

Children's Court of Victoria Annual Report 2020-21

Letter to the Governor

To Her Excellency, the Honourable Linda Dessau,
Governor of Victoria

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 2020–2021.

Yours sincerely

Judge Jack Vandersteen
President, Children's Court of Victoria

ACKNOWLEDGMENT

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

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REPORTS

Report of the President Judge Jack Vandersteen



“In the 2020-21 year, the Children’s Court of Victoria finalised a total of 30,063 cases, the highest of any reporting period. This is a remarkable achievement.”

It is with great pride that I introduce the Children’s Court of Victoria Annual Report for the year 2020-21.

My predecessor, Judge Amanda Chambers, led the Court with distinction, rigour, and integrity for five and a half years. In her final six months as President, Judge Chambers saw the Court through its most challenging time, establishing online hearings and a new case management approach that has ensured that the most vulnerable Victorian families, children, and young people continued to access timely justice during the COVID-19 pandemic. On behalf of the Court, I express our sincere gratitude to Judge Chambers and wish her well.

Before turning to our response to COVID-19, I would like to highlight some of our achievements, all made notwithstanding the COVID-19 crisis.

In April 2021, the Honourable Jaclyn Symes, Attorney General, launched Marram-Ngala Ganbu, the Children’s Court Koori Family Hearing day at Shepparton Law Courts. A Koori led, culturally safe process, Marram-Ngala Ganbu encourages greater participation by family members and more culturally informed decisions. Thank you to Magistrate Langdon, Regional Coordinating Magistrate Macpherson and Magistrate Hawkins, Tina King, Koori Services Coordinator, Ash Morris, Manager, Koori Services and Programs, Peter Lamb, General Manager, Court Programs and Support Services, and to the Steering Committee, for your dedication to the expansion of Marram-Ngala Ganbu.

During 2020-21, CMS lead Magistrate Parkinson, Kylie Pieters, Director Operations and Service Delivery Transformation, and Martin Taylor, our Lead Courts Business Analyst, dedicated long hours, often early in the morning and late at night, participating in the development of a new case management system. CMS will ensure that Courts are safe, efficient, and accessible, and maintain the benefits of electronic filing and communication commenced during COVID-19. Thank you to Magistrate Parkinson, Kylie and Martin for your hard work and determination in developing CMS.

In May 2021, we completed significant upgrades to the Moorabbin Children’s Court. My thanks to Glen McKeon, Project Manager, Rebecca Rettino, Registry Manager, Regional Coordinating Magistrate Dotchin and Magistrate Cain, and the staff of the Moorabbin Children’s Court for their patience during the renovations, and for their commitment to improving the experience of staff and court users.

“Intensive case management of child protection cases through Readiness Hearings resulted in over 50% of cases resolving without the need for a contested hearing. ”

Our CPD Committee planned and presented eight online evening seminars in the reporting period, an extraordinary achievement.

Topics included:

- Child protection proceedings during the pandemic: exploring the Covid 19 Omnibus legislation and considering how to best prepare for Readiness Hearings
- Marram-Ngala Ganbu: We Are One: Keeping Aboriginal children connected to family and culture, and launch of Marram-Ngala Ganbu evaluation
- Ground Rules Hearings and the use of Intermediaries in Children’s Court Criminal contests.

My thanks to Magistrate Zemljak, Ashe Whitaker, Manager, Online Hearings Implementation, Jessie Lauder, Manager, Learning and Development, and the CPD Committee, for the depth and quality of this unique program.

The commencement of the Children’s Court’s first Senior Registrar, Emma Taylor, who brings significant court expertise and people management experience to the role.

The appointment of the Children’s Court’s first Judicial Registrars who we welcomed in May 2021.

COVID-19: AN ONLINE COURT AND INTENSIVE CASE MANAGEMENT

Almost all cases in the Children’s Court are urgent and priority. To ensure access to justice during COVID-19, and to keep our judicial officers, staff and court users safe, we conducted thousands of online hearings across the state in child protection, crime and family violence matters. In person hearings were conducted only when necessary, following all COVID-19 protocols, to ensure the safety of participants. Intensive case management of child protection cases through Readiness Hearings resulted in over 50% of cases resolving without the need for a contested hearing. The Children’s Court’s judicial registrars have been instrumental in the ongoing success of Readiness Hearings.

In the Criminal Division, Practice Direction 2 of 2021 reinforced the requirement for remand matters to be adjourned for no more than 21 days, limiting the time that young people spend in custody prior to sentencing or acquittal.

In the 2020-21 year, the Children’s Court of Victoria finalised a total of 30,063 cases, the highest of any reporting period. This is a remarkable achievement. I acknowledge the work and expertise of my colleagues, the magistrates of the Children’s Court, and our dedicated staff. I am indebted to the Chief Magistrate, Judge Hannan, for her support of the work of the Children’s Court, and to the magistrates at metropolitan and regional Magistrates’ Courts who hear Children’s Court matters.

