

CHILDREN'S COURT OF VICTORIA



ANNUAL REPORT
2007 - 2008



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24 June 2009

Professor David de Kretser AC
 Governor of Victoria
 Government House
 MELBOURNE VIC 3004

Dear Governor

CHILDREN'S COURT OF VICTORIA - ANNUAL REPORT 2007-2008

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 2007-2008.

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

Yours sincerely

Judge Paul Grant
President
Children's Court of Victoria

CONTENTS

1

OVERVIEW

Objectives, Vision, Purpose, Values	2
President's Report	3
Jurisdiction	6
Structure and Organisation of the Children's Court of Victoria	7
• President, Magistrates and Staff of the Children's Court at Melbourne	7
• Organisational Structure of the Children's Court at Melbourne	7
Court Locations and Sitting Days	8

2

ACHIEVEMENTS & HIGHLIGHTS

Children, Youth and Families Act 2005	9
Children's Koori Court	9
Children's Artwork Project	9
Children and Young Persons	10
Infringement Notice System	10
Improvements to the Melbourne Children's Court Complex	10
Children's Court Website	11
Law Week 2008	11
Court Network at the Children's Court	12
Salvation Army at the Children's Court	12

3

OPERATIONAL & STATISTICAL REPORT

Court Statistics	13
• Tables 1-19	
• Charts 1-17	
Children's Court Clinic	30

4

GENERAL

Audio/Video Linking	31
Education	31
• Work Experience Program	31
• Tours and Information Sessions	32
• Professional Training Sessions	32
• Judicial Education	32

5

FINANCIAL STATEMENT

Financial Statement for the Year Ending 30 June 2008	33
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The *Children, Youth and Families Act 2005* provides for the operation of the Children's Court of Victoria. The following statements form part of the court's strategic plan.

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 provide a modern, professional, accessible and responsive specialist court system focussed on the needs of children, young persons and their families.

PURPOSE

To hear and determine cases involving children and young persons in a timely, just and equitable manner which is easily understood by court users and the public generally.

VALUES

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

PRESIDENT'S REPORT

Workload

Last year I reported on the significant increase in the workload of the Children's Court since January 2006. The workload of the Family Division has continued to grow at a rate that places enormous demands on the court. The court has finalised more cases in this reporting period than in the previous one but the rate of finalisations has not matched the growth in new applications.

In September 2007 consultants were engaged by the Department of Justice to conduct a workload analysis of the Children's Court. After six weeks of intensive work the consultants concluded the court immediately needed an additional two magistrates and five staff to deal with the increasing workload. The consultants also recommended the appointment of a judicial registrar, another magistrate and 10 additional staff over the next two years.



Judge Paul Grant
President
Children's Court of Victoria

In addition, the consultants recommended a long term strategy be developed for the future of the Children's Court in Melbourne. The massive increase in the number of people attending the court at Melbourne has resulted in significant overcrowding in the Family Division and a great deal of pressure being placed on the court's facilities. A project group has been established to look at "future infrastructure options" for the operation of the court in Melbourne.

The budget for the 2008-2009 year will provide funding for two additional magistrates, one acting magistrate and five registry staff members. The magistrates will commence at the court in July 2008. This will provide very welcome assistance to the court and help deal with the workload.

In the short term, funding will also be provided to enable the Children's Court to use courtrooms in the County Court for Family Division contests. In the medium term, the court is investigating the transfer of some of the work emanating from the southern region of the Department of Human Services (DHS) to Moorabbin court. It is anticipated that just over 20% of the current Melbourne workload could be listed at Moorabbin. This would take considerable pressure off the Melbourne complex. If the establishment of a "southern annexe" at Moorabbin did prove to be a viable option it is anticipated that two courts would sit every day. Magistrates from the Melbourne Children's Court would be rostered to sit at Moorabbin.

The appointment of additional magistrates from July 2008 will enable Melbourne Children's Court to again offer help to country courts in the hearing of lengthy Family Division contests.

On 27 and 28 February 2008, a two day workshop was conducted involving representatives of the Children's Court, DHS Court Advocacy Unit, DHS Child Protection, Victoria Legal Aid, the Victorian Bar and private solicitors to discuss ways of improving the operation of the Family Division. A number of recommendations coming from that workshop have been adopted and the court has commenced implementing them. A practice note was issued on 29 May 2008 to enable better management of applications by apprehension. Importantly, a special mention court has been established to deal with apprehensions and stop the regular late sittings that were a feature of Melbourne Children's Court operations. The special mention court has proved to be a great success.

The pressure on the court is not limited to the Family Division. Volume in the Criminal Division has increased over the past two years in all Children's Courts throughout Victoria. There was a significant increase in finalisations in the Criminal Division last year. Some of that increase was a legacy from the increase in age jurisdiction in July 2005. From that time, unpaid infringements for

17 year old defendants could no longer be registered with the Infringements Court (a division of the Magistrates' Court of Victoria). Prior to the beginning of the Children and Young Persons Infringement Notice System ("CAYPINS") the only way of enforcing unpaid infringements against defendants in the Children's Court was by issuing a charge through the mainstream Children's Court system. The court was confronted with a backlog of cases – particularly transit offences - involving 17 year olds. The commencement of CAYPINS hearings (conducted by registrars) in December 2007 has led to a reduction of infringement matters being heard in open court.

Remands at the Melbourne Children's Court have also grown considerably - 495 (05-06), 732 (06-07) and 1,029 (07-08). The court does not have a bail support program and in light of such statistics it would be appropriate for such a program to be developed. The program that operates in the Magistrates' Court is one possible model. Development of such a program is consistent with recommendation 130 of the Victorian Law Reform Commission – Review of the Bail Act (2007).

Ropes Program

The only "front end" diversion program operating within the Children's Court is the Ropes Program. It is a good program but, because it is unfunded and places particular resource demands on Victoria Police and the court, its further expansion has been put on hold until an evaluation is completed. This means the program is not available state-wide. An evaluation of the Ropes Program is being undertaken by Victoria Police.

Children's Koori Court (Criminal Division)

A second venue of the Children's Koori Court was launched at Mildura in September 2007. This followed the commencement of the first Children's Koori Court at Melbourne in October 2005. The first sitting at Mildura took place on 1 November 2007. Magistrates who are currently travelling from Melbourne to sit in the adult Koori Court at Mildura also sit in the Children's Koori Court. It is hoped that further Children's Koori Courts will be established at those places where there are existing Magistrates' Koori Courts.

Community Education

The court has continued with its program of community education by providing information to the public through the office of the Children's Court Liaison Officer, its website, its publications and the on-going program of community visits to the court. During the current reporting period 55 groups visited Melbourne Children's Court. These groups included students of social work, youth work and community welfare, foster carers, law graduates, and maternal and child health nurses among others. The magistrates at Melbourne continue to give their time before court commences to address these groups and answer questions about the jurisdiction and operation of the Children's Court.

In addition, the practice of the court in providing addresses and presentations through its President and magistrates to a wide range of forums has continued this year.

Magistrate Peter Power continues to maintain his "Research Materials" section on the court's website. I thank Magistrate Power for his outstanding work in producing and maintaining this valuable resource. "Research Materials" is freely and publicly available to all who wish to gain an understanding of the court's work.

Overseas Delegations

The Children's Court of Victoria continues to be a court that attracts a number of visitors from interstate and overseas. Some come to see the architecture and design of Victoria's first purpose built Children's Court. Others come to observe the work of the court for research purposes. The Children's Koori Court regularly has visitors observing the first Aboriginal and Torres Strait Islander Children's Court in Australia.

The Children's Court also receives visits from members of the judiciary, both interstate and international, government ministers from other nations and court administrators.

Participation on Boards, Councils and Committees

To ensure that the Children's Court and the issues important to it are appropriately represented, it is necessary to participate in a significant number of boards, councils, committees, reference groups and advisory bodies. This year they included:

- Courts Consultative Council
- Magistrates' Court Management Committee
- County Koori Court Reference Group
- Aboriginal Justice Forum
- Criminal Justice Consultative Forum
- Court Users' Forum
- Children's Koori Court Reference Group
- Youth Justice Ministerial Round Table
- Group Conferencing Advisory Committee

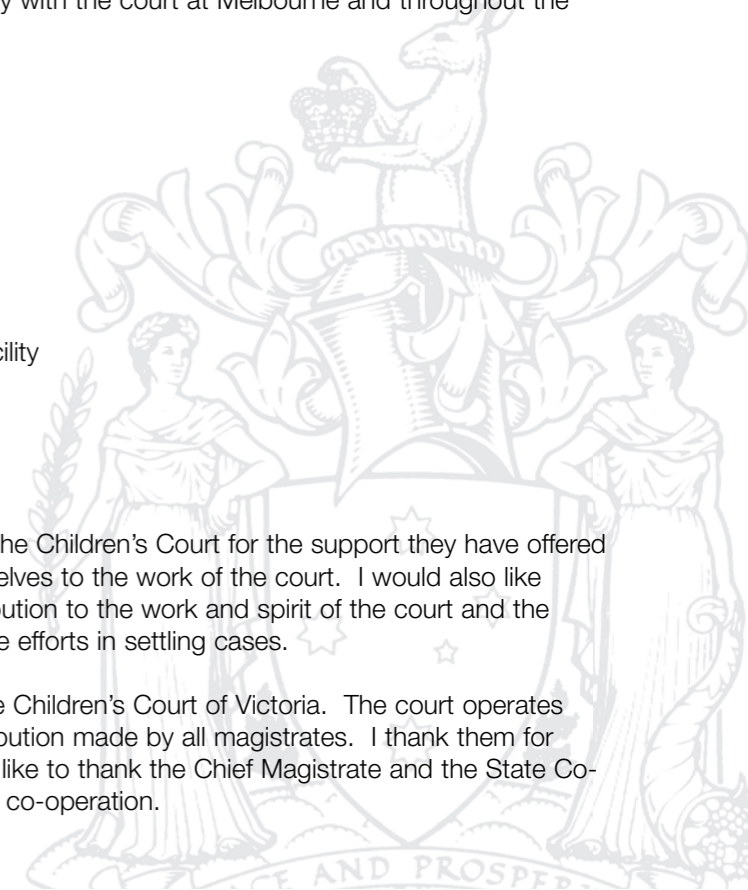
Conclusion

As always, I wish to acknowledge and thank the staff and members of the following organisations who have worked co-operatively and diligently with the court at Melbourne and throughout the State during the reporting period:

- Children's Court Clinic
- Victoria Legal Aid
- Department of Human Services
 - Court Advocacy Unit
 - Youth Justice Court Advice Unit
 - Secure Welfare
- Victoria Police
 - Prosecutions Division
 - Melbourne Children's Court custodial facility
 - Protective Services
- Salvation Army
- Court Network
- G4S Security Services

I would again like to thank my colleagues at the Children's Court for the support they have offered me and the way they have committed themselves to the work of the court. I would also like to thank the staff for their outstanding contribution to the work and spirit of the court and the Melbourne DRC convenors for their invaluable efforts in settling cases.

Finally, I repeat what I said last year about the Children's Court of Victoria. The court operates state-wide and is dependent upon the contribution made by all magistrates. I thank them for their hard work and dedication. I would also like to thank the Chief Magistrate and the State Co-ordinating Magistrate for their assistance and co-operation.



JURISDICTION

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 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 *Crimes (Family Violence) Act 1987* and stalking provisions of the *Crimes Act 1958* where the aggrieved family member/victim of stalking or the defendant is a child.

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, arson causing death and culpable driving 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.



Map indicates locations of suburban and country regional headquarters courts. Refer to page 9 for a full list of court locations.

STRUCTURE AND ORGANISATION OF THE CHILDREN'S COURT OF VICTORIA

Aside from judicial officers, the court is staffed by registrars, deputy registrars, trainee registrars and administrative staff at each location. In addition, a number of staff, based at the Children's Court at Melbourne, have state-wide responsibilities and/or perform duties on a state-wide basis.

