

# CHILDREN'S COURT OF VICTORIA



ANNUAL REPORT  
2001 - 2002



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**Judge Jennifer Coate**  
**President**  
**Children's Court of Victoria**

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**Victoria**

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25 October 2002

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


Dear Governor

**CHILDREN'S COURT OF VICTORIA - ANNUAL REPORT 2001-2002**

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 2001-2002.

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

Yours sincerely



**Judge Jennifer Coate**  
**President**  
**Children's Court of Victoria**

# 1 OVERVIEW

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During the reporting year, the following statements were formulated as part of a Three Year Strategic Plan, and an Annual Action Plan (see page 11) for the Children's Court of Victoria.

## OBJECTIVES

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

## VISION

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

## PURPOSE

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

## VALUES

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

## PRESIDENT'S REPORT

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

*Judge Jennifer Coate with associate, Janet Matthew and tipstaff David Whelan at the County Court during 2002.*

### Sittings in the County Court of Victoria

During the year I sat in the County Court during the periods 8 - 12 April 2002 and 17 June - 11 July 2002.

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 1989* 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:

Susan Adele Blashki  
30 July 2001 to 10 August 2001

Brian Wynn-Mackenzie  
27 December 2001 to 16 January 2002

Susan Adele Blashki  
17 January 2002 to 1 February 2002

Wendy Anne Wilmoth  
17 June 2002 to 28 June 2002.

### XVI World Congress of the International Association of Youth and Family Judges and Magistrates - Melbourne, October 2002

In 2000, the Children's Court agreed to participate in co-hosting the XVI World Congress of the International Association of Youth and Family Judges and Magistrates. The Congress is being co-hosted by the Family Court of Australia, the Federal Magistrates' Service, the Children's Court of Victoria, the Magistrates' Court of Victoria, the Family Court of New Zealand and the Youth Court of New Zealand.

The program boasts speakers from all around the world on an array of topics connected to the work of the co-hosting courts. The central theme of the Congress is "Forging the Links."

Throughout the reporting period an enormous amount of time, effort and thought has been dedicated to the organisation and preparation for this Congress. Magistrates Greg Levine, Wendy Wilmoth, Sue Blashki and Brian Wynn-Mackenzie have all been members of the Local Organising Committee. Janet Matthew has worked patiently and tirelessly to bring the Congress to life at the end of October this year.

The program will range from juvenile justice and youth offending to children's participation in the legal process, models of decision making in child protection, and child and family community preventative programs.

It is hoped that much debate and co-operation for positive change will be the final result of the Congress.

### Regional Sitzings

The full-time members of the Court at Melbourne continue to maintain their commitment to providing assistance in the country regions of the Court, and in particular the Family Division of the Court.

The figures in the following table illustrate both the demand and delivery over the last three reporting periods:

#### **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	2001-2002
<i>Country</i> (Family Division contests)	17	43	41
<i>Metropolitan</i> (Criminal Division contests)	13	29	32

### Children's Court Judicial Council

On 25 October 2001 there was a resolution of the Council of Magistrates that all magistrates assigned to the Children's Court establish themselves as the Children's Court Judicial Council ("CCJC"). Part of that resolution was:

*That the Children's Court Judicial Council appoint an Executive Committee to make decisions on its behalf between its meetings and within the framework of its policy by way of its delegated authority.*

It was also resolved:

*That the Executive Committee consist of the President and all magistrates exclusively assigned to the Children's Court together with four magistrates assigned to the Children's Court elected by the CCJC for a period of two years and the Chief Magistrate as an ex-officio member. Two of the elected magistrates shall be from separate metropolitan regions (excluding the Melbourne region in lieu of the Melbourne Children's Court) and two from separate country regions.*

As a result of a call for nominations for the Executive of the CCJC, magistrates from three separate metropolitan regions and three separate country regions nominated. It was agreed that there would be an excellent breadth of representation if all of the nominated magistrates became members of the Executive Committee. Consequently, at the meeting of the Council of Magistrates on 21 March 2002, a motion was put and passed to amend the previous resolution to provide for a minimum of two magistrates for metropolitan and a minimum of two magistrates for country regions.

As a result of the nominations and amended resolution, the Children's Court Judicial Council is as follows:

Judge Jennifer Coate (Chair) (Melbourne)  
 Jeanette Maughan (Melbourne)  
 Jennie Bowles (Broadmeadows)  
 Peter Power (Melbourne)  
 Clive McPherson (Melbourne)  
 Brian Wynn-Mackenzie (Melbourne)  
 Greg Levine (Melbourne)  
 Sue Blashki (Melbourne)  
 Wendy Wilmoth (Melbourne)  
 Cathy Lamble (Heidelberg)  
 John Myers (Frankston)  
 Elizabeth Lamden (Bendigo)  
 Eddie Batt (Gippsland)  
 John Murphy (Shepparton)

It was further resolved at the Council of Magistrates meeting on 21 March 2002 that there would be a minimum of four meetings per year and finally, that the Executive would hold office for a two year period.

During the reporting period, the Executive Committee met in March, May and June to discuss a number of issues ranging from the collection of Children's Court statistics to an agreed position with respect to the taping of proceedings.

## Community Education

This report contains a special mention of the outstanding and invaluable contribution made by magistrate, Mr Peter Power in providing highly informative and entertaining sessions to many and varied groups and organisations who attend at the Court (see page 30). Many other judicial members of the Court also provide such sessions on a regular basis. Mr Greg Levine, Ms Wendy Wilmoth, Mr Lou Hill, Mr Brian Wynn-Mackenzie and Ms Susan Blashki have all provided information sessions to a range of visiting groups and organisations during the reporting period.

The Court, through the President and its specialist magistrates, continues to participate 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 including presentations at the following:

- Department of Human Services induction/training programs
- Court Network induction/training sessions
- Australian and New Zealand Education and Law Conference
- Victorian Bar Readers' Course
- Regional Child Protection Managers: Department of Human Services
- Victorian Child Death Review Committee



- A.I.J.A. Indonesian Judicial Training
- Presentation College Windsor
- Drugs and Crime Prevention Parliamentary Committee
- Department of Education and Employment Conference

Further, during the reporting period the Court has been represented on the following Councils, Boards and Committees:

- Courts Consultative Council (Chair: Attorney General)
- Co-ordinated Health Services for Abused Victorian Children (Chair: Judge Jennifer Coate)
- Group Conferencing Steering Committee (Chair: Judge Jennifer Coate)
- Forensic Psychology Advisory Board (Chair: Professor Arie Frieberg)
- Victoria Police Youth Issues Reference Group
- Courts Strategic Directions Judicial Working Group
- Family Violence Protocols Committee (Chair: The Hon. Justice Sally Brown, Family Court of Australia)
- Victorian Aboriginal Child Care Agency Protocols Working Group
- Women's Safety Strategy Co-ordinating Committee (Chair: Office of Women's Policy)
- Victorian Community Council Against Violence Advisory Group for report into "Children and Young People Who Engage in Sexually Abusive Behaviour"
- Court Project Advisory Committee
- Ministerial Juvenile Justice Round Table
- Aboriginal Awareness Committee: Supreme Court
- Australian Institute of Judicial Administration

Finally, I was appointed as a part-time Commissioner of the Law Reform Commission in October 2001. A number of the references made to the Law Reform Commission during that period have been of direct relevance to the scope of the work undertaken in the Children's Court of Victoria. It has been an excellent opportunity to have input into a number of areas of contemplated law reform which impact upon children.

## Security

Security in the public areas of the courts and in particular at Melbourne remains an issue. I wish to make special mention of the patience and professionalism exhibited by the Victoria Police Protective Services Officers performing their duties at the Children's Court at Melbourne. The Family Division of the Children's Court remains an environment which has a high level of volatility and conflict, and presents daily challenges to the maintenance of an orderly and secure court. The task of doing so is met daily by the dedicated security staff and administrative staff of the Court.

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

Through the President, the Court is a member of the Standing Committee of Australian and New Zealand Youth and Children's Courts ("SCANZYCC").



Every Australian State and Territory Children's or Youth Court is a member, as is the Youth Court of New Zealand. The Committee meets at least once per year. In July 2001, the Committee met for a day in Adelaide after the Biennial District and County Court Judges' Conference. The next proposed meeting will be hosted by the Children's Court of Victoria in July 2002. The discussion and exchange of information and ideas amongst the representative members of this body is an invaluable resource.

## Conclusion

The Court maintains its commitment to fulfil its statutory obligations according to law in an ever demanding jurisdiction. The range of issues facing each judicial decision maker in this jurisdiction continue to present a huge challenge which is met daily by our magistrates in my view with unfailing diligence, compassion and commitment.

