

Annual Report 2022–23



**Children's
Court**
of Victoria

Letter to the Governor

The Honourable Margaret Gardner AC
Governor of Victoria

Government House
Melbourne Vic 3004

Dear Governor,

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 2022–2023.

The report covers the Court's operations during the reporting period.

Yours sincerely

Judge Jack Vandersteen
President, Children's Court of Victoria.

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Reports



Report of the President and Chief Executive Officer

During the past year we have focussed strongly on access to justice for young people and families by reducing backlogs, opening a new Children's Court at Dandenong and by establishing the state-wide Weekend Online Remand Court.

CASE MANAGEMENT

Throughout the 2022-23 reporting period, the Court has maintained a strong focus on service delivery improvement and case processing times to reduce delay and backlog. We have now reduced our pending cases to below pre Covid levels. We have seen the benefit of the return to in-person court hearings for children and families to promote access to urgent and in-person services. We have also continued to demonstrate that where appropriate Children's Court hearings can be delivered online as we have worked towards a hybrid model that meets the needs of our court users.

We have continued to increase our hearing capacity to reduce our pending caseload. For this reporting period, we finalised 19,847 matters in the Family Division and 11,118 matters in the Criminal Division. As a result, our pending caseload at the end of this financial year has reduced by 11% for the child protection cases and 9% for criminal cases.

DANDENONG CHILDREN'S COURT

During the reporting period we opened the new Dandenong Children's Court. The purpose-built Court offers court users a safe, accessible, and welcoming environment. We worked closely with key stakeholders and with the local community in Dandenong to design the Court, and will continue to work in conjunction with the community to strengthen the delivery of local justice services in Melbourne's southeast.

We extend our thanks to all members of the working groups and in particular to our Chief Operating Officer, Rob Challis, Senior Registrar, Emma Taylor, project managers Charmaine Costas and Diana Carella, Operations Manager, Ben Megens and to our CSV colleagues, for their dedication, commitment, and expertise.



In June 2023, the Shepparton Children’s Court celebrated the two-year anniversary of Marram-Ngala Ganbu (MNG), a dedicated program that provides a welcoming and culturally safe environment for Koori families.

WEEKEND ONLINE REMAND COURT

The Children’s Court Weekend Online Remand Court (WORC) commenced on Saturday 3 September 2022. From September to June 2023, WORC heard 173 matters from across the State, providing access to specialist Children’s Court Magistrates, immediate referrals to services and supports and access to legal representation at the most critical time. It has also significantly reduced pressure on local Courts after the weekend and public holidays.

Youth Justice, DFFH, Victoria Legal Aid’s Youth Crime Program and Victoria Police Specialist Children’s Court Prosecution Group have all worked closely with the Court to establish and operate WORC, and we thank all participants for their work on this critical and timely response to young people.

SHEPPARTON MARRAM-NGALA GANBU

In June 2023, the Shepparton Children’s Court celebrated the two-year anniversary of Marram-Ngala Ganbu (MNG), a dedicated program that provides a welcoming and culturally safe environment for Koori families. Since commencement, the Shepparton MNG has provided an effective, culturally appropriate court process that has promoted greater participation by Koori families. The event included keynote speeches by the Attorney General, the Hon. Jaclyn Symes and Commissioner for Aboriginal Children and Young People, Meena Singh.

NEW CASE MANAGEMENT SYSTEM

We continue to progress the new Court Management System (CMS). The new CMS will replace the court’s current paper-based system and introduce a secure, online portal. In readiness for the launch of the child protection portal, our staff and judicial officers have worked tirelessly to define the functionality of the new system. We thank everyone for their hard work, commitment, and involvement with this significant area of work. In particular, we would like to recognise Kylie Pieters, Deputy Chief Executive Officer, Martin Taylor, Lead Courts Business Analyst, Karen King, Senior Business Data Analyst and Magistrate Erica Contini for their leadership in delivering this key project for the Court.

We extend our thanks to our many court users and support services including Aboriginal community and legal services, legal organisations and practitioners, and community and government organisations.

To the judicial officers of the Children’s Court and of the Magistrates’ Court, and to our staff, thank you for your dedication and extraordinary commitment to the work of the court.

About the Children's Court

The Children's Court of Victoria expertly hears and determines cases involving children and young people.

The Family Division hears applications relating to the protection and care of children and young people at risk and applications for intervention orders. In September 2022 its jurisdiction expanded to include applications for search and engagement orders.

The Criminal Division hears cases relating to alleged criminal offending by children and young people.