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

President

Judge Paul Grant

Magistrates

Ms Susan Blashki
 Ms Jennifer Bowles
 Ms Jacinta Heffey
 Mr Gregory Levine
 Ms Kay Macpherson
 Mr Peter Power
 Mr Brian Wynn-Mackenzie

Acting Magistrate

Ms Michelle Ehrlich

Principal Registrar

Leanne de Morton

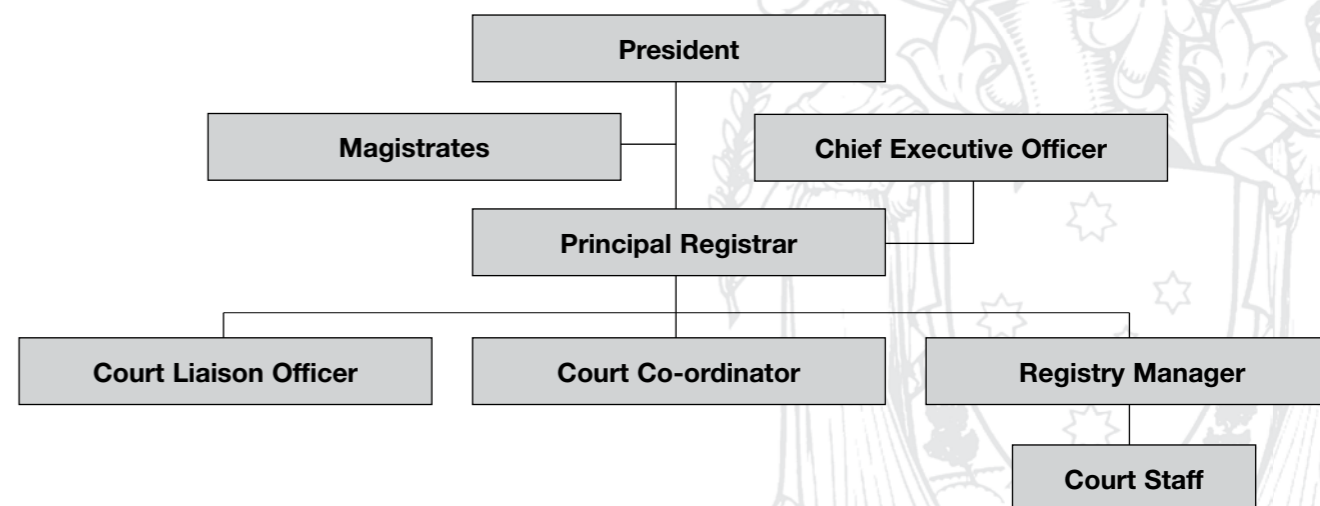
Senior Deputy Registrars

Angela Carney (Court Co-ordinator)
 Russell Hastings (Registry Manager)

Court Liaison Officer

Janet Matthew

Organisational Structure of the Children's Court at Melbourne



2 ACHIEVEMENTS & HIGHLIGHTS

COURT LOCATIONS AND 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 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 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 region:
Melbourne (headquarters court), Moorabbin.
2. Grampians region:
Ballarat (headquarters court), Ararat, Casterton, Edenhope, Hamilton, Hopetoun, Horsham, Maryborough, Nhill, Ouyen, Portland, St. Arnaud, Stawell, Warrnambool.
Note: Hamilton, Portland and Warrnambool courts were reassigned to the Barwon South West region from 1 January 2008.
3. Loddon Mallee region:
Bendigo (headquarters court), Echuca, Kerang, Mildura, Robinvale, Swan Hill.
4. Broadmeadows region:
Broadmeadows (headquarters court), Castlemaine, Kyneton.
5. Dandenong.
6. Frankston.
7. Barwon South West region:
Geelong (headquarters court), Colac.
Note: From 1 January 2008 Hamilton, Portland and Warrnambool were reassigned to the Barwon South West region from the Grampians region.
8. Heidelberg.
9. Gippsland region:
Latrobe Valley (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.

The Neighbourhood Justice Centre (NJC), located in inner suburban Collingwood, commenced operation as a three year pilot project in March 2007. The Neighbourhood Justice Division of the Children's Court hears Children's Court criminal matters where the defendant either lives in the City of Yarra or the alleged offence was committed in the City of Yarra.

The Children's Court of Victoria at Melbourne is the only venue of the court which sits daily in both divisions. The Children's Court at Melbourne currently has eight magistrates sitting full-time together with the President. This number includes one acting magistrate assigned to the Children's Court in June 2007. 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.

CHILDREN, YOUTH AND FAMILIES ACT 2005

On 23 April 2007 the *Children and Young Persons Act 1989* was repealed and the vast majority of the provisions of the *Children, Youth and Families Act 2005* commenced operation. The remaining provisions, including those relating to dispute resolution conferences came into operation on 1 October 2007.

Rules and regulations to support the operation of the new Act also came into operation on 23 April 2007.

CHILDREN'S KOORI COURT

The Children's Koori Court at Melbourne commenced sitting in October 2005. The Koori Court currently sits one day per fortnight and during 2007/08 sat on 20 occasions. The court finalised 21 matters during the year and had 37 cases pending as at 30 June 2008. Twenty-six young people appeared before the Children's Koori Court at Melbourne during the 2007/08 year.

In September 2007 a second venue of the Children's Koori Court was launched at Mildura. The Mildura court sat on eight occasions during 2007/08 and finalised 16 matters during that period. Five cases were pending as at 30 June 2008. Fourteen young people appeared before the Children's Koori Court at Mildura during the 2007/08 year.

The Children's Koori Court was originally established in 2005 as a two year pilot program. That period was extended for a further two years under legislation passed during 2007. An evaluation of the Children's Koori Court is currently being conducted by Dr Allan Borowski of La Trobe University.

CHILDREN'S ARTWORK PROJECT

In 2002 the Children's Court entered into an arrangement with the University of Melbourne's Early Learning Centre in relation to mounting a permanent display of young children's artworks in Family Divisions areas of the court building. As part of its activities the Early Learning Centre manages *Boorai: The Children's Art Gallery*. In October 2002 the first exhibition of 55 artworks was launched at Melbourne Children's Court. Since that time the exhibition has been changed twice and in May 2008 a further 15 pictures were added. These latest additions are to be found in the new Family Division waiting area created to service court 6 and the last three Family Division interview rooms to receive artworks.



Dominic Belvedere and Louise Saxton of the Early Learning Centre, University of Melbourne, framing new pictures for the children's artwork exhibition.



In May 2008 additional artworks were hung in the new Family Division waiting area.

The Children's Court wishes to acknowledge the assistance of Jan Deans, Director of the Early Learning Centre, and ELC staff members, Louise Saxton and Dominic Belvedere.

CHILDREN AND YOUNG PERSONS INFRINGEMENT NOTICE SYSTEM (“CAYPINS”)

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 Infrastructure (now Department of Transport).

The CAYPINS legislation introduced a significant administrative and quasi-judicial decision-making role to be performed by Children’s Court registrars throughout the State and has substantially reduced the occasions on which children and young people are summoned to appear before a magistrate in open court for these types of infringements.

A dedicated CAYPINS team has been established at Melbourne Children’s Court. One of the first responsibilities of the team was to provide information sessions and training to all registrars state-wide. Registrars at country courts conduct CAYPINS hearings and the Melbourne CAYPINS team has responsibility for hearings at metropolitan courts and for the preparation of all matters state-wide.

Victoria Police and the Department of Infrastructure commenced lodging CAYPINS matters in November 2007 with the first hearings being conducted by registrars at Melbourne Children’s Court in December 2007. During 2007/08 year a total of 9,719 matters were lodged (4,483 – Victoria Police and 5,236 – Department of Infrastructure). Of these, 6,824 were initiated onto the court’s case management system and 5,090 cases were finalised (see page 15 for regional statistics).



The CAYPINS team at Melbourne Children’s Court.

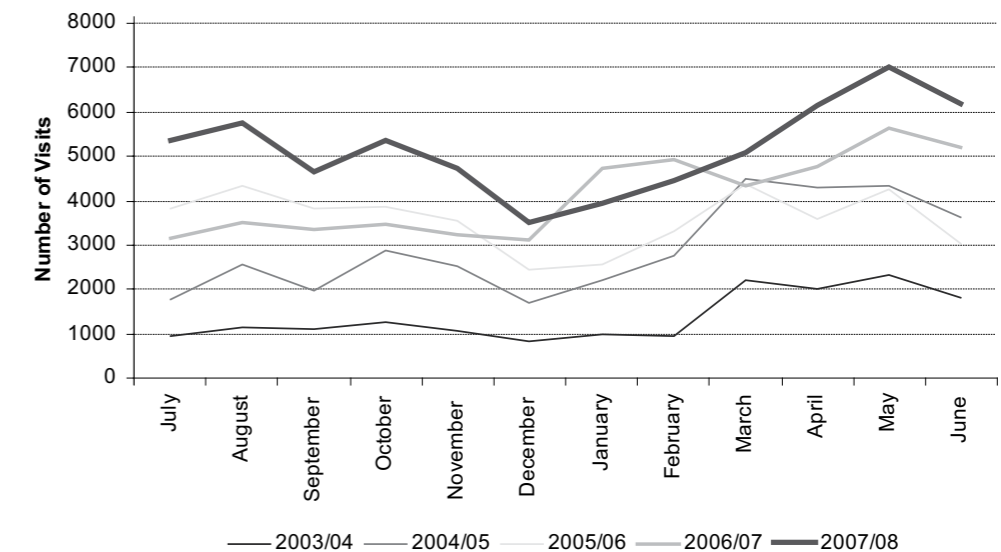
IMPROVEMENTS TO THE MELBOURNE CHILDREN’S COURT COMPLEX

An increase in the caseload of the court has stretched the capacity of the Melbourne Children’s Court building to accommodate its cases and court users. To alleviate, at least in part, some of the congestion being experienced in the Family Division of the court the following work was completed during the reporting period:

- Access to court 6 (Criminal Division) from the Family Division side of the court building. This new access enables court 6 to be used for either criminal or family matters according to need. However, with lockable doors providing access from either division, entry to the courtroom can only be gained from one side of the building or the other at any one time. This flexible configuration has ensured that the separation of the two divisions of the court has not been compromised.
- A new Family Division waiting area with seating for 15 situated outside the new entrance to court 6.
- Fit-out of an additional courtroom including video conferencing technology. This courtroom is the second of two left vacant at the time of the building’s construction.
- Creation of some additional office space to accommodate duty lawyers.

CHILDREN’S COURT WEBSITE

The Children’s Court website has been online since May 2003. Statistics for the 2007/08 year indicate that the site continues to be of increasing benefit to professional users and the community at large.



The *Research Materials* section of the website contains information developed by Magistrate Peter Power specifically for legal professionals, social workers and other professionals working in disciplines associated with the work of the court and students studying in these areas. Printing the 12 chapters of *Research Materials* from the PDF files published to the site currently results in approximately 465 pages of information on the jurisdiction and operation of the Children’s Court of Victoria.

LAW WEEK 2008

On Saturday, 17 May 2008 Courts Open Day was held as part of Law Week. Law Week is a national event occurring in May each year which in this State is managed jointly by the Law Institute of Victoria and Victoria Law Foundation. Once again, members of the public took advantage of the opportunity to visit courts including Melbourne Children’s Court.

Visitors were welcomed to the Children’s Court by the President, Judge Paul Grant. A tour of the court complex was conducted by Judge Grant and Court Liaison Officer, Janet Matthew. The tour ended in the courtroom used for sittings of the Children’s Koori Court where Judge Grant, Magistrate Peter Power and Koori Court Officer, Anne-Maree Kirkman spoke and answered questions about the operation of the Children’s Court including the Children’s Koori Court.



(l to r) Anne-Maree Kirkman, Magistrate Peter Power and Judge Paul Grant during an information session for visitors to the Children’s Court on Courts Open Day.

3 OPERATIONAL & STATISTICAL REPORT

COURT NETWORK AT THE CHILDREN'S COURT

Court Network operates a state-wide support service to assist people attending Victoria's courts. In May 2001, Court Network commenced a three year pilot program in the Family Division at Melbourne Children's Court after receiving funding from the William Buckland Foundation. Following an independent evaluation of the pilot program conducted at the end of 2003, Court Network obtained further funding to continue its operations at the court. With the increase in age jurisdiction from 1 July 2005 bringing cases involving 17 year olds into the court, Court Network extended its service into the Criminal Division at Melbourne Children's Court.

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

The court acknowledges the commitment of Court Network staff and the volunteer Networkers who have worked so successfully at Melbourne Children's Court during the reporting period.

SALVATION ARMY AT THE CHILDREN'S COURT

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

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

During the reporting year the Salvation Army continued a child supervision service in the playroom at Melbourne Children's Court. This additional service has been of assistance to children, parents and carers, and court users generally.

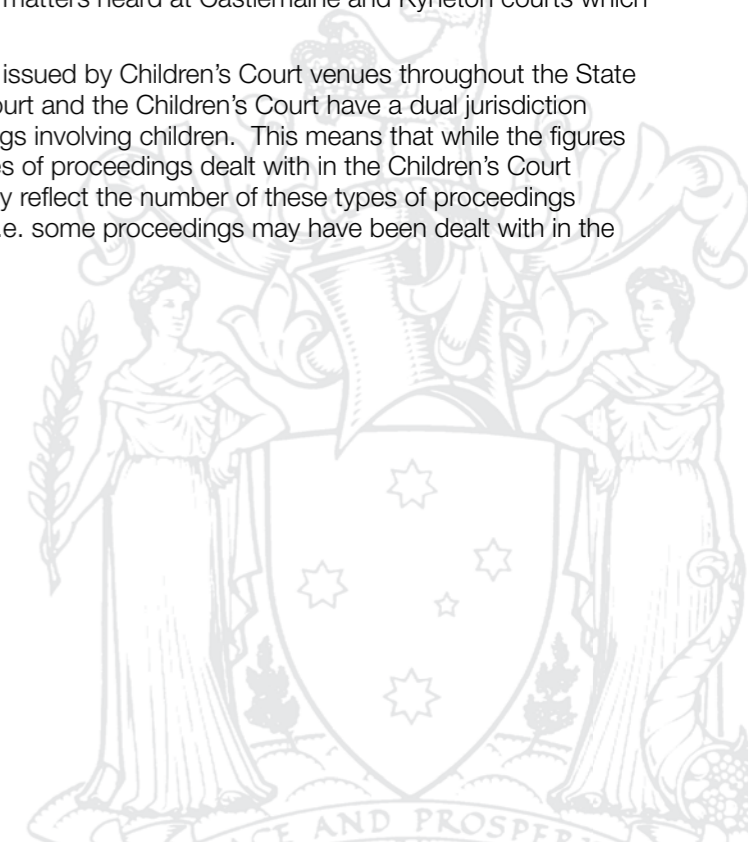
The court gratefully acknowledges the ongoing dedication and commitment of officers of the Salvation Army working with families in the Children's Court.