I wish to express my sincere thanks to the staff and magistrates of the Children's Court throughout Victoria who have maintained a high standard of professionalism as always and regularly in the face of difficult and volatile situations.

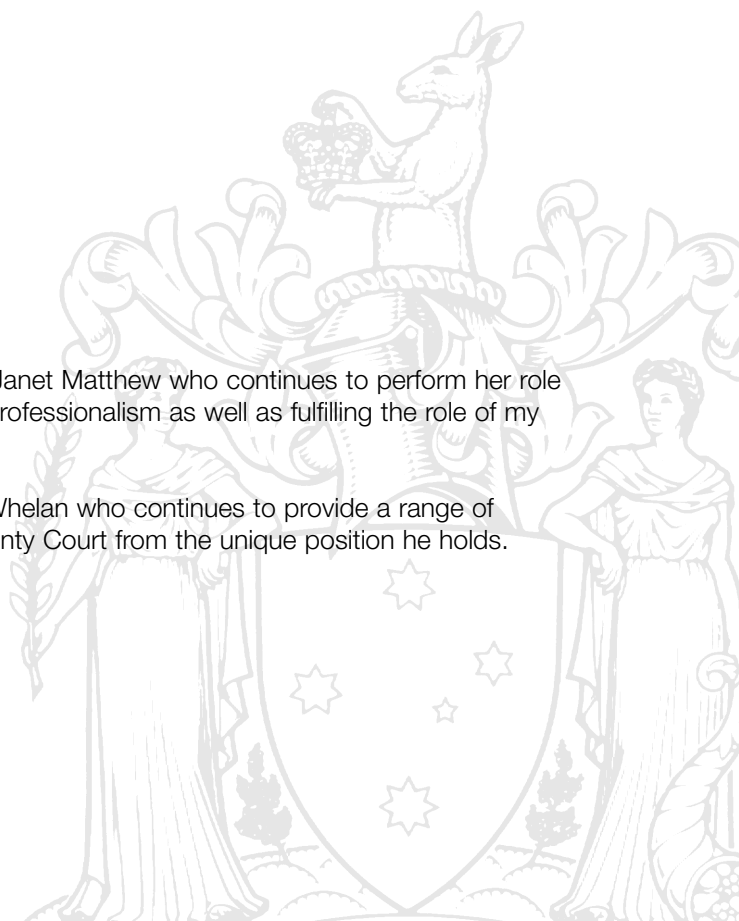
The senior, statewide staff stationed at Melbourne continue to do their utmost to lead the administrative functions of the Court with outstanding ability. My special thanks and acknowledgement in this regard to the Principal Registrar, Mr Godfrey Cabral, the Co-ordinator, Ms Sue Higgs and the Office Managers, Ms Jan Trevaskis and Ms Leanne de Morton for their hard work and support to the magistrates.

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

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

My deepest thanks and acknowledgement to Janet Matthew who continues to perform her role as Court Liaison Officer with enthusiasm and professionalism as well as fulfilling the role of my associate during sittings at the County Court.

My special thanks again to my tipstaff, David Whelan who continues to provide a range of assistance to the Children's Court and the County Court from the unique position he holds.



## 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 Greg Levine  
 Mr Clive McPherson  
 Ms Jeanette Maughan  
 Mr Peter Power  
 Ms Wendy Wilmoth  
 Mr Brian Wynn-Mackenzie

#### Principal Registrar

Mr Godfrey Cabral

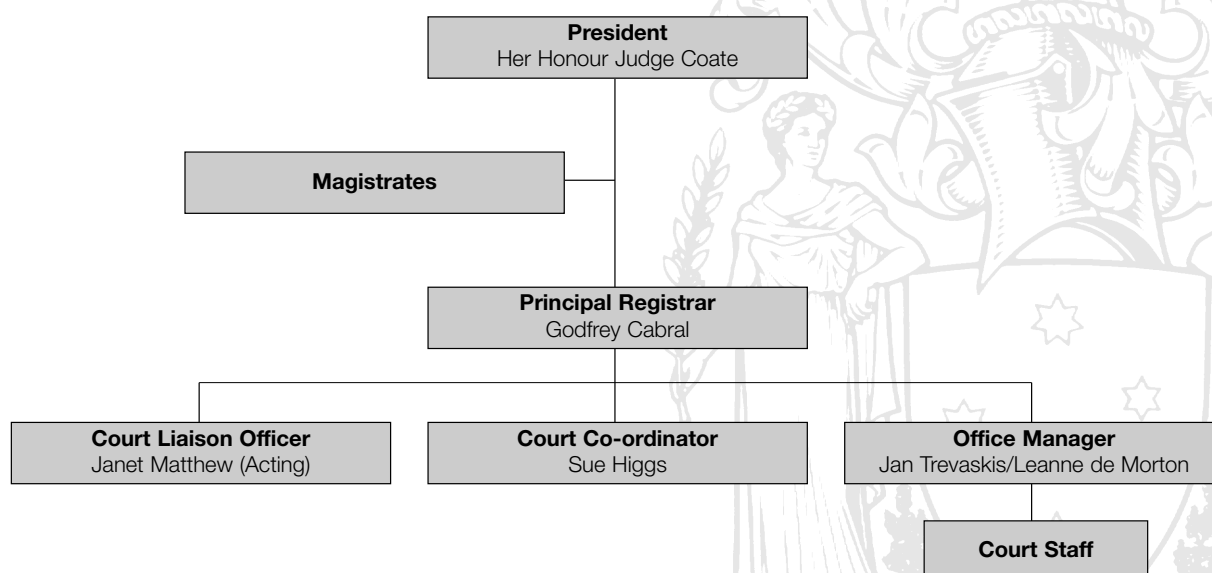
#### Senior Registrars

Ms Sue Higgs (Court Co-ordinator)  
 Ms Jan Trevaskis (Office Manager) (first half of reporting period)  
 Ms Leanne de Morton (Acting Office Manager) (second half of reporting period)

#### 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



*Deputy registrars  
Maxine Catton and  
Leanne de Morton who  
have been working on  
improvements to the  
Family Division computer  
system.*

During the 2001-2002 year staff of the Children's Court worked with the developers of the "Lex" Family Division computer system to bring about a range of improvements to the program. The changes, which are due to be implemented early in the 2002-2003 year, will go a long way toward providing greater functionality and a more user friendly system.

Throughout the year Melbourne staff provided training on the current Lex program to various staff in rural locations. Comprehensive training in relation to the impending changes to Lex is scheduled to take place at Melbourne and at rural courts throughout Victoria in early 2002-2003. Representatives from the Children's Court and from the Magistrates' Court technology group will be responsible for the provision of this training.

A revised Lex user manual will be supplied electronically to all courts, and staff at Melbourne will continue to provide assistance and support to staff across Victoria throughout the coming year. The improvements to Lex have been the culmination of ideas and suggestions by staff both at Melbourne and throughout the state and their contribution has proved invaluable.

## THREE YEAR STRATEGIC PLAN/ANNUAL ACTION PLAN

During the reporting period the Children's Court three year strategic plan was reviewed and a new three year plan for the 2002/2005 period together with an annual action outline for 2002/2003 were developed.

The revised format of our strategic plan is in line with the recommendations contained in the document entitled "Strategic Planning Approach for the Justice Portfolio" produced by Portfolio Planning of the Department of Justice. This year the content of our strategic plan was expanded to incorporate an assessment of the key external trends affecting or likely to affect the Court, any risk factors that may affect the achievement of our objectives and the resources required to be successful.

The planned initiatives for the first year of the strategy are easily identifiable within the strategy document and form our annual action plan. Our annual action outline was produced as a separate one page document and summarises our objectives for the 2002/2003 year. It is a readily accessible and practical reference tool for all court personnel.

In addition, an important part of the process of developing our plan for the next three years was to review the Court's performance during the previous year. That review was undertaken and enabled the conclusion that, based upon its objectives, the Court had achieved a high level of success during the previous year. The details of those achievements are contained in the new three year strategy document for 2002/2005.



The process of developing the Court's three year strategic plan was once again undertaken by representatives of both the judicial and administrative arms of the Court and the end product is one that is the culmination of a great deal of work by all those involved.

## **VISITS TO METROPOLITAN AND COUNTRY REGIONS**

During the reporting period Judge Jennifer Coate and staff members of Melbourne Children's Court visited regional courts in Frankston, Dandenong, Broadmeadows, Ringwood, Sunshine, Preston, Mildura and Bendigo. These visits provide 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 can give any assistance needed to metropolitan and country Children's Courts. The visits also provide 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.