ACKNOWLEDGEMENTS

Our work is not possible without the collaboration of many, including the Child Protection Litigation Office, Child Protection Practitioners, Community Legal Centres, the Department of Families, Fairness and Housing, the Department of Justice and Community Safety, the Law Institute of Victoria, Private Practitioners, the Children's Court Prosecution Unit, Victoria Police, the Victorian Bar, Victoria Legal Aid and Youth Justice. I extend my thanks to you all.

To my colleagues, the Magistrates of the Children's Court, thank you for your warm welcome, your dedication and your expertise. I acknowledge the dedication and commitment of the Children's Koori Court Supervising Magistrate Bowles, and the Elders and Respected Persons, for their critical work, and Magistrate Hubble for expertly leading our Family Violence program. To the Court's CEO, Simon McDonald, thank you for your leadership during COVID-19, and for your work ensuring the safety of our staff while we continued to stay open for the community. To Kylie Pieters, Director, Operations and Service Delivery Transformation, Rob Challis, Chief Operating Officer, Leanne de Morton, Principal Registrar, Emma Taylor, Senior Registrar and Glenn Barnes, State Coordinator, my thanks for your support, dedication, and hard work. To our staff and leadership team, your work and energy is extraordinary. To Louise Anderson, and the staff of Court Services Victoria, thank you for your support. To my Executive Assistant, Nola Los, for your steady guidance, humour, and friendship, to my Senior Legal Officer, Dr Lisa Lee, and to former Magistrate Peter Power, for your expert legal advice and dedication, and to my Strategic Advisor, Louise James for your invaluable advice and support, I thank you all.

Finally, to the families, children and young people who come before us, thank you for your patience as we navigated our approach to COVID-19. It has been humbling for us to witness your resilience during these difficult times.

CEO's Message Simon McDonald



The Children's Court plays a vital role in ensuring access to justice for young Victorians – catering to the needs of children and young people in both the criminal and family divisions. I am privileged to work in a jurisdiction that provides service to many of the State's most vulnerable and often most disadvantaged children, young people, and families.

The Children's Court is fortunate to have had a history of strong judicial leadership. Sadly, this year we farewelled Judge Amanda Chambers who served as President of the Children's Court from May 2015 until December 2020. We welcomed Judge Jack Vandersteen as the new President of the Children's Court in January 2021 and look forward to continuing our work to ensure the Children's Court remains a high functioning and innovative jurisdiction that is responsive to the needs of children and their families.

We have planned for and implemented a range of measures and operational process reforms as a result of COVID-19, including the transition to online hearings, which have ensured we can continue to operate throughout the pandemic.

Through the dedicated work of our staff and magistrates and with the transition to online hearings and further successful refinement of listings and court processes, the overall number of pending cases before the court has reduced in this reporting period. I'm incredibly proud of our magistrates and staff who have worked tirelessly this year through some of the most challenging circumstances. Their hard work and resilience as well as that of the lawyers who practice in this Court, DFFH officers, Victoria Police members, Youth Justice staff and other key agency staff has been fundamental in maintaining court operations throughout this period.

In addition to the challenges associated with COVID-19, the court faced further pressure with the closure of 436 Lonsdale Street in February 2021, due to fire safety related issues. The facility which is shared with the Supreme Court of Victoria, accommodates additional Children's Court registry and court rooms, conferencing centre and administration offices. I am thankful for the assistance of Court Services Victoria in the management and resolution of this critical accommodation issue.

"I'm incredibly proud of our magistrates and staff who have worked tirelessly this year through some of the most challenging circumstances."

“There has been significant progress this year in the design and development of our new Case Management System.”

In addition to the focus on our response to COVID-19 the Court undertook significant work across our portfolio of key service reform and major asset projects. There has been significant progress this year in the design and development of our new Case Management System, and implementation will be our major focus in 2022.

Importantly, we delivered critical safety upgrades at our Moorabbin court facility which will improve the user experience and delivery of services. We have also been deeply involved in the planning and development of new court facilities at Bendigo and Wyndham which will be critical in the expansion of dedicated Children’s Courts.

ACKNOWLEDGEMENTS

I would like to acknowledge both former President, Her Honour Judge Amanda Chambers and current President, His Honour Judge Jack Vandersteen, for their leadership of the Court throughout this period. I also thank my management team for their support, dedication, and commitment. Finally, I express my sincere thanks and gratitude for the support and hard work of the judiciary and the staff of the Children’s Court.

About the Children’s Court

The Children’s Court of Victoria is a fair, accessible and specialist court dealing with 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.