COURT STATISTICS

Displayed on the following pages are the statistical reports for each division of the court for the 2007/08 year collated by the Court Services section of the Department of Justice and by the court. State-wide statistics are provided unless otherwise stated.

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

- While much of the statistical information presented in this report deals with primary applications, this accounts for only a portion of the Family Division workload. Much of this Division's workload stems from secondary applications e.g. applications seeking to extend, vary, revoke or breach previously made court orders. Table 5 shows the total of all orders made (by order type) in the reporting year regardless of the application type, compared with the two previous years. It can be seen that the total number of orders made by the Family Division of the court has increased in each consecutive year. 2,333 more orders were made by the court in its Family Division in 2007/08 than in 2006/07.
- In previous reports, Criminal Division tables and charts included statistics relating to "on-the-spot" and other penalties issued to young people and enforced through the open court system. With the Children and Young Persons Infringement Notice System ("CAYPINS") becoming operational during the reporting period, for the first time infringement notice matters processed through this new system are included separately (see table 2). For more information on CAYPINS see page 10 of this report.
- Table 6 includes for the first time statistics for Temporary Assessment Orders (TAO's) and Therapeutic Treatment Orders (TTO's) made. Legislative provisions for these order types commenced operation under the *Children, Youth and Families Act 2005* on 1 October 2007.
- From 1/01/2008 Hamilton, Portland and Warrnambool courts, previously of the Grampians region, were reassigned to the Barwon South West region.
- While country venues of the court hear cases in both divisions, in the metropolitan area all Family Division cases are heard at Melbourne Children's Court. Suburban venues of the court hear Criminal and Crimes (Family Violence) matters only. In the Family Division tables and charts that follow, statistics for Broadmeadows reflect matters heard at Castlemaine and Kyneton courts which form part of the Broadmeadows region.
- While the reports show intervention orders issued by Children's Court venues throughout the State it should be noted that the Magistrates' Court and the Children's Court have a dual jurisdiction with regard to intervention order proceedings involving children. This means that while the figures accurately reflect the number of these types of proceedings dealt with in the Children's Court jurisdiction it may not necessarily accurately reflect the number of these types of proceedings dealt with state-wide that involve children i.e. some proceedings may have been dealt with in the Magistrates' Court jurisdiction.



Criminal Division

Table 1: Number of matters¹ initiated, finalised and pending, 2006/07 - 2007/08

Court Region	2006/07			2007/08 ²		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Melbourne	3,971	4,104	714	2,647	3,282	783
Grampians	940	830	167	846	845	137
Loddon Mallee	910	711	138	914	939	148
Broadmeadows	1,488	1,261	258	1,179	1,128	296
Dandenong	2,006	1,607	534	1,862	1,871	529
Frankston	1,521	1,395	224	1,246	1,220	194
Barwon South West	599	524	88	811	852	142
Heidelberg	2,358	1,741	697	1,384	1,607	424
Gippsland	976	892	197	921	1,050	170
Ringwood	2,058	1,569	451	1,429	1,518	325
Hume	837	772	114	869	875	164
Sunshine	2,534	1,901	810	1,827	2,246	537
NJC - Collingwood	9	1	6	26	15	8
Total	20,207	17,308	4,398	15,961	17,448	3,857

Chart 1: Number of matters initiated and finalised, 2007/08

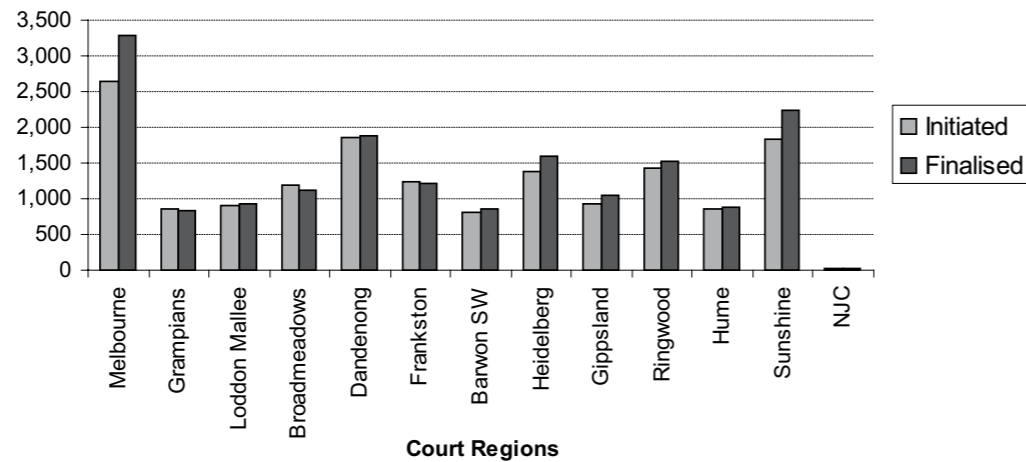
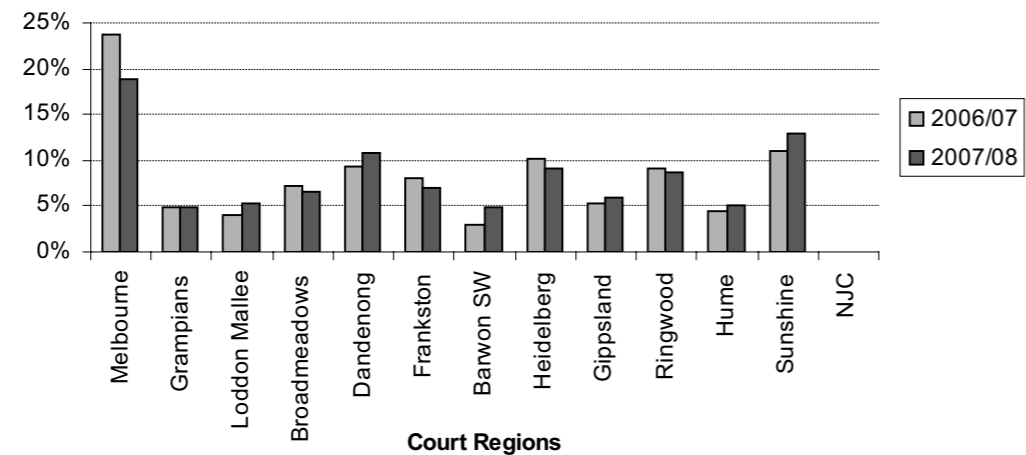
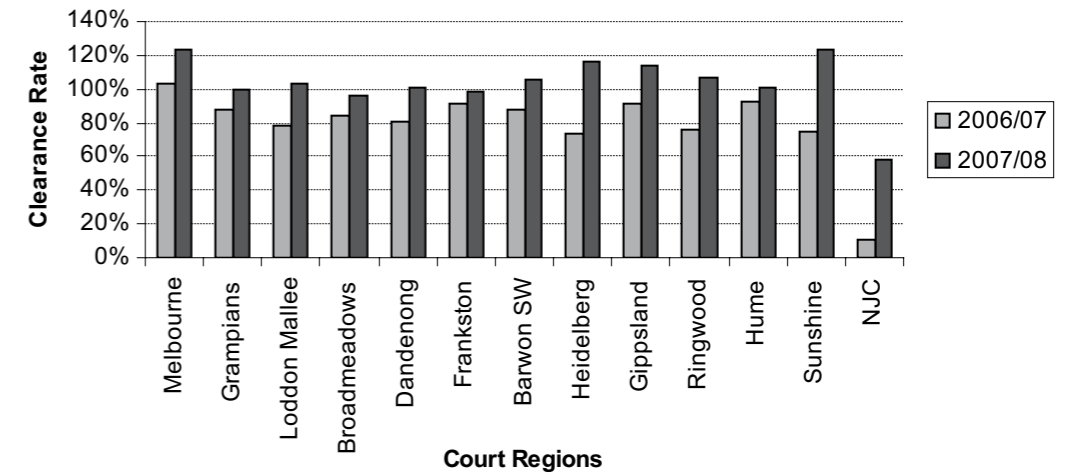


Chart 2: Regional caseload distribution for finalised matters, 2006/07 - 2007/08



¹ A criminal "matter" refers to a charge or set of charges laid by an informant against a defendant.
² Up until 2006/07, the criminal statistics in this report have included "on-the-spot" and infringement matters that were dealt with in the open court process. As many of these cases are now being processed via the Children and Young Persons Infringement Notice System ("CAYPINS"), in this report CAYPINS statistics are provided separately from other criminal matters (see Table 2).

Chart 3: Clearance rates for criminal matters, 2006/07 - 2007/08



Children and Young Persons Infringement Notice System ("CAYPINS")

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 Infrastructure (now Department of Transport).

Lodgment of CAYPINS matters was commenced by these agencies in November 2007 with the first hearings being conducted by registrars at Melbourne Children's Court in December 2007. For more information on CAYPINS see page 10 of this report.

Table 2: Number of CAYPINS matters initiated, finalised and pending, 2007/08

Court Region	2007/08		
	Initiated	Finalised	Pending
Melbourne	823	683	153
Grampians	242	211	30
Loddon Mallee	462	337	122
Broadmeadows	492	343	149
Dandenong	564	415	150
Frankston	486	423	63
Barwon South West	320	274	44
Heidelberg	708	498	209
Gippsland	380	272	105
Ringwood	780	518	260
Hume	541	433	108
Sunshine	874	561	313
NJC - Collingwood	152	122	28
Total	6,824	5,090	1,734

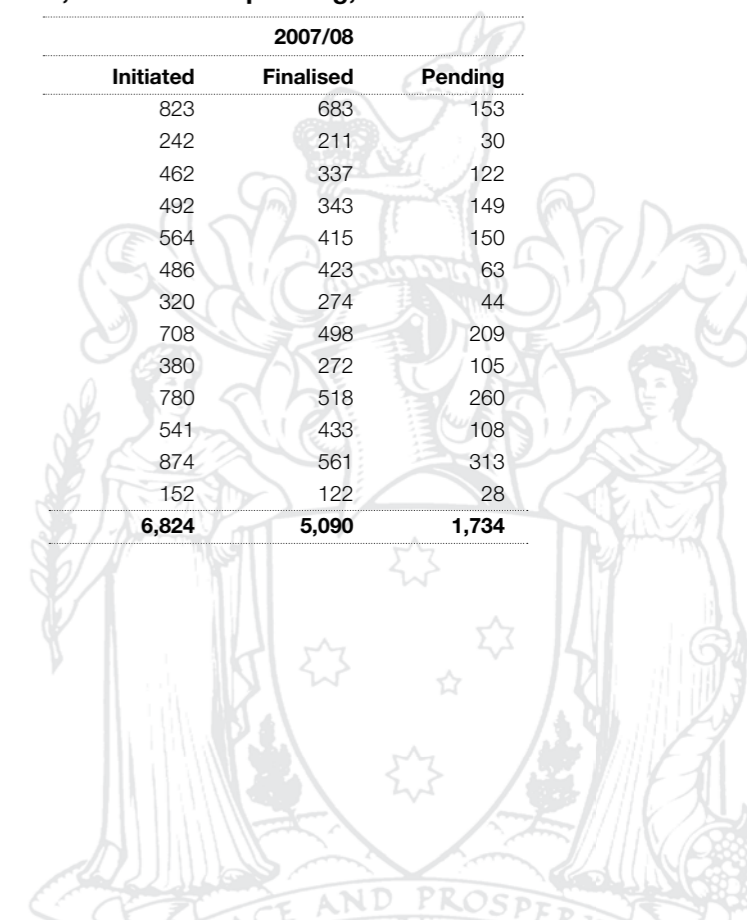


Table 3: Defendants found guilty, by outcome³, 2005/06 - 2007/08

Order	2005/06	2006/07	2007/08
	Number		
Discharged	6	9	24
Unaccountable Undertaking	41	47	60
Accountable Undertaking	481	514	616
Good Behaviour Bond	1,691	1,778	1,914
Fine ⁴	2,393	7,151	5,030
Probation	717	870	939
Youth Supervision Order	245	288	340
Youth Attendance Order	47	47	55
Youth Residential Centre	14	9	20
Youth Training Centre	149	123	0
Youth Justice Centre ⁵	0	35	179
Total	5,784	10,871	9,177
Order	Percent		
	2005/06	2006/07	2007/08
Discharged	0.1%	0.1%	0.3%
Unaccountable Undertaking	0.7%	0.4%	0.7%
Accountable Undertaking	8.3%	4.7%	6.7%
Good Behaviour Bond	29.2%	16.4%	20.9%
Fine ⁴	41.4%	65.8%	54.8%
Probation	12.4%	8.0%	10.2%
Youth Supervision Order	4.2%	2.7%	3.7%
Youth Attendance Order	0.8%	0.4%	0.6%
Youth Residential Centre	0.2%	0.1%	0.2%
Youth Training Centre	2.6%	1.1%	0.0%
Youth Justice Centre	0.0%	0.3%	1.9%
Total	100.0%	100.0%	100.0%

³ "Outcome" relates to the penalty attached to the principal proven offence. The principal proven offence is the one charge in a case that attracted the most severe penalty.