## **LAW WEEK - COURTS OPEN DAY**

On 18 May 2002 Courts Open Day was again held as part of Law Week. Law Week is a national event which in this State is managed by the Law Institute of Victoria. Members of the public took advantage of the opportunity to visit the Melbourne Children's Court at 477 Little Lonsdale Street. Tours of the Court were conducted by Janet Matthew, Court Liaison Officer and David Whelan, Tipstaff to the President. Magistrate, Mr Peter Power conducted several information sessions throughout the day which were well attended. These sessions provide a rare opportunity for members of the public to talk to and have their questions answered by a judicial member of the Court.

## **COURT NETWORK AT THE CHILDREN'S COURT**

Court Network operates a statewide support service to assist people attending Victoria's courts. In May 2001, Court Network commenced a three year pilot program in the Melbourne Children's Court after receiving funding from the William Buckland Foundation. A team of 14 trained volunteers, supervised by a professional Program Manager, are rostered to provide two "Networkers" each day working in both the Family and Criminal Divisions of the Court. Networkers provide information about court procedures and community supports, assist people to make contact with Legal Aid duty solicitors, provide practical and emotional support, refer people to appropriate community support agencies and generally work collaboratively with all other parties to facilitate the court process.

During the year, magistrates from Melbourne Children's Court continued to participate in the ongoing training of Court Network volunteers.

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

## SALVATION ARMY AT THE CHILDREN'S COURT

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

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

In December 2001, the Salvation Army hosted a Children's Court Christmas Party at the Melbourne Zoo providing an enjoyable outing for 60 adults and 90 children.

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

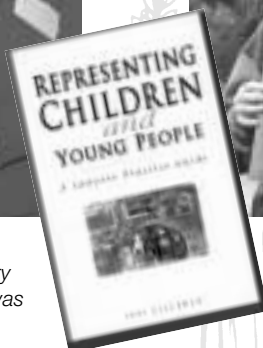
## JOINT PROJECT WITH THE VICTORIA LAW FOUNDATION

In November 2001, the Victoria Law Foundation released a new publication entitled *Representing Children and Young People: A Lawyers Practice Guide*. The front cover of the book features an illustration by year 6 Frankston Primary School student, Kimberly Temme. Kim's work was selected by a judging panel including Judge Jennifer Coate, President of the Children's Court of Victoria. Some months earlier, 10 Victorian schools were visited by Noelene Gration of the Victoria Law Foundation and Janet Matthew of the Children's Court to talk to children about the law and the role of lawyers, and to invite the children to submit illustrations as possible cover designs for the book. Over 100 illustrations were received, and apart from the winner, a number were selected as runners up and for special commendation. For their part in the project, Kim Temme and Frankston Primary School received books to the value of \$250 and \$500 respectively. Prizes were presented by Judge Coate at the official launch of the book which was held at the Children's Court on 26 November 2001.



Judge Coate at the book launch with Caitlin Peters of Lockwood South Primary School whose entry in the competition was highly commended by the judging panel.

Children's Court Liaison Officer Janet Matthew with winner, Kim Temme, after presenting Victoria Law Foundation certificates at Frankston Primary School.

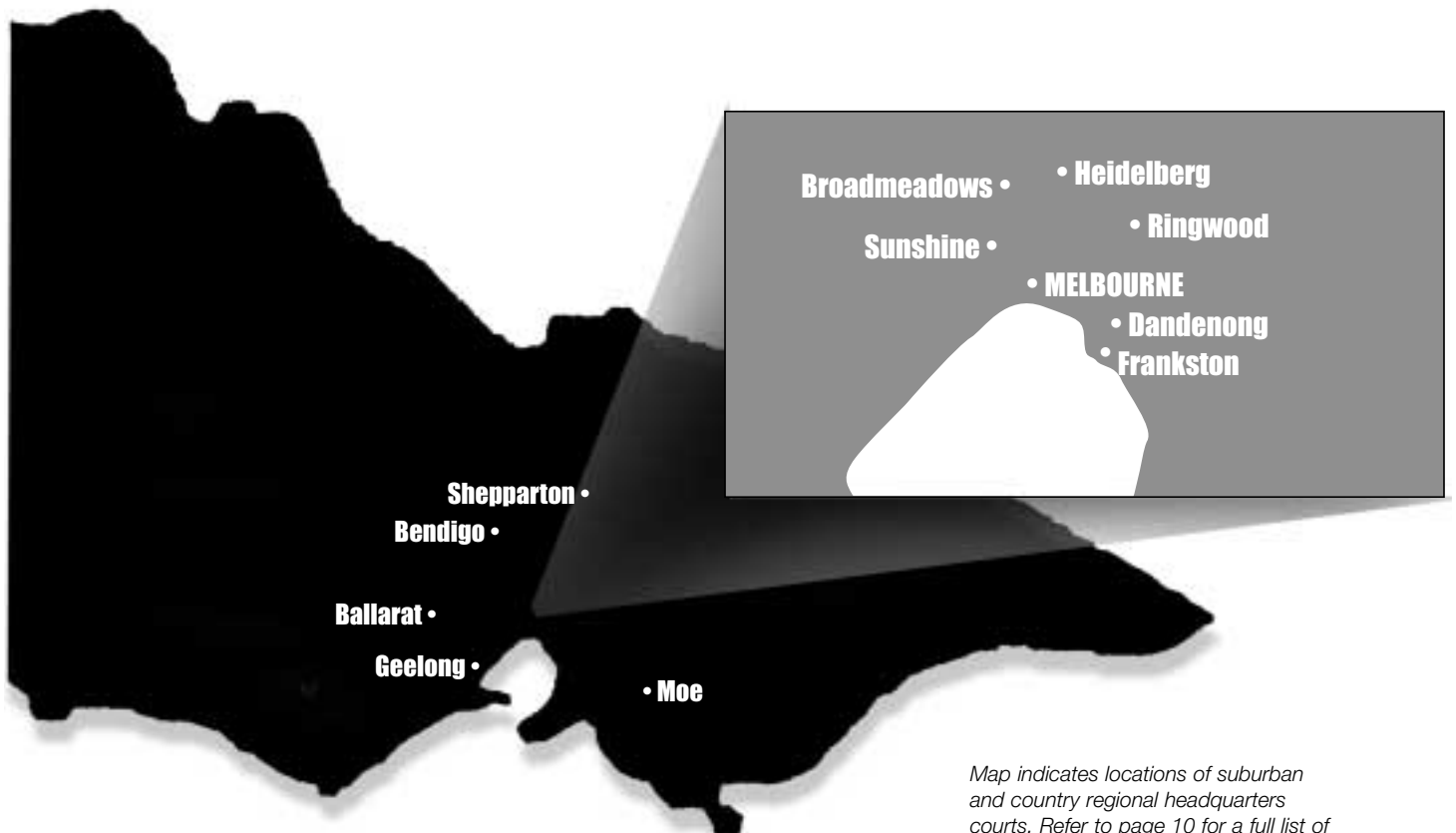


# 3 OPERATIONAL & STATISTICAL REPORT

## 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 on the following pages are the various figures for each Division during the reporting period collated by the recently 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.



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

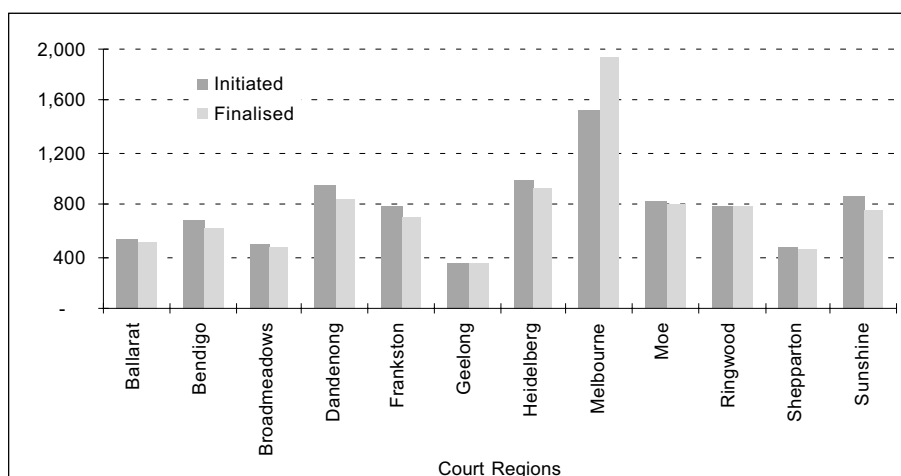


## Criminal Division

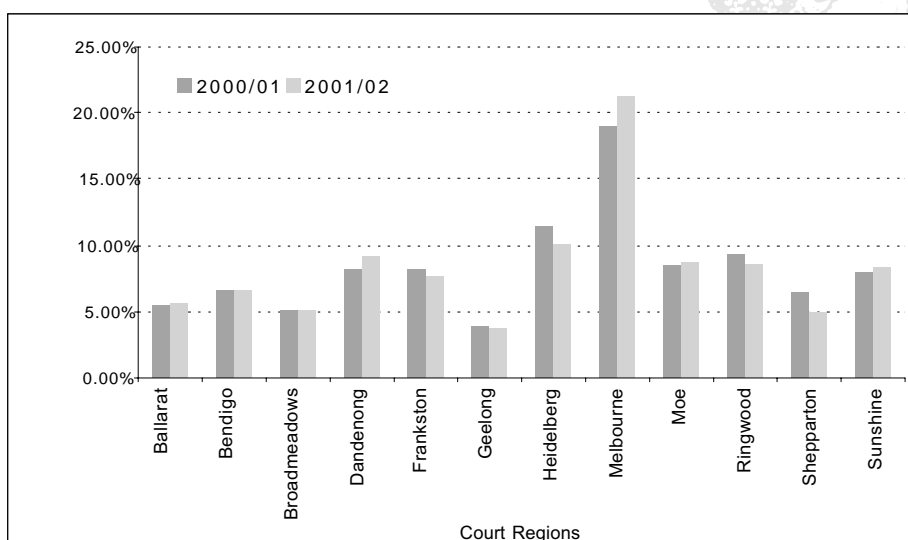
**Table 1: Number of prosecutions initiated, finalised & pending, 2000/01 - 2001/02<sup>1</sup>**