Judicial officers bring legal expertise and experience to the consideration of matters involving children, young people, and their families. Court processes are effective, equitable and transparent. Our workforce is highly professional and committed.

The Year at a Glance

In the 2022–23 year the Children’s Court of Victoria finalised a total of 30,965 cases.



DANDENONG CHILDREN'S COURT

The new Dandenong Children's Court was officially opened on 16 June 2023 by Victorian Attorney-General the Honourable Jaclyn Symes with the Honourable Gabrielle Williams MP, and commenced operations on Monday 19 June 2023.

The new Court hears matters in both the Family and Criminal Divisions, including child protection and intervention order cases, bail and remand hearings, committals, youth diversion and Children's Koori Court cases.

The dedicated Children's Court facility means that children, young people, and families do not have to navigate through or share spaces with those in the adult court system. The new Court is also helping to address the demands on the Dandenong Magistrates' Court and the Moorabbin Justice Centre.

The Court features the artwork of Kobi Sainty, a young Aboriginal artist, and proud Bunurong man, who has produced digital designs that create a more culturally safe and welcoming space for First Nations parties and their families attending Court. The Koori Courtroom also features an innovative extraction fan system that allows smoking ceremonies to be held in the Courtroom.



Child Protection

Overview

The Children's Court Family Division has jurisdiction under the *Children, Youth and Families Act 2005* to hear and determine applications relating to the protection and care of children and young people. The Family Division has the power to make a broad range of orders in relation to children and young people.

Child Protection cases

SUBSTANTIVE ORDERS FROM 2018–19 TO 2022–23

Child Protection Orders	2018–19	2019–20	2020–21	2021–22	2022–23
Family Preservation Order	3,713	3,559	3,338	3,200	2,759
Extension of Family Preservation Order	552	446	488	609	586
Family Reunification Order	2,174	1,772	1,976	2,084	2,004
Extension of Family Reunification Order	546	505	567	650	624
Care by Secretary Order	952	946	889	994	956
Extension of Care by Secretary Order	624	410	633	627	481
Care by Secretary Order Conversion	3	8	4	3	4
Long-Term Care Order	330	277	378	335	361
Permanent Care Order	457	376	493	430	378
Leave apply to vary and/or revoke Permanent Care Order	11	1	1	3	2
Undertakings	669	822	1,046	875	739
Interim Accommodation Order	14,121	15,955	14,693	12,149	11,403
Extension of Interim Accommodation Order	16,573	15,405	17,519	13,500	11,526
Therapeutic Treatment Order	11	21	22	14	17
Extension of Therapeutic Treatment Order	3	6	3	5	3
Safe Custody Warrants	7,983	8,439	6,429	5,672	5,886
TOTAL (substantive orders)	48,722	48,948	48,479	41,150	37,729
			2020–21	2021–22	2022–23
Primary applications			4,785	4,015	3,991
Secondary applications			12,497	12,659	12,482

CHILD PROTECTION CASES – STATEWIDE TOTAL

Total number of primary and secondary applications initiated, finalised, and pending by region.

Court Region	2021–2022			2022–2023		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Barwon South-West	1,338	1,229	298	1,304	1,106	265
Gippsland	1,354	1,201	290	1,589	1,400	279
Grampians	1,185	1,258	243	1,073	998	210
Hume	1,476	1,252	331	1,350	984	410
Loddon Mallee	1,727	1,566	440	1,687	1,543	418
Broadmeadows	1,837	1,991	527	1,697	1,646	503
Dandenong*	N/A	N/A	N/A	499	366	407
Melbourne	4,697	6,954	2,483	4,811	6,635	1,879
Moorabbin	3,060	2,203	743	2,463	1,926	386
Statewide	16,674	17,654	5,355	16,473	16,604	4,757

*Dandenong 20 March – 30 June 2023

Marram-Ngala Ganbu – Koori Family Hearing Day

Marram-Ngala Ganbu (meaning “we are one” in Woiwurrung language) is a Koori Family Hearing day that provides a more effective, culturally appropriate, and just response for Koori families through a court process that enables greater participation by family members and culturally aware decision-making. The program demonstrates a deep commitment to Aboriginal self-determination through changes to the traditional court set-up and functioning, as well as other innovative approaches to enable the Court to be more welcoming and culturally safe for Koori families.