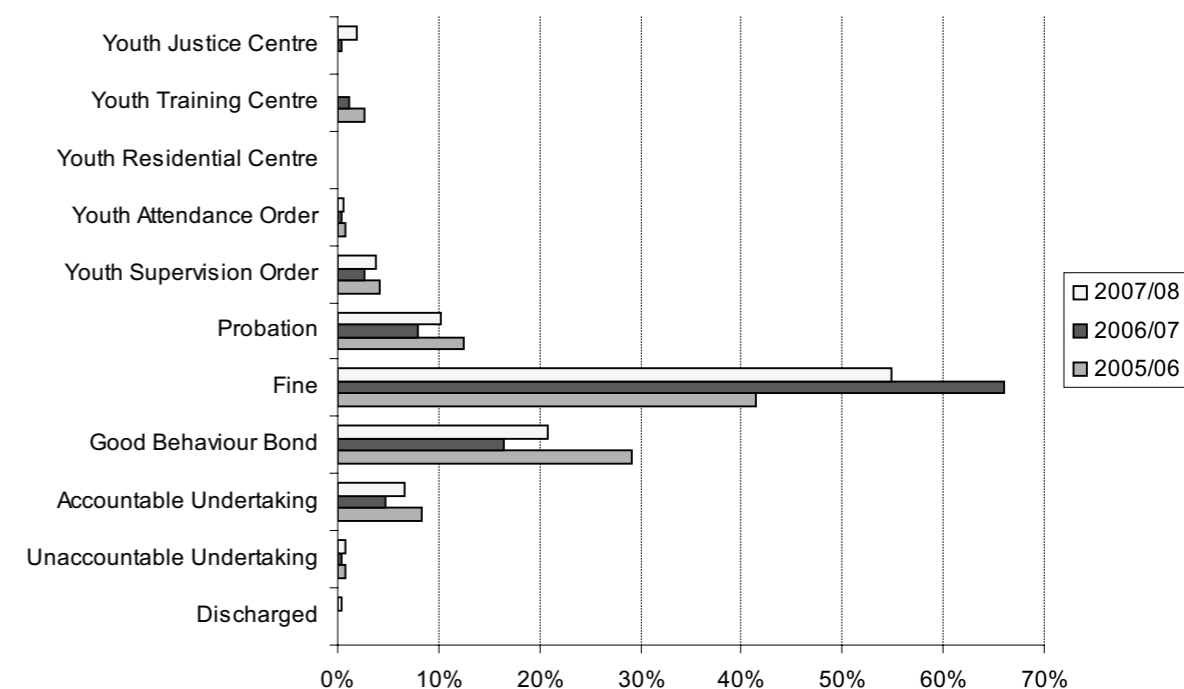
The count of "Defendants found guilty, by outcome" in Table 3 and Chart 4 includes 'super cases'. One individual defendant may have three different "matters" (see footnote 1) before the court. For administrative purposes, these separate matters may be consolidated into a 'super case' if the defendant wishes to plead guilty in relation to each matter. As a result of this consolidation, the three separate matters in relation to one defendant would be counted as one 'super case', which will have one outcome based on the principal proven offence.

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

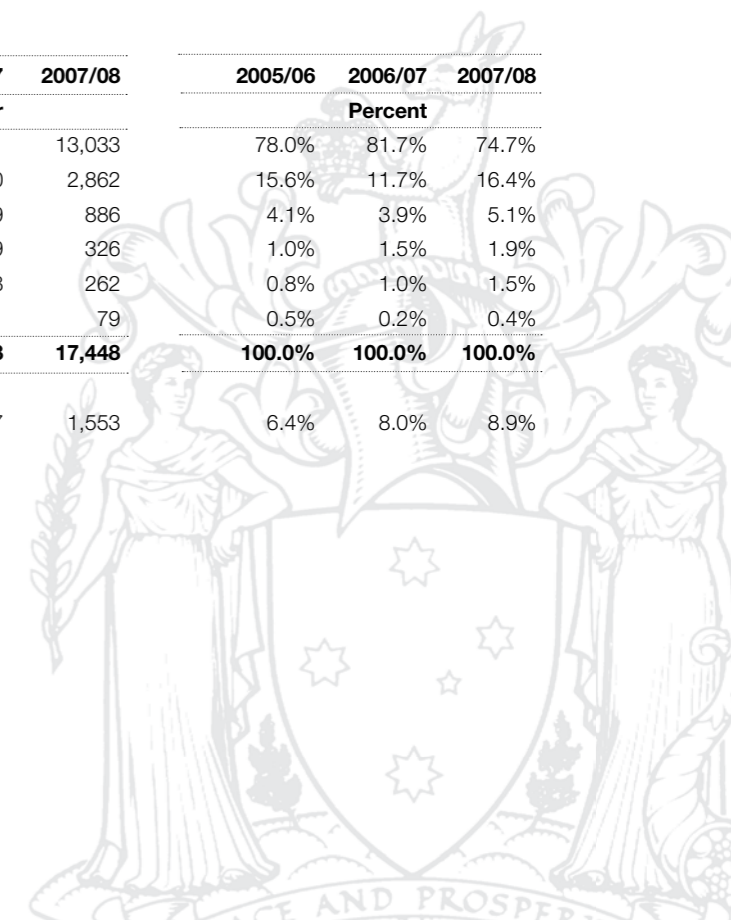
⁴ From 2007/08 the count of "Defendants found guilty, by outcome" in Table 3 and Chart 4 does not include fines imposed in relation to "on-the-spot" and other infringement matters processed via the Children and Young Persons Infringement Notice System ("CAYPINS"). The CAYPINS system commenced operation during the 2007/08 year.

⁵ With the commencement of the Children, Youth and Families Act 2005 on 23 April 2007 "Youth Training Centre" orders became known as "Youth Justice Centre" orders. Due to a counting error the number of Youth Justice Centre orders imposed between 23/04/2007 and 30/06/2007 was not included in last year's Annual Report. That error has now been corrected in Table 3 and Chart 4 of this report.

Criminal Division

Chart 4: Defendants found guilty, by outcome, 2005/06 - 2007/08**Table 4: Number of matters finalised, by elapsed time between date of first hearing and finalisation, 2005/06 - 2007/08**

	2005/06	2006/07	2007/08	2005/06	2006/07	2007/08
	Number			Percent		
0 < 3 months	7,303	14,141	13,033	78.0%	81.7%	74.7%
3 < 6 months	1,465	2,030	2,862	15.6%	11.7%	16.4%
6 < 9 months	383	669	886	4.1%	3.9%	5.1%
9 < 12 months	94	249	326	1.0%	1.5%	1.9%
12 < 24 months	71	178	262	0.8%	1.0%	1.5%
24 months +	45	41	79	0.5%	0.2%	0.4%
Total	9,361	17,308	17,448	100.0%	100.0%	100.0%
6 months +	593	1,137	1,553	6.4%	8.0%	8.9%



Criminal Division

Chart 5: Distribution of criminal matter processing times, by elapsed time between date of first hearing and finalisation, 2005/06 - 2007/08

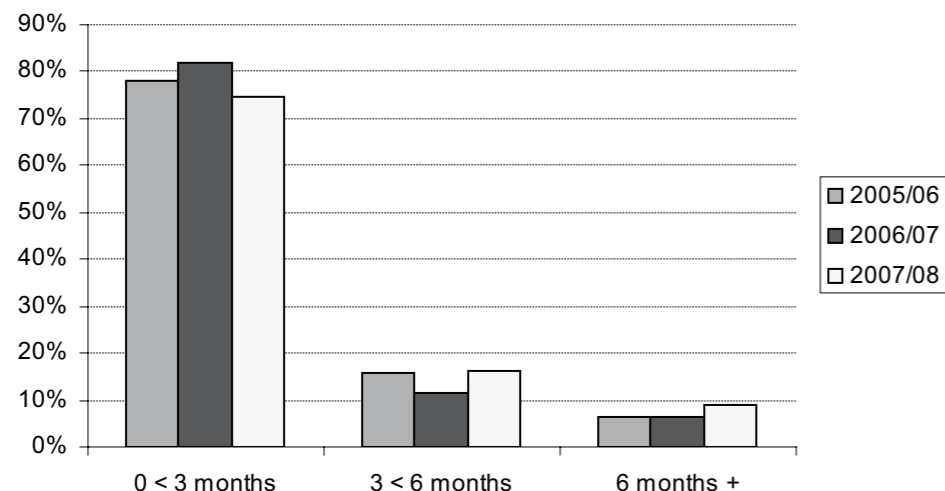
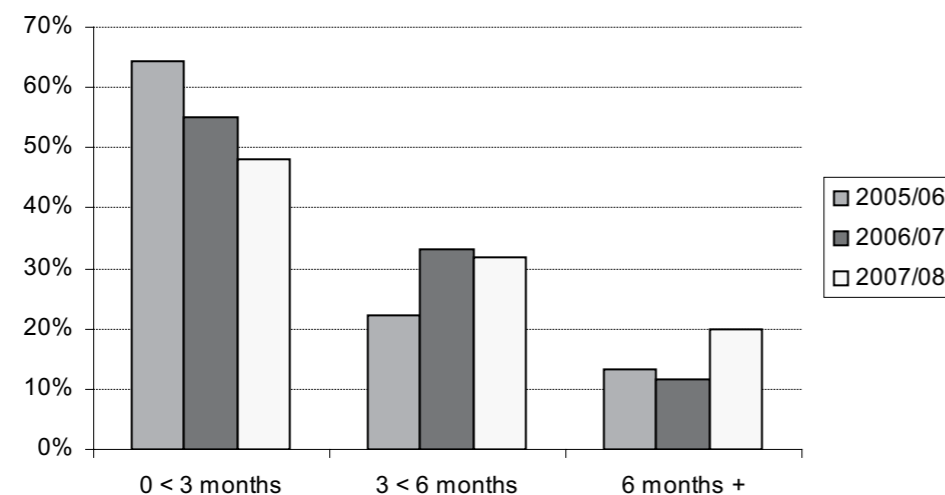


Table 5: Number of matters pending on 30 June, by elapsed time since date of initiation, 2005/06 - 2007/08

	2005/06	2006/07	2007/08	2005/06	2006/07	2007/08
	Number			Percent		
0 < 3 months	1,666	2,423	1,854	64.5%	55.1%	48.1%
3 < 6 months	574	1,462	1,234	22.2%	33.2%	32.0%
6 < 9 months	223	304	396	8.6%	6.9%	10.3%
9 < 12 months	77	122	209	3.0%	2.8%	5.4%
12 < 24 months	40	76	145	1.6%	1.7%	3.7%
24 months +	2	11	19	0.1%	0.3%	0.5%
Total	2,582	4,398	3,857	100.0%	100.0%	100.0%
6 months +	342	513	769	13.3%	11.7%	19.9%

Chart 6: Age of pending matters on 30 June, by elapsed time since date of initiation, 2005/06 - 2007/08



Family Division

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

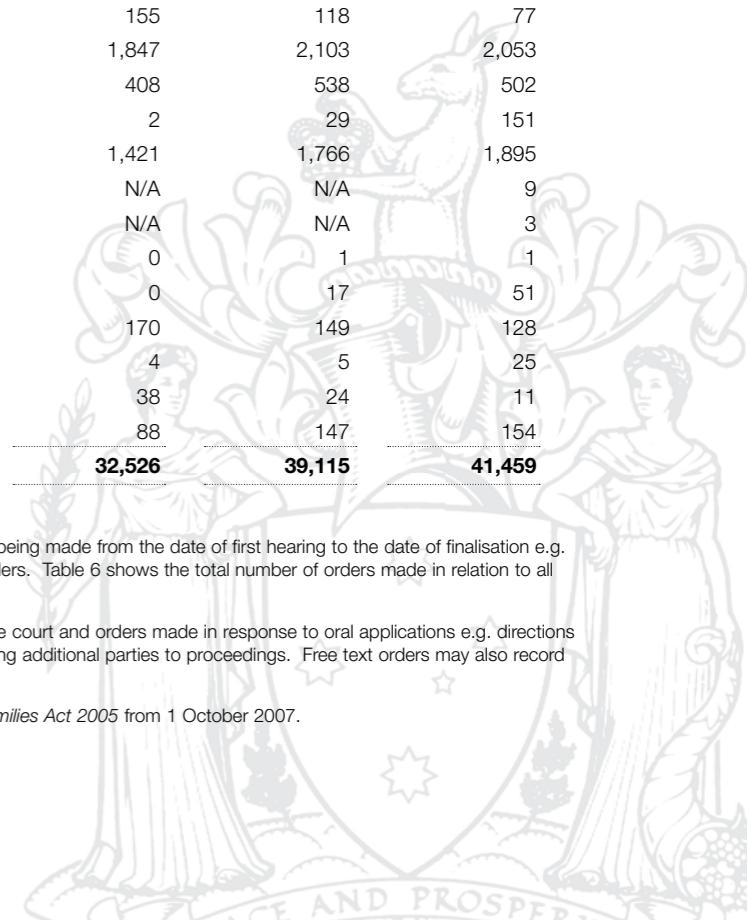
Table 6: Number of orders made⁶, 2005/06 - 2007/08