Court Region	2000/01			2001/02		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Ballarat	472	456	61	539	506	82
Bendigo	561	560	67	679	615	138
Broadmeadows	457	429	98	502	464	115
Dandenong	702	686	106	941	842	202
Frankston	761	693	113	774	711	106
Geelong	330	327	48	346	349	47
Heidelberg	937	963	140	995	932	176
Melbourne	1,485	1,609	432	1,533	1,946	365
Moe	728	717	133	819	803	149
Ringwood	916	793	194	788	791	115
Shepparton	548	547	84	481	463	91
Sunshine	671	673	153	866	758	238
<b>Total</b>	<b>8,568</b>	<b>8,453</b>	<b>1,629</b>	<b>9,263</b>	<b>9,180</b>	<b>1,824</b>

**Chart 1: Number of cases initiated and finalised 2001/02**



**Chart 2: Regional caseload distribution for finalised prosecutions, 2000/01 - 2001/02**



<sup>1</sup> Pending cases were those that were 'waiting to be determined' on 30 June.

## Criminal Division

**Table 2: Number of prosecutions<sup>2</sup> initiated, finalised & pending, by court location, 2000/01 - 2001/02**

Court Location	2000/01			2001/02		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Ararat	16	14	2	17	14	1
Bairnsdale	122	123	15	169	183	7
Ballarat	175	183	20	226	216	33
Benalla	44	33	12	57	55	10
Bendigo	204	211	22	244	210	69
Broadmeadows	457	429	98	502	464	115
Castlemaine	24	22	7	30	33	7
Cobram	13	10	2	19	18	2
Colac	39	34	6	60	52	11
Corryong	18	11	1	6	1	4
Dandenong	702	686	106	941	842	202
Echuca	62	53	8	116	94	32
Frankston	761	693	113	774	711	106
Geelong	291	293	42	286	297	36
Hamilton	47	47	2	46	40	9
Heidelberg	-	-	-	5	-	50
Hopetoun	-	-	-	1	-	1
Horsham	50	45	8	59	54	12
Kerang	15	16	-	13	13	-
Korumburra	30	22	3	35	22	6
Kyneton	48	54	4	33	20	8
Mansfield	5	3	2	11	10	2
Maryborough	54	50	7	41	40	1
Mildura	143	150	19	172	184	10
Melbourne	1,485	1,609	432	1,533	1,946	365
Moe	412	395	90	486	468	123
Myrtleford	6	9	-	19	14	3
Nhill	2	-	1	7	3	-
Orbost	30	23	6	11	15	-
Ouyen	-	-	-	5	5	-
Portland	42	43	5	59	54	8
Preston	937	963	140	990	932	126
Ringwood	916	793	194	788	791	115
Robinvale	21	25	-	18	17	3
Sale	103	117	11	91	97	9
Seymour	56	58	4	61	51	12
Shepparton	198	203	24	140	143	24
St Arnaud	15	12	4	9	11	3
Stawell	10	8	1	13	9	4
Sunshine	560	588	126	727	649	201
Swan Hill	44	38	7	48	39	9
Wangaratta	104	97	19	60	61	13
Warrnambool	61	54	11	61	65	10
Werribee	111	85	27	139	109	37
Wodonga	104	123	20	108	110	21
Wonthaggi	31	37	8	27	18	4
<b>TOTAL</b>	<b>8,568</b>	<b>8,453</b>	<b>1,629</b>	<b>9,263</b>	<b>9,180</b>	<b>1,824</b>

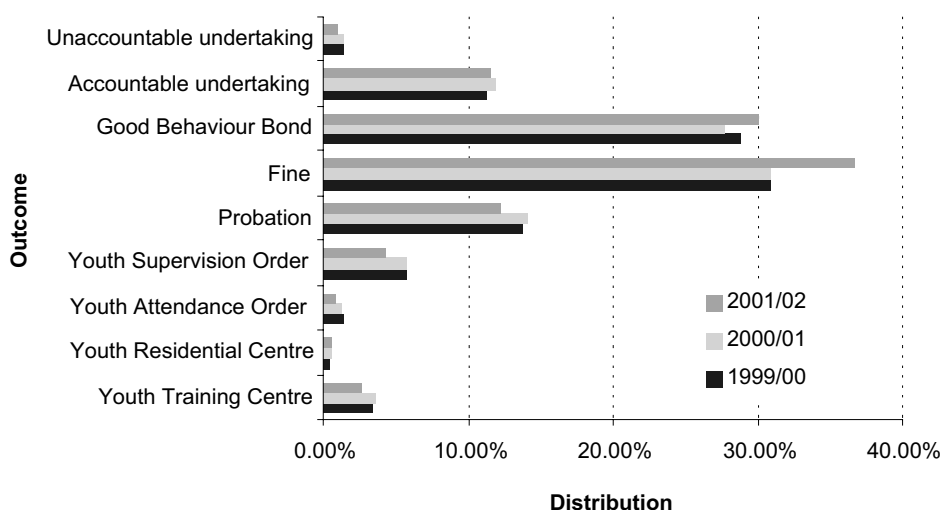
<sup>2</sup> For the purposes of Tables 1 and 2, a prosecution relates to one defendant and may contain multiple charges.

## Criminal Division

**Table 3: Number of principal proven offences by outcome, 1999/00 - 2001/02<sup>3</sup>**

Outcome	Number			Percentage		
	1999/00	2000/01	2001/02	1999/00	2000/01	2001/02
Youth Training Centre	152	179	148	3.49	3.55	2.69
Youth Residential Centre	17	27	28	0.39	0.54	0.51
Youth Attendance Order	61	62	46	1.40	1.23	0.84
Youth Supervision Order	253	295	234	5.81	5.85	4.25
Probation	598	707	679	13.74	14.02	12.33
Fine	1,347	1,556	2,023	30.94	30.85	36.74
Good Behaviour Bond	1,252	1,397	1,656	28.76	27.70	30.08
Accountable Undertaking	495	597	635	11.37	11.84	11.53
Unaccountable Undertaking	60	73	51	1.38	1.45	0.93
Convicted & Discharged	7	5	6	0.16	0.10	0.11
Unknown	111	145	-	2.55	2.88	0.00
<b>Total</b>	<b>4,353</b>	<b>5,043</b>	<b>5,506</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

**Chart 3: Outcome distribution of principal proven offences, 1999/00 - 2001/02**



<sup>3</sup> The principal proven offence is a count of the one charge in a case that attracted the most severe penalty. It is a count of the number of defendants who had at least one charge found proved.

The count of principal proven offences in Table 3 includes 'super cases'. One individual defendant may have three different 'cases / prosecutions' before the court relating to three separate incidents and informants. For administrative purposes, these separate cases may be consolidated into a 'super case' if the defendant wishes to plead guilty in relation to each prosecution. As a result of this consolidation, the three separate cases in relation to one defendant would be counted as one 'super case', which will have one principal proven outcome.

A charge may attract more than one type of outcome / sentence (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 / sentence, the principal outcome will be the sentencing outcome that is highest in the sentencing hierarchy. If a charge resulted in probation and a fine, the order regarding probation would be recorded as the principal outcome.

