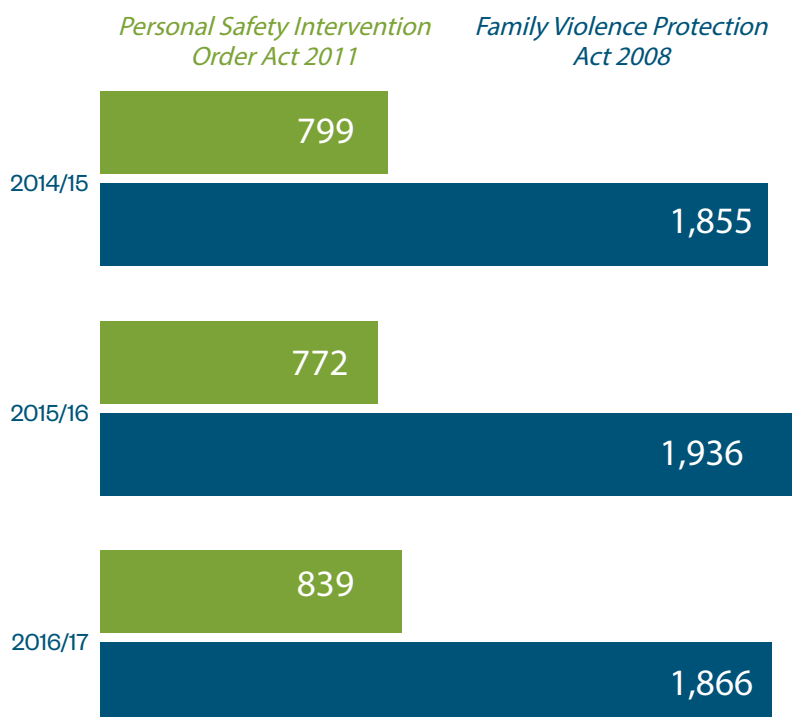
Intervention Orders

In 2016/17, the number of intervention order applications finalised was similar to the previous year. Most applications were determined within three months, and in just over half, an intervention order was made. The bulk of intervention order applications relate to allegations of family violence and in about one-third of cases, the parties were not related.