Order	2005/06	2006/07	2007/08
Adjournment	5,288	7,066	6,966
Custody to Secretary Order	1,096	1,133	1,272
Custody to Third Party Order	8	9	8
Dismissed	10	30	27
Extension of Custody to Secretary Order	1,314	1,348	1,212
Extension of Interim Accommodation Order	10,218	12,293	14,039
Extension of Guardianship to Secretary Order	620	578	464
Extension of Supervised Custody Order	N/A	0	6
Extension of Supervision Order	N/A	18	211
Free Text Order ⁷	3,870	5,368	4,887
Guardianship to Secretary Order	292	302	258
Interim Accommodation Order	4,507	4,880	5,820
Interim Protection Order	997	973	891
Long-Term Guardianship to Secretary Order	N/A	7	61
Permanent Care Order	173	213	277
Refusal to Make Protection Order (s.110(3) CYPA)	155	118	77
Search Warrant	1,847	2,103	2,053
Struck Out	408	538	502
Supervised Custody Order	2	29	151
Supervision Order	1,421	1,766	1,895
Temporary Assessment Order ⁸	N/A	N/A	9
Therapeutic Treatment Order ⁸	N/A	N/A	3
Undertaking to Appear Produce Child on Adj Date	0	1	1
Undertaking - Common Law	0	17	51
Undertaking - Application Proved	170	149	128
Undertaking - Dismissed	4	5	25
Undertaking - Refusal to Make Protection Order	38	24	11
Undertaking - Struck Out	88	147	154
Total	32,526	39,115	41,459

⁶ Most Family Division applications result in a number of orders being made from the date of first hearing to the date of finalisation e.g. multiple adjournments, and multiple Interim Accommodation Orders. Table 6 shows the total number of orders made in relation to all applications before the court in the Family Division.

⁷ Free text orders most commonly record directions made by the court and orders made in response to oral applications e.g. directions for the release of Children's Court Clinic reports, and orders joining additional parties to proceedings. Free text orders may also record the withdrawal of proceedings.

⁸ This order became available under the *Children, Youth and Families Act 2005* from 1 October 2007.

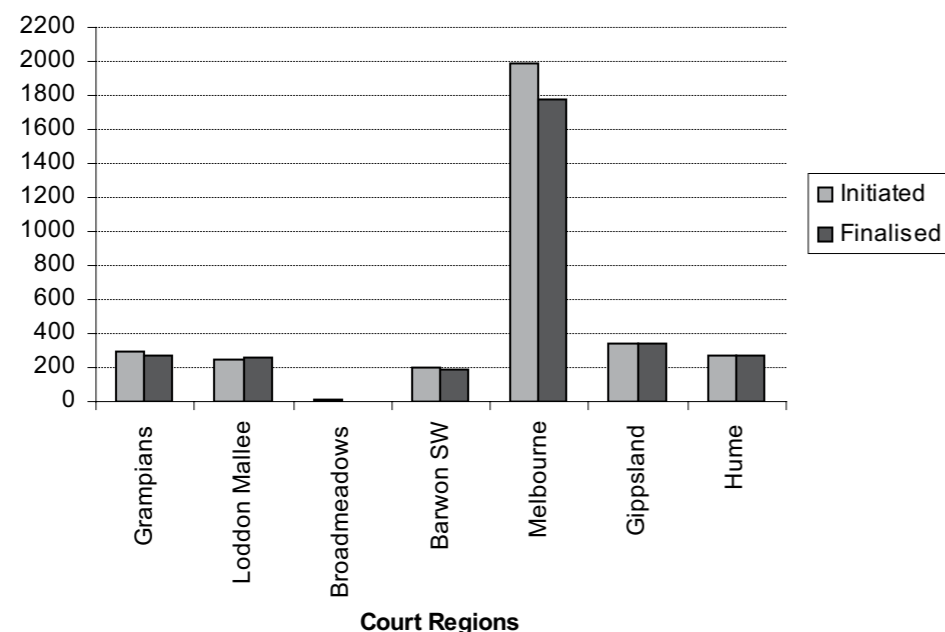


Family Division

Table 7: Number of primary applications initiated⁹, finalised and pending, 2006/07 – 2007/08

Court Region	2006/07			2007/08		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Grampians	252	251	63	291	268	74
Loddon Mallee	270	222	82	242	253	71
Broadmeadows	19	15	0	10	3	4
Barwon South West	162	164	35	205	185	50
Melbourne	1,824	1,608	871	1,987	1,780	922
Gippsland	313	272	95	347	341	89
Hume	261	241	75	271	273	66
Total	3,101	2,773	1,221	3,353	3,103	1,276

Chart 7: Number of primary applications initiated and finalised, 2007/08



⁹ The total number of primary applications initiated, as shown in Table 7, differs from the total number of protection applications initiated, as shown in Table 8. This difference is made up of a combination of irreconcilable difference applications initiated and the number of permanent care applications initiated as primary applications. The majority of permanent care applications are secondary applications and are not included in these tables. However, the total number of Permanent Care Orders made is reflected in Table 6.

Family Division

Chart 8: Regional caseload distribution for finalised primary applications, 2006/07 – 2007/08

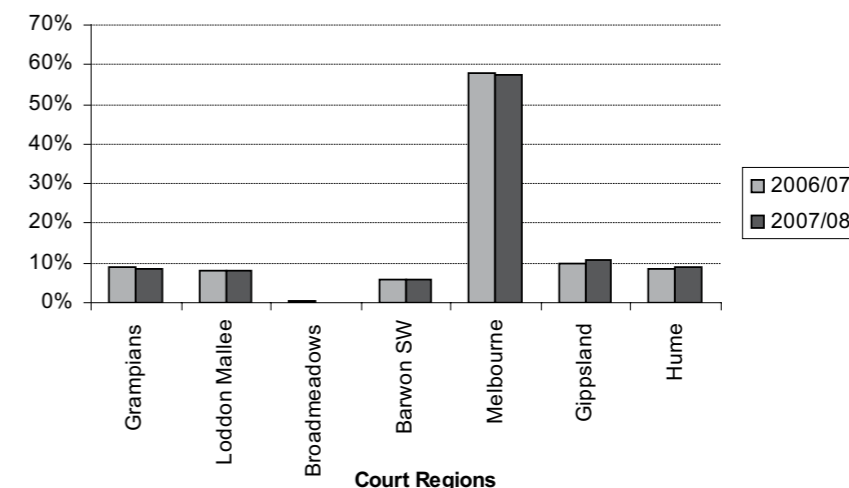


Chart 9: Clearance rates for primary applications, 2006/07 – 2007/08

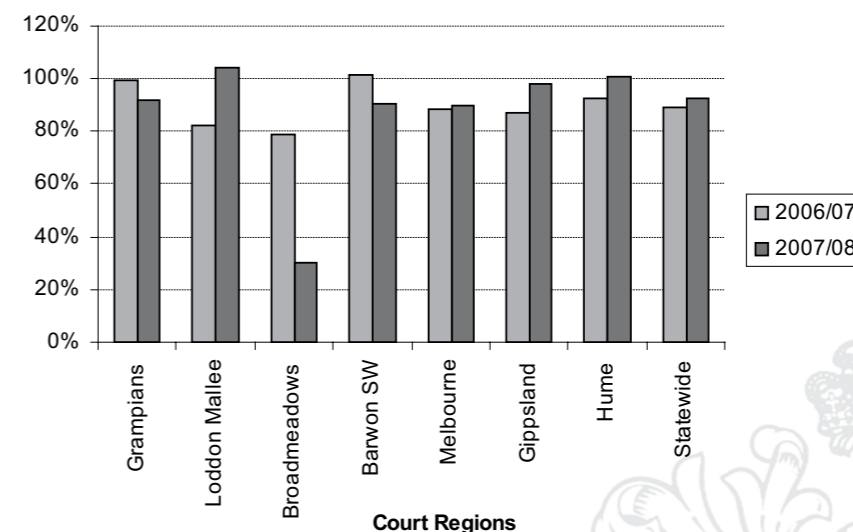
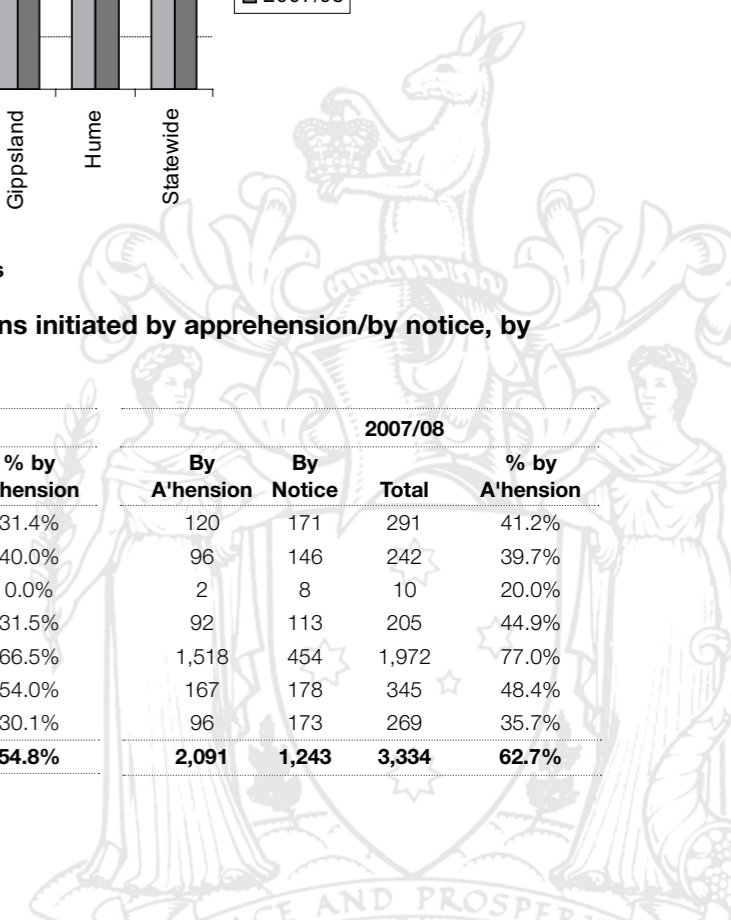


Table 8: Number of protection applications initiated by apprehension/by notice, by court region, 2006/07 – 2007/08

Court Region	2006/07				2007/08			
	By A'hension	By Notice	Total	% by A'hension	By A'hension	By Notice	Total	% by A'hension
Grampians	79	173	252	31.4%	120	171	291	41.2%
Loddon Mallee	108	162	270	40.0%	96	146	242	39.7%
Broadmeadows	0	18	18	0.0%	2	8	10	20.0%
Barwon SW	51	111	162	31.5%	92	113	205	44.9%
Melbourne	1,202	606	1,808	66.5%	1,518	454	1,972	77.0%
Gippsland	168	143	311	54.0%	167	178	345	48.4%
Hume	77	179	256	30.1%	96	173	269	35.7%
Total	1,685	1,392	3,077	54.8%	2,091	1,243	3,334	62.7%



Family Division

Chart 10: Percentage of protection applications initiated by apprehension, 2006/07 – 2007/08

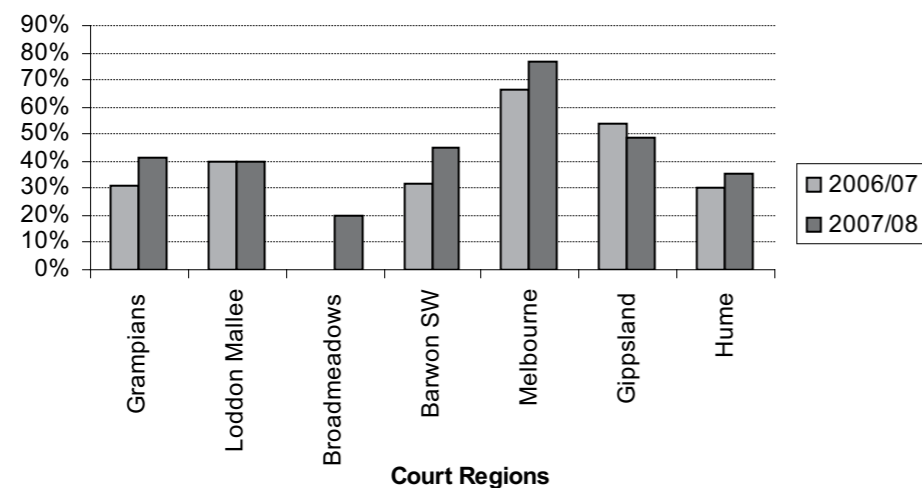


Table 9: Finalised primary applications by outcome, 2005/06 – 2007/08

Order	2005/06	2006/07	2007/08
Dismissed	9	11	9
Struck Out	250	314	344
Refusal to make Protection Order	150	112	77
Undertaking - Application Proved	126	127	89
Undertaking - Dismissed	4	5	17
Undertaking - Refusal to make Protection Order	23	25	11
Undertaking - Struck Out	65	126	142
Free Text Order	107	112	152
Supervision Order	855	1,146	1,311
Custody to Third Party Order	8	3	7
Supervised Custody Order	1	27	96
Custody to Secretary Order	674	663	74
Guardianship to Secretary Order	121	9	100
Permanent Care Order	0	4	8
Total:	2,393	2,773	3,103

