



VICTORIA GOVERNMENT GAZETTE

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[1915.]

REGULATIONS UNDER THE CHILDREN'S COURT ACT 1915.

At the Executive Council Chamber, Melbourne, the ninth day of November, 1915.

PRESENT :

HIS EXCELLENCY THE GOVERNOR OF VICTORIA.

Sir A. J. Peacock
Mr. Murray
Mr. Mackinnon
Mr. Brown
Mr. Hagelthorn
Mr. Lawson

Mr. Hutchinson
Mr. Livingston
Mr. Baillieu
Mr. Adamson
Mr. Gray
Mr. Membrey.

UNDER and by virtue of the powers and authorities conferred by the *Children's Court Act 1915*, herein referred to as "the Act," the *Justices Act 1915*, the *Gaols Act 1915*, and the *Acts Interpretation Act 1915*, I, the Governor in Council, do hereby rescind the rules and regulations heretofore made under the *Children's Court Act 1906*, the *Justices Act 1890*, and the *Gaols Act 1890*; and do hereby make the following regulations (that is to say) :—

1. Where a warrant has been issued for the apprehension of a child on an information or charge for an offence, and where such child, being apprehended, is brought before a Children's Court or a Justice and the hearing or further hearing of the information or charge is adjourned, the member of the Police Force who has executed such warrant shall forthwith transmit it to the Clerk of the Children's Court to which the hearing or further hearing of such information or charge has been so adjourned.

Warrant of apprehension to be transmitted to Clerk of Court. See clause 1 of Rules under *Justices Act 1915*.

2. Where a recognisance has been entered into before a Justice, a Superintendent, Inspector, or Sub-Inspector of Police, or a keeper of a prison, such recognisance shall, if a Children's Court has fixed the amount in which the principal and the surety or sureties (if any) are to be bound, be forthwith transmitted by the person taking the same to the Clerk of such Children's Court; and where any recognisance is entered into by any of such persons as aforesaid for the appearance of any child before a Children's Court or a Justice, it shall be forthwith transmitted by the person taking the same to the Clerk of the Court at which such child is so bound by recognisance to appear.

Recognisances taken out of Court to be transmitted to Clerk. See clauses 2 and 3 of Rules under *Justices Act 1915*, and section 37 and 91 of that Act.

3. Where any member of the Police Force apprehends any child, whether on warrant or without warrant, he shall endeavour to ascertain from the parents of such child, if they, or either, or both of them, can be found, the religious persuasion to which they or either of them belong, and that in which such child has been brought up, or to which he belongs, that is to say, whether Protestant, Roman Catholic, or Hebrew, or, if they cannot be found, from the child himself, the particulars aforesaid, and shall endeavour to elicit from such child full particulars as to his parents and other relatives, his schooling, occupation, and past career generally, and whether such child has been previously an inmate of any industrial

Member of Police Force apprehending child to make full inquiries respecting child.

school, or any reformatory, or the ward of the Department for Neglected Children, and whether he has been previously convicted of any offence, or been before the Court and dealt with on any charge, information, complaint, or application, and shall make a report thereof to the Children's Court before which such child is to appear.

And forward full particulars to Attorney-General Section 19 (2) of the Act.

4. Where a child is apprehended as a neglected child, or upon a charge for any offence, the member of the Police Force apprehending such child shall immediately forward full particulars of the case, including the age and religion of such child, and of that of his parents, so far as available or as can be ascertained, to the Attorney-General in the Form No. 1 of the Second Schedule to these Regulations, with an indorsement of the words "Chief Probation Officer's Department" on the envelope containing the report, and such report shall be afterwards filed in the office of the Chief Probation Officer.

Child not to be brought into Court room of Petty Sessions during its sitting.

5. Where any child is apprehended by a member of the Police Force or by a Probation Officer for the purpose of being brought before a Children's Court or any Justice in respect of any complaint, charge, information, or application, such member of the Police Force or Probation Officer shall in no case bring such child into the Court room of a Court of Petty Sessions during its sitting, or before a Justice whilst sitting to exercise his jurisdiction in respect of any adult person. And no such child shall be permitted under any circumstances to remain in any such Court room whilst a Court of Petty Sessions is in session or a Justice is sitting as aforesaid.

When child is apprehended Probation Officer of same religion as child to be notified.