## Family Division

**Table 4 : Number of orders made, 2000/01 - 2001/02**

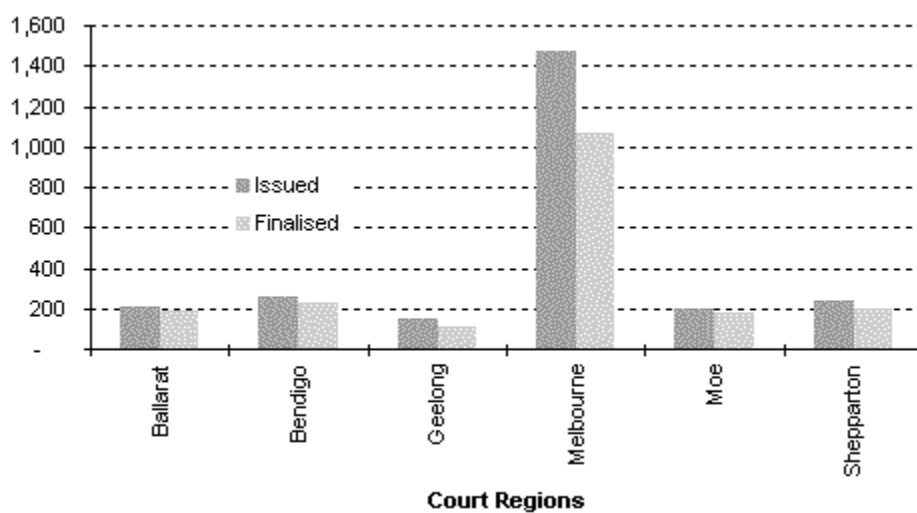
ORDER	2000/01	2001/02
Adjournment	4413	4596
Custody to Secretary Order	1073	959
Custody to Third Party Order	12	6
Dismissed	39	33
Extension of Custody to Secretary Order	893	1000
Extension of Interim Accommodation Order	5428	5925
Extension of Guardianship to Secretary Order	501	619
Free Text Order	1184	1573
Guardianship to Secretary Order	393	325
Interim Accommodation Order	3940	3800
Interim Protection Order	783	780
Permanent Care Order	156	200
Refusal to Make Protection Order	114	130
Search Warrant	735	868
Struck Out	432	509
Supervised Custody Order	13	9
Supervision Order	1128	1270
Undertaking - Application Proved	82	83
Undertaking - Dismissed	8	5
Undertaking - Refusal to Make Protection Order	7	28
Undertaking - Struck Out	83	83
Undertaking - To Appear/Produce Child Under CYPA	1	-
Country dispositions from manual returns	256	N/A
<b>TOTAL:</b>	<b>21674</b>	<b>22801</b>

## Family Division

**Table 5: Number of protection applications issued & finalised, 2000/01 - 2001/02**

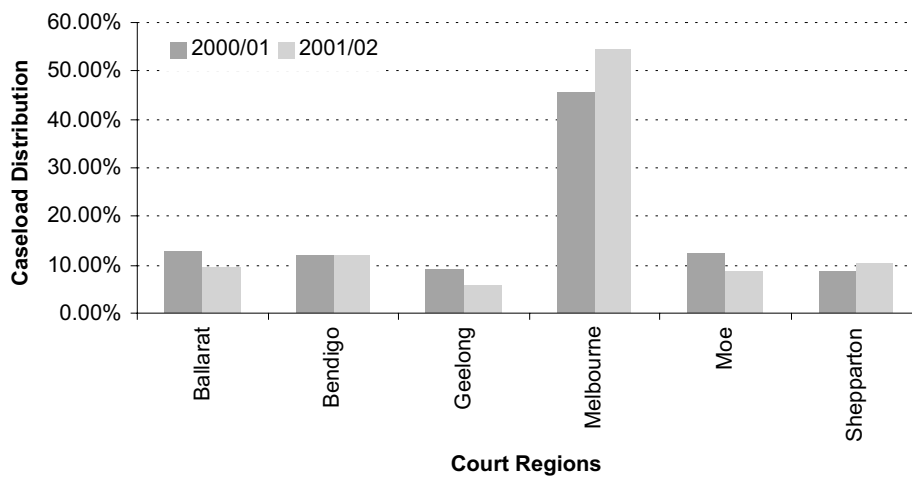
Court Region	2000/01		2001/02	
	Issued	Finalised	Issued	Finalised
Ballarat	385	358	209	183
Bendigo	400	340	253	231
Geelong	266	255	153	110
Melbourne	1,393	1,288	1,473	1,070
Moe	359	345	201	174
Shepparton	277	249	238	202
Sunshine	1	1	-	-
<b>Total</b>	<b>3,081</b>	<b>2,836</b>	<b>2,527</b>	<b>1,970</b>

**Chart 4: Number of protection applications issued and finalised, by court region, 2001/02**



## Family Division

**Chart 5: Regional caseload distribution for finalised protection applications, 2000/01 - 2001/02**



**Table 6: Number of protection applications finalised by apprehension / notice and court region, 2000/01 - 2001/02**

Court Region	2000/01				2001/02			
	By A'hension	By Notice	Total	% by A'hension	By A'hension	By Notice	Total	% by A'hension
Ballarat	34	324	358	9.5	36	147	183	19.7
Bendigo	19	321	340	5.6	19	212	231	8.2
Geelong	18	237	255	7.1	-	110	110	0.0
Melbourne	599	689	1,288	46.5	528	542	1,070	49.3
Moe	38	307	345	11.0	42	132	174	24.1
Shepparton	57	192	249	22.9	49	153	202	24.3
Sunshine	-	1	1	0.0	-	-	-	-
<b>Total</b>	<b>765</b>	<b>2,071</b>	<b>2,836</b>	<b>27.0</b>	<b>674</b>	<b>1,296</b>	<b>1,970</b>	<b>34.2</b>

## Family Division

**Table 7: Number of protection applications issued and finalised<sup>4</sup> by court location, 2000/01 - 2001/02**

Court Location	2000/01 <sup>5</sup>		2001/02	
	Initiated	Finalised	Initiated	Finalised
Ararat	14	14	10	10
Bacchus Marsh	1	1	-	-
Bairnsdale	57	56	26	24
Ballarat	222	210	92	80
Benalla	22	22	6	6
Bendigo	197	163	124	114
Castlemaine	2	2	4	4
Colac	9	9	16	13
Echuca	22	21	20	12
Geelong	257	246	137	97
Hamilton	18	17	7	4
Horsham	30	30	27	20
Kerang	10	10	3	3
Korumburra	25	25	10	9
Kyneton	10	8	1	1
Mansfield	-	-	2	-
Maryborough	4	4	4	4
Melbourne	1,393	1,288	1,473	1,070
Mildura	87	80	88	85
Moe	213	202	113	93
Myrtleford	2	2	12	8
Orbost	2	2	1	1
Portland	33	29	9	9
Robinvale	5	5	-	-
Sale	62	60	44	40
Seymour	24	18	23	22
Shepparton	99	89	93	78
St Arnaud	1	1	2	2
Stawell	1	1	11	11
Swan Hill	67	60	13	12
Wangaratta	79	71	46	37
Warrnambool	62	52	47	43
Wodonga	51	47	56	51
Wonthaggi	-	-	7	7
<b>TOTAL</b>	<b>3,081</b>	<b>2,836</b>	<b>2,527</b>	<b>1,970</b>

<sup>4</sup> Finalised cases refers only to those cases initiated within the stated year, and does not include cases initiated in any previous year.

<sup>5</sup> Cases initiated for 2000/01 includes some cases from the previous year and therefore shows higher numbers of cases initiated and finalised for the period.

## Crimes (Family Violence) Jurisdiction - Melbourne Children's Court

**Table 8: Number of complaints finalised by outcome of complaint, 1998/99 - 2001/02**

<b>Number</b>	<b>1998/99</b>	<b>1999/00</b>	<b>2000/01</b>	<b>2001/02</b>
Intervention order made	77	57	42	66
Refused	5	1	2	3
Struck out	80	50	31	50
Withdrawn	-	12	23	15
Revoked	-	-	-	-
<b>Total</b>	<b>162</b>	<b>120</b>	<b>98</b>	<b>134</b>

<b>Percentage</b>	<b>1998/99</b>	<b>1999/00</b>	<b>2000/01</b>	<b>2001/02</b>
Intervention order made	47.5%	47.5%	42.9%	49.3%
Refused	3.1%	0.8%	2.0%	2.2%
Struck out	49.4%	41.7%	31.6%	37.3%
Withdrawn	0.0%	10.0%	23.5%	11.2%
Revoked	0.0%	0.0%	0.0%	0.0%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