MNG SHEPPARTON

The Shepparton Children’s Court celebrated the two-year anniversary of Marram-Ngala Ganbu (MNG) on 15 June 2023. The event included a smoking ceremony with Attorney General, the Hon. Jaclyn Symes and Commissioner for Aboriginal Children and Young People, Meena Singh to recognise the importance of this initiative for Koori children and their families. The proceedings were led by Aunty Pam Pedersen who is a Yorta Yorta elder and advocate for the rights of Aboriginal people. The event ended with a performance by Galnya Winyar dancers from the Bangerang Cultural Centre.

Since commencement, the MNG in Shepparton has continued to provide more effective, culturally appropriate court processes that promote greater participation. Throughout the reporting period, the Shepparton MNG team have improved the identification of Aboriginal children which has contributed to an increase in the sittings from monthly to fortnightly to meet demand. The appointment of a dedicated Children’s Court Coordinator to complement the existing MNG Shepparton team has proved invaluable to case management for the new program.

MNG BROADMEADOWS

The MNG Broadmeadows team maintain strong relationships with key stakeholders and various community organizations, both Aboriginal and mainstream to support the successful delivery of the program.

On 13 June 2023, Broadmeadows Children’s Court officially launched local artist, Emma Bamblett’s artwork titled ‘Culture Family and Connection for Our Children’. The artwork features a range of motifs and symbols that represent the Koori people’s connection to family and culture which provides individuals with a sense of belonging. The artwork adorns the walls of the Broadmeadows waiting area and visual elements will be used for the new MNG logo.

**NUMBER OF MARRAM-NGALA GANBU SITTINGS
2022–23 SHEPPARTON**

Month	Total sittings	Number of families
Jul 22	1	10
Aug 22	2	19
Sep 22	3	25
Oct 22	2	18
Nov 22	2	16
Dec 22	2	18
Jan 23	1	10
Feb 23	3	30
Mar 23	2	16
Apr 23	2	21
May 23	2	19
Jun 23	3	24

**NUMBER OF MARRAM-NGALA GANBU SITTINGS
2022–23 BROADMEADOWS**

Month	Total sittings	Number of families
Jul 22	4	19
Aug 22	5	35
Sep 22	4	30
Oct 22	4	37
Nov 22	4	36
Dec 22	4	38
Jan 23	4	36
Feb 23	4	35
Mar 23	4	41
Apr 23	3	28
May 23	5	42
Jun 23	4	30

Family Drug Treatment Court

Operating at Broadmeadows and Shepparton Children’s Court, the Family Drug Treatment Court (FDTC) provides intensive support and judicial monitoring to parents in cases where a child has been removed from parental care due to drug and/or alcohol use. The FDTC is the only court of its kind in Australia and its primary goal is to achieve safe and sustainable family reunification.

The FDTC provides a 12-month collaborative program where the participants are supported by a dedicated multi-disciplinary team of professionals including a Children’s Court magistrate, a court-employed clinical team, and Child Protection Practice Leader. The holistic program works alongside a range of external service providers to support long term recovery.

Throughout 2022–23, the FDTC has supported 76 parents to address their drug and alcohol use with a view to achieving safe and sustainable reunification with their children.

NUMBER OF PARENTS REFERRED AND INDUCTED INTO THE FDTC DURING 2022–23

48	36	17	23	84	40
Broadmeadows Referrals	Shepparton Referrals	Broadmeadows Inductions	Shepparton Inductions	Total Referrals	Total Inductions

Conciliation Conferences

Conciliation Conferences are facilitated by Court appointed convenors and provide an opportunity for early resolution of matters before the Court.

STATE-WIDE CONCILIATION CONFERENCES 2020–21 TO 2022–23

	Conferences conducted	Conferences achieving full settlement	Settlement rate
2020–21	2,988	1,190	40%
2021–22	3,170	1,332	42%
2022–23	2,798	1,175	42%

Children’s Court Clinic

The Children’s Court Clinic is an independent body that conducts assessments and reports on children and their families for judicial officers across Victoria.

During the reporting period, the Clinic has continued to use a hybrid model of both in-person and telehealth assessment to engage with families and individuals who have been referred to the Clinic.

During the reporting period:

- 36 psychological or psychiatric reports in the Criminal Division;
- 127 family assessment reports in the Family Division; and
- 63 neuropsychological reports for both Divisions.

Court Support Coordinators

The Court Support Coordinators (CSCs) provide referrals to services, practical support, and information to court users.

CSCs provide:

- referrals to community support services, including drug and alcohol, housing, youth support, and family violence
- information about court processes and procedures
- physical and emotional support to people who are distressed or seeking help
- assistance to join online hearings, and support during hearings.