Family Division

Chart 11: Distribution of finalised primary applications, by outcome, 2005/06 – 2007/08

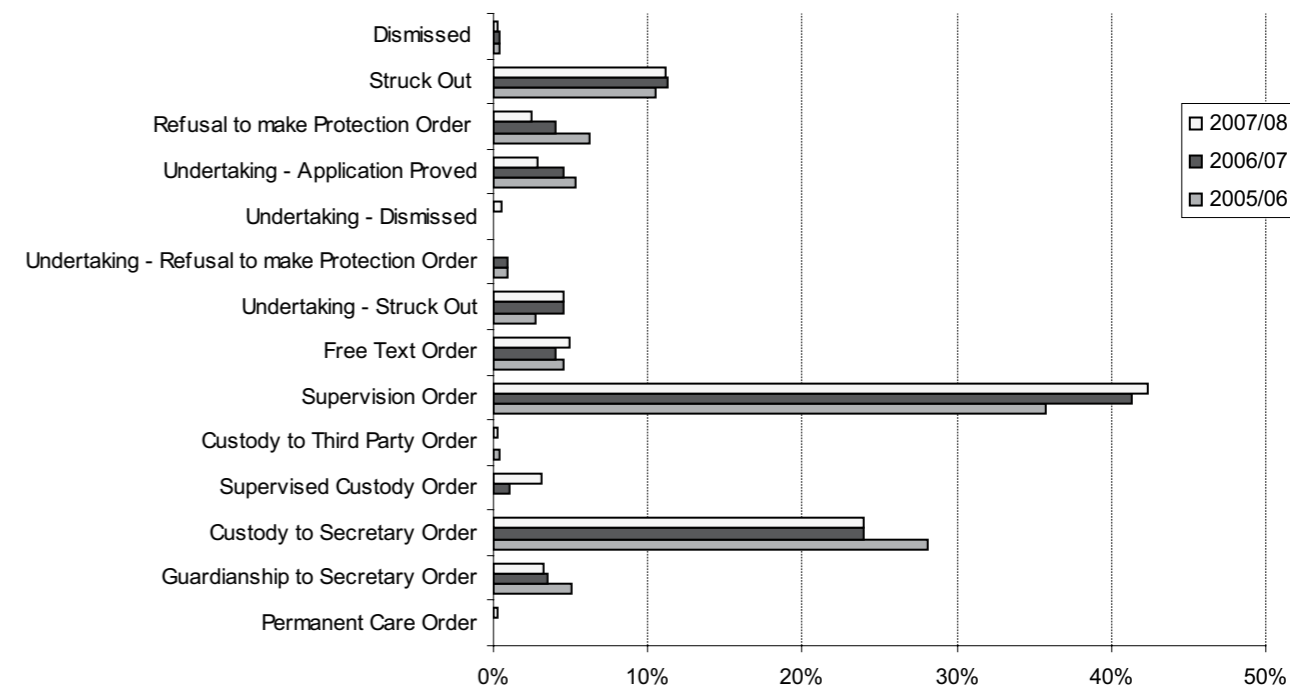
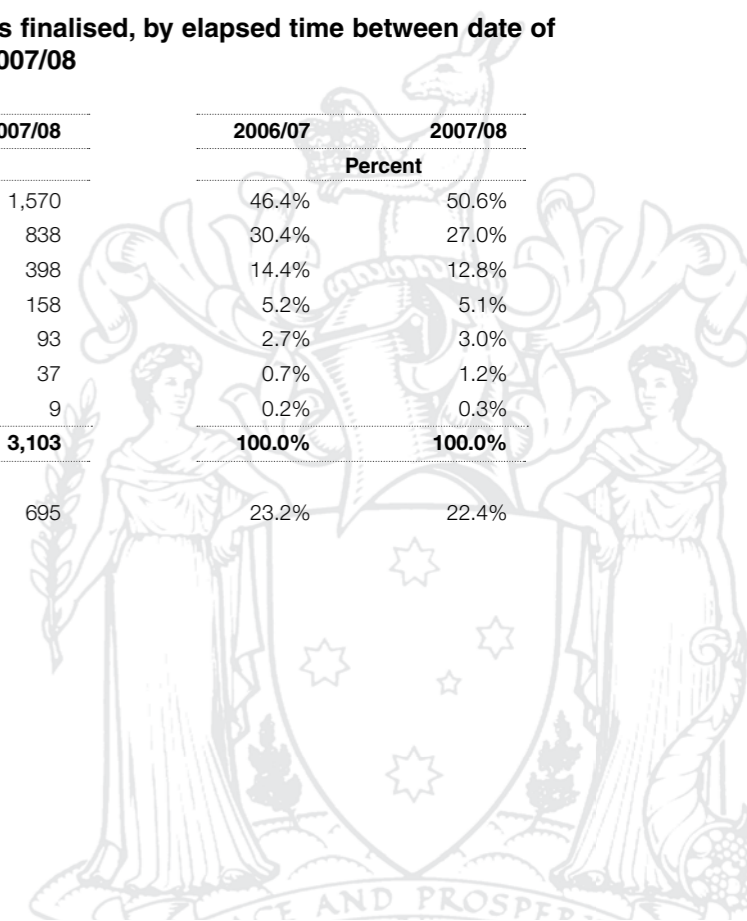


Table 10: Number of primary applications finalised, by elapsed time between date of first hearing and finalisation, 2006/07 – 2007/08

	2006/07		2007/08	
	Number	Percent	Number	Percent
0 < 3 months	1,287	46.4%	1,570	50.6%
3 < 6 months	843	30.4%	838	27.0%
6 < 9 months	400	14.4%	398	12.8%
9 < 12 months	144	5.2%	158	5.1%
12 < 18 months	74	2.7%	93	3.0%
18 < 24 months	20	0.7%	37	1.2%
24 months +	5	0.2%	9	0.3%
Total	2,773	100.0%	3,103	100.0%
6 months +	643	23.2%	695	22.4%



Family Division

Chart 12: Distribution of primary application processing times, by elapsed time between date of first hearing and finalisation, 2006/07 – 2007/08

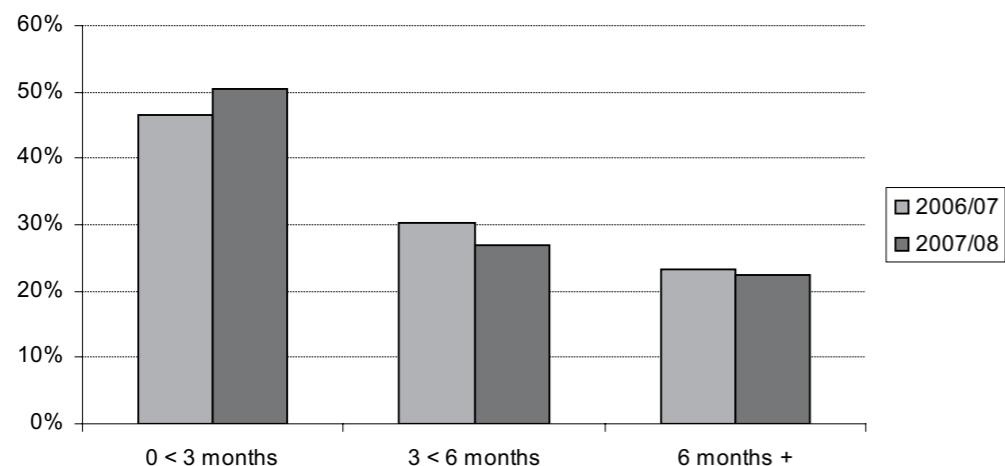
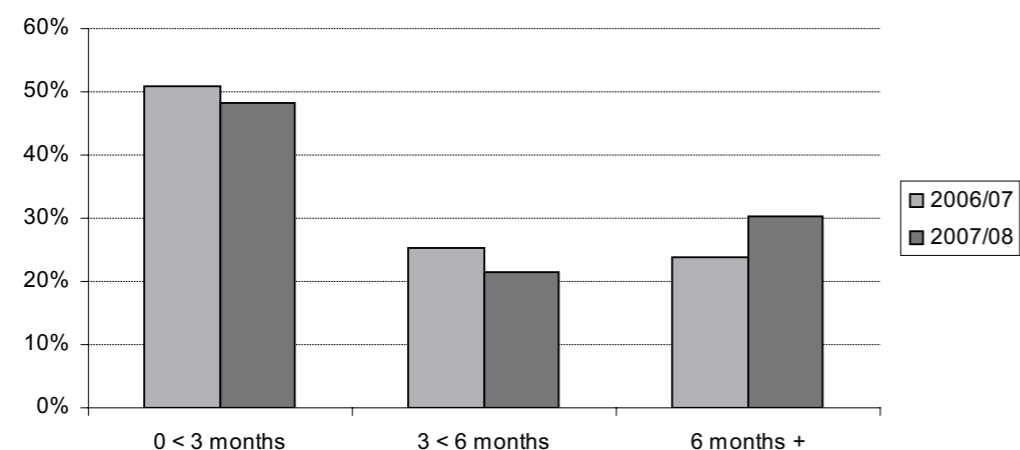


Table 11: Number of primary applications pending on 30 June, by elapsed time since date of initiation, 2006/07 – 2007/08

	2006/07		2007/08	
	Number	Percent	Number	Percent
0 < 3 months	621	50.9%	616	48.3%
3 < 6 months	308	25.2%	274	21.5%
6 < 9 months	139	11.4%	144	11.3%
9 < 12 months	51	4.2%	70	5.5%
12 < 18 months	42	3.4%	68	5.3%
18 < 24 months	33	2.7%	47	3.7%
24 months +	27	2.2%	57	4.4%
Total	1,221	100.0%	1,276	100.0%
6 months +	292	23.9%	386	30.2%

Chart 13: Age of pending primary applications on 30 June, by elapsed time since date of initiation, 2006/07 – 2007/08



Crimes (Family Violence) Jurisdiction

Table 12: Complaints for an intervention order finalised, by outcome, 2005/06 - 2007/08

	2005/06	2006/07	2007/08
	Number		
Intervention order made	710	862	885
Refused	31	32	32
Complaint struck out	390	395	415
Complaint withdrawn	358	449	512
Complaint revoked	0	1	0
Total	1,489	1,739	1,844

	2005/06	2006/07	2007/08
	Percent		
Intervention order made	47.7%	49.6%	48.0%
Refused	2.1%	1.8%	1.7%
Complaint struck out	26.2%	22.7%	22.5%
Complaint withdrawn	24.0%	25.8%	27.8%
Complaint revoked	0.0%	0.1%	0.0%
Total	100.0%	100.0%	100.0%

Chart 14: Number of complaints for an intervention order finalised, and proportion where intervention order made, 2005/06 - 2007/08