6. Where any child is apprehended by a member of the Police Force for the purpose of being brought before a Children's Court or any Justice in respect of any complaint, charge, information, or application, such member of the Police Force shall immediately notify a Probation Officer, assigned to the Children's Court before which such child is to be brought and of the same religion as such child, of the date and time that such child will be brought before the Court.

When child is summoned Probation Officer of same religion as child to be notified.

7. When a summons (except a summons to appear as a witness) is issued requiring the appearance at a Children's Court of any child, the member of the Police Force serving such summons shall ascertain (if possible) the religious persuasion to which such child belongs, that is to say, whether Protestant, Roman Catholic, or Hebrew, and such member of the Police Force shall immediately notify the Probation Officer of the same religious persuasion as the child, and who resides nearest or most convenient to the abode of the child, of the service of the summons, together with the particulars thereof, and of the date, time, and place for which the child is summoned.

Recognisance to keep the peace to be transmitted.

8. Where a recognisance conditioned to keep the peace, or be of good behaviour, or to observe some forbearance has been entered into before a Justice, a Superintendent, Inspector, Sub-Inspector of Police, or keeper of a prison, such recognisance shall, if the same was directed by a Children's Court to be entered into, be forthwith transmitted by the person taking the same to the Clerk of such Court, and shall in all other cases be forthwith transmitted to the Clerk of the nearest Children's Court in the bailiwick wherein the same was entered into.

Summons to be transmitted.

9. Where on an information being laid or complaint made, a summons is issued for the attendance of any person at a Children's Court, the member of the Police Force or other person who serves such summons shall forthwith, after service has been effected, transmit such information and summons to the Clerk of the Children's Court at which such summons is returnable.

Documents, how stamped.

10. Where any document requiring a fee-stamp is issued by or acknowledged before a Justice, such Justice shall satisfy himself that the proper fee-stamp is affixed thereto, and shall cancel such stamp unless the same has been already cancelled by some proper officer.

Officer in charge of Police Station to keep list of Probation Officers.

11. The officer in charge of every Police Station in the State of Victoria shall keep a list available for the information of all members of the Police Force, and of all persons concerned, of all Probation Officers appointed for Children's Courts within his police district.

Duties, powers and authorities of Chief Probation Officer.

12. There shall be a Chief Probation Officer, who shall be a Probation Officer for each and every Court throughout the State of Victoria, and who shall have general charge of the work of all other Probation Officers of the State, and especially—

(1) He shall be charged with the general supervision of probation work throughout the State of Victoria.

(2) He shall have authority—

(a) To collect statistics in relation thereto.

(b) To require returns and reports from other Probation Officers.

(c) To conduct investigations into the work of any other Probation Officer.

(d) To submit recommendations from time to time to the Attorney-General concerning probation work.

Provided that in exercising his control over the work of Probation Officers no directions shall be given by the Chief Probation Officer to any other Probation Officer, conflicting or interfering with any directions or orders of the Children's Court.

PROBATION OFFICERS AND THEIR DUTIES.

13. Every Probation Officer shall make a return for each quarter of the year ending on the last days of the months of March, June, September, and December to the Chief Probation Officer on or before the 10th day of the month following each quarter in the Form No. 2 of the Second Schedule to these Regulations of all children placed under his supervision by the Court, stating particularly the number of times each of the said children has been visited by him or her during such quarter of the year, as to the child's general behaviour, conduct, surroundings, whether he is observing the terms and conditions (if any) of his probation as imposed by the Court, and any other matters respecting such children that the Chief Probation Officer may from time to time direct.

Probation Officer to make a return to Chief Probation Officer.

14. Each Probation Officer, other than the Chief Probation Officer, shall be assigned to such one or more of the Children's Courts as the Governor in Council may direct.

Governor in Council to assign Probation Officer to Courts.

15. Whenever any child is placed under the supervision of a Probation Officer by the Court, in addition to the special duties that may be imposed by the Court on Probation Officers, as particularly provided for in section 10 (a, b, c, d) of the Act, it shall be the duty of every Probation Officer, when required by the Court, and the Court may direct such Probation Officer accordingly, either generally to observe the following rules, or specifically such one or more of them, as it thinks proper—

Additional duties of Probation Officers when ordered by Court.