The Criminal Division hears cases relating to 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.

Statement of Priorities 2019–2021

Towards our Vision

Our vision is for all Victorians to have consistent access to a specialist, independent Children’s Court where cases involving children and young people are heard in safe and culturally appropriate environments.

Our Five Strategic Priorities



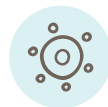
PRIORITY 1

User-centric design and team-based practice.



PRIORITY 2

Greater statewide specialist capability.



PRIORITY 3

Culture and practices that are outcome and evidence based.



PRIORITY 4

Enhanced public and professional sector engagement.

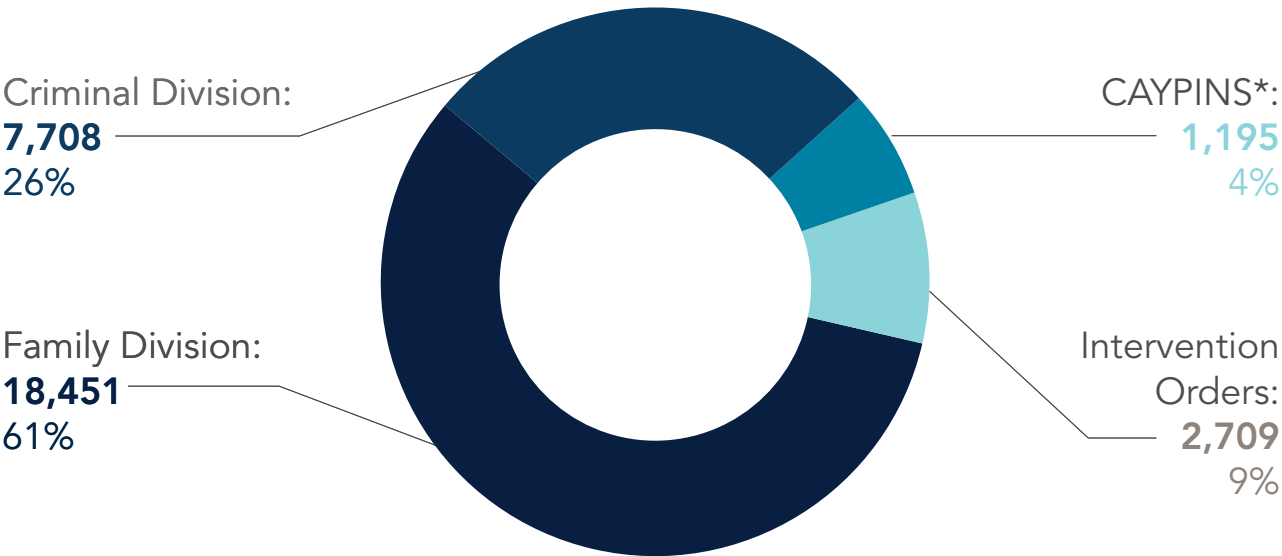


PRIORITY 5

Increased capacity for growth to meet the demands of system reform.

The Year at a Glance

In the 2020–21 year the Children’s Court of Victoria finalised a total of 30,063 cases.



*CAYPINS stands for 'Children and Young Persons Infringement Notice System'. It is an alternative to court when dealing with children and young people who fail, in the first instance, to pay on-the-spot fines and other penalties issued to them by prosecuting bodies such as Victoria Police and the Department of Transport. A CAYPINS infringement is dealt with by a registrar who can make an order for payment of all or part of the fine.

CRIMINAL DIVISION

Criminal Division – Overview

The Children’s Court of Victoria has jurisdiction under the *Children, Youth and Families Act 2005* to hear cases involving children and young people aged 10–17 years at the time of the alleged offending.

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.

Activity within the Criminal Division

Young people found guilty

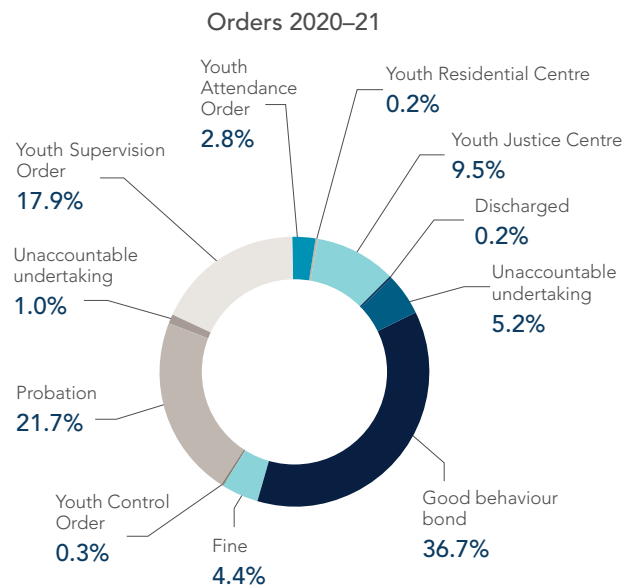
2020-21	2019-20	2018-19	2017-18	2016-17
1,215	1,632	2,079	2,364	2,822