In the reporting period, CSCs provided support to over 1,844 court users, including to 1,292 self-represented parties.

Intervention Orders

Family Violence

The Children’s Court of Victoria is committed to ensuring all individuals impacted by family violence can access, navigate, and participate in the court process in a safe and supportive environment.

FAMILY VIOLENCE PROGRAMS, SERVICES, AND INITIATIVES

Family Violence Practitioners and Court Support Coordinators are available to provide non-legal support and assistance to individuals participating in family violence related proceedings in both the Criminal Division and the Family Division of the Court by completion of risk assessments, development of safety plans and facilitation of warm referrals to legal and other support services in the community.

FINALISED APPLICATIONS FOR FAMILY VIOLENCE INTERVENTION ORDERS

<i>Family Violence Protection Act 2008</i>	2021–2022	2022–2023
Intervention order made	1,145	1,028
Application refused	19	18
Application struck out	197	207
Application revoked	7	3
Application withdrawn	717	706
Application withdrawn with undertaking	158	163
Total applications	2,243	2,125

Personal Safety

Personal Safety Intervention Orders are court orders that are made to protect a person, their children and their property from another person who is not their family member.

<i>Personal Safety Intervention Orders Act 2010</i>	2021–2022	2022–2023
Intervention order made	581	574
Application refused	5	18
Application struck out	183	149
Application withdrawn	237	295
Application withdrawn with undertaking	126	199
Total applications	1,132	1,235

Crime

Overview

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

Criminal Cases

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Initiations	9,678	10,217	10,014	10,477	9,277	9,339	10,154	7,715	6,683	7,458
Finalisations	10,839	11,728	11,555	12,201	9,530	9,230	8,142	7,708	8,444	8,197
Pending	2,311	2,389	2,452	2,573	1,914	2,400	4,512	4,410	3,085	2,798

Youth Diversion Program

The Children's Court Youth Diversion (CCYD) program provides an opportunity for eligible children to:

- address harm caused by their offending by taking responsibility and completing a diversion activity
- address the underlying cause of their offending
- receive assistance to engage with support services
- have the charges dismissed, with a non-disclosable criminal record, on successful completion of the diversion activity.
- avoid the stigma associated with a criminal record and its impact on future life opportunities.

In the reporting period 1,454 diversions were overseen by CCYD Coordinators. When pending matters are excluded, 98 per cent of diversion plans were successfully completed.

Data relating to youth diversion is provided by Youth Justice.

Weekend Online Remand Court

The Children’s Court’s Weekend Online Remand Court hears bail and remand matters from across the State from 3pm until 9pm on Saturdays, Sundays, and public holidays. Young people appearing before the WORC have access to specialist Children’s Court Magistrates and Koori Court officers as well as specialist children’s lawyers and Youth Justice.

3 SEPTEMBER 2022 – 30 JUNE 2023

Total
Sittings



95

Total
Matters Listed



173

Average
Per Day



1.8

Young Person Profile

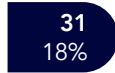
Male



Female



Aboriginal/
Torres Strait
Islander



Proper Venue

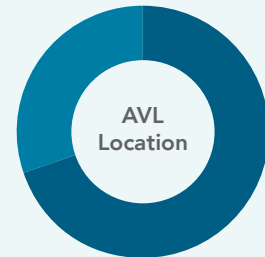


No:
54.3%



Yes:
45.7%

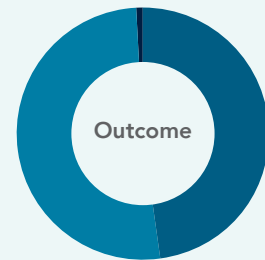
Parkville:
30.1%



Police Station:
69.9%

Finalised: 0.6%

Remand:
51.4%



Bail:
48%

No:
29.5%



Yes:
70.5%

Children’s Koori Court

The Children’s Koori Court is a sentencing court for young Aboriginal people who plead guilty to a criminal offence (other than a sexual offence). The Children’s Koori Court sits at 12 locations across the State.

The Elders and Respected Persons (ERPs) play a significant role in the Children’s Koori Court hearings. They provide cultural advice to Koori Court magistrates while helping young people acknowledge the underlying issues contributing to their offending and its impact on the community. This extends to engaging and communicating with young people to ensure they do not have to tell their story multiple times at each separate hearing. This helps deliver better justice outcomes for the Koori community.

