



**CHILDREN'S COURT
OF VICTORIA**

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CHILDREN'S COURT OF VICTORIA



ANNUAL REPORT
2000 - 2001



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Judge Jennifer Coate
President
Children's Court of Victoria

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Children's Court
Victoria

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26 October 2001

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

Dear Governor

CHILDREN'S COURT OF VICTORIA - ANNUAL REPORT 2000-2001

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 2000-2001.

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, appearing to be 'Jennifer Coate', written over a horizontal line.

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 Plan (see page 17) 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 manner which is easily understood by court users and the public generally.

VALUES

- Independence of the judiciary.
- Maintaining openness, accessibility and respect whilst protecting the anonymity of children and young persons before the Court.
- Timely resolution of cases.
- Innovative use of systems and technology.

PRESIDENT'S REPORT

This report encompasses the first full reporting year of operation of the Children's Court of Victoria under the new legislative structure created by the *Children and Young Persons (Appointment of President) Act 2000*.

S.8 of the *Children and Young Persons Act* has been amended to provide as follows:

8. Establishment of the Children's Court

- (1) There shall be a court called 'The Children's Court of Victoria'.
- (2) The Court shall consist of **a President**, the magistrates and the registrars of the Court.
- (3) The Court has the following Divisions –
 - (a) the Family Division;
 - (b) the Criminal Division.
- (4) Every proceeding in the Court must be commenced, heard and determined in one of those Divisions.
- (5) The Court must not sit as both Divisions at the same time in the same room.
- (6) Each Division has such of the powers of the Court as are necessary to enable it to exercise its jurisdiction.
- (7) The Court, in either Division, **shall be constituted by the President** or a magistrate except in the case of any proceeding for which provision is made by any Act for the Court to be constituted by a registrar.



Judge Jennifer Coate
President
Children's Court of Victoria

As a result of the proclamation of the Appointment of President Act, S.12 of the *Children and Young Persons Act* now provides as follows:

12. President

- (1) There is to be an office of President of the Children's Court.
- (2) The President must be a judge of the County Court who is appointed by the Governor in Council on the recommendation of the Attorney-General made after consultation with the Chief Judge.
- (3) Subject to this Act, the President holds office –
 - (a) for the term (not exceeding 5 years) that is specified in his or her instrument of appointment, and is eligible for re-appointment, and
 - (b) on any other terms and conditions that are specified in his or her instrument of appointment.
- (4) The appointment of a judge of the County Court as President does not affect his or her tenure of office or status as a judge nor the payment of his or her salary or allowance as a judge nor any other rights or privileges that he or she has as a judge.
- (5) Nothing in sub-section (4) limits the power of the Governor in Council to specify in the instrument of appointment of the President terms and conditions of appointment (other than as to salary or allowances), whether or not inconsistent with rights or privileges that he or she has as a judge.
- (6) Service in the office of President must be taken for all purposes to be service in the office of judge of the County Court.
- (7) Nothing in this Act prevents a judge of the County Court appointed as President from constituting the County Court for the purpose of the exercise by the County Court of any of its functions.
- (8) The President may exercise any power conferred on a magistrate by or under this or any other Act.

- (9) The ***Public Sector Management and Employment Act*** 1998 does not apply to the President in respect of the office of President.
- (10) The office of President becomes vacant if he or she ceases to hold the office of judge of the County Court.

Sittings in the County Court of Victoria

As reported in the Inaugural Annual Report of last year, I was sworn in as a judge of the County Court on 22 June 2000, and appointed as President of the Children's Court of Victoria on 26 June 2000.

As a result of these changes, by agreement with the Chief Judge, and with his encouragement, I commenced sitting at the County Court at Melbourne on 17 July 2000 and thereafter as follows:

17 July 2000 to 25 August 2000
 16 October 2000 to 20 October 2000
 4 June 2001 to 20 June 2001.

Further, there were five single days throughout the reporting period during which I sat in the County Court at Melbourne.

Acting President

Section 12A of the *Children and Young Persons Act* provides for the Appointment of an Acting President during a period of absence from the office of President. The following magistrates were appointed into the position of Acting President during my absence for duties in the County Court or periods of leave:

Anne Jeanette Maughan
 17 July 2000 to 25 August 2000

Louis Joseph Hill
 11 September 2000 to 24 September 2000

Brian Wynn-Mackenzie
 27 December 2000 to 28 January 2001

Peter Thomas Power
 4 June 2001 to 1 July 2001.

Development of the Court

The Children's Court was established by the proclamation of the *Children and Young Persons (Appointment of President) Act* 2000 as an autonomous specialist court which is separate from the Magistrates' Court (see Second Reading Speech, Hansard 4 May 2000). However, apart from the legislative amendments, no other executive or administrative changes were made. At this stage, the Children's Court does not have a separate budget from the Magistrate's Court, nor does it make its own budget bid.

Further, the Court is still developing its governance structure. To this end, the President and specialist magistrates of the Court agreed to set aside 15 and 16 March 2001 to meet and discuss these issues amongst others (see page 13: *Children's Court Judicial Conference*).

During the course of the two days of discussions, some attention was given to the subject of community education. It was agreed that the President and magistrates assigned to the Children's Court have a responsibility to educate court users and the community generally about the Court. It was also agreed that community education about the functions of the Court and the law under which the Court operates made it not only more accountable, but of more significance and more value to the community. It was agreed that lack of understanding, or more significantly, misunderstanding about the role and functions of the Court were counter-productive to its efficient operation. Further, it was agreed that an understanding about the work and principles of the Court assisted in maintaining the community's confidence in its operation.

Therefore, it was resolved as follows:

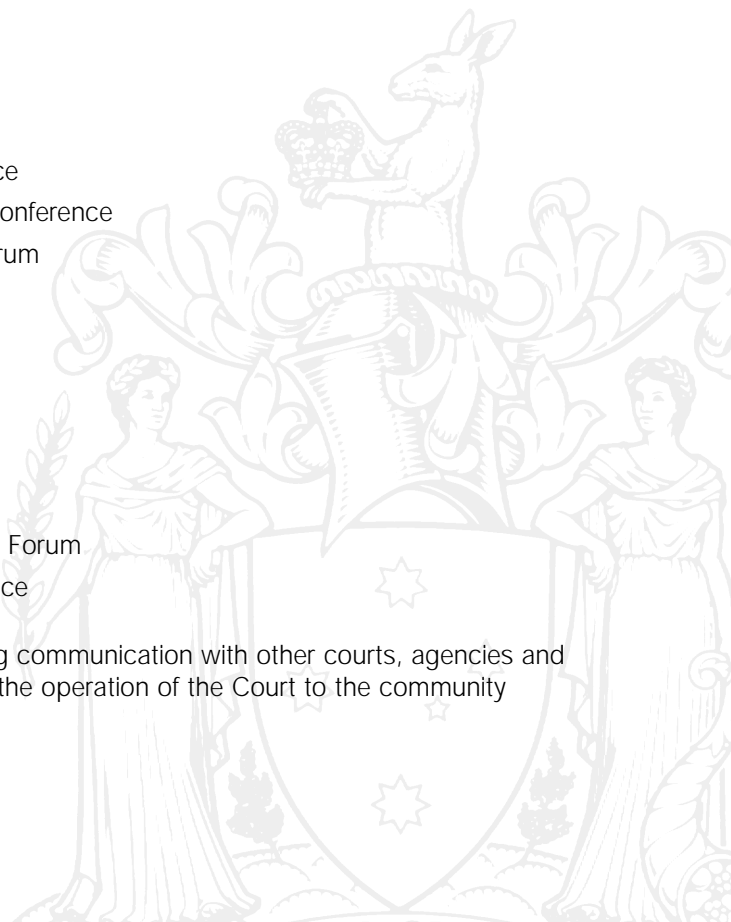
That it is the responsibility of the Children's Court to educate the community generally about the workings of the Court.

Pursuant to this resolution, the President, magistrates and staff of the Children's Court at Melbourne all regularly make themselves available for the almost weekly stream of visitors attending the Court, for observations of sittings, court tours and information sessions (see page 33: *Tours and Information Sessions*) outside Court sitting times.

The Court, through the President and its specialist magistrates, has also participated in education and awareness about the role, function and operation of the Court and its decision making in a number of forums external to the Court throughout the year including presentations at the following:

- High Risk Adolescents Conference
- Youth Substance Abuse Service Seminar
- Queen Elizabeth Centre Conference
- Criminal Bar Association Seminar
- Commercial Teachers' Association Conference
- Australian Institute of Criminology: Stalking Conference
- Neglect and Emotional Abuse of Children Forum
- Victorian Bar Readers' Course
- Melbourne University Family Law Students
- Monash University Family Law Students
- County Court Judges' Conference
- Victorian Institute of Forensic Medicine
- Child Protection Workers Induction Program
- Department of Human Services Reunification Forum
- Law Institute of Victoria Family Law Conference

The Court maintains its commitment to fostering communication with other courts, agencies and court users as well as providing information on the operation of the Court to the community generally.



The Court maintains judicial representation on the following bodies:

- Standing Committee of Australian and New Zealand Heads of Children and Youth Courts
- Australian Institute of Judicial Administration
- Women's Safety Co-ordinating Committee
- Family Law Council of Australia
- Police Youth Issues Liaison Group
- Co-ordinated Health Services for Abused Victorian Children Advisory Group
- Group Conferencing Advisory Group
- Family Violence Protocols Committee
- Forensic Psychology Advisory Board
- Magistrates' Court Professional Development Committee
- Adoption Committee: County Court of Victoria
- Victorian Aboriginal Child Care Agency Protocol Working Group
- Information Technology Committee (Magistrates' Court of Victoria)
- Executive Committee of the Magistrates' Court of Victoria
- International Association of Youth and Family Judges and Magistrates

Courts Consultative Council

The Children's Court of Victoria, represented by the President, has now taken its place on the Courts Consultative Council in its own right. The Council is made up of the heads of each of the State courts and the President of the Victorian Civil and Administrative Tribunal, and is chaired by the Attorney-General. The Council meets approximately four times per year. It is a great step forward for the Children's Court of Victoria to be given its own representation on this Council.