Highest offence category

Assault	Theft	Robbery	Traffic Offences	Property Damage
818	311	289	137	132

Sentencing outcomes

Order	2018-19	2019-20	2020-21
Discharged	8	4	3
Unaccountable undertaking	15	9	12
Accountable undertaking	129	99	63
Good behaviour bond	836	661	446
Fine	187	115	53
Probation	406	312	264
Youth Supervision Order	246	238	217
Youth Control Order	12	2	4
Youth Attendance Order	30	31	34
Youth Residential Centre	12	4	3
Youth Justice Centre	198	157	116
Total	2,079	1,632	1,215



The Remand Court

The Melbourne Children’s Court operates a fast-track Remand Court to actively case manage the criminal charges of children held on remand. The Remand Court has performed a critical role in reducing the risks vulnerable young people face in custody by expediting the hearing and case management of custodial matters.

THE REMAND COURT CONSISTS OF:

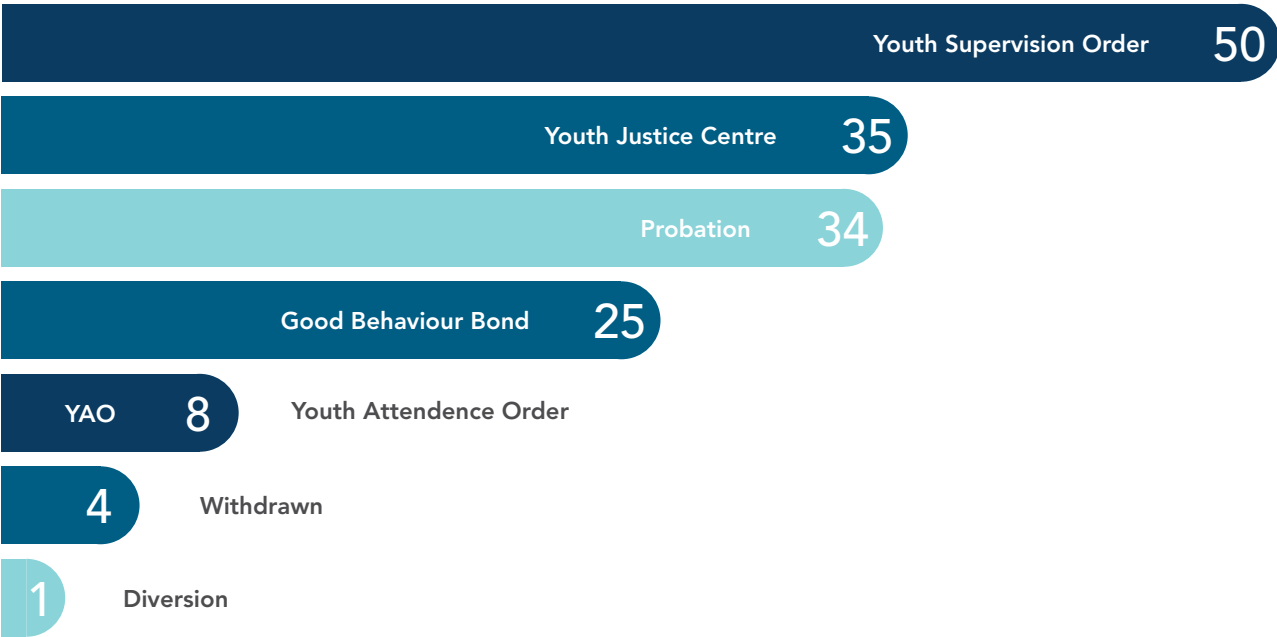
- specialist judicial officers assigned by the President of the Children’s Court
- a team of dedicated court staff
- specialist Victoria Police prosecutors assigned to Remand Court duties
- legal practitioners from Victoria Legal Aid
- dedicated clinical support from the Children’s Court Clinic.

The Remand Court sits at Melbourne Children’s Court each day and hears matters from the Melbourne, Sunshine and Moorabbin catchment areas.

During the reporting period, the Remand Court determined on average 55 bail applications per month.

With the consolidation of seven Practice Directions in May 2021, the Court expanded the priority approach to remands to apply to all metropolitan and regional courts, creating efficiencies in the listing of cases and ensuring the best outcomes for young people and the community state-wide.