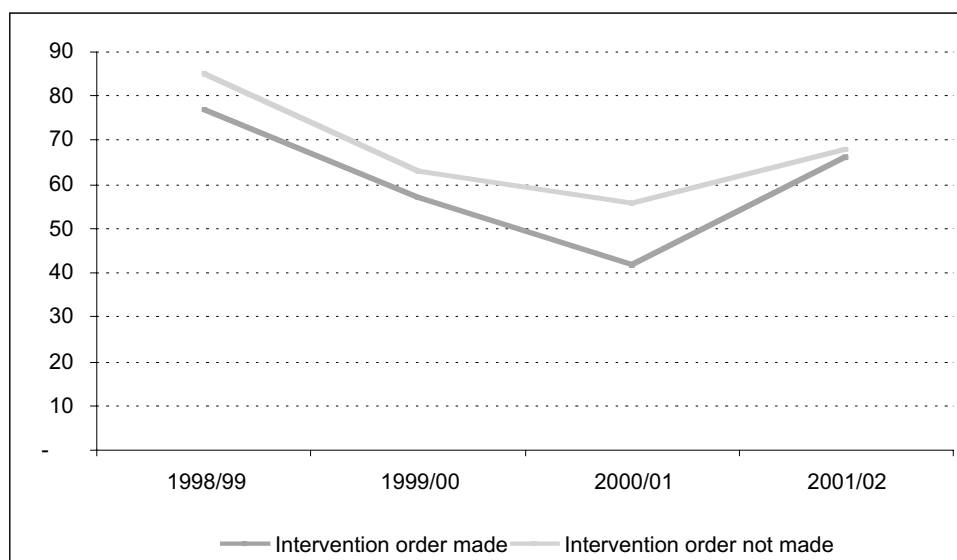
  

<b>Number</b>	<b>1998/99</b>	<b>1999/00</b>	<b>2000/01</b>	<b>2001/02</b>
Intervention order made	77	57	42	66
Intervention order not made	85	63	56	68
<b>Total</b>	<b>162</b>	<b>120</b>	<b>98</b>	<b>134</b>

<b>Percentage</b>	<b>1998/99</b>	<b>1999/00</b>	<b>2000/01</b>	<b>2001/02</b>
Intervention order made	47.5%	47.5%	42.9%	49.3%
Intervention order not made	52.5%	52.5%	57.1%	50.7%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

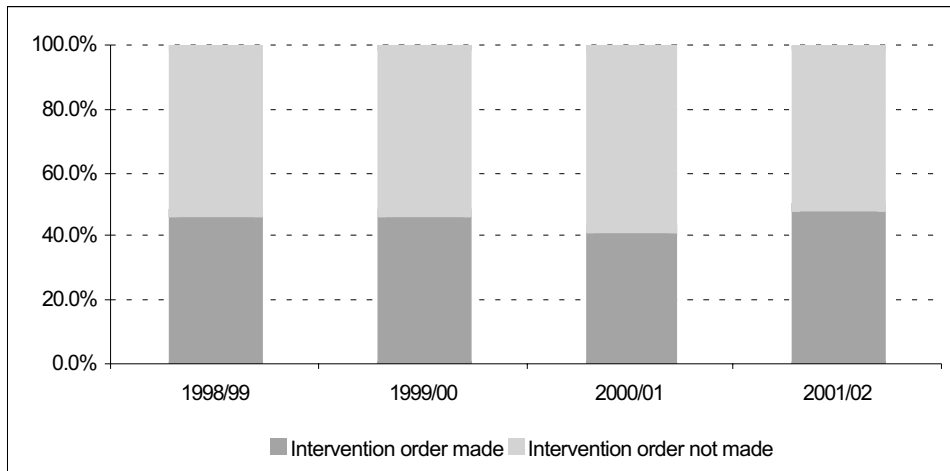
**Chart 6: Intervention order made/not made, 1998/99 - 2001/02**





## Crimes (Family Violence) Jurisdiction - Melbourne Children's Court

**Chart 7: Intervention order made/not made, 1998/99 - 2001/02**



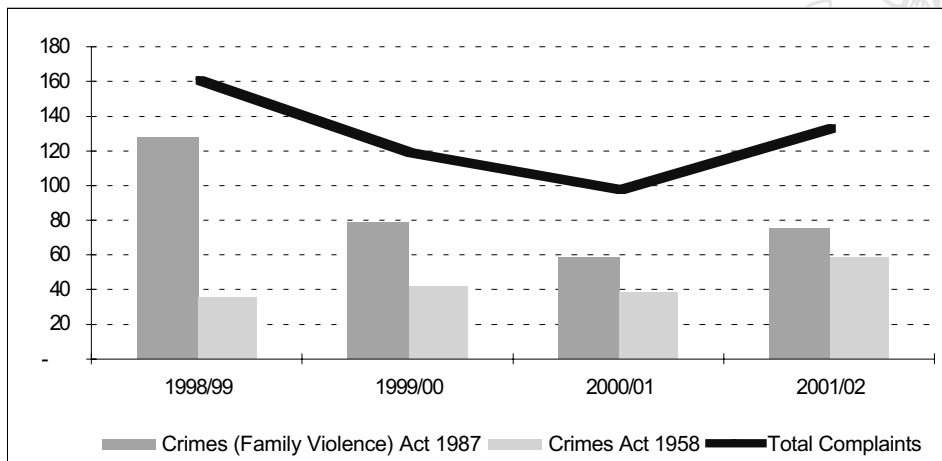
**Table 9: Number of complaints finalised, by Act under which complaint made, 1998/99 - 2001/02**

<b>Number</b>	<b>1998/99</b>	<b>1999/00</b>	<b>2000/01</b>	<b>2001/02</b>
Crimes (Family Violence) Act 1987	127	79	59	76
Crimes Act 1958	35	41	39	58
<b>Total</b>	<b>162</b>	<b>120</b>	<b>98</b>	<b>134</b>

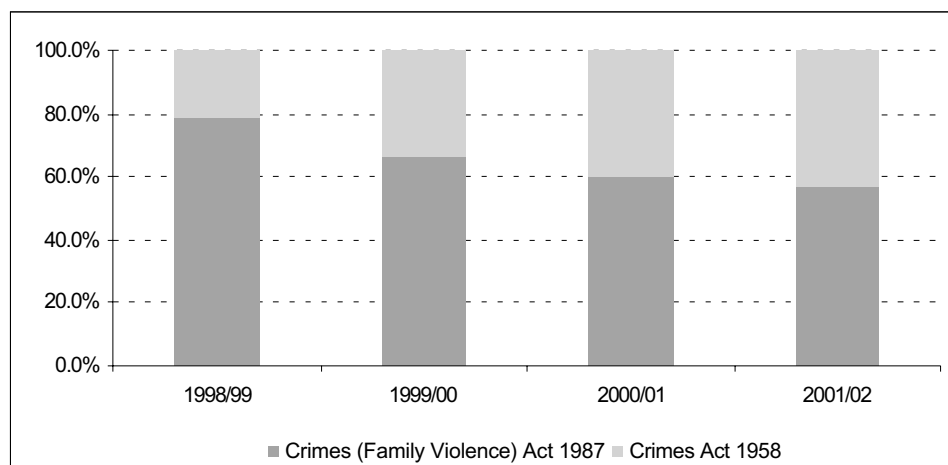
<b>Distribution</b>	<b>1998/99</b>	<b>1999/00</b>	<b>2000/01</b>	<b>2001/02</b>
Crimes (Family Violence) Act 1987	78.4%	65.8%	60.2%	56.7%
Crimes Act 1958	21.6%	34.2%	39.8%	43.3%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

**Chart 8: Number of complaints finalised, by Act under which complaint made, 1998/99 - 2001/02**



## Crimes (Family Violence) Jurisdiction - Melbourne Children's Court

Chart 9: Proportion of complaints finalised under each Act, 1998/99 - 2001/02



## Listing Statistics - Melbourne Children's Court

Table 10: Number of cases listed, 2000/01 - 2001/02

	Cases Listed 2000/01	Cases Listed 2001/02	00/01 - 01/02 % Difference
<b>Family Division</b>			
Pre-hearing conferences	755	701	7.1 % _
Directions hearings	458	446	2.6 % _
Interim Accommodation Order contests	457	536	17.2 % _
Final contests	449	395	12.02 % _
<b>Criminal Division</b>			
Contest mentions	287	344	19.8 % _
Contests	155	137	11.6 % _

Table 11: 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	2000/01	2001/02
<b>Country</b> (Family Division contests)	17	43	41
<b>Metropolitan</b> (Criminal Division contests)	13	29	32