- (a) To visit such child at his home as often as the Court may deem to be necessary. In the absence of any such direction, such Probation Officer to visit each child under his supervision as aforesaid at least once in every week during his probation, but the Court may by order dispense with the observance of this rule requiring the Probation Officer to visit such child at his home at least once a week, and may, in substitution, order such child to report himself to the Probation Officer under whose supervision he is placed as often as it deems desirable or necessary.
- (b) To inquire into the previous history of such child and endeavour to ascertain if the child has been previously convicted of any offence or been previously before the Court on any charge, complaint, or information, or in respect of any application, and been dealt with as a neglected child, or released on probation, or discharged upon any recognisance being entered into to appear for punishment when called upon, or to be of good behaviour, and to report those facts to the Court.
- (c) To be present in Court to represent the interests of such child when the case is heard, or on his appearance before the Court for any other cause or matter.
- (d) To endeavour to become fully acquainted with the home surroundings and occupation of such child, and to exercise the functions of a friend to such child, to caution or advise him as to his conduct, and to help the child to do well; and, if eligible, to obtain employment, or, if within the age when attendance at school is compulsory, to induce him to attend school regularly, and also the Sunday school (if any) provided for children of his religious denomination, and advise as to his religious and moral welfare; but where the Probation Officer himself is not of the same religious persuasion as the Court determines the child under his supervision to be, he shall altogether abstain from advising him in matters of religion, and shall not in any way interfere or attempt to interfere with such child's religion.

16. Where a child's conduct, whilst under the supervision of a Probation Officer, is unsatisfactory, or his surroundings are unfavorable, or he commits some other offence, or he refuses or neglects to report himself to the Probation Officer when required to do so, such Probation Officer is to report thereon to the Court for further directions.

To report to Court child's conduct, &c.

17. Where a child's probation period is ended, or the term for which he is bound for good behaviour, or the term for which his sentence is suspended has expired, it shall not be necessary for such child to be brought before the Court again, unless his conduct has been unsatisfactory, or he has broken the terms of his probation (if any), or he has been guilty of some fresh delinquency or new offence, but the Probation Officer under whose supervision such child has been placed shall nevertheless make a full report to the Court respecting such child's general conduct and behaviour.

On expiration of probation period to report fully to Court.

18. Every Probation Officer is hereby authorized to visit any Receiving Depot, any Industrial, Probationary, or Reformatory School, and any gaol where any child who has been at any time under his supervision is placed or detained, and every person with whom any ward of the Department for Neglected Children may be boarded out, placed, or apprenticed, or with whom any ward of the Department for Reformatory Schools may be placed, and every person or institution to whose care any child may be committed under the provisions of the *Neglected Children's Act 1915*, or the *Crimes Act 1915*, Part II., Division 2, and every

Authority to Probation Officer to visit institutions where, or persons with whom, wards placed.

See *Crimes Act 1915*, ss. 348 and 354.
Neglected Children's Act 1915, ss. 31, 43, 68.
The Act, s. 11 (1).

person intrusted with the care of such child by such person or institution shall from time to time, and at reasonable hours, permit such ward or child to be visited by any Probation Officer under whose supervision such ward or child has at any time been placed by the Children's Court, and every parent or guardian of a child who is, or has been, at any time placed under the supervision of a Probation Officer at any time by the Children's Court under the provisions of the Act, shall from time to time, at reasonable hours, permit such child to be visited by such Probation Officer.

To keep Record-book of Children on Probation.

19. Every Probation Officer shall keep a book, to be called "Record Book of Children on Probation," in the Form No. 3 of the Second Schedule to these Regulations, in which he shall record the name and address and age of every child placed under his supervision by the Children's Court, and also the name and address of the child's parents, if known, or the person or persons with whom such child lives or is employed, and he shall record therein the dates of each of his visits to such child, and the dates when such child reports himself to him. He shall also record therein particulars of all matters, ascertained by him on inquiry, upon which the Children's Court has directed him to inquire, and other particulars as to the child's conduct and behaviour whilst under his supervision, and, when his probation period has expired, whether he has observed the terms and conditions of his probation. A part of such book shall be devoted to a record of particulars of the after career of each child that has been under his supervision, so far as can be ascertained. He shall make a record therein of all letters to and from such child, and of all events of interest which may come to the knowledge of such officer concerning the child, in order to provide material upon which to base information or reports as to the results achieved by the probation system when asked for. This book is to be available for the inspection of the Children's Court and Chief Probation Officer whenever required.

See Regulation 26 under Act No. 1121, and 23 under Act No. 1079.

To report removal of child to another town or place.

See report of American Commission, and recommendation No. 15.