Council of Magistrates

At the March 2001 meeting of the Council of Magistrates, a resolution was passed that the President of the Children's Court, no longer a magistrate formally, has standing as a non-voting member of that Council.

Council of Judges

The President of the Children's Court, now required to be a County Court judge, will always be a voting member of the Council of Judges.

The developing structure of the governance of the Children's Court, and how it intersects with the Magistrates' Court is still under construction. A great deal of work and discussion has taken place to date, but it has been agreed that it is important to settle the newly developed governance structure of the Magistrates' Court before endeavouring to finalise an appropriate structure for the Children's Court of Victoria (see page 13: *Children's Court Judicial Conference*).

World Congress October 2002

During the reporting period, the Children's Court of Victoria agreed to jointly host the World Congress of the International Association of Youth and Family Judges and Magistrates which will be held in Melbourne in October, 2002.

The Association is a non-government organisation with consultative status at the United Nations. It was founded in 1928 and was registered in Brussels, Belgium. The Association represents worldwide efforts to deal with family matters and the protection of children and young people, and with the criminal behaviour and developmental and adjustment problems of youth.

Every four years, the Association holds an international congress which constitutes the focal point of the Association's work with the aim of the congress being to assemble people from all over the world active in the protection of youth and the family to consider issues which fall within the realm of family courts and children and youth courts.

This congress is an historic event in Australian and New Zealand judicial history. It is being co-hosted and sponsored by the Family Court of Australia, the Family Court of New Zealand, the Youth Court of New Zealand, the Children's Court of Victoria, the Magistrates' Court of Victoria and the Federal Magistrates' Service.

The local organising committee is comprised of members of each of the courts named above and has spent many hours during the reporting period in the planning of this congress.

"Griff's" Farewell

On 13 July 2001, the Court formally farewelled Brigadier Doreen Griffiths of the Salvation Army. Brigadier Griffiths, known to all as "Griff", has been well recognised as an institution at the Children's Court for the past 21 years.

A plaque was placed outside the children's play area of the Court bearing the following words:



Judge Jennifer Coate, Brigadier Doreen Griffiths, Margaret Ardley (Legal Practitioner) and Commissioner Doug Davies at Griff's formal farewell from the Children's Court.

This area is dedicated to Brigadier Doreen Griffiths affectionately known as "Griff" of the Salvation Army who gave 21 years of outstanding and tireless service to all who came in contact with the Melbourne Children's Court

"Griff's" care and contribution to the children and families who have attended the Children's Court over the 21 years of her service here was well recognised by the many in attendance on the occasion of the unveiling of the plaque. The Chief Magistrate, Mr Ian Gray, Deputy Chief Magistrate, Mr Brian Barrow and the former Senior Magistrate of the Children's Court, Mr Greg Levine were among the many who attended to honour her work at the Court over the years.

Security

Security at the Children's Court at Melbourne remains a daily issue. However, it is pleasing to note that since reporting last year, the Court has been assigned two full-time dedicated Victoria Police Protective Services officers who maintain a daily presence at the Court on a rostered basis. The officers are kept busy and have maintained a high level of rapid and effective response rates to security problems as well as containing potential difficulties by maintaining an appropriate presence both in and around the Court.

Since commencing at the Court in December, 2000 the Protective Services officers have been involved in a number of incidents of threats to kill, assault and offensive behaviour. On a number of occasions it has been necessary to make requests for extra officers to assist in response to potential security incidents. The officers have also on occasion given assistance to persons who have required medical treatment or conveying to hospital.

The Court expresses its most sincere appreciation to those Protective Services officers who have been assigned to the Court in the latter part of the reporting period for their professionalism and responsiveness in this most difficult area. We believe it is no coincidence that the reduction in damage to the Court complex is directly related to their presence.

The Court also wishes to acknowledge the significant ongoing contribution of the Chubb Security personnel assigned to the Court who, prior to the commencement of Protective Services, had sole responsibility for maintaining court security without the benefit of having powers of containment or arrest.

Delays in Juvenile Crime

Having reported upon this problem in the last annual report, it is noted that the issue remains unaddressed. There are numbers of charges which come before the Court where many months have elapsed between date of issue and date of offence.

Regionalittings

The Children's Court of Victoria continues to operate throughout Victoria at gazetted times and locations as detailed on page 12 of this report.

The Children's Court at Melbourne continues to be the only region of the Court which sits daily in both Divisions. Magistrates in the metropolitan and country regions continue to sit as Children's Court magistrates in both divisions on gazetted days at regional Magistrates' Courts.

However, consistent with the policy detailed in last year's annual report, the full-time specialist Children's Court magistrates at Melbourne continue to provide as much assistance as possible to the regional sittings of the Children's Court in both metropolitan and country regions. This has required Children's Court magistrates sitting at Melbourne to either travel into country regions for some days at a time to hear child protection matters, or to hear lengthy metropolitan criminal matters at Melbourne.

The figures in the following table illustrate both the increase in demand and delivery over the reporting period:

**NUMBER OF COUNTRY AND METROPOLITAN CASES LISTED TO BE HEARD
AT MELBOURNE OR BY MELBOURNE CHILDREN'S COURT MAGISTRATES SITTING
IN REGIONAL COURTS**

	1999 – 2000	2000 – 2001
COUNTRY (Family Division contests)	17	43
METROPOLITAN (Criminal Division contests)	13	29

Conclusion

The Court continues to grow and develop in these early stages of the 21st century. Like many other jurisdictions, the Children's Court faces the enormously complex problems of both adult and youth drug and alcohol abuse, adult and youth mental health problems, and poverty and social dislocation in both the child protection and juvenile crime jurisdictions. Daily, the Court sits at the intersection of law, society and reality and endeavours to fulfil its statutory obligations in this context.

I wish to express my sincere appreciation to the staff of the Children's Court throughout Victoria for their co-operation and efforts on behalf of the Court. However, I wish to make particular mention of the staff of the Children's Court at Melbourne who continue to maintain a high standard of professional knowledge and expertise in dealing with the many difficult and complex issues arising daily at the Court.

This view of the staff at Melbourne was corroborated by the Department of Justice Customer Survey (see page 17) commissioned during the reporting period which reflected a high level of satisfaction with the staff by a range of court users.

The ongoing support and supervision of the staff provided by the Principal Registrar, Mr Godfrey Cabral has no doubt assisted in the Court at Melbourne gaining such a positive result in this survey. He is very capably assisted by Ms Jan Trevaskis in the role of Office Manager. The Court continues to maintain a solid performance in case management largely due to the capacity and commitment of the Co-ordinator, Ms Sue Higgs.

I also wish to acknowledge and thank the officers and staff of the following for their ongoing hard work and commitment to their respective areas of responsibility at the Children's Court:

- Victoria Legal Aid,
- Court Advisory Unit, Department of Human Services,
- Juvenile Justice Court Advice Unit, Department of Human Services,
- Victoria Police Prosecutions Unit, and
- Victoria Police - Court Custodial Facility.

Recognition must be given again to the continuing fine and enthusiastic efforts of all magistrates working in this demanding jurisdiction, but in particular to those magistrates working full-time in the Children's Court at Melbourne.

Finally, my heartfelt thanks to Janet Matthew who has so capably performed the role of Court Liaison Officer at the Children's Court throughout the reporting period as well as being my Associate during periods of sitting at the County Court. Special thanks to David Whelan, my Tipstaff who has loyally followed me everywhere throughout the year always ensuring a smooth path both before and after me.

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.

The Criminal Division of the Court has jurisdiction to hear and determine summarily all offences (other than murder, attempted murder, manslaughter, culpable driving and death by arson) 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. 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.