Remand Court Outcomes 2020-21



Youth Diversion Program

The Children's Court Youth Diversion (CCYD) program delivers a brief and tailored intervention for children charged with low-level offences and who have little or no criminal history. The CCYD 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
- on successful completion of the diversion activity have the charge/s dismissed, with a non-disclosable criminal record
- avoid the stigma associated with a criminal record and its impact on future life opportunities.

During the reporting period, the Court has allowed diversion matters to be determined in the absence of parties ('on the papers') to progress cases during COVID-19.

CCYD program data for the reporting period is unavailable at the time of printing. The data will be published on the Children's Court website as soon as it becomes available.

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.

By involving the Koori community in the court process through the participation of Elders and Respected Persons (ERPs), the Children's Koori Court aims to reduce offending behaviour and the number of young Koori people sentenced to a period of detention. COVID-19 impacted significantly on the ability of the Court to hear and determine Koori Court matters. However, judicial monitoring continued due to the vulnerability of the young people appearing before the Koori Court.

CHILDREN'S KOORI COURT ARTWORK

Artist Emma Bamblett completed three murals for the Melbourne Children's Court to acknowledge the significant roles Elders and Respected Persons play in the life of the community and the Koori Court. The murals are in the Elders' Room to reflect the core values of guidance, experience, wisdom and of their knowledge of kinship connections. The murals were designed to inspire Koori community members to become future Elders.

The Children's Koori Court and Elders' Room is also proud to display a range of new artwork and artefacts, including woven baskets, shields and painted emu feathers dedicated by The Torch, an organisation that works with Aboriginal people in custody.

KOORI COURT ELDERS AND RESPECTED PERSONS' CONFERENCE 2021

The biannual conference for Koori Court Elders and Respected Persons is a significant event for the Children's Koori Court and relevant stakeholders to come together to share a deep connection to culture and community. This year's conference ran from 21 to 24 June 2021, with the Koori team bringing together the state-wide ERPs and community members into an online forum. The ERPs convened around tables in their respective regions and dialled in local community members who could not physically attend.

The conference provided an overview of the Koori Court Unit Strategic Plan, therapeutic approaches to support Koori participants and operational best practices. Other topics included the role of ERPs in upholding community and cultural values and the most effective way for these values to inform culturally relevant conversations within the Children's Koori Court.

Children's Koori Court State-wide Data 2018-2021

Location	2018-19		2019-20		2020-21	
	Number of young people	Matters finalised	Number of young people	Matters finalised	Number of young people	Matters finalised
Dandenong	11	23	6	46	3	7
Geelong	14	44	17	14	6	14
Heidelberg	12	7	17	12	14	7
Latrobe Valley	4	1	8	20	2	1
Melbourne	46	93	23	18	21	45
Mildura	21	23	9	2	3	29
Shepparton	14	19	4	4	5	4
Swan Hill	2	3	0	0	1	1
Warrnambool (incl. Portland and Hamilton)	2	2	5	6	1	0
Total	126	215	89	122	56	108

There were no listings at Bairnsdale in the reporting period.

FAMILY DIVISION

Family Division — 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 at risk and applications for intervention orders under the *Family Violence Protection Act 2008* and the *Personal Safety Intervention Orders Act 2010*.

The Family Division has the power to make a broad range of orders in relation to children and young people. The Court makes these decisions in the best interests of the child or young person.

Activity within the Family Division

Number of orders from 2018-19 to 2020-21

CHILD PROTECTION ORDERS	2018-19	2019-20	2020-21
Family Preservation Order	3,713	3,559	3,338
Extension of Family Preservation Order	552	446	488
Family Reunification Order	2,174	1,772	1,976
Extension of Family Reunification Order	546	505	567
Care by Secretary Order	952	946	889
Extension of Care by Secretary Order	624	410	633
Care by Secretary Order Conversion	3	8	4
Long-Term Care Order	330	277	378
Permanent Care Order	457	376	493
Leave to apply to vary/revoke Permanent Care Order	11	1	1
Undertakings	669	822	1,046
Interim Accommodation Order	14,121	15,955	14,693
Extension of Interim Accommodation Order	16,573	15,405	17,519
Therapeutic Treatment Order	11	21	22
Extension of Therapeutic Treatment Order	3	6	3
Safe Custody Warrants	7,983	8,439	6,429
PROCEDURAL ORDERS			
Appointment – Independent Child Lawyer	383	349	401
Adjournment	14,128	13,035	14,139
Order for Costs	416	507	445
Free Text Order	24,278	24,156	29,825
TOTAL	87,927	86,995	93,289

Family Division Matters – Statewide Total

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

Court Region	2019–20			2020–2021		
	Initiated	Finalised	Pending	Initiated	Finalised	Pending
Barwon South West	1,797	1,535	736	1,510	1,428	451
Gippsland	1,977	1,786	699	1,675	1,709	454
Grampians	1,207	1,092	521	1,182	1,008	531
Hume	1,691	1,449	651	1,571	1,525	468
Loddon Mallee	2,089	1,989	566	1,793	1,839	401
Broadmeadows	2,122	1,909	1,026	1,756	2,019	749
Melbourne	4,918	4,247	2,961	4,589	6,227	3,020
Moorabbin	3,396	3,166	1,285	3,206	2,696	692
Statewide	19,197	17,173	8,445	17,282	18,451	6,766

Family Violence

The Court has established a specialist family violence response which includes dedicated staff who assist young people and their families when family members are using violence in the home.