20. Whenever a child under the supervision of a Probation Officer removes to another city, town, or place, within the State of Victoria, the Probation Officer under whose supervision he was placed shall report that fact to the Chief Probation Officer and to the Children's Court which placed him under his supervision, with the address of such child at the city, town, or place to which he has removed (if known), and shall forward to the said Court a full report of all the particulars of the case and the circumstances under which such child has been placed under his supervision, and of the child's general conduct and behaviour whilst under supervision.

Child under supervision may receive medical advice and medicines.

21. Where any child under the supervision of a Probation Officer is, in the opinion of such officer, in ill-health and in need of medical advice, medicine, or medical comforts, such child may be taken by such officer or sent, but if sent, with a certificate in writing signed by such officer to the above-mentioned effect, to any receiving depôt or school where wards of the Department for Neglected Children are detained, or any Reformatory School, and he shall be entitled to receive the advice, medicines, or medical comforts provided for wards of such Department or wards for the Department of Reformatory Schools, but only upon the recommendation of the medical officer in attendance upon such depôt or schools, and his certificate will be necessary on the accounts for such services.

THE COURT.

To name in order manner of disposal of child during adjournment.

See s. 19 of the Act.

When child not to be placed in gaol except on order of Court or Justice.

See s. 19 (6) of the Act.

22. Where a Children's Court or a Justice adjourns the hearing or further hearing of a charge or information against any child under the provisions of section 19 of the Act, it or he shall in its or his order, where practicable, name the particular mode selected by it or him from the alternative ones specified in the said section for the disposal of children during such adjournments; but no child shall be placed in a gaol or the lock-up of a Police Station after being brought before a Children's Court or a Justice and the hearing or further hearing of the charge or information is adjourned except by the order of such Court or Justice, unless such child has escaped from the lawful custody of any person or from any lawful place of detention, and has been re-arrested as an absconder.

Child to be placed under supervision of Probation Officer of same religious persuasion, if practicable.

23. Before any child is placed under the supervision of a Probation Officer by the Children's Court it shall determine the religious persuasion to which such child belongs or in which he has been brought up, that is to say, whether Protestant, Roman Catholic, or Hebrew, and make an entry thereof in the Register of Convictions and Orders of the Court, and if it determines to place such child under the supervision of a Probation Officer it shall be under that of a Probation Officer of the religious persuasion which the Court determines to be that to which such child belongs, or in which he has been brought up, that is to say—if there is an appropriate Probation Officer, having regard to the child's sex, assigned to such Court of the same religious persuasion as that of the child, but if not, or if the parents of such child do not belong to any of the aforesaid religious persuasions, and the child himself does not belong to, or has not been brought up in any of them, the Court may place such child under the supervision of any Probation Officer without regard to his religious persuasion.

Probation Officer to be named in order of Court and notified.

24. The Children's Court, if it makes an order placing such child under the supervision of a Probation Officer, shall name in the minute of its order the particular Probation Officer under whose supervision the said child is so placed,

and shall notify such Probation Officer of the fact accordingly. In making such order the Children's Court may if it think fit name a Probation Officer appointed for some other Children's Court.

25. Unless the Court, in placing a child under the supervision of a Probation Officer, limits the duties of such Probation Officer with respect to such child to any particular sub-section or sub-sections of section 10 (1) of the Act, or to any sub-clause or sub-clauses of clause 13 of these Regulations, the mere fact of placing such child under the supervision of a Probation Officer shall be deemed to impose upon such Probation Officer all the duties specified in the Act and these regulations respecting such child that can be carried out by him, in the absence of any special direction, consistently with section 10 (1) of the Act and of these regulations.

All duties imposed on Probation Officer to be observed unless limited by Court.

26. Where the Children's Court releases a child on probation, or where it discharges a child on surety or sureties to be of good behaviour, and places such child under the supervision of a Probation Officer, such officer's supervision shall be for the whole period for which such child has been released on probation, or for which such child and his surety or sureties have been bound for his good behaviour, as the case may be, not exceeding twelve months.

Period of Probation Officer's supervision. Secs. 11, 21, 24, 27, and 28 of the Act.

27. Where such Court convicts a child and discharges him on his entering into a recognisance with a surety or sureties to appear before the said Court for punishment when called upon, and the Court places such child under the supervision of a Probation Officer, such officer's supervision over such child shall be for any period not less than three months, nor more than twelve months, as the Court may order.