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
 Mr Lou Hill
 Mr Clive McPherson
 Ms Jeanette Maughan
 Mr Peter Power
 Ms Wendy Wilmoth
 Mr Brian Wynn-Mackenzie

Principal Registrar

Mr Godfrey Cabral

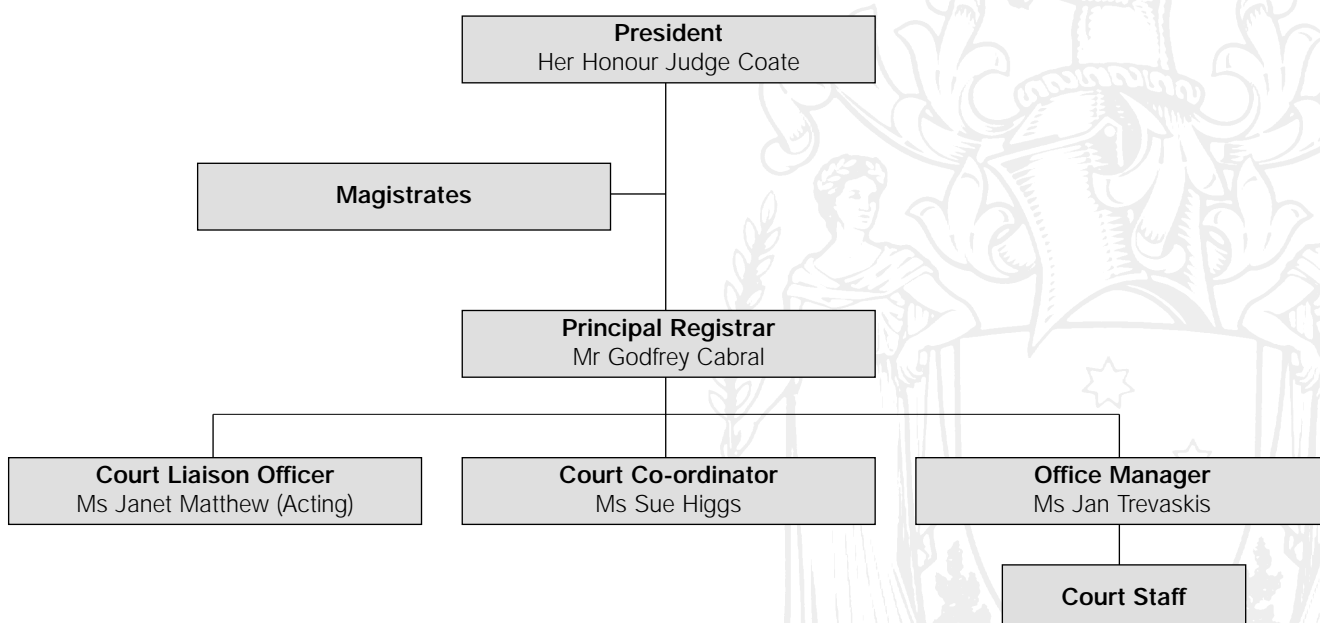
Senior Registrars

Ms Sue Higgs (Court Co-ordinator)
 Ms Jan Trevaskis (Office Manager)

Court Liaison Officer

Ms Janet Matthew (Acting)

Organisational Structure of the Children's Court at Melbourne



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), Castlemaine, Echuca, Kerang, Kyneton, Mildura, Robinvale, Swan Hill.
4. Broadmeadows.
5. Dandenong.
6. Frankston.
7. Geelong region:
Geelong (headquarters court), Colac.
8. Heidelberg region:
Heidelberg (headquarters court), Preston.
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 region 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, Judge Jennifer Coate. 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

COMPUTERISATION IN THE FAMILY DIVISION

During the 1999-2000 financial year the Family Division computer system, "Lex" was developed and installed at the Melbourne Children's Court. On 3 July 2000 it commenced operation at Melbourne after many hours of preparation by members of staff.

Lex's first month of operation was used as a pilot project to test the system under a full case load and to iron out any glitches that occurred. The process was even more successful than anticipated and enabled the rollout to rural court locations to commence in early August.

The hectic rollout schedule involved program installation and training of staff by Mary Marysej (Assistant State Training Officer) and Jan Trevaskis (Children's Court Manager) being conducted simultaneously. In all, staff from 30 courts were trained at 11 venues over the period from 8 August 2000 to 15 September 2000.

Despite the distinct differences between traditional case management systems used in courts and the new Lex system, Children's Court clerks statewide have adapted to its use over the last financial year and with the support of Melbourne staff are becoming proficient in its use. Training of further members of staff has continued at Melbourne Children's Court since October 2000 and the user manual is available online to all court staff on the Magistrates' Court Resource Centre.

Court staff have offered many suggestions for the second stage of Lex which will provide greater functionality and ease of use, especially in the areas of order processing, printing and system maintenance. More sophisticated statistical reports under stage two will assist the Court and the Department of Human Services with monitoring and planning in the jurisdiction. It is anticipated that stage two will be completed by January 2002.

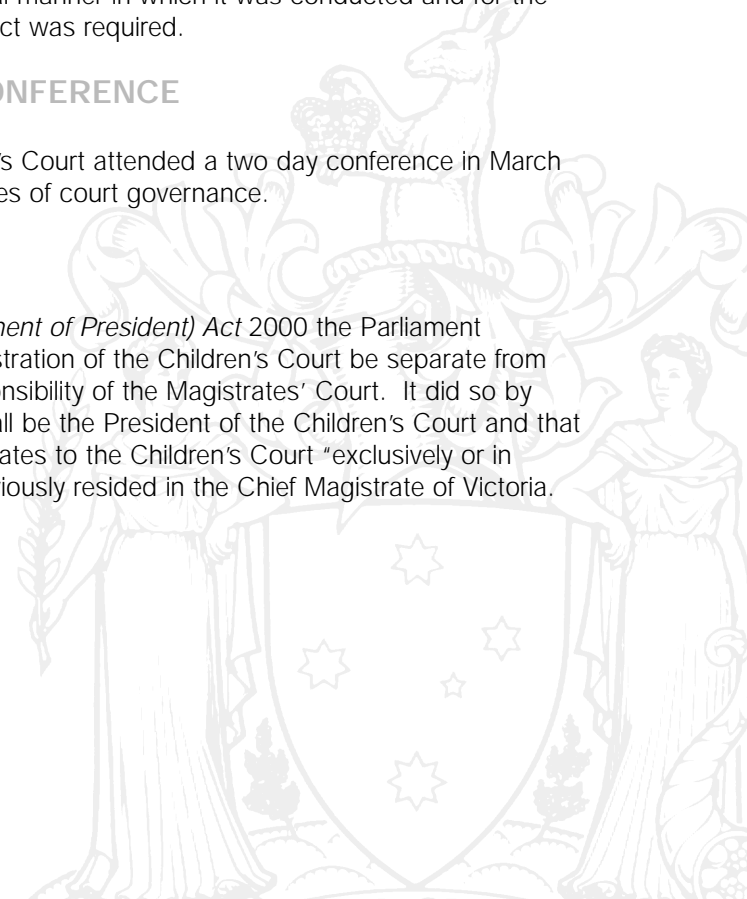
The statewide introduction, training and support provided by Mary Marysej and Jan Trevaskis deserves a special mention for the professional manner in which it was conducted and for the limited timeframe in which delivery of the project was required.

CHILDREN'S COURT JUDICIAL CONFERENCE

The President and magistrates of the Children's Court attended a two day conference in March 2001 primarily to consider and determine issues of court governance.

Background

By the *Children and Young Persons (Appointment of President) Act 2000* the Parliament expressed its intention that the judicial administration of the Children's Court be separate from other courts and therefore no longer the responsibility of the Magistrates' Court. It did so by providing that a judge of the County Court shall be the President of the Children's Court and that the President has the power to assign magistrates to the Children's Court "exclusively or in addition to any other duties". This power previously resided in the Chief Magistrate of Victoria.



Magistrates who are exclusively assigned ordinarily sit only in the Children's Court although by arrangements made between the President and the Chief Magistrate they also sit in the Magistrates Court from time to time if it is expedient to do so. Those magistrates who are assigned "in addition to any other duties" ordinarily sit in the Magistrates' Court and for relatively short periods in regional Children's Courts. Should a regional Children's Court matter need a substantial period of time to be heard the President will arrange for an exclusively assigned magistrate to attend that region to enable the regional magistrates to continue with their Magistrates' Court sittings. This separation of the two courts facilitates the development of expertise and the administration of the statewide Children's Court.

The budget, administrative staff and other administrative resources of the Children's Court continue to be provided by the Magistrates' Court. As yet no separate arrangements have been developed.

These new developments led the Children's Court President and magistrates "assigned exclusively" to agree that it was necessary for them to meet together for a concentrated period of time to develop and determine administrative policy for the structure, operations and budget of the Court. Similarly, it was necessary to develop policies on judicial education, judicial stress, legislative review and administrative resources. Consequently, the President and the magistrates exclusively assigned to the Children's Court decided to consider these matters in a two day conference in March 2001.

Consideration was given to using a professional facilitator but after a cost benefit analysis it was agreed the President and magistrates would nominate their own members as facilitators for individual topics. Their appreciation of the complexities of the issues contributed to successfully reaching understandings and determinations. The following were the main issues and their resolutions:

Governing Structure of the Children's Court

WHEREAS the Children's Court was established by the proclamation of the Children and Young Persons (Appointment of President) Act 2000 as an autonomous specialist court which is separate from the Magistrates' Court (see Second Reading Speech, Hansard 4 May 2000).

IT IS AGREED by this meeting of the President and the magistrates exclusively assigned to the Children's Court that

Policy decisions of the Children's Court should be the responsibility of the President and all the magistrates assigned to the Children's Court in consultation with the Principal Registrar.