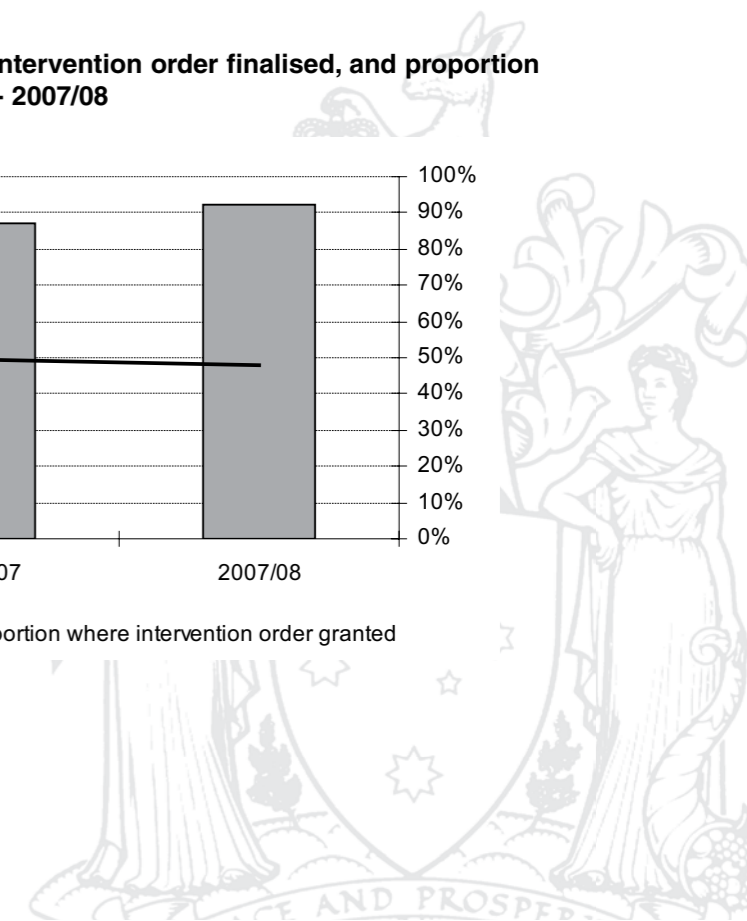
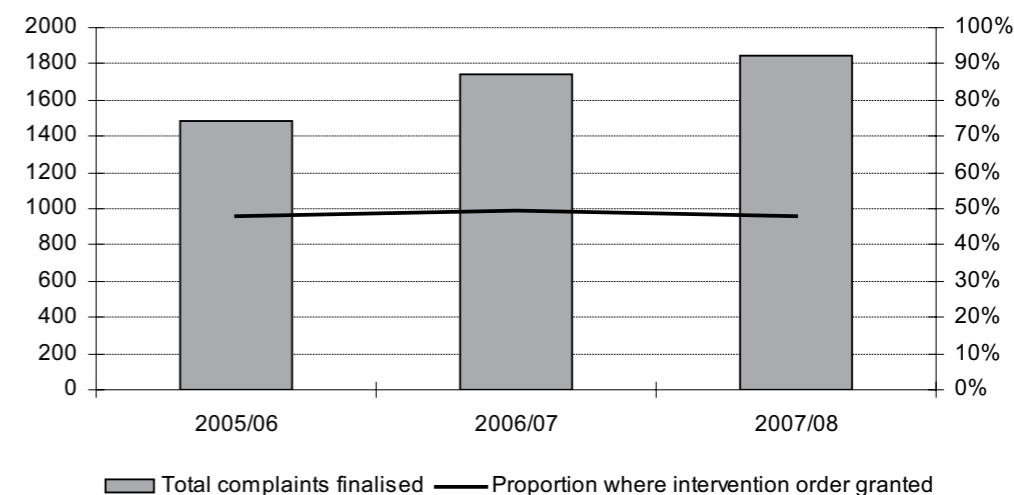


Table 13: Complaints for an intervention order finalised by Act under which complaint made, 2005/06 - 2007/08

	2005/06	2006/07	2007/08
	Number		
Crimes (Family Violence) Act 1987	990	1,181	1,244
Crimes Act 1958 (Section 21A)	499	558	600
Total	1,489	1,739	1,844
	Percent		
Crimes (Family Violence) Act 1987	66.5%	67.9%	67.5%
Crimes Act 1958 (Section 21A)	33.5%	32.1%	32.5%
Total	100.0%	100.0%	100.0%

Chart 15: Number of complaints for an intervention order finalised, by Act under which complaint made, 2005/06 - 2007/08

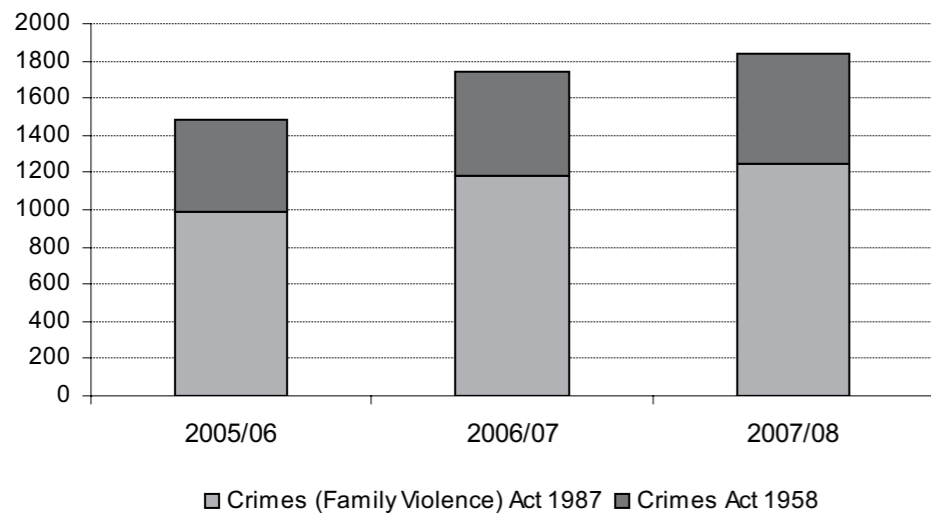


Table 14: Complaints for an intervention order finalised, by elapsed time between date of issue and finalisation, 2005/06 - 2007/08

	2005/06	2006/07	2007/08
	Number		
0 < 1 month	1,103	1,282	1,308
1 < 2 months	214	195	260
2 < 3 months	77	107	133
3 < 6 months	68	126	112
6 < 9 months	22	22	17
9 < 12 months	1	4	8
12 months +	4	3	6
Total	1,489	1,739	1,844
	Percent		
0 < 1 month	74.1%	73.7%	71.0%
1 < 2 months	14.4%	11.2%	14.1%
2 < 3 months	5.2%	6.2%	7.2%
3 < 6 months	4.5%	7.2%	6.1%
6 < 9 months	1.5%	1.3%	0.9%
9 < 12 months	0.1%	0.2%	0.4%
12 months +	0.2%	0.2%	0.3%
Total	100.0%	100.0%	100.0%

6 months + 1.8% 1.7% 1.6%

Chart 16: Number of complaints for an intervention order finalised, and proportion finalised within 30 days of issue, 2005/06 - 2007/08

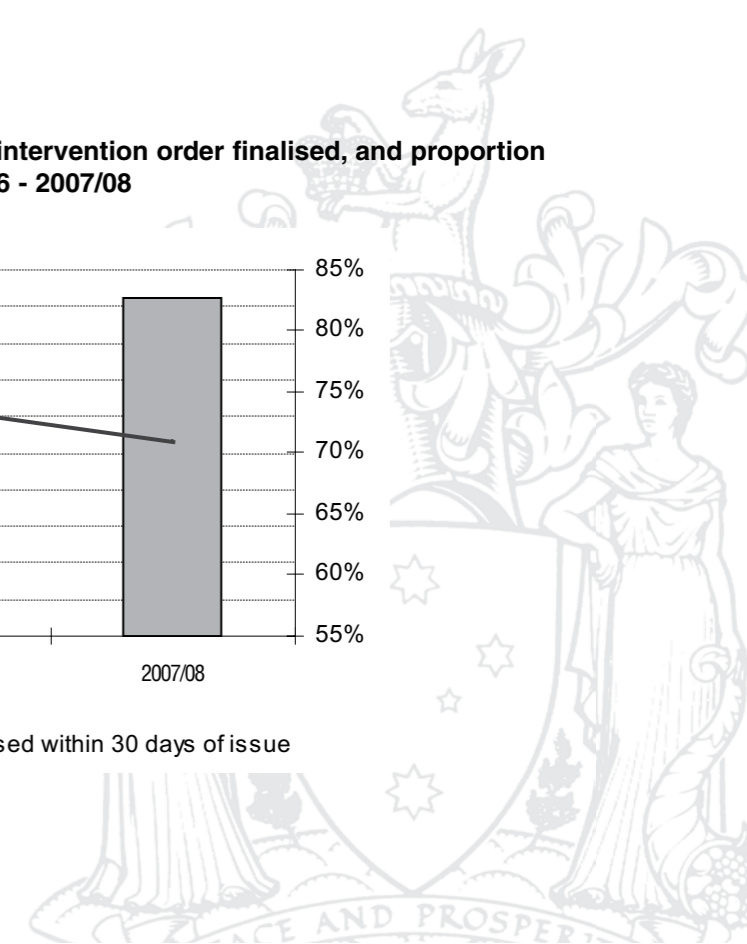
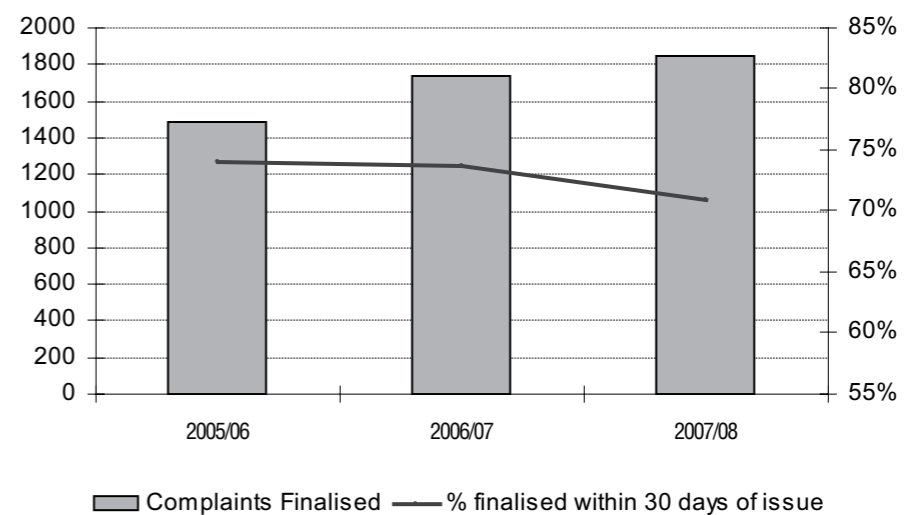
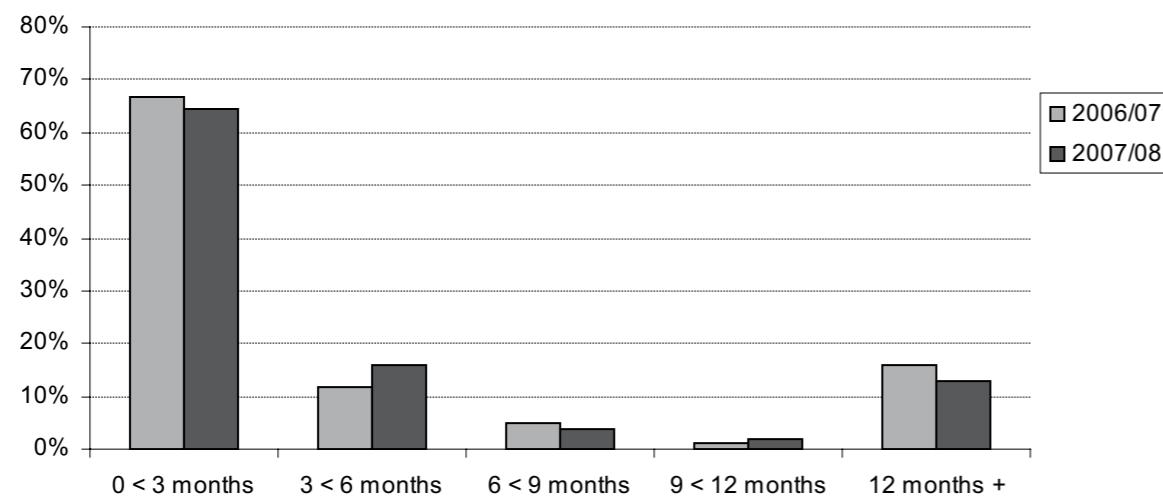


Table 15: Number of complaints for an intervention order pending on 30 June, by age since issue, 2006/07 - 2007/08

	2006/07		2007/08	
	Number		Percent	
0 < 3 months	124	155	66.6%	64.3%
3 < 6 months	22	38	11.8%	15.8%
6 < 9 months	9	9	4.8%	3.7%
9 < 12 months	2	5	2.2%	2.1%
12 < 18 months	14	3	7.5%	1.3%
18 < 24 months	6	6	3.2%	2.5%
24 months +	9	25	4.8%	10.3%
Total	186	241	100.0%	100.0%
12 months +	29	34	15.6%	14.1%

Chart 17: Age distribution of pending complaints for an intervention order on 30 June, 2006/07 - 2007/08



Listing Statistics – Melbourne Children's Court

Table 16: Number and type of listing, 2006/07 - 2007/08

Listing Type	No. Listed 2006/07	No. Listed 2007/08	06/07 – 07/08 % Difference
Family Division			
Directions hearings	669	770	15.0% ↑
Interim Accommodation Order contests	914	868	5.0% ↓
Intervention Order contests ¹⁰	N/A	167	-
Final contests	676	846	25.1% ↑
Criminal Division			
Contest mentions	393	441	12.2% ↑
Contests	196	165	15.8% ↓

¹⁰ A new category of "Intervention Order contests" has been established in these statistics. These contests were previously included in the category "Interim Accommodation Order contests" (or "Criminal contests" if a member of Victoria Police was the applicant).