Period of Probation Officer's supervision. Secs. 27 (1) 3, 4, and 28 (1) d, i of the Act.

28. Where such Court convicts a child and sentences him to a term of imprisonment, and suspends the execution of the sentence under any of the provisions of the Act, and places such child under the supervision of a Probation Officer, such officer's supervision over such child shall be for a period of twelve months from the date of such conviction.

Period of Probation Officer's supervision. Secs. 27 (1) 3, 4, and 28 (1) d, ii. of the Act.

29. Where a Probation Officer has reported to a Children's Court the removal of a child under his supervision to another city, town, or place within the State of Victoria, and such child's address, and forwarded a report of the particulars of the case as required under such circumstances, the said Court shall thereupon cause a note to be made in the Register of the Court of the fact of such child's removal, and of his address, and may forward the Probation Officer's report to the Children's Court nearest to the city, town, or place to which such child has removed, and the last-mentioned Court shall then place such child under the supervision of an appropriate Probation Officer, and shall inform him of the fact, and forward for his information the report of the first Probation Officer, and the Probation Officer so informed shall thereupon exercise supervision over such child during the remainder of the term for which he was originally placed under supervision; but the said first-mentioned Children's Court, if the Probation Officer under whose supervision such child has been originally placed is willing to continue to supervise such child at the place to which he has so removed, may, instead of forwarding such report, allow the child to continue under the supervision of the Probation Officer as originally ordered and thereupon such child shall be deemed to be still under the supervision of such Probation Officer.

How Court to act when child removed to some other place within Victoria.

CLERK OF THE CHILDREN'S COURT.

30. The Clerk of the Children's Court shall bring under the notice of the Children's Court all reports received from Probation Officers respecting children under their supervision, and file them in the Court, unless otherwise provided for in these Regulations.

Reports received by Clerk to be brought under notice of Court and filed.

31. The Clerk of every Children's Court shall keep a list of the names and addresses and the religious persuasion of all Probation Officers appointed to the Court of which he is the Clerk, and shall keep posted up in his office and in the Court room a copy of such list, and shall produce it for the information of the Court whenever required by it.

Clerk to keep list of Probation Officers and post copies in Court and office.

32. The Clerk of every Children's Court shall before each sitting of such Court cause to be entered in the register the various informations and complaints to be heard at such sitting in the order in which the summonses or warrants issued on such informations or complaints have reached his hands, and the said informations and complaints shall be called on for hearing in the order in which they stand in the list; but the Court may if it thinks fit, hear first in order the cases which may, in its opinion, be more conveniently so disposed of.

Order of entries.

Order of hearing.

33. Every Clerk of a Children's Court shall keep a Suitors' Cash Book in the form prescribed in the Schedule to the rules under the *Justices Act 1915*, Form 3, in which he shall enter all moneys received from or on behalf of informants, complainants, or defendants, and all moneys paid to or on behalf of informants, complainants, or defendants; and such book shall be kept in such a manner that at the end of each month the balance of such moneys in Court shall clearly appear.

Suitors' Cash Book.

34. Every Clerk of a Children's Court shall keep a Security Book, which shall be in the form in the Schedule to the rules under the *Justices Act 1915*,

Security Book.