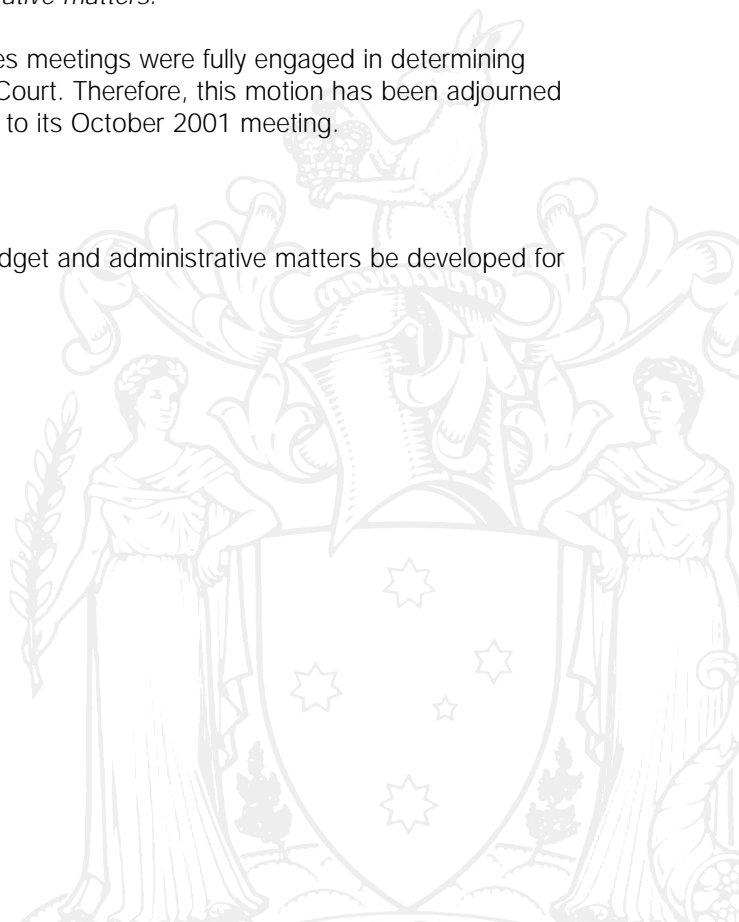
On 30 March 2001 when all magistrates assigned to the Children's Court are attending a meeting of the Council of Magistrates the following motion should be put for determination to all those members of the Council of Magistrates who are assigned as magistrates to the Children's Court:

1. That a council of the magistrates assigned to the Children's Court, consisting of the President and all magistrates assigned to the Children's Court, known as the *Children's Court Judicial Council*, must meet on days
 - (a) when the Council of Magistrates meets
 - (b) fixed by the President in consultation with the Chief Magistrate, or
 - (c) requested by one third or more of the total number of magistrates assigned to the Children's Court
 to:
 - (i) develop and maintain the Court's specialist responsibilities;
 - (ii) develop and maintain standards for the consistent treatment of children and young persons in the Court statewide;
 - (iii) consider the operations of the Children and Young Persons Act 1989 and the Rules of Court;
 - (iv) consider the working of the offices of the Children's Court and the arrangements relating to the duties of court officials;
 - (v) inquire into and examine any defects which appear to exist in the system of procedure or the administration of the law in the court
 - (vi) report annually through the President to the Governor on the operation of the Court.
2. That the Children's Court Judicial Council appoint an *Executive Committee* to make decisions on behalf of the Council between Council meetings and within the framework of Council policy by way of the Council's delegated authority.
3. That the *Executive Committee* consist of the President, and all magistrates exclusively assigned to the Children's Court together with four magistrates elected by the Council for a period of two years two of whom shall be from separate metropolitan regions and two from separate country regions and the Chief Magistrate as an *ex officio* member.
4. That the *Executive Committee* is to meet no less than 10 times per annum.
5. That the *Principal Registrar* of the Children's Court must report to the Children's Court Judicial Council or to the *Executive Committee* on all administrative matters.
6. That the *Executive Committee* has a responsibility to report to the *Principal Registrar* the details of all resolutions relating to administrative matters.

The March and July 2001 Council of Magistrates meetings were fully engaged in determining court governance policies for the Magistrates' Court. Therefore, this motion has been adjourned for determination by the Council of Magistrates to its October 2001 meeting.

Administrative Arrangements

It was resolved that a structure for separate budget and administrative matters be developed for the Children's Court of Victoria.



Education

It was agreed that the magistrates assigned to the Children's Court have a responsibility to educate court users and the public about the Court. The *Children and Young Persons Act 1989* expects this through the Court Liaison Officer. There is a need for a planned co-ordinated approach.

Therefore it was resolved:

That it is the responsibility of the Children's Court to educate the community generally about the workings of the Court.

To provide ongoing judicial training, it was resolved:

- (i) That a continuing education program for magistrates assigned to the Children's Court be further developed. This should include judgement writing.*
- (ii) That training is necessary for all magistrates in word processing and information technology research tools and that voice recognition technology should be available to those who choose to use it.*
- (iii) As a matter of principle, magistrates not be allocated immediately after a case to enable them to write a decision.*

Occupational Health And Safety

It was agreed that there is a lack of development of occupational health and safety policies and that resources are required to effectively deal with these issues. Much more work is required to be undertaken in this area.

Other topics covered included:

- Liaison with relevant agencies and professionals,
- Review of legislation,
- IT support,
- Regional sittings, and
- Development of possible alternatives to the adversarial process.

STATEWIDE CHILDREN'S COURT CO-ORDINATORS' CONFERENCE

In keeping with the President's views and efforts to standardise practices and procedures throughout the jurisdiction, a Statewide Court Co-ordinators' Conference was held at the Melbourne Children's Court on 10 November 2000.

The conference was officially opened by Judge Jennifer Coate and was jointly conducted by Principal Registrar, Godfrey Cabral, and Melbourne Children's Court Co-ordinator, Sue Higgs. Discussions held during the conference clearly highlighted the discrepancies that existed between the various courts in caseload management and general procedures.

Regular conferences have been planned to assist in maintaining and updating the guidelines and consistent statewide practices which have now been established.

CHILDREN'S COURT SURVEY

A bi-annual statewide survey of all Children's Court user groups was conducted by the Chief Executive Officer in May 2001. The survey covered various aspects of the operations and facilities of the Children's Court of Victoria.

The results of the survey indicated a high level of satisfaction with the service provided by the organisation as a whole, with some requests for better facilities in some suburban and country courts being received.

The efforts of Children's Court staff were commended in a memorandum of congratulations from Mr John Griffin, Executive Director, Courts (Department of Justice).

THREE YEAR STRATEGIC PLAN/ANNUAL ACTION PLAN

In support of the Three Year Strategy which outlines the broad directions being pursued by the Justice portfolio, the Children's Court has developed a Three Year Strategic Plan which outlines the strategy for delivery of Children's Court objectives for the period 1 July 2001 to 30 June 2004. An Annual Action Plan for implementation of the Court's objectives during the year 2001-2002 has also been established.

The plans were developed by representatives of both the judicial and administrative arms of the Court, and address the vision, purpose, values, and core business of the Children's Court of Victoria.

VISITS TO COUNTRY REGIONS

During the reporting period Judge Jennifer Coate and staff members of Melbourne Children's Court visited regional courts in Geelong and Bendigo. The visits provided an opportunity to meet local magistrates and court staff, discuss the unique issues facing each community and to find ways in which the Children's Court at Melbourne could give any assistance needed to country Children's Courts. The visits also provided an opportunity to meet with court users such as police, legal practitioners and representatives from the Department of Human Services to discuss procedures and practices, and any issues relating to their work in the Children's Court.



Mick Bolte (Court Co-ordinator, Geelong), Ian von Einem (Senior Magistrate, Geelong), Judge Jennifer Coate and Jan Trevaskis (Office Manager, Melbourne Children's Court).

LAW WEEK - COURTS OPEN DAY



Judge Jennifer Coate addresses visitors to the Melbourne Children's Court on Courts Open Day.

On 19 May 2001, Courts Open Day was held as part of Law Week. Law Week is a national event which in this State is managed by the Law Institute of Victoria. Approximately 300 members of the public took advantage of the opportunity to visit the Melbourne Children's Court at its still relatively new location at 477 Little Lonsdale Street. Tours of the Court were conducted by the President, Judge Jennifer Coate, Magistrate, Mr Peter Power and Deputy Registrar, Ms Megan Cripps. Mr Power

also conducted several information sessions throughout the day which were well attended. These sessions provided a rare opportunity for members of the public to have their questions answered by a judicial member of the Court.



Magistrate Peter Power conducts one of several information sessions on Courts Open Day.

COURT NETWORK AT THE CHILDREN'S COURT

Court Network operates a statewide support, information and referral service to assist people attending Victorian courts. During the reporting period Court Network received a commitment from the William Buckland Foundation to fund a pilot program in the Children's Court at Melbourne for a period of three years. 20 volunteers who were identified as suitable for Children's Court work participated in a training program which included presentations by Judge Jennifer Coate, Magistrate, Mr Peter Power and Principal Registrar, Godfrey Cabral.

Court Network commenced operations in the Children's Court in May 2001 and has two volunteer "Networkers" at the Court each day. During the period 2 May 2001 to 30 June 2001, 325 contacts were made between Networkers and members of the public at the Melbourne Children's Court. A room at the Court has been permanently allocated for use by Court Network staff and volunteers.

The Court gratefully acknowledges the work in establishing the program of Court Network's Executive Director, Wendy Taylor, and Children's Court Program Manager, Frances McAloon, along with all the volunteer Networkers who have made it a reality.

The support provided to members of the public by Court Network complements the long-standing and invaluable presence at the Children's Court of members of the Salvation Army (see page 7, President's Report: *"Griff's" Farewell*).