Table 17: Number of country and metropolitan cases listed to be heard at Melbourne, or by Melbourne Children's Court magistrates sitting in regional courts

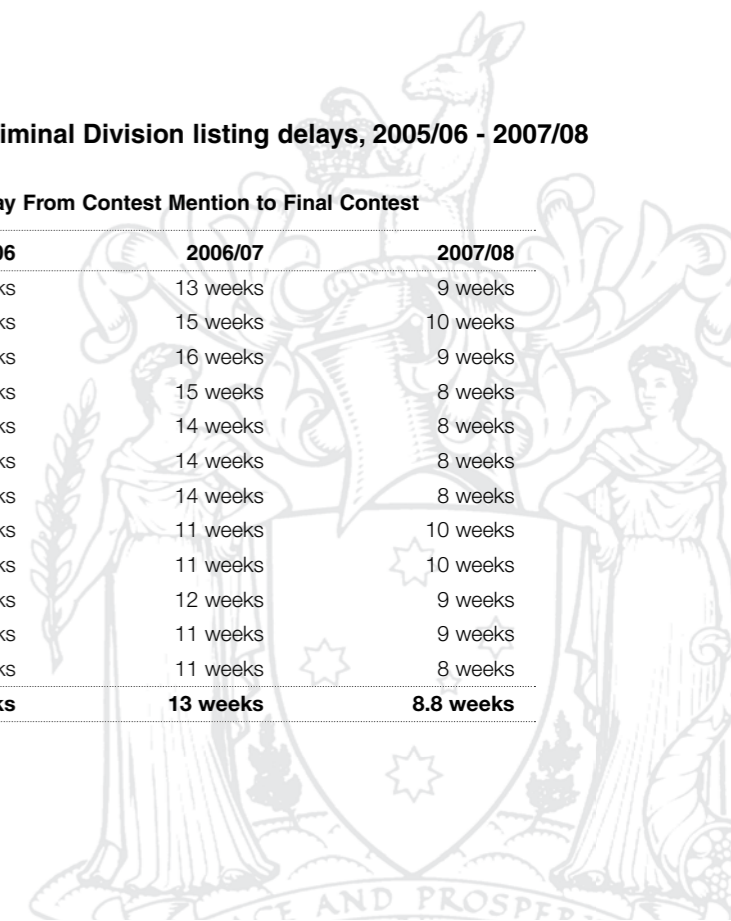
	2005/06	2006/07	2007/08
Country (Family Division contests)	47	0	0
Metropolitan (Criminal Division contests)	43	64	54

Table 18: Melbourne Children's Court, Family Division listing delays, 2005/06 - 2007/08

	Listing Delay from Pre-Hearing Conference to Final Contest		
	2005/06	2006/07	2007/08
July	13 weeks	17 weeks	18 weeks
August	12 weeks	19 weeks	18 weeks
September	14 weeks	20 weeks	19 weeks
October	14 weeks	20 weeks	19 weeks
November	14 weeks	19 weeks	20 weeks
December	14 weeks	19 weeks	20 weeks
January	14 weeks	17 weeks	19 weeks
February	14 weeks	15 weeks	18 weeks
March	14 weeks	16 weeks	16 weeks
April	15 weeks	16 weeks	16 weeks
May	16 weeks	16 weeks	16 weeks
June	16 weeks	18 weeks	15 weeks
Average Delay	14.2 weeks	17.6 weeks	17.8 weeks

Table 19: Melbourne Children's Court, Criminal Division listing delays, 2005/06 - 2007/08

	Listing Delay From Contest Mention to Final Contest		
	2005/06	2006/07	2007/08
July	8 weeks	13 weeks	9 weeks
August	8 weeks	15 weeks	10 weeks
September	9 weeks	16 weeks	9 weeks
October	8 weeks	15 weeks	8 weeks
November	9 weeks	14 weeks	8 weeks
December	12 weeks	14 weeks	8 weeks
January	13 weeks	14 weeks	8 weeks
February	13 weeks	11 weeks	10 weeks
March	11 weeks	11 weeks	10 weeks
April	12 weeks	12 weeks	9 weeks
May	13 weeks	11 weeks	9 weeks
June	11 weeks	11 weeks	8 weeks
Average Delay	10.6 weeks	13 weeks	8.8 weeks



CHILDREN'S COURT CLINIC



Dr Pat Brown
Director
Children's Court Clinic

The Children's Court Clinic, under the directorship of Dr Patricia Brown, is an independent body which conducts assessments and provides reports on children and their families at the request of Children's Court magistrates 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 juvenile offending. Clinicians may be asked to provide advice about a child's situation in his or her family, the course of the child's development over the years, any special needs within the family, and if it is required, where treatment might be obtained. The clinic also makes recommendations to the court about what should happen in the child's best interests.

There were 1,074 referrals of children, young persons and their families during 2007/08, representing a 5% increase on the referrals of the previous financial year and a 20% increase over the past two years. The greater proportion of the assessments were carried out by sessional clinical psychologists but psychiatrists, neuropsychologists and forensic psychologists also contributed to the service.

Of the 1,074 referrals for assessment during 2007/08, 346 were criminal cases, 697 were child protection cases and 29 were *Crimes (Family Violence)* matters. In addition, two referrals were for review of two clinical advices given by private professionals in VOCAT matters at Wodonga court. Of the total, 717 referrals emanated from the metropolitan area and 357 were from country regions of the State.

Included in the total were 37 referrals to the Children's Court Clinic Drug Program for assessment of drug and alcohol problems in Criminal Division cases.

Since an initiative within the clinic has been to expand the drug service into child protection cases (i.e. no longer exclusively to offer drug assessment and treatment in criminal matters) when needed, clinicians cross refer to the drug clinicians for an opinion on drug and alcohol issues that came to light during their assessments in protection matters.

Also, to facilitate the growth of expertise in assessing very complex protection and criminal issues outright and not just the drug components of these, general court referrals (not denoted drug and alcohol) have also been allocated to the drug clinicians. This occurred in 95 instances (38 criminal, 56 child protection and one *Crimes (Family Violence)*) during the reporting period.

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 2007/08 the clinic provided 139 such sessions.

AUDIO/VIDEO LINKING

The Children's Court at Melbourne now has four courtrooms equipped with video conferencing facilities following the fit out of court 9 late in 2007. These facilities are used for the taking and giving of evidence in both criminal and family jurisdictions by linking 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 rooms. These facilities allow for the giving of evidence in appropriate circumstances in a room at the court other than the hearing room.

EDUCATION

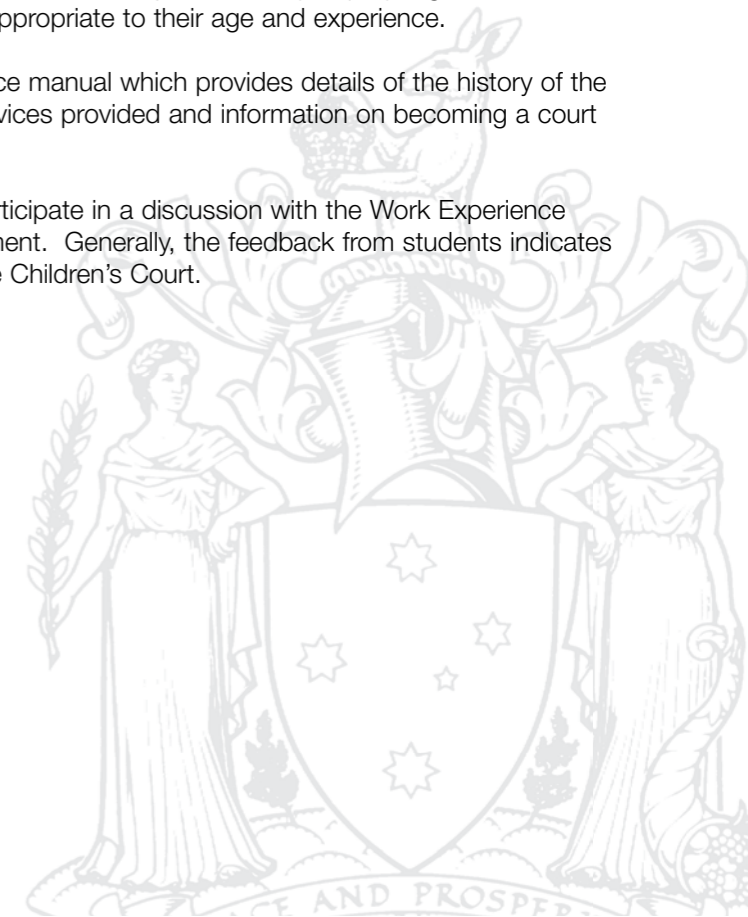
Work Experience Program

For many years a work experience program has been operating at Melbourne Children's Court. The court is a popular placement for secondary and tertiary level students and hosts one, sometimes two students, during most weeks throughout the year. During the 2007/08 year the court hosted 85 students, including 25 tertiary level students who completed work placements of one to two weeks duration.

During the placement students are encouraged to view a variety of cases in both the family and criminal jurisdictions. Students are shown court proceedings from the perspective of a bench clerk, which includes viewing the court's computerised case management systems in operation. Students are also shown a number of general office duties performed by deputy registrars and are encouraged to perform administrative tasks appropriate to their age and experience.

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 court registrar.

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



Tours and Information Sessions

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

During the reporting period approximately 55 visits to Melbourne Children's Court complex and presentations on the jurisdiction and operation of the Children's Court were conducted. Visiting groups have included school students, tertiary students of youth work, social work and law, Youth Justice and Child Protection workers, foster carers, and maternal and child health nurses.

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

Professional Training Sessions

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

- Department of Human Services induction program for new Child Protection workers
- Court Network training courses
- Presentations for Monash University Law students
- Koori Court training sessions for Police prosecutors
- Professional development sessions for Koori Court Elders and Respected Persons
- Professional development sessions for trainee child and adolescent psychiatrists
- Victoria Police Youth Resource Officer training program

Judicial Education

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

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

APPENDIX A

Financial Statement for the Year Ending 30 June 2008

	Budget	Actuals
SPECIAL APPROPRIATIONS		
Magistrates' salaries and allowances	2,338,000	2,206,467
Total Special Appropriations	2,338,000	2,206,467
RECURRENT APPROPRIATIONS		
Salaries, overtime and annual leave	1,472,500	1,780,715
Superannuation	125,000	163,395
Provision for long service leave	48,000	41,461
Fringe benefits tax	0	(1,791)
WorkCover levy	8,100	8,349
Payroll tax	75,300	98,955
Total Salaries Expenditure	1,728,900	2,091,084
OPERATING EXPENDITURE		
Travel and personal expenses	42,000	22,286
Printing, stationery and subscriptions	114,500	99,862
Postage and communication	49,000	49,942
Contractors and professional services	Note 3 397,000	547,277
Training and development	5,000	10,588
Motor vehicle expenses	14,600	4,013
Operating expenses	135,000	173,804
Witness payments	12,000	22,427
Information technology costs	29,000	15,004
Urgent and essentials	79,500	72,353
Rent and property services	340,300	338,120
Property utilities	86,000	85,713
Repairs and maintenance	Note 6 104,400	109,855
Finance lease interest	11,000	5,055
Congestion Levy	0	-
Total Operating Expenditure	1,419,300	1,556,299
COURT SUPPORT PROGRAMS		
Children's Koori Court	133,000	128,749
Children's Court Clinic Drug Program	349,400	192,746
Total Court Support Program Expenditure	482,400	321,495
Total Recurrent Expenditure	Note 4, 5 3,630,600	3,968,878
DEPARTMENTAL CONTROLLED EXPENDITURE		
Depreciation - Buildings	Note 1, 2 651,000	652,491
Depreciation - Plant and equipment	Note 1, 2 400	-
Depreciation - Computer equipment	Note 1, 2 400	-
Amortisation - Motor vehicles	Note 1, 2 36,600	36,511
Total Departmental Controlled Expenditure	688,400	689,002
CAPITAL EXPENDITURE		
Purchases of plant and equipment	33,400	-
Total Departmental Controlled Expenditure	33,400	-
TOTAL CHILDREN'S COURT EXPENDITURE	6,690,400	6,864,347

Notes to and forming part of the Financial Statements

Note 1

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

Note 2

Depreciation is the process of allocating the value of all non-current physical assets controlled by the court over their useful life having regard to any residual value remaining at the end of the asset's economic life. Central Finance makes this charge on a monthly basis as part of the end of month process. Depreciation charges are calculated on the value of each individual asset, the method of depreciation used for each asset, the specified rate of depreciation and the estimated useful life of the asset.

Note 3

The introduction of the *Children, Youth and Families Act 2005* has resulted in a growth for demand of alternative dispute resolution. The increase in expenditure for professional services can be attributed to the increased number of dispute resolution conferences conducted during the year.

Note 4

A budget deficit of \$338,278 was achieved in the recurrent budget for the 2007/2008 financial year.

Note 5

The Children's Court budget incorporates the Children's Court Clinic, the Children's Court Clinic Drug Program and the Children's Koori Court program. The Children's Court Clinic Drug Program and the Children's Koori Court are funded separately, however this funding forms part of the total annual recurrent funding of the court.

Note 6

In December 2004 the Department of Justice contracted Urban Maintenance Systems to maintain the essential services within departmental buildings. In 2007/08 the Magistrates' Court of Victoria received funding for all court buildings including Melbourne Children's Court.

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

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 Theone Talone, Court Services, Department of Justice
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ACKNOWLEDGMENTS





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