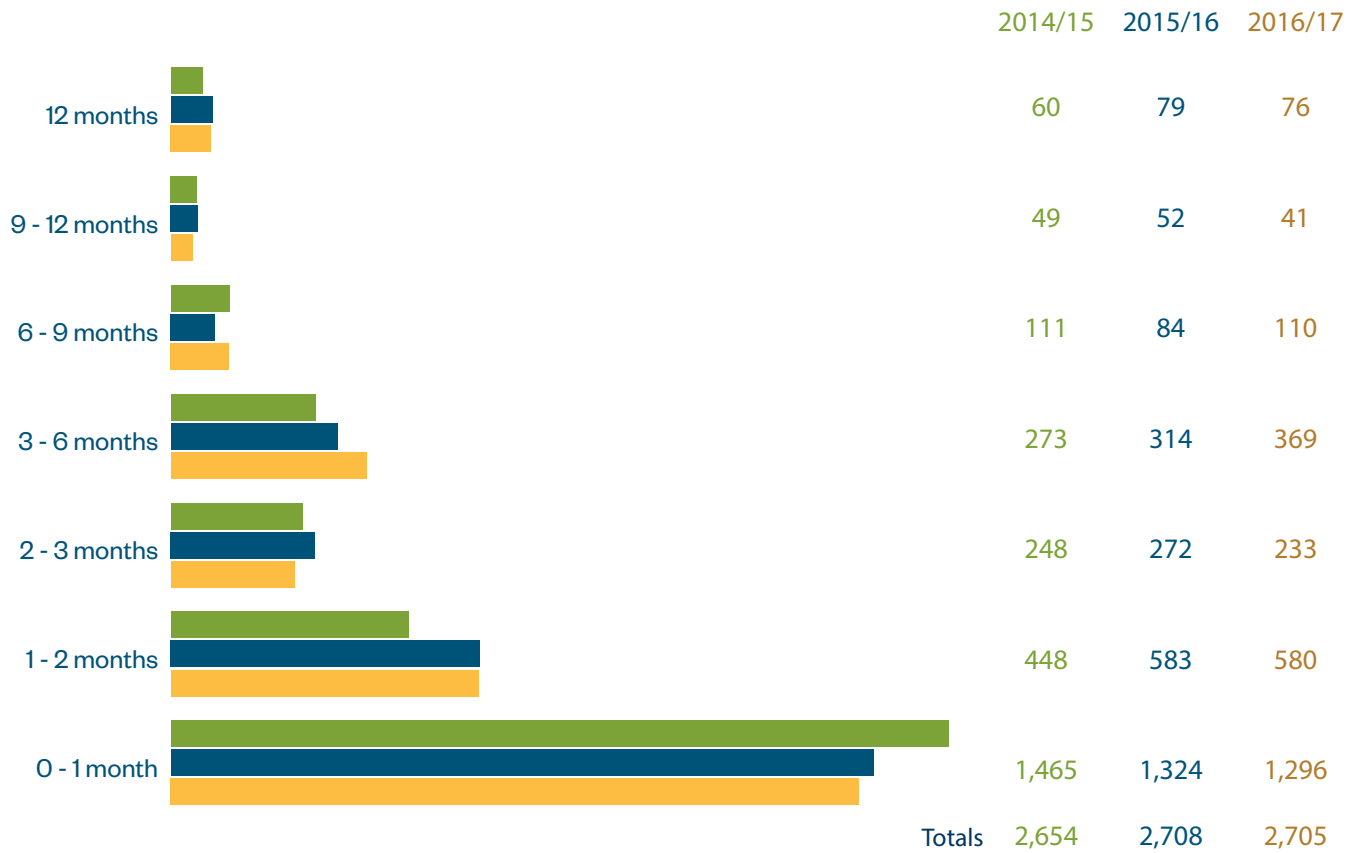
Applications for an intervention order finalised by outcome, 2015/16 – 2016/17

Order	2014/15		2015/16		2016/17	
Intervention order made	1,562	58.9%	1,728	63.8%	1600	59.2%
Refused	29	1.1%	24	0.9%	20	0.7%
Complaint struck out	388	14.6%	293	10.8%	289	10.7%
Complaint withdrawn	662	24.9%	649	24.0%	783	28.9%
Complaint revoked	13	0.5%	14	0.5%	13	0.5%
Total	2,654	100.0%	2,708	100.0%	2,705	100.0%

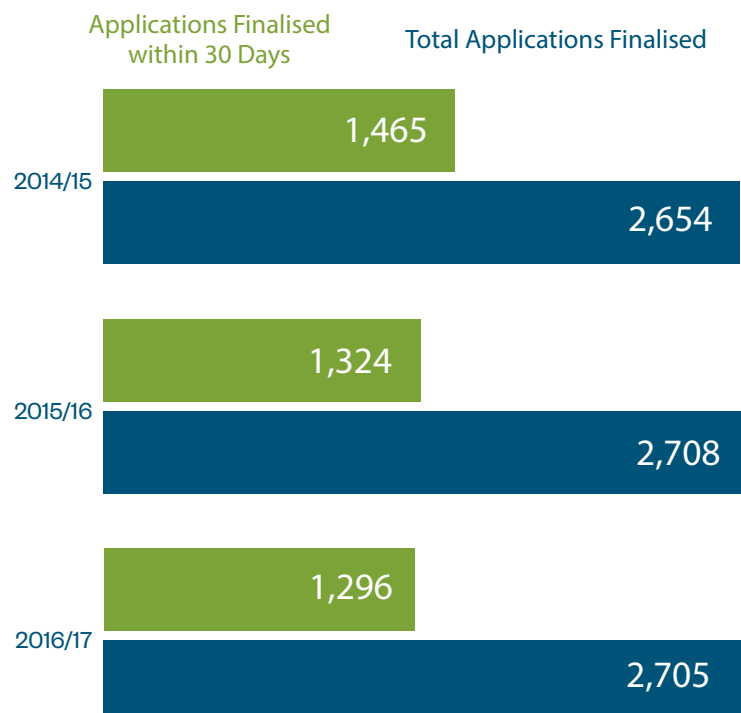
Applications for an intervention order finalised by Act under which application made, 2014/15 – 2016/17