3 OPERATIONAL & STATISTICAL REPORT

COURT STATISTICS

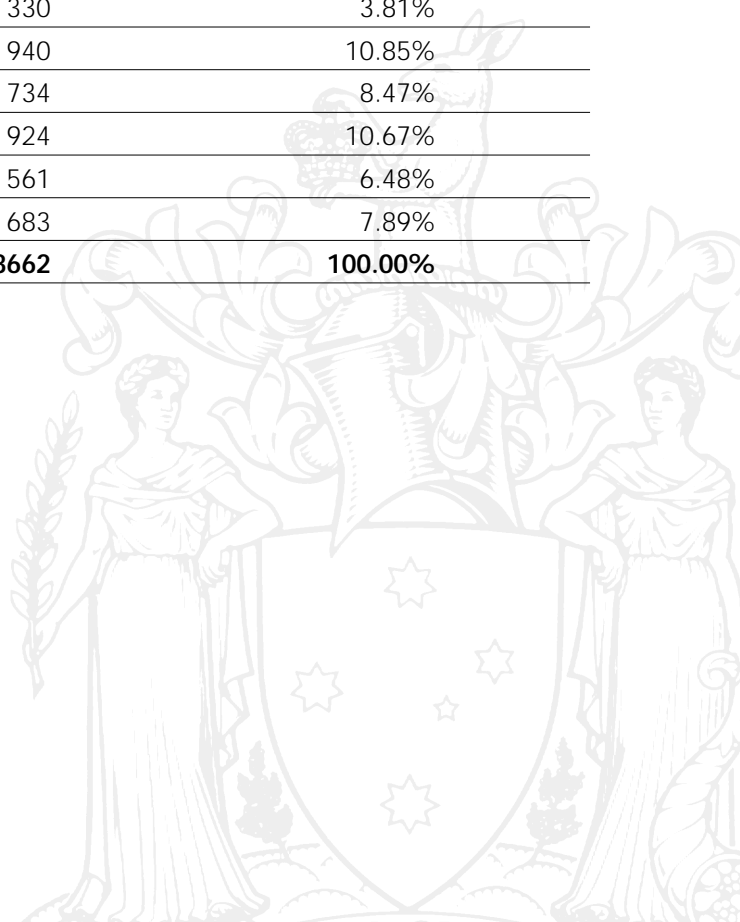
The statistics of the Children's Court are an essential resource for those directly or indirectly involved with the Court and for the community as a whole. The figures produced are vital to the understanding of issues relating to children and young persons, and to the subsequent allocation of resources required to meet the needs that the statistics highlight.

Tabled below are the various figures for each jurisdiction during the reporting period collated by the newly formed Business Analysis section within Court Services of the Department of Justice. The statistics provided for this reporting period have been collated using a series of new counting and collating methods which will now form the basis of all statistical reporting in the future.

CHILDREN'S COURT OF VICTORIA CRIMINAL CASES INITIATED 2000-2001

TABLE 1

REGION	NUMBER	PERCENTAGE
Melbourne	1476	17.04%
Ballarat	485	5.60%
Bendigo	578	6.67%
Broadmeadows	462	5.33%
Dandenong	710	8.20%
Frankston	779	8.99%
Geelong	330	3.81%
Heidelberg	940	10.85%
Moe	734	8.47%
Ringwood	924	10.67%
Shepparton	561	6.48%
Sunshine	683	7.89%
TOTALS:	8662	100.00%



**CHILDREN'S COURT OF VICTORIA
CRIMINAL CASES FINALISED - BY REGION**

TABLE 2

REGION	1998-1999	1999-2000	2000-2001
Melbourne	1096	1678	1609
Ballarat	489	409	456
Bendigo	371	439	559
Broadmeadows	435	359	428
Dandenong	530	619	686
Frankston	369	367	693
Geelong	428	391	327
Heidelberg	489	845	964
Moe	621	555	717
Ringwood	690	703	793
Shepparton	453	404	547
Sunshine	273	551	673
TOTALS:	6244	7320	8452



**CHILDREN'S COURT OF VICTORIA
OUTCOMES IN FINALISED CRIMINAL CASES**

TABLE 3

DISPOSITION	1998/1999	1999/2000	2000-2001
Not Proven			
Struck Out	373	964	5359
Dismissed	103	197	453
Discharged			74
Subtotal	476	1161	5886
Proven			
Dismissal without conviction	186	197	453
Convicted and discharged			27
Non-accountable undertaking	74	73	134
Accountable undertaking	450	542	1209
Good behaviour bond	1741	1708	4820
Fine	1953	1517	2523
Probation	734	639	4169
Youth supervision order	356	278	2359
Youth attendance order	69	56	591
Youth residential centre	22	33	280
Youth training centre	156	142	1649
Committed for trial			8
Unknown	21	17	598
Subtotal	5762	5202	18820
TOTAL NUMBER OF CASES:	6238	6363	24706

Notes:

The increase in figures for 2000-2001 reflects a change in counting methods used whereby "charges" have been counted as opposed to "cases" being counted in previous years.

The difference between the total figures for "Cases Heard" and "Dispositions" in the years 1998/1999 and 1999/2000 are due to the fact that when a defendant appears in court for a number of unrelated matters, these can be grouped into a "super" case (i.e. one case). In counting the number of cases heard, each individual component case is counted, whereas for dispositions only the "super" case for the defendant is counted.

The figures shown for "Proven" subtotal and "Total Number of Cases" for the year 1998/1999 have been amended due to an error in calculation in last year's annual report.