	Form 4, and shall enter therein with respect to each security given in relation to any proceeding before the Court the name and address of each person bound, showing whether he is bound as principal or surety, the sum in which each person is bound, the undertaking or condition by which he is bound, the date of the security, and the person before whom it is taken. The Security Book, and any certified extract therefrom, shall be evidence of the several matters hereby required to be entered therein, in like manner as if the Security Book were the Register.
Instalment Book.	35. Every Clerk of a Children's Court shall keep an Instalment Book in the form prescribed in the Schedule to the rules under the <i>Justices Act</i> 1915, Form 5, in which he shall enter the register number and date of every order or conviction by which a sum of money is adjudged to be paid by instalments, the name of the person against whom the order or conviction is made, the manner of payment ordered, and each instalment as soon as it is paid.
Account of instalments.	36. Where a Children's Court by whose conviction or order any sum is adjudged to be paid allows time for payment of the said sum, or directs payment to be made by instalments, the Clerk of such Court to whom the said sum or instalments shall have been paid shall account for such sums as shall have been paid in the usual manner.
Payments into and out of Court.	37. Moneys may be paid into Court, and the moneys to which complainants and defendants are respectively entitled shall be paid out on demand on every day on which the office is open between the hours of 10 in the forenoon and 3 in the afternoon, except on Saturdays, when such payments may be made between the hours of 10 and 11 in the forenoon.
Receipt for money paid in or out of Court.	38. Whenever money is paid into Court by or on behalf of the defendant, complainant, or informant, the Clerk of the Court shall give to the person paying the money an acknowledgment in writing of such payment in the proper form; and where money is paid out of Court to or on behalf of the complainant, informant, or defendant, the person receiving such money shall sign in the Suitors' Cash Book where practicable an acknowledgment thereof.
Erasures or interlineations.	39. Any erasure or interlineation in a summons at the time of the issue thereof shall be stamped or initialed by the Clerk of the Court who issues the same, if such summons is issued by a Clerk of a Children's Court; and, if such summons is issued by a Justice, shall be initialed by him, but failure to stamp or initial shall not invalidate the summons.
Memorandum of adjournment. Form 8. To be transmitted.	40. Where a Children's Court adjourns the hearing of any information, complaint, or application to another Court, the Justices constituting such Court, or any one of them, shall sign a memorandum in the Form 8 in the Schedule to the rules under the <i>Justices Act</i> 1915, <i>mutatis mutandis</i> ; and the Clerk of such first-mentioned Court shall transmit such information, complaint, or application, if in writing, together with such memorandum, to the Clerk of the Court to which the same is adjourned.
Security for payment.	41. Any security given under the <i>Justices Act</i> 1915 for the payment of any sum of money under any conviction or order shall be in the form of an undertaking, and may be in the Form 12 in the Schedule to the rules under the said <i>Act mutatis mutandis</i> , or in any other form to the like effect.
Security taken out of Court to be transmitted to Clerk of Court.	42. Where any such security is not entered into before the Court but before some person specified by the Court, such person shall forthwith transmit the form of the security so entered into before him to the Clerk of the Court at which the order directing security to be taken was made.
Notice of forfeiture. Form 13.	43. Not less than two clear days before a warrant of distress is issued for a sum due by a principal, in pursuance of a forfeited security under the <i>Act</i> , the Clerk of the Court issuing the warrant shall cause notice of the forfeiture to be served on the principal in the Form 13 of the Schedule to the rules under the <i>Justices Act</i> 1915. Service of the notice may be effected either personally or by letter sent to the address mentioned in the security.
Notices to defendant.	44. Where a Children's Court thinks fit to call upon a defendant who has been convicted of an offence by the said Court and discharged on recognisance being entered into by him with surety or sureties to appear before the said Court for punishment for his said offence when called upon, and directs the Clerk of the said Court to issue notices to the said defendant to appear before the said Court for punishment for his said offence and to his surety or sureties to produce him, the Clerk of the said Court shall issue an additional true copy or duplicate of the said notices upon which shall be indorsed by the person or persons serving such notices an affidavit of the time and manner of service thereof on the defendant and his sureties.

MISCELLANEOUS.

Fees.	45. Every Clerk of a Children's Court shall demand, receive, and take for the use of His Majesty the several fees allowed by and mentioned in the First Schedule hereto and no more, and such fees shall be paid in the first instance by the person by whom or on whose behalf the act or proceeding (in respect whereof the same are payable) is required before such act shall be done or such proceeding shall be issued or taken (as the case may be).
Non-compliance with rules not to invalidate proceedings.	46. Non-compliance with any of these rules or departure from the forms hereto shall not render any proceeding void, unless the Children's Court before

which the same shall come shall so direct, but such proceedings may in the discretion of such Court be amended or otherwise dealt with in such manner as to postponement, adjournment, or otherwise, and upon such terms as such Court may think fit.

47. Where no particular form is prescribed under the Act or these rules for any proceeding under the Act or rules, the forms in the Second Schedule to the *Justices Act* 1915, or forms to the like effect, where they are applicable to the particular proceeding under the Act, for which they are used, varied as the circumstances require, may be used and shall be sufficient in law. Forms.

REGULATING DETENTION OF CHILDREN IN GAOLS OR LOCK-UPS.

48. Where any child is sentenced to any term of imprisonment by any Court in a gaol, whether in default of payment of a fine or without the imposition of any fine, but directly as a punishment for an offence, or where any child is detained in a gaol or the lock-up of a Police Station pending the hearing of any charge or information, or during any adjournment of the hearing thereof, or is placed