Applications for an intervention order finalised, by elapsed time between date of issue and finalisation, 2014/15 – 2016/17



Applications for an intervention order finalised, and proportion finalised within within 30 days of issue, 2014/15 – 2016/17



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 throughout Victoria. 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 youth 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 interest.

During 2016/17 there were 864 court-ordered referrals of children/young persons and their families, which represents an overall decrease of 8.1 per cent on referrals from the previous year (1.4 per cent in protection matters and 19.3 per cent in criminal matters). The referral numbers varied across the months and the highest number of referrals were received in September 2016 and February 2017.



Of the 864 referrals for assessment during 2016/17, there were 229 criminal cases, 629 protection cases and 6 family violence/personal safety matters. Of the total, 490 referrals emanated from the metropolitan areas and 374 were from country regions of the state.

In addition to assessments, the Children's Court Clinic also has a short-term treatment function in respect of cases where treatment at the clinic is made a condition of an interim order by a magistrate. During 2016/17 the clinic provided 30 such sessions.

Our Judiciary

The Children's Court at Melbourne is the only venue of the court which sits daily in both divisions. The Children's Court at Melbourne, Broadmeadows and Moorabbin currently has 13 magistrates and 2 reserve magistrates sitting full-time together with the President who is a judge of the County Court.

Magistrates in other metropolitan courts also sit as Children's Court magistrates in those regions on nominated days and as required hearing Criminal Division and intervention order matters only. The exceptions are the courts at Moorabbin and Broadmeadows where child protection cases are heard on a daily basis.

Magistrates in country areas sit as Children's Court magistrates in both divisions on nominated days and as required.

President

Judge Amanda Chambers

Magistrates

Ms Jennifer Bowles
 Mr Darrin Cain
 Mr Peter Dotchin
 Ms Michelle Ehrlich
 Ms Lesley Fleming
 Ms Jane Gibson
 Ms Margaret Harding
 Ms Michelle Hodgson
 Ms Gail Hubble
 Ms Kay Macpherson
 Ms Kim Parkinson
 Ms Sharon Smith
 Mr Francis Zemljak

Reserve Magistrates

Mr Greg Levine
 Mr Peter Power



Magistrate Fleming at the annual conference of the SPYCC hosted by the Children's Court of Victoria, November 2016.

Court locations

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 505(3) of the *Children, Youth and Families Act 2005* 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 nominated times, and as required, at court venues throughout the state.

1. Melbourne region:

Melbourne (headquarters court), Moorabbin (Family Division only), Broadmeadows (Family Division only), Neighbourhood Justice Centre (NJC Collingwood).

2. Grampians region:

Ballarat (headquarters court), Ararat, Bacchus Marsh, Edenhope, Hopetoun, Horsham, Nhill, St. Arnaud, Stawell.

3. Loddon Mallee region:

Bendigo (headquarters court), Castlemaine, Echuca, Kerang, Kyneton, Maryborough, Mildura, Ouyen, Robinvale, Swan Hill.

4. Broadmeadows

5. Dandenong

6. Frankston

7. Barwon South West region:

Geelong (headquarters court), Colac, Hamilton, Portland, Warrnambool.

8. Heidelberg

9. Gippsland region:

Latrobe Valley (Morwell) (headquarters court), Bairnsdale, Korumburra, Moe, Omeo, Orbost, Sale, Wonthaggi.

10. Ringwood

11. Hume region:

Shepparton (headquarters court), Benalla, Cobram, Corryong, Mansfield, Myrtleford, Seymour, Wangaratta, Wodonga.

12. Sunshine region:

Sunshine (headquarters court), Werribee





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