TABLE 4

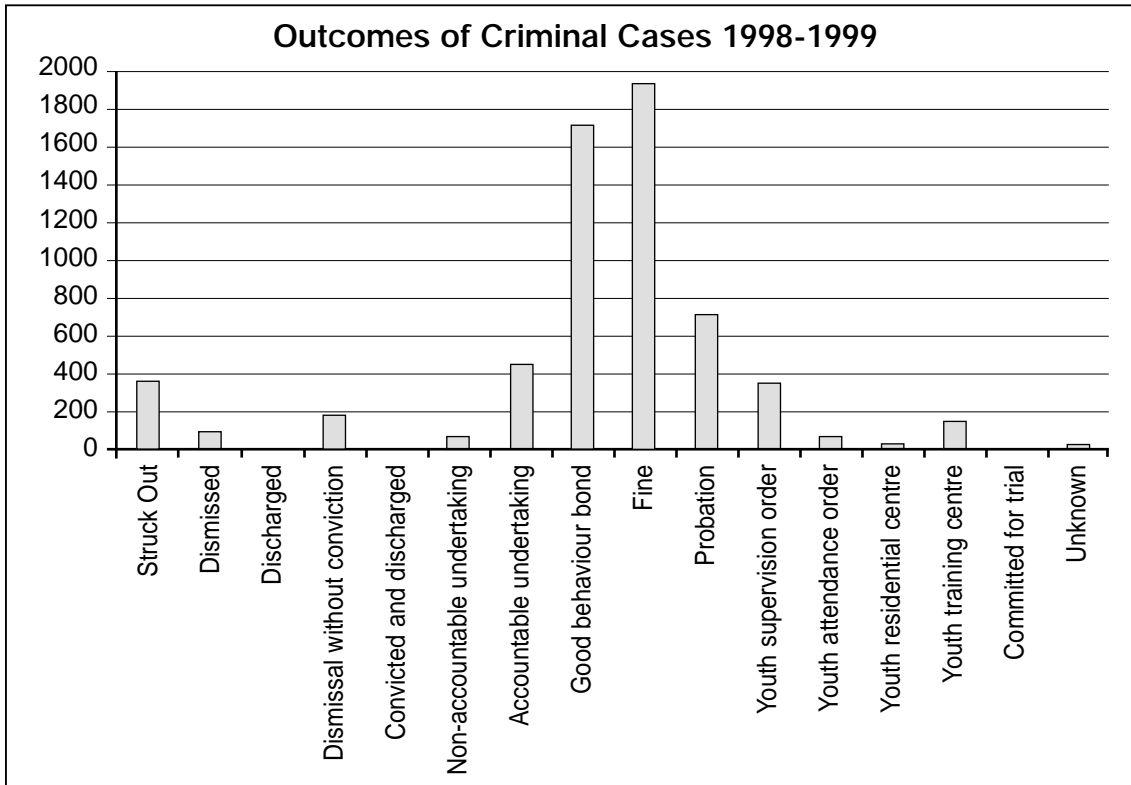


TABLE 5

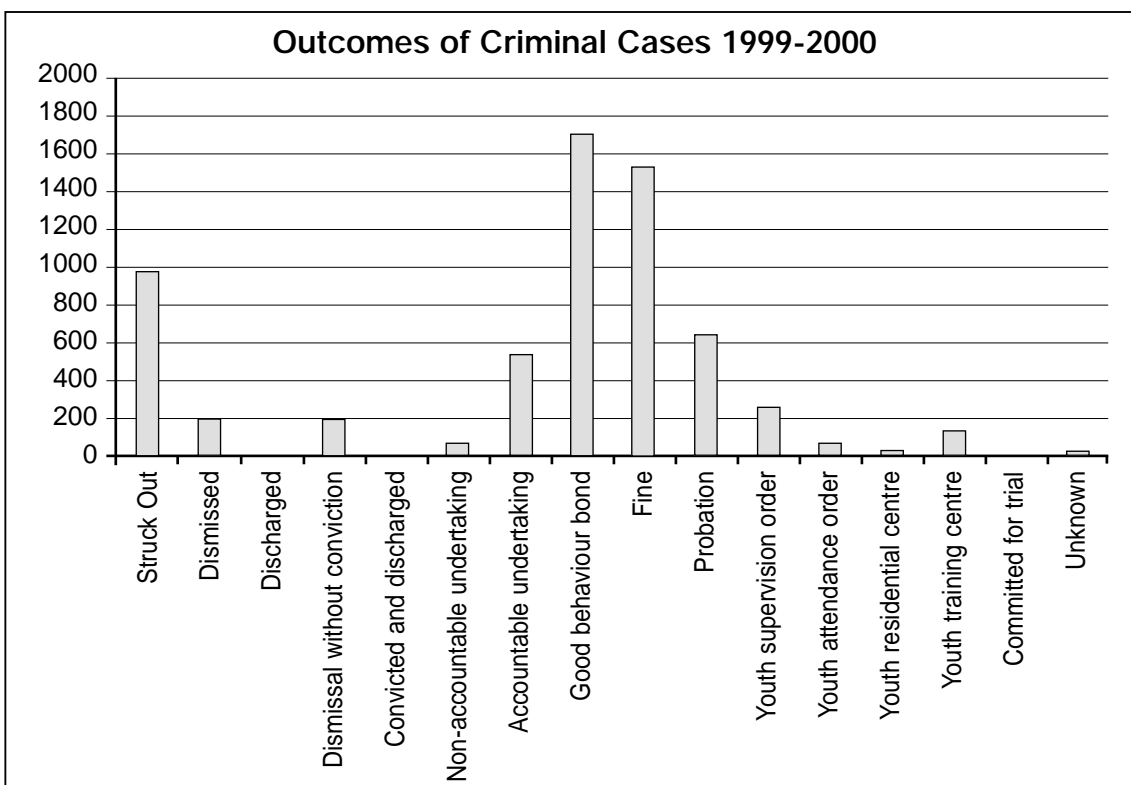
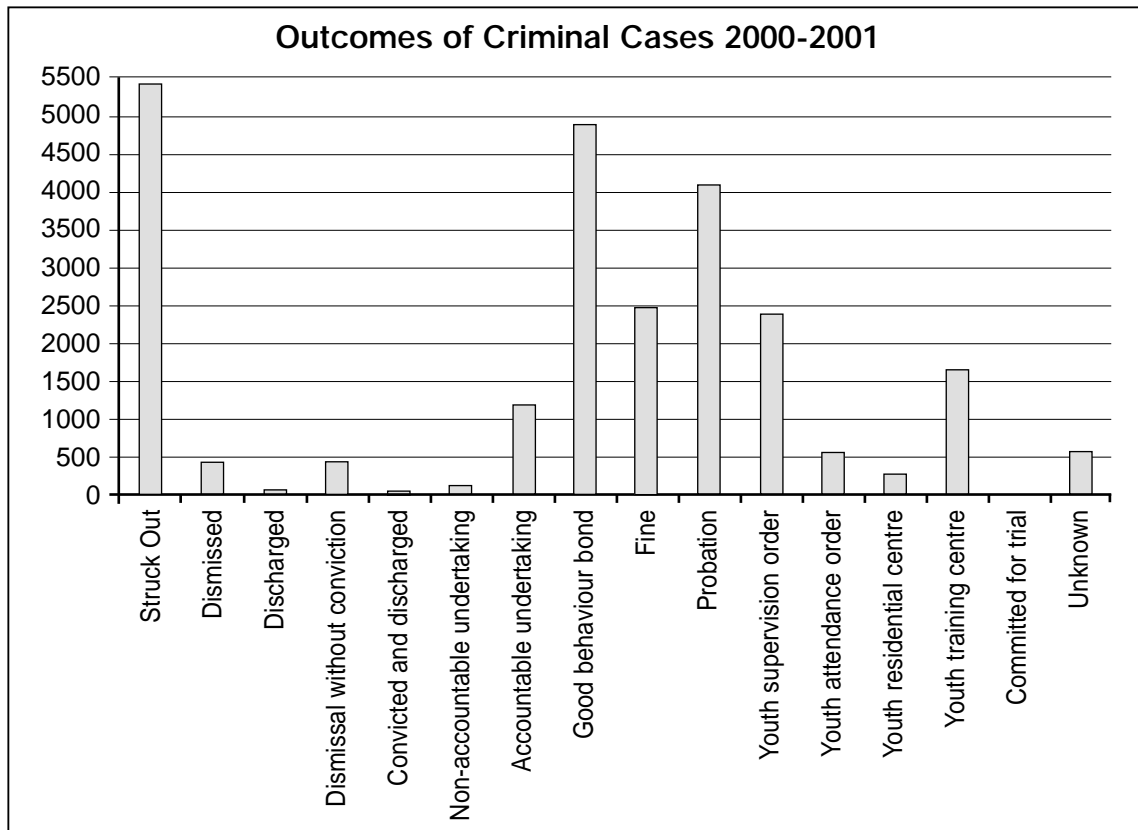


TABLE 6



**CHILDREN'S COURT OF VICTORIA
FAMILY DIVISION ORDERS MADE
2000-2001**

TABLE 7

ORDER	NUMBER
Adjournment	4413
Custody to Secretary Order	1073
Custody to Third Party Order	12
Dismissed	39
Extension of Custody to Secretary Order	893
Extension of Interim Accommodation Order	5428
Extension of Guardianship to Secretary Order	501
Free Text Order	1184
Guardianship to Secretary Order	393
Interim Accommodation Order	3940
Interim Protection Order	783
Permanent Care Order	156
Refusal to Make Protection Order	114
Search Warrant	735
Struck Out	432
Supervised Custody Order	13
Supervision Order	1128
Undertaking - Application Proved	82
Undertaking - Dismissed	8
Undertaking - Refusal to Make Protection Order	7
Undertaking - Struck Out	83
Undertaking - To Appear/Produce Child Under CYPA	1
Country dispositions from manual returns	256
TOTAL:	21674

Notes:

Figures include manual returns provided by country regions prior to computerisation.

**CHILDREN'S COURT OF VICTORIA
FAMILY DIVISION ORDERS MADE - BY REGION
2000-2001**

TABLE 8

BALLARAT REGION	ORDERS MADE
Ararat	51
Bacchus Marsh	0
Ballarat	869
Castlemaine	3
Hamilton	77
Hopetoun	0
Horsham	173
Maryborough	37
Nhill	0
Ouyen	0
Portland	81
St Arnaud	12
Stawell	28
Warrnambool	366
TOTAL:	1697

BENDIGO REGION	ORDERS MADE
Bendigo	834
Echuca	65
Kerang	52
Kyneton	57
Mildura	306
Robinvale	19
Swan Hill	285
TOTAL:	1618

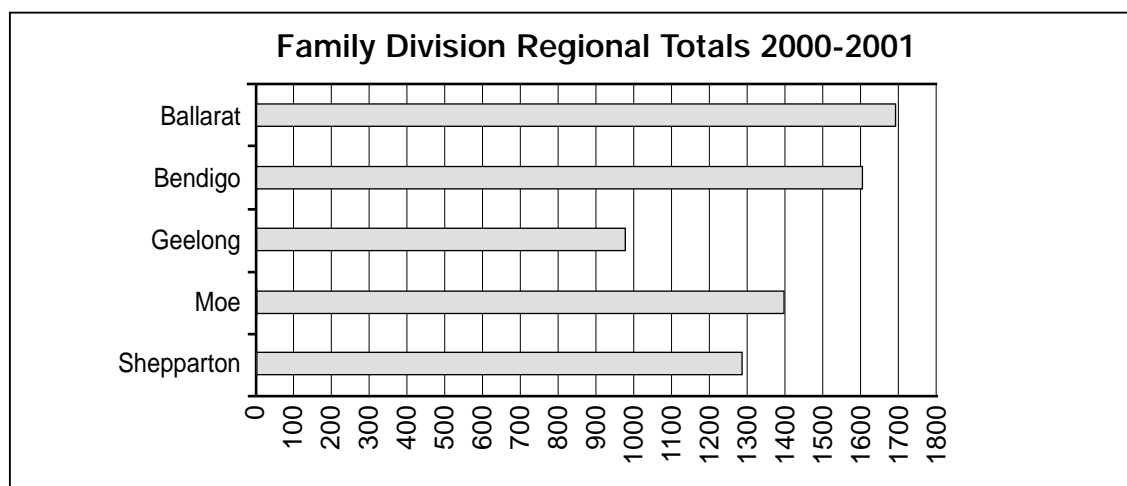
GEELONG REGION	ORDERS MADE
Colac	7
Geelong	964
TOTAL:	971

MOE REGION	ORDERS MADE
Bairnsdale	247
Korumburra	65
Moe	886
Morwell	4
Omeo	0
Orbost	9
Sale	187
Wonthaggi	3
TOTAL:	1401

SHEPPARTON REGION	ORDERS MADE
Benalla	114
Cobram	0
Corryong	0
Mansfield	16
Myrtleford	4
Seymour	126
Shepparton	440
Wangaratta	323
Wodonga	262
TOTAL:	1285

MELBOURNE REGION	ORDERS MADE
Melbourne	14702
TOTAL:	14702

TABLE 9



**CHILDREN'S COURT OF VICTORIA
APPLICATIONS FOR INTERVENTION ORDERS
NUMBER OF AGGRIEVED FAMILY MEMBERS FINALISED**

TABLE 10

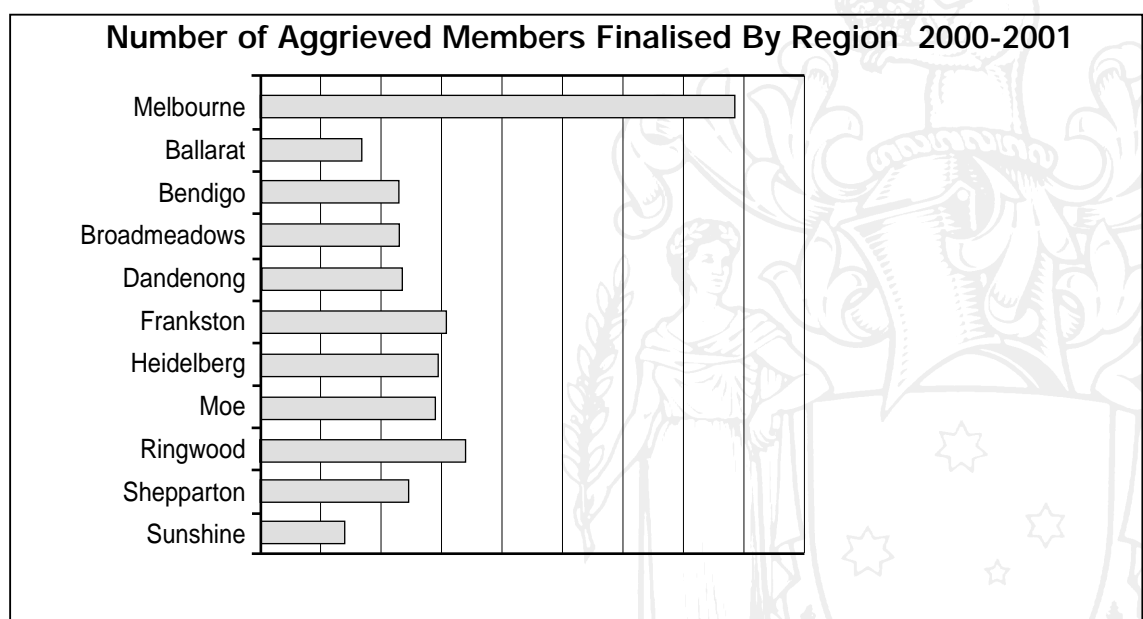
REGION	2000-2001
Melbourne	154
Ballarat	31
Bendigo	43
Broadmeadows	44
Dandenong	47
Frankston	64
Geelong	-
Heidelberg	59
Moe	56
Ringwood	67
Shepparton	51
Sunshine	28
TOTAL:	644