FAMILY VIOLENCE PRACTITIONER – MELBOURNE CHILDREN’S COURT

Since January 2021, the Melbourne Children’s Court has employed a dedicated family violence practitioner to provide targeted support and assistance for individuals experiencing family violence. The family violence practitioner provides non-legal information and support on the day of a hearing to ensure court users impacted by family violence can navigate and manage the court process and have their immediate safety needs prioritised. The family violence practitioner facilitates referrals to legal services and support services.

MARAM ALIGNMENT

The Multi-Agency Risk Assessment and Management (MARAM) Framework is designed to ensure services and organisations effectively identify and manage family violence risk. The Children’s Court is working with the Magistrates’ Court of Victoria and Court Network to ensure its policies and procedures align to the framework to ensure those experiencing family violence receive an appropriate and consistent response.

MARAM training was delivered state-wide to the whole Children’s Court workforce in the reporting period. The training was delivered remotely and comprised of a series of e-learn modules and online workshops to contextualise the framework for individuals working in the court environment.

INFORMATION SHARING

In April 2021, the Children’s Court was formally prescribed as an Information Sharing Entity (ISE) under the Child Information Sharing Scheme (CISS). Under this scheme, the Court has the authority to disclose and request certain confidential information with other prescribed ISEs to promote the safety or wellbeing of a child or group of children. The CISS operates alongside the Family Violence Information Sharing Scheme (FVISS).

Family Drug Treatment Court

Operating at Broadmeadows and Shepparton Children’s Courts, the Family Drug Treatment Court (FDTC) provides intensive support and judicial monitoring in cases where a child has been removed from parental care due to drug and 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.

EFFECTIVE AND SUSTAINABLE OUTCOMES

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

Despite the challenges of online operations in response to COVID-19, the FDTC has continued to achieve great success in assisting participants to achieve a level of recovery that has enhanced rates of sustainable reunification of parents to children. Inductions into the FDTC grew over the reporting period.

REUNIFICATION RATES 2020–21

Reunification rates amongst FDTC participants continue to exceed the rate of reunification for children removed from parental care due to drug and alcohol use whose cases are heard in mainstream courts (estimated at 43% through a matched sample). Reunification rates increase significantly the longer parents engage with the FDTC program, with 59% of participants who engaged for over 6 months achieving reunification in the reporting period.

Number of parents referred and inducted into the FDTC during 2020–21*

BROADMEADOWS

33 parents of 52 children referred to program

19 parents of 38 children inducted into program

SHEPPARTON

27 parents of 54 children referred to program

17 parents of 34 children inducted into program

TOTAL

60 parents of 106 children referred to program

36 parents of 72 children inducted into program

* Referrals do not guarantee induction into the FDTC program. Prospective participants may be assessed as being unsuitable due to denying a substance use problem or its impact on their parenting capacity; withdrawing their consent from participating in the program; or where they are non-contactable for assessment.

Marram-Ngala Ganbu Koori Family Hearing Day

“For our justice system to experience the power and value of Aboriginal community and family and kinship, I think those two things need to come closer together when making these very important decisions about the future of our young people.”

Justin Mohamed

Commissioner for Aboriginal Children and Young People

Marram-Ngala Ganbu (meaning ‘we are one’ in Woiwurrung language) is a hearing day in the Family Division of the Children’s Court. The program seeks to provide a more effective and culturally appropriate response for Koori children through a court process that enables greater participation by family members and culturally informed decision-making.

MARRAM-NGALA GANBU SHEPPARTON

On 16 April 2021, Marram-Ngala Ganbu (MNG) Shepparton was officially launched by Attorney-General, the Honourable Jaclyn Symes and President of the Children’s Court Judge Jack Vandersteen, with keynote speeches delivered by Aunty Pam Pedersen and Justin Mohamed, Commissioner for Aboriginal Children and Young People. The official launch involved a smoking ceremony and a performance by the Dharmoo Bangerang Dancers.