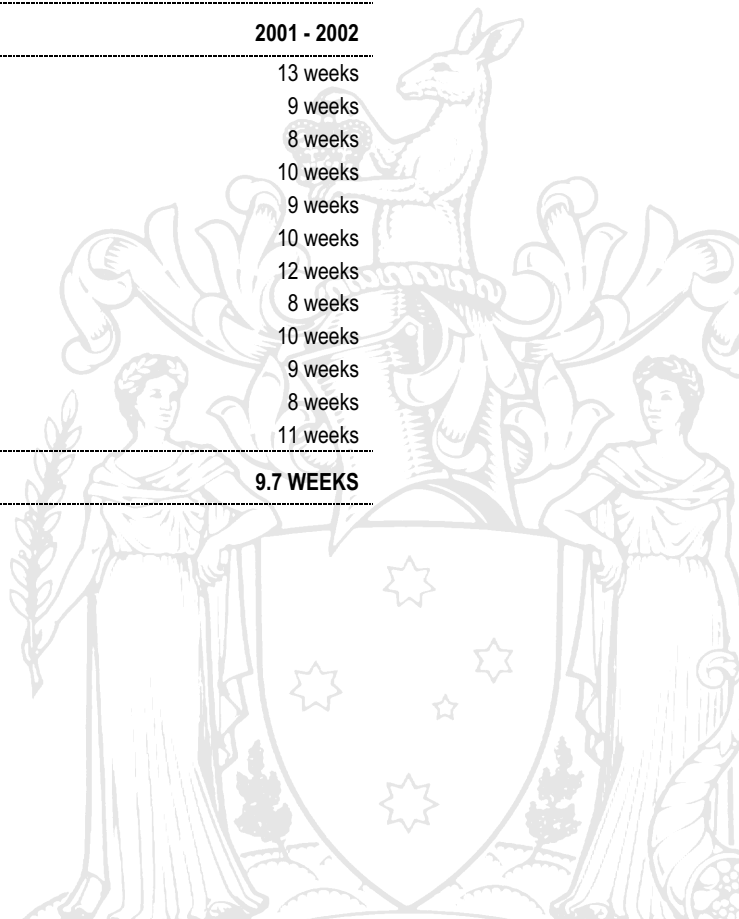
## Listing Statistics - Melbourne Children's Court

**Table 12: Melbourne Children's Court - Listing Delays - Family Division**

Listing Delay from Pre-Hearing Conference to Final Contest		
	2000-2001	2001 - 2002
July	8 weeks	8 weeks
August	7 weeks	7 weeks
September	8 weeks	7 weeks
October	9 weeks	11 weeks
November	9-10 weeks	11 weeks
December	8-9 weeks	7 weeks
January	7 weeks	7 weeks
February	6-7 weeks	5 weeks
March	5-6 weeks	7 weeks
April	6 weeks	7 weeks
May	6 weeks	5 weeks
June	7 weeks	7 weeks
<b>AVERAGE DELAY</b>	<b>7.3 WEEKS</b>	<b>7.4 WEEKS</b>

**Table 13: Melbourne Children's Court - Listing Delays - Criminal Division**

Listing Delay From Contest Mention to Final Contest		
	2000-2001	2001 - 2002
July	10 weeks	13 weeks
August	10 weeks	9 weeks
September	9 weeks	8 weeks
October	11-12 weeks	10 weeks
November	11-12 weeks	9 weeks
December	12 weeks	10 weeks
January	8-10 weeks	12 weeks
February	9 weeks	8 weeks
March	10 weeks	10 weeks
April	11 weeks	9 weeks
May	12 weeks	8 weeks
June	12 weeks	11 weeks
<b>AVERAGE DELAY</b>	<b>10.5 WEEKS</b>	<b>9.7 WEEKS</b>



## 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 conference 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. In 2001-2002 54.8% of cases in the Family Division referred through the pre-hearing conference system settled at the pre-hearing stage. At Melbourne Children's Court, facilities are available to enable these conferences to take place inside the Court complex with all the advantages of access to court staff, security, child play areas and the Court itself to finalise orders at the end of conferences.

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

In the country regions of the Court, these pre-hearing conferences are conducted by registrars who have received appropriate training. Pre-hearing conference convenors are appointed pursuant to section 37 of the *Children and Young Persons Act 1989*.

**Table 14: Pre-hearing conferences conducted, 2001/02, Melbourne Children's Court**

MONTH	CASES LISTED	PHC'S LISTED	CASES SETTLED PRIOR TO PHC	CASES SETTLED AT PHC	INTERIM SETTLEMENTS	PHC'S CANCELLED	CASES ADJOURNED	SITTING DAYS VACATED	CASES CONFIRMED AS CONTESTS
July 2001	95	52	1	15	10	6	9	58	54
August	102	64	2	35	6	13	4	122	39
September	96	58	3	27	2	3	8	118	53
October	93	64	0	21	3	4	10	95	53
November	110	70	2	28	8	1	7	126	64
December	79	35	2	13	13	4	0	77	47
January	65	45	0	22	8	1	5	66	27
February	108	63	0	37	9	0	2	126	52
March	88	59	0	16	5	2	14	84	51
April	126	67	0	36	3	1	0	110	86
May	110	76	0	35	8	0	5	117	62
June 2002	83	48	0	29	7	0	2	86	45

### Notes:

Each case relates to one child.

Multiple cases may be dealt with in one pre-hearing conference.



Dr Pat Brown  
Director  
Children's Court Clinic

## CHILDREN'S COURT CLINIC

The Children's Court Clinic, under the directorship of Dr Patricia 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*. The Clinic also has a small treatment function in selected cases still before the Court and it 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. They may be asked to provide advice about a child's situation in his or her family, the course of the child's development over the years, any special needs within the family, and if it is required, where treatment might be obtained. The Clinic also makes recommendations to the Court about what should happen in the child's best interests.

In December 2001, the Children's Court Clinic Drug Program commenced operation with the appointment of a specialist drug clinician. The Program is part of the Federal Government's National Illicit Drug Strategy diversion initiative. Under the Drug Program magistrates can ask the Clinic to provide advice about the impact of drug use on a child and his or her family, and to make recommendations about drug treatment. Treatment can comprise referrals to community drug and alcohol agencies or can be provided by drug clinicians within the Clinic.

During the 2001-2002 year 647 cases (223 criminal and 424 protection matters) were referred to the Clinic for assessment.



## COURT SECURITY AND CUSTODIAL FACILITIES

In keeping with the Government's commitment to improve and maintain safety and security in Victoria's courts and tribunals, funding was granted in 1999 to carry out a statewide review of existing security across all jurisdictions. A Project Control Group consisting of representatives from the Supreme, County and Magistrates' Courts, the Victorian Civil and Administrative Tribunal (VCAT), the Department of Justice and Victoria Police was formed to facilitate this process.

IPP Consulting was engaged to carry out the review and prepare a Court Security Master Plan with a view to developing a comprehensive strategic level security management plan to ensure that courts and VCAT are provided with a level of security that is appropriate to the level of risk.

The Master Plan has:

- developed high level principals and strategies for the management of safety and security
- reviewed the existing security measures
- conducted a risk analysis of the existing situation, and
- made recommendations relating to the preferred options for risk control.

All recommendations in the Master Plan were made as a result of discussions with courts and VCAT staff, site reviews, identification and analysis of security issues, risk levels, feedback from users and historical data.

Included in these recommendations was the introduction of Victoria Police Protective Services Officers at all city and suburban courts, formation of a proper management structure which includes the establishment of the Courts Consultative Council, Committee of Court and VCAT Chief Executive Officers and the appointment of a Court Security Manager for the management and co-ordination of day to day court safety and security.

To date, a sum of \$2.4 million has been spent to introduce or upgrade security in court locations throughout Victoria.

In line with the recommendations of the Master Plan, the Melbourne Children's Court has introduced further security measures to ensure the safety and security of all users. The complex is now equipped with a walk-through metal detector and screening equipment, monitored closed-circuit television (CCTV), cameras with digital recording, duress alarms, secure areas for court users with access control, and a complete building access control card and key system.

The complex is staffed by Victoria Police Protective Services Officers and Chubb Security personnel. On-site patrols and immediate response is provided by the Protective Services Officers equipped with security pagers, with additional assistance available through radio communication.

All reception, screening, duress alarms and CCTV monitoring is conducted by Chubb Security personnel.

The Court also houses a daytime custodial facility with provision to hold five juveniles and two adults individually at any one time. The management and supervision of all persons in custody is controlled by members of the Victoria Police Force. Visits by legal practitioners, Juvenile Justice staff and family members are at the complete discretion and control of the Victoria Police members who service the custodial facility.

## 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

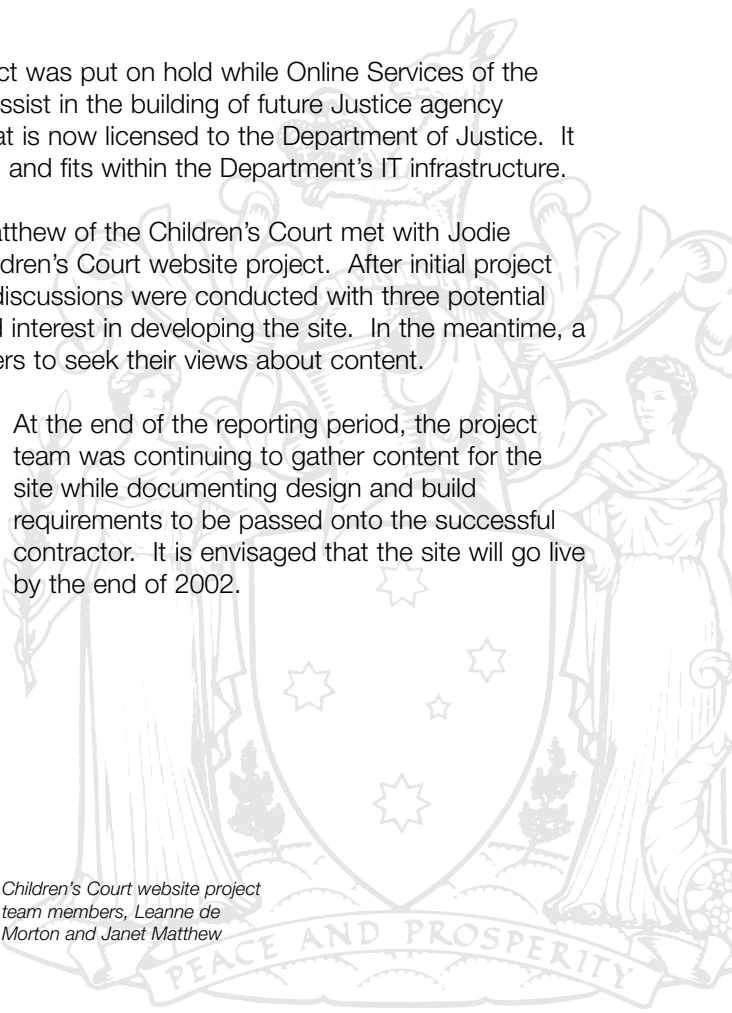
In July 2002 the Children's Court website project was put on hold while Online Services of the Department of Justice looked at a product to assist in the building of future Justice agency websites. "EasyWeb" is a website template that is now licensed to the Department of Justice. It can be implemented with minimal development and fits within the Department's IT infrastructure.

Early in 2002, Leanne de Morton and Janet Matthew of the Children's Court met with Jodie Randles of Online Services to progress the Children's Court website project. After initial project documentation was drawn up and signed off, discussions were conducted with three potential contract website designers who had expressed interest in developing the site. In the meantime, a questionnaire was sent to potential website users to seek their views about content.

At the end of the reporting period, the project team was continuing to gather content for the site while documenting design and build requirements to be passed onto the successful contractor. It is envisaged that the site will go live by the end of 2002.



*Children's Court website project team members, Leanne de Morton and Janet Matthew*



## 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 55 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 approximately 40 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, tertiary students of youth work, social work and law, juvenile justice and child protection workers, Maternal and Child Health nurses, secure welfare services staff and foster carers' associations have visited the Court for a tour and magistrate's information session. Most of these sessions have been conducted by magistrate Peter Power whose legendary Powerpoint presentation has informed and entertained many visitors to the Court.

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.



*Magistrate Peter Power during one of his regular presentations for visitors to Melbourne Children's Court*



## Professional Training Sessions

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

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

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

## Judicial Education

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

Magistrates continue to attend conferences and seminars 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.

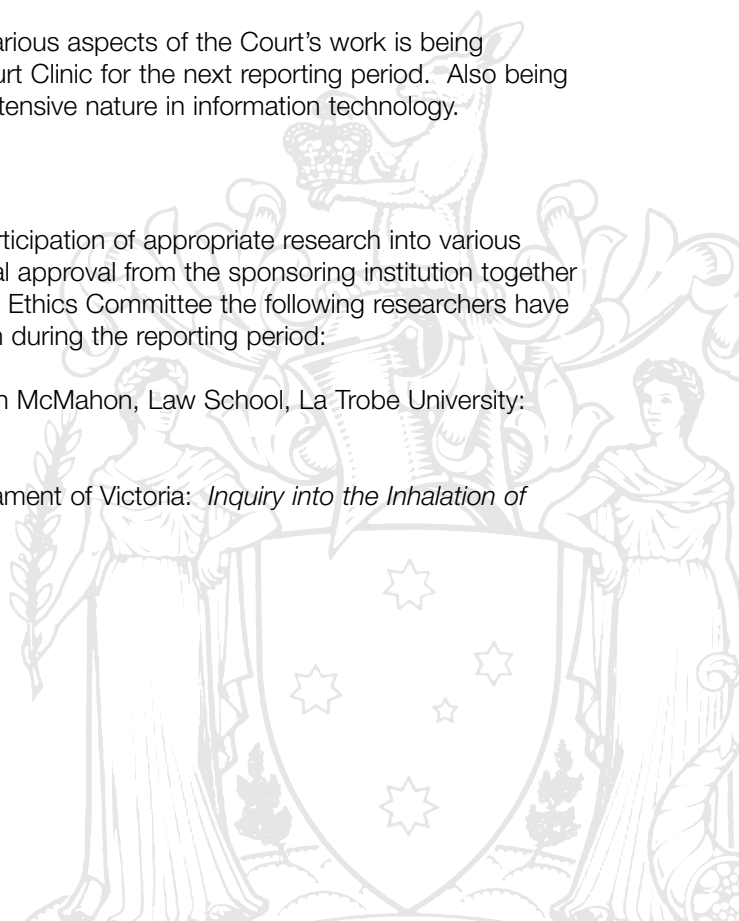
A series of sessions with leading experts on various aspects of the Court's work is being organised by the Director of the Children's Court Clinic for the next reporting period. Also being planned is training of a more structured and intensive nature in information technology.

## 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:

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

Drugs and Crime Prevention Committee, Parliament of Victoria: *Inquiry into the Inhalation of Volatile Substances.*



# 5 FINANCIAL STATEMENT

## APPENDIX A

### Financial Statement for the Year Ending 30 June 2002

		Budget	Actuals
<b>SPECIAL APPROPRIATIONS</b>			
Magistrates' Salaries and Allowances		1,230,000	1,229,000
<b>TOTAL SPECIAL APPROPRIATIONS</b>		<b>1,230,000</b>	<b>1,229,000</b>
<b>RECURRENT APPROPRIATIONS</b>			
Salaries		1,219,280	1,176,009
Overtime		0	0
<b>Total Salaries and Overtime</b>		<b>1,219,280</b>	<b>1,176,009</b>
Workcover		160	1,622
Payroll tax		79,729	68,050
Fringe Benefits Tax		0	-673
Superannuation		74,534	117,730
<b>Total Subsidiary Salary Costs</b>		<b>154,423</b>	<b>186,729</b>
Depreciation and Amortisation	Note 1,2	534,000	618,111
Government Finance Charge	Note 1,3	2,103,000	2,071,447
Travel Entertainment & Personal Expenses		19,000	20,119
Printing Stationery & Office requisites		61,500	68,459
Postage and Communication Expenses		50,100	50,992
Contractors, Consultants & Professionals		181,000	82,601
Training and Development		12,000	5,495
Motor Vehicle Expenses		50,732	42,830
Other Operating Expenses		43,000	52,448
Jury, Witness and Award Payments		8,750	4,059
Information Technology		59,500	15,032
Urgent and Essential Works		13,000	23,979
Rent and Property Services	Note 1	236,900	188,769
Property Utilities		72,700	71,909
Maintenance		20,700	20,249
<b>Total Operating Expenditure</b>	<b>Note 4</b>	<b>3,465,882</b>	<b>3,336,499</b>
<b>TOTAL RECURRENT APPROPRIATIONS</b>		<b>4,839,585</b>	<b>4,699,237</b>

#### Notes to and forming part of the Financial Statements

**Note 1:** Items identified as non-discretionary are funded to meet specific expenditure items that are not directly controllable by the Business Unit and therefore any budget surplus/deficit does not impact on the recurrent budget.

**Note 2:** Depreciation is the process of allocating the value of all non-current physical assets controlled by the court over their useful life having regard to any residual value remaining at the end of the assets economic life. Financial Management makes this charge on a monthly basis as part of the End of Month 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.

**Note 3:** The Capital Asset Charge is a charge made by the Department of Treasury and Finance (DTF) as a measure of the cost of capital that entities have invested in assets under their control. Currently, DTF send a monthly invoice to the finance office for payment. As the court has no control over funding allocated, any surplus or deficit at financial year-end has no impact on the court's budget outcome.

**Note 4:** Budget and expenditure for the Children's Court are inclusive of the Children's Court Clinic and the CREDIT clinician assigned to the Clinic. The CREDIT clinician was allocated an annual budget of \$200,000 for the 2001/2002 financial year.

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

# ACKNOWLEDGMENTS





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