Notes:

Figures for Geelong not available for the reporting period.

For the purposes of tables 10 and 11 an Aggrieved Family Member is finalised when an Intervention Order is made, or where an application for an Intervention Order is struck out, withdrawn or dismissed.

For the purposes of tables 10 and 11 the number of Aggrieved Family Members finalised includes family members and victims of stalking.

TABLE 11

**TABLE 12 CHILDREN'S COURT OF VICTORIA
OUTCOME OF APPLICATIONS FOR INTERVENTION ORDERS
NUMBER OF AGGRIEVED FAMILY MEMBERS**

OUTCOME	2000-2001
Order Made	332
Dismissed	31
Struck Out	175
Withdrawn	105
Revoked	1
TOTAL:	644

**TABLE 13 CHILDREN'S COURT OF VICTORIA
APPLICATIONS FOR INTERVENTION ORDERS
STALKING/NON-STALKING
NUMBER OF AGGRIEVED FAMILY MEMBERS**

STALKING/OTHER	2000-2001
Victim of Stalking	288
Other	356
TOTAL:	644

**TABLE 14 CHILDREN'S COURT AT MELBOURNE
LISTINGS STATISTICS**

	CASES LISTED 1999 -2000	CASES LISTED 2000 -2001	99/00 - 00/01 % DIFFERENCE
FAMILY DIVISION			
Pre-Hearing Conferences	684	755	10.3 % ↑
Directions Hearings	459	458	0.2 % ↓
Interim Accommodation Order contests	467	457	2.1 % ↓
Final contests	338	449	32.8 % ↑
CRIMINAL DIVISION			
Contest mentions	307	287	6.5 % ↓
Contests	131	155	18.3 % ↑

**NUMBER OF COUNTRY AND METROPOLITAN CASES LISTED TO BE HEARD AT
MELBOURNE OR BY MELBOURNE CHILDREN'S COURT MAGISTRATES SITTING IN
REGIONAL COURTS**

	1999 -2000	2000 -2001
COUNTRY (Family Division contests)	17	43
METROPOLITAN (Criminal Division contests)	13	29

**MELBOURNE CHILDREN'S COURT
LISTING DELAYS**

TABLE 16

**FAMILY DIVISION
LISTING DELAY FROM PRE-HEARING CONFERENCE TO FINAL CONTEST**

	1999 - 2000	2000 - 2001
JULY	8 weeks	8 weeks
AUGUST	6 weeks	7 weeks
SEPTEMBER	8 weeks	8 weeks
OCTOBER	6 weeks	9 weeks
NOVEMBER	9 weeks	9-10 weeks
DECEMBER	9 weeks	8-9 weeks
JANUARY	11 weeks	7 weeks
FEBRUARY	6 weeks	6-7 weeks
MARCH	6 weeks	5-6 weeks
APRIL	5 weeks	6 weeks
MAY	7 weeks	6 weeks
JUNE	8 weeks	7 weeks
AVERAGE DELAY	7.4 WEEKS	7.3 WEEKS

TABLE 17

**CRIMINAL DIVISION
LISTING DELAY FROM CONTEST MENTION TO FINAL CONTEST**

	1999 - 2000	2000 - 2001
JULY	8 weeks	10 weeks
AUGUST	7 weeks	10 weeks
SEPTEMBER	7 weeks	9 weeks
OCTOBER	7 weeks	11-12 weeks
NOVEMBER	10 weeks	11-12 weeks
DECEMBER	10 weeks	12 weeks
JANUARY	10 weeks	8-10 weeks
FEBRUARY	8 weeks	9 weeks
MARCH	9 weeks	10 weeks
APRIL	9 weeks	11 weeks
MAY	9 weeks	12 weeks
JUNE	9 weeks	12 weeks
AVERAGE DELAY	8.5 WEEKS	10.5 WEEKS

PRE-HEARING CONFERENCES

An important part of the work inside the Family Division of the Children's Court of Victoria is performed by its pre-hearing convenors. The convenors have referred to them almost all matters in the Family Division of the Court at the point at which the parties have failed to agree on how to resolve the case. Approximately 50% of cases in the Family Division referred through the pre-hearing conference system settle at the pre-hearing stage. At the Children's Court at Melbourne, 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 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, these pre-hearing conferences are conducted by registrars who have received appropriate training. Pre-hearing convenors are appointed pursuant to section 37 of the *Children and Young Persons Act 1989*.

CHILDREN'S COURT AT MELBOURNE PRE-HEARING CONFERENCES 2000-2001

TABLE 18

MONTH	PHC'S LISTED	CASES SETTLED PRIOR TO PHC	CASES SETTLED AT PHC	SITTING DAYS VACATED	PHC'S CANCELLED	CASES CONFIRMED AS CONTESTS
JULY	53	0	27	88	2	43
AUGUST	62	1	30	75	3	52
SEPTEMBER	51	1	16	88	5	41
OCTOBER	71	3	29	139	3	32
NOVEMBER	74	10	37	187	10	32
DECEMBER	59	0	30	85	1	54
JANUARY	45	3	12	61	6	31
FEBRUARY	81	7	30	178	12	62
MARCH	82	0	46	153	8	51
APRIL	46	0	21	67	7	31
MAY	66	2	29	126	8	53
JUNE	55	4	32	132	2	35

CHILDREN'S COURT CLINIC



*Dr Pat Brown
Director
Children's Court Clinic*

The Children's Court Clinic, under the directorship of Dr Pat Brown, is an independent statutory 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.

Clinicians are highly skilled psychologists and psychiatrists who have specialist knowledge in the areas of child protection and juvenile offending.

The Clinic 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. During the 2000-2001 year 620 cases (176 criminal and 444 protection matters) were referred to the Clinic for 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 where the Court sees fit.



CHILDREN'S COURT WEBSITE

In March 2001 the support of Online Services of the Department of Justice was enlisted to commence development of a Children's Court website. Janet Matthew and Jan Trevaskis of the Children's Court formed the local project team and met with Sarah Ritchie and Marilyn Lambert of Online Services to set the project in motion.

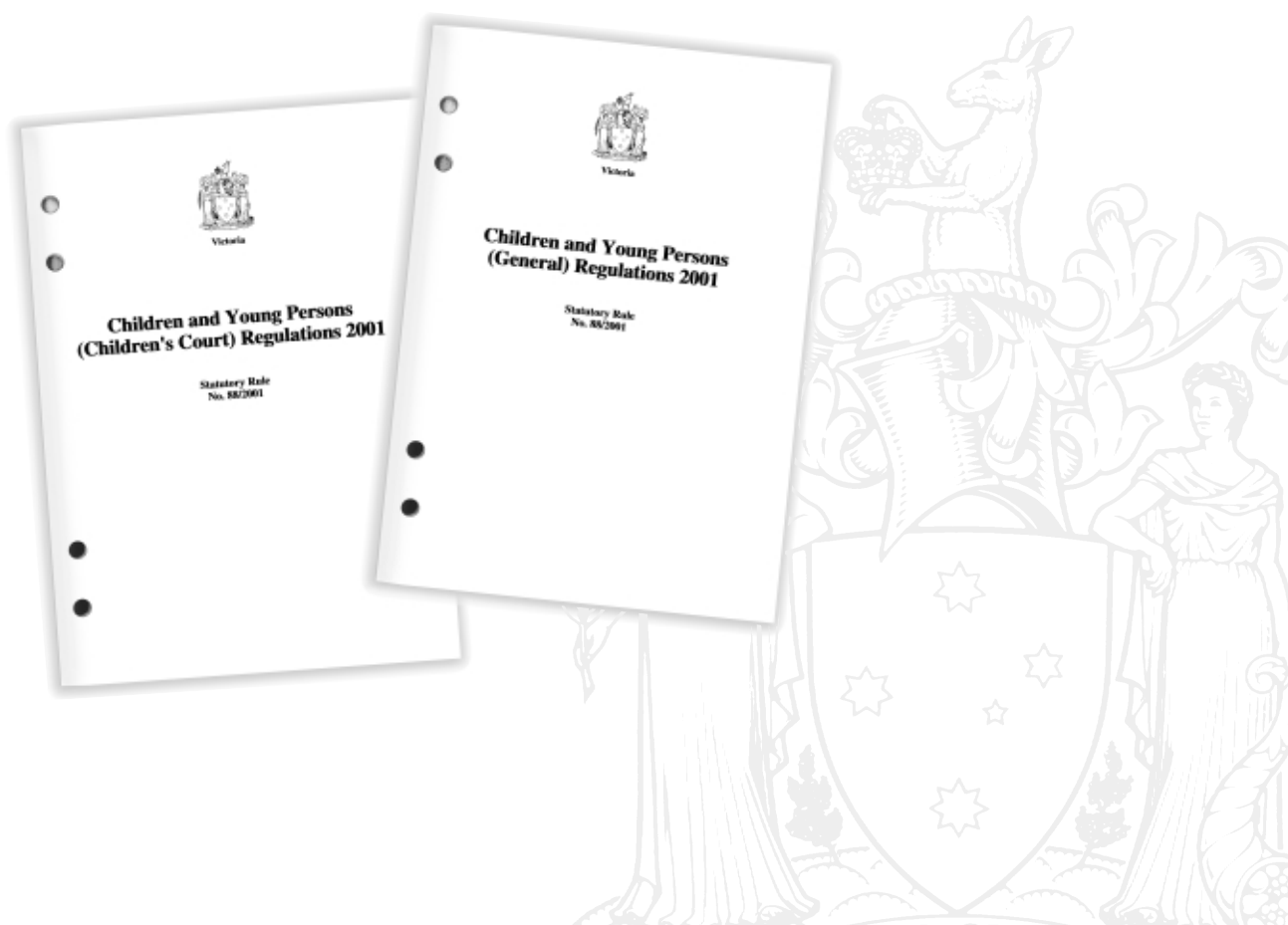
Judicial officers and staff at Melbourne Children's Court were included in a consultation process which produced suggestions for prospective content and design for the new site. A preliminary project brief was then developed by Online Services which was finalised after further input from the Children's Court.

Online Services has now commenced the tender process for the development of the website and are investigating website products to set as a standard for future development. In the meantime, the Children's Court team continue to gather content for the site which is expected to be up and running by January 2002.

REGULATIONS UNDER THE CHILDREN AND YOUNG PERSONS ACT 1989

During the course of the reporting period, the Court, in conjunction with the Department of Human Services, formed a working party to formulate new regulations to replace both the Children's Court and General Regulations that are due to expire on 17 September 2001.

After a number of preparatory meetings and discussions with key members of both organisations, a draft format was prepared and forwarded to a wide range of user groups and appropriate organisations with a request for comments. All suggestions and comments have now been received and a final draft is being prepared for consideration by Parliamentary Counsel.



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 reporting period the Court hosted 33 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 shows 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 all regularly participate in responding to the numbers of requests for tours of the Court together with giving information and education sessions.

During the reporting period many tours of the Court complex and presentations on the jurisdiction of the Children's Court were conducted. Groups of school students, both primary and secondary, students of youth work, social work and law, juvenile justice and child protection workers, secure welfare services staff and foster carers' associations have visited the Court for a tour and magistrate's information session. These sessions are often in the form of a Powerpoint presentation of 30 to 60 minutes duration and include time for questions.

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.

Judicial Education and Experience

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 from time to time 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.

A series of sessions with leading experts on various aspects of the Court's work is being organised by the Director of the Children's Court Clinic for the next reporting period. Also being planned is training of a more structured and intensive nature in information technology.

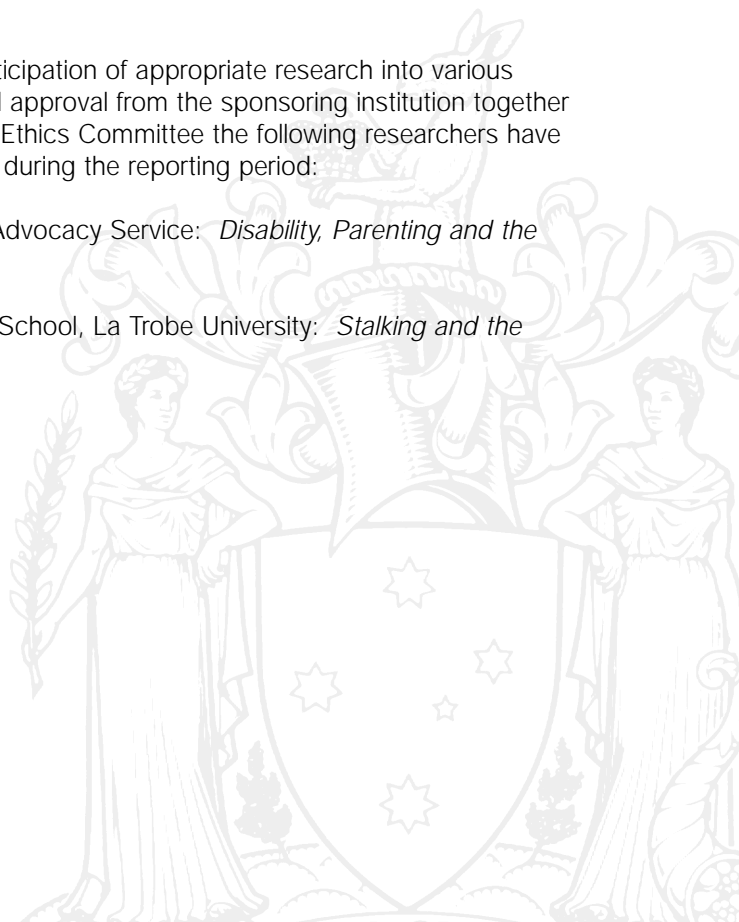
Finally, it should be noted that the combined qualifications and experience of the current specialist judicial team of the Children's Court at Melbourne is itself fairly impressive. Without detailing each judicial member's qualifications, background and experience, suffice to say that there is no judicial member of the Court with less than nine years' experience on the bench of hearing criminal law, family law and family violence cases as well as coroners' matters. Further, all of the judicial members of the Court have years of experience in practice, meeting with clients and hearing their stories and experiences. Most members have spent considerable periods on the bench in the Criminal Injuries Compensation Tribunal, reading police briefs and hearing victims' stories. The average length of service of members of the Court at present is a minimum of three years full-time in the Children's Court having chosen to work in this jurisdiction. This period of service in the Court guarantees that each judicial member will have heard many hours of experts giving evidence on a wide variety of topics relevant to the work of the Court.

Research

The Court has continued to encourage the participation of appropriate research into various aspects of its work. With the necessary ethical approval from the sponsoring institution together with the approval of the Department of Justice Ethics Committee the following researchers have been provided with assistance and supervision during the reporting period:

Mr Phillip Swain, Disability Discrimination Law Advocacy Service: *Disability, Parenting and the Law*.

Mr John Willis and Ms Marilyn McMahon, Law School, La Trobe University: *Stalking and the Children's Court*.



5 FINANCIAL STATEMENT

APPENDIX A

Financial Statement for the Year Ending 30 June 2001

		Budget	Actuals
RECURRENT APPROPRIATIONS			
Salaries	Note 1	1,032,000	1,033,511
Overtime		0	1,488
Total Salaries and Overtime		1,032,000	1,034,999
Provision for Long Service Leave		18,000	43,228
Workcover		1,000	432
Payroll tax		65,000	64,607
Fringe Benefits Tax		0	0
Superannuation		75,553	98,786
Total Subsidiary Salary Costs		159,553	207,053
Travel Entertainment & Personal Expenses		29,700	25,754
Printing Stationery & Office requisites		49,084	55,404
Postage and Communication Expenses		47,058	49,935
Contractors, Consultants & Professionals	Note 4	136,000	87,829
Training and Development		11,502	11,618
Motor Vehicle Expenses		45,000	58,713
Other Operating Expenses		39,000	35,581
Jury Witness & Award Payments		3,000	3,934
Information Technology		2,000	904
Urgent and Essential Works		0	944
Rent and Property Services		176,421	150,188
Property Utilities		64,700	68,371
Property Taxes - Land		0	0
Maintenance		10,000	7,416
Total Operating		613,465	556,591
TOTAL RECURRENT APPROPRIATIONS		1,805,018	1,798,643

Notes to and forming part of the Financial Statements

Note 1

Salaries and allowances budget and expenditure figures for Children's Court Magistrates are not shown in the financial statements of the Children's Court. All Magistrates salaries and employment related expenses are funded via Special Appropriation as disclosed in the Magistrates' Court of Victoria Annual Report for 2000/2001.

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 asset's economic life. This charge is made on a monthly basis by Financial Management as part of the End of Month procedure. 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.

The Magistrates' Court of Victoria is responsible for the administration of depreciation charges on behalf of the Children's Court as shown in the Magistrates' Court of Victoria Annual Report for 2000/2001.

Note 3

The Financial Statements for the Children's Court of Victoria are only representative of the Melbourne Children's Court. The Financial Statements do not recognise the financial impact of other Magistrates' Courts that also hear Children's Court matters.

Note 4

Expenditure of \$85,229 relating to professional services provided by Children's Court pre hearing convenors has been included in the total expenditure of this item.



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

Mr Lou Hill, Magistrate

Mr Godfrey Cabral, Principal Registrar, Children's Court of Victoria

Ms Jan Trevaskis, Senior Registrar

Ms Sue Higgs, Senior Registrar

Ms Janet Matthew, Court Liaison Officer (Acting)

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

Ms Samantha Adrichem, Court Services, Department of Justice

Ms Kathryn Duncan, Court Services, Department of Justice

Mr Peter Elliott, Portfolio Planning, Department of Justice

ACKNOWLEDGEMENTS