MNG Shepparton commenced sittings on 4 February 2021, with an average number of 11 hearings per week. Funding for the expansion of Marram-Ngala Ganbu to Shepparton was provided under Burra Lotjpa Dunguludja, the fourth phase of the Aboriginal Justice Agreement.

STRONG PARTNERSHIPS

The MNG Shepparton team has built on the existing partnerships created at Broadmeadows Children’s Court with Aboriginal and non-Aboriginal organisations to support better outcomes for Aboriginal children and their families with matters in the Children’s Court. This includes working closely with the Department of Families, Fairness and Housing, Victorian Aboriginal Legal Service, and Djirra to support the ongoing success of the MNG program expansion. Working closely with the local community services network allows the court to facilitate warm referrals to appropriate support services to better support Aboriginal children and their families.

MNG BROADMEADOWS

MNG Broadmeadows sat weekly despite the impact of COVID-19, providing an online service for the majority of 2020-21.

Number of Marram-Ngala Ganbu sittings 2020–2021 Broadmeadows

Month	Total sittings	Number of families
July 2020	4	31
August 2020	4	34
September 2020	5	55
October 2020	4	42
November 2020	3	44
December 2020	4	31
January 2021	3	32
February 2021	4	38
March 2021	5	47
April 2021	4	37
May 2021	4	30
June 2021	5	30

Number of Marram-Ngala Ganbu sittings 2020–2021 Shepparton

Month	Total sittings	Number of families
February 2021	2	25
March 2021	1	10
April 2021	2	23
May 2021	2	19
June 2021	1	10

Conciliation Conferences

A Conciliation Conference is a form of court-ordered mediation where the best interests of the children are discussed with their family, lawyers and child protection workers. A court-appointed and impartial convenor helps the participants to reach a collaborative and solution-focused agreement. This non-adversarial process assists in the early resolution of applications before the Court. Koori Conferences are conducted by the Court's Koori convenors to provide a culturally appropriate environment for these discussions to take place.

All conferences in the reporting period were conducted online with families being supported by the Court to participate using online hearing software. Over 20,000 people participated in 2,988 conferences state-wide. On average, seven people participated in each conference. A negotiated settlement was achieved in 39.5% of cases and a partial settlement occurred in 32% of cases. The remaining 28.5% resulted in a Readiness Hearing listed before a judicial officer.

2020–21	Total conferences conducted	Conferences resulting in settlements	Conferences resulting in partial settlements	Conferences resulting in Readiness Hearings
MELBOURNE (including Moorabbin and Broadmeadows)	1,628	537	554	537
REGIONAL	1,360	653	394	313
TOTAL	2,988	1,190	948	850

2019–20	Total conferences conducted	Conferences resulting in settlements	Conferences resulting in partial settlements	Conferences resulting in Directions hearings
MELBOURNE (including Moorabbin and Broadmeadows)	1,826	617	617	582
REGIONAL	1,444	659	515	270
TOTAL	3,260	1,276	1,132	852

2018–19	Total conferences conducted	Conferences resulting in settlements	Conferences resulting in partial settlements	Conferences resulting in Directions hearings
MELBOURNE (including Moorabbin and Broadmeadows)	1,826	612	655	559
REGIONAL	1,449	674	536	239
TOTAL	3,275	1,286	1,191	798

Children’s Court Clinic

The Children’s Court Clinic (the Clinic) is an independent body that conducts assessments and reports on children and their families at the request of magistrates across Victoria. The clinic reports provide independent clinical and forensic evaluations for judicial officers presiding over matters in both the Criminal and Family Divisions of the Court.

CLINIC OUTPUT

In the reporting period, the Clinic completed 182 reports. Of these, 113 reports were completed for the Family Division, 36 reports were completed for the Criminal Division, and 33 reports were neuropsychological assessments undertaken across both divisions.

The Clinic significantly altered its service delivery model in response to COVID-19, which has impacted the output of reports for this reporting period.

During the reporting period:

- 36 young people from the Criminal Division of the Children’s Court were referred to the Clinic for either a psychological or psychiatric assessment.
- the Clinic completed 113 family assessment reports
- Additional neuropsychological assessments were also undertaken in both divisions.

Court Support Coordinators

Court Support Coordinators (CSC) are specialist court staff who provide practical support and information to our most vulnerable and disadvantaged court users. Court Support Coordinators provided support to over 1,500 court users in the reporting period, including to 1,330 self-represented parties.

In response to COVID-19, CSCs have adapted to support court users to access and participate in online hearings by:

- making contact with all self-represented parties to provide procedural information prior to the hearing
- assisting court users to access online hearings
- liaising with registry staff, lawyers and support services
- facilitating warm referrals to external support agencies
- attending online court hearings with court users
- providing any further support that maybe needed after the court event.

The support provided by the CSCs minimises the stress and anxiety that can be experienced by court users, especially by those who are not represented. The CSCs have been instrumental to the success of online hearings during COVID-19.

PROJECTS

Case Management System

The 2017–18 State Budget provided Court Services Victoria with \$89.2 million for a modern case management system for the Children’s Court and Magistrates’ Court. The funding for a new case management system was part of the Victorian Government’s response to the Royal Commission into Family Violence.

The CMS Project successfully delivered eDocs in November 2020, the first major release that brought forward the CMS electronic document lodgement and document management components. eDocs was released in support of the courts move to a COVID-19 digital operating model and was implemented for criminal and intervention order matters in the Children’s Court.

Over 800 Children’s Court and Magistrates’ Court staff and 19,000 portal users from the courts, Victoria Police, lawyers, and other justice agencies now have access to eDocs. eDocs continues to support the courts and external parties to manage lodgements electronically, with more than 700 Children’s Court lodgements.

The project is currently in the implementation phase and there are six further releases scheduled for delivery in 2022. These include:

- Civil (Magistrates Court)
- Child Protection (Children’s Court)
- Intervention Orders (Children’s Court and Magistrates Court)
- Criminal (Children’s Court and Magistrates Court)
- Specialist courts and programs (Children’s Court and Magistrates Court)
- Victims of Crime Assistance Tribunal (VOCAT)/Family Law.

The project is focused on delivering a case management system that will support greater integration and connectivity for the entire justice system. This will allow the courts’ internal and external processes to operate more efficiently by strengthening the ability to capture and share appropriate critical information, reducing reliance on paper and minimising manual practices.

The jurisdictional leads and representatives from the Children’s Court continue to work directly with the technology partner to guide the system’s configuration and ensure the project delivers the best possible solution for the courts. Civil (Magistrates’ Court) and Child Protection (Children’s Court) are the first planned releases during the 2021-22 financial year.

Moorabbin Children’s Court Redevelopment

Upgrades to the Moorabbin Children’s Court were completed in May 2021 to improve access to court services and safety for children, young people and families. The building upgrades include an expanded waiting foyer and registry counter, a new security scanning area, additional interview rooms and offices for court and support services, a dedicated children’s play area and upgrades to registry.

The upgrades increase the space in the waiting area and make it much easier to access legal and support services. These changes will improve the experience for those at court, particularly children and young people and those in need of support.

Website Redevelopment

The redeveloped Children’s Court website was successfully launched in March 2021 and is now compatible with mobile devices. The updated content, navigation and usability improvements also mean that the website and information about the Court are easier to access for a wide range of court users.

Bendigo Law Courts

The Victorian Government provided \$152.4 million in the 2019-20 State Budget to build a new regional headquarter court in Bendigo for the Loddon Mallee Region, which is expected to begin operations from January 2023. The new court complex will accommodate Victoria’s first regional Children’s Court. Throughout the year, work has continued in planning and design for the new facility, ensuring the physical environment will facilitate best practice for the Children’s Court and meet the needs of children, young people and families in this region.

Wyndham Law Courts

The 2020-21 State Budget committed \$271 million for the future Wyndham Law Courts. The purpose-built court complex will include a Children’s Court providing a range of programs and services. Wyndham Law Courts will be the largest court complex outside of Melbourne’s central business district, bringing together multiple Victorian court jurisdictions to the rapidly growing Wyndham area. Wyndham’s future court will prioritise user experience, safety, sustainability and technological capability. Construction will commence in late 2022 and is expected to be complete in early 2025.

APPENDICES

Our Judiciary

PRESIDENT

Judge Jack Vandersteen

MAGISTRATES

Ms Jacqueline Billings

Ms Jennifer Bowles

Mr Darrin Cain

Mr Peter Dotchin

Ms Michelle Ehrlich

Ms Lesley Fleming

Ms Jane Gibson

Ms Annabel Hawkins

Ms Gail Hubble

Mr Randall Kune

Ms Elizabeth Langdon

Ms Kay Macpherson

Ms Kim Parkinson

Mr Shiva Pillai

Ms Kristen Rose

Ms Sharon Smith

Ms Melissa Stead
(appointed 22 September 2020)

Mr Francis Zemljak

RESERVE MAGISTRATES

Ms Margaret Harding

Ms Cathy Lamble

Mr Gregory Levine

JUDICIAL REGISTRARS (appointed 18 May 2021)

Ms Judith Benson

Ms Majella Foster-Jones

Ms Robyn Hamilton

Ms Julia Lever-Davidson

Court locations

The Children's Court of Victoria may sit at any time and place, including by remote hearing.

● MELBOURNE REGION:

Family Division:

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

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.

● BARWON SOUTH WEST REGION:

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

● GIPPSLAND REGION:

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

● HUME REGION:

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