Koori Court Officers play a critical role in the operation of the Children’s Koori Court by:

- working with the Koori community to help with understanding the court process
- providing non-legal support and advice
- supporting judicial officers with access to information to support culturally appropriate outcomes.

CHILDREN’S KOORI COURT STATE-WIDE DATA FOR 2022–2023

Location	No of young people	Matters finalised
Dandenong	1	0
Geelong	5	21
Hamilton	1	0
Heidelberg	1	10
Latrobe Valley	1	2
Melbourne	31	46
Mildura	7	3
Shepparton	4	5
Swan Hill	2	7
TOTAL	53	94

Projects

Case Management System

The 2017–18 State Budget provided Court Services Victoria with funding for a modern case management system (CMS) for the Children’s Court and Magistrates’ Court in response to the Royal Commission into Family Violence.

The project is focused on delivering a new CMS that will allow the courts’ internal and external processes to operate more efficiently by strengthening the ability to capture and share appropriate critical information, reducing the reliance on paper files and minimising manual practices.

The new CMS will provide a secure, self-service, online portal and will change the way professional court users engage with the court.

The CMS Portal enables:

- applications, reports, and documents to be filed electronically
- access to case information, including hearing details
- the drafting and submission of proposed minutes of consent orders electronically
- tentative scheduling of next hearing dates
- authorised court orders to be obtained.

The jurisdictional leads and representatives from the Children’s Court continue to work directly with the technology and project partners to guide the system’s configuration and management to ensure the CMS project delivers the best possible solution for the courts.

Wyndham Law Courts

The \$271 million Victorian Government investment for the new Wyndham Law Courts will establish a state-of-the-art court facility for Melbourne’s growing west. This will deliver the largest court complex outside of Melbourne’s central business district to service the Children’s Court, Magistrates’ Court and Victorian Civil and Administrative Tribunal. The new purpose-built court will allow for more Children’s Court matters to be heard locally.

The new court facility will feature:

- a dedicated Children’s Court entrance and main foyer, with tailored fit-out
- waiting areas, courtrooms and day holding cells, with fit-for-purpose design
- facilities specific to Children’s Court service agencies.

Construction for the new building commenced in January 2023. The new court facility is on track for completion in late 2024 and to open in early 2025.

Our Judiciary

Our Judiciary

There are four stand-alone specialist Children’s Courts located at Melbourne, Broadmeadows, Dandenong and Moorabbin. At our specialist courts we have twenty magistrates, three judicial registrars and four reserve magistrates.

PRESIDENT

Judge Jack Vandersteen

MAGISTRATES

Ms Jacqueline Billings

Ms Jennifer Bowles

Mr Darrin Cain

Ms Erica Contini

Mr Peter Dotchin

Ms Lesley Fleming

Ms Jane Gibson

Ms Annabel Hawkins

Ms Robyn Hamilton

Ms Gail Hubble

Mr Randall Kune

Ms Elizabeth Langdon

Ms Kay Macpherson

Mr Shiva Pillai

Ms Kim Parkinson

Ms Lucia Raponi

Ms Kristen Rose

Ms Sharon Smith

Ms Melissa Stead

Mr Francis Zemljak

RESERVE MAGISTRATES

Ms Margaret Harding

Ms Michelle Ehrlich

Mr Gregory Levine
(retired March 2023)

Ms Cathy Lamble

Mr Charlie Rozencwajg

JUDICIAL REGISTRARS

Ms Judith Benson

Ms Majella Foster-Jones

Ms Julia Lever-Davidson

Magistrates from the Magistrates’ Court of Victoria also sit as Children’s Court magistrates in other metropolitan Magistrates’ Courts and all regional Magistrates’ Courts on nominated days.

Court locations

The Children’s Court of Victoria sits at:

- the Melbourne, Broadmeadows, Dandenong and Moorabbin Children’s Courts; and
- locations at which the Magistrates’ Court is held.

MELBOURNE REGION:

Family Division:

Melbourne Children’s Court (headquarters court), Moorabbin, Broadmeadows, Dandenong.

Criminal Division:

Melbourne Children’s Court (headquarters court), Moorabbin, Broadmeadows, Dandenong, Frankston, Heidelberg, Neighbourhood Justice Centre, Ringwood, Sunshine, Werribee.

GRAMPIANS REGION:

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

LODDON MALLEE REGION:

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

GIPPSLAND REGION:

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

HUME REGION:

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

BARWON SOUTH WEST REGION:

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





**Children's
Court**
of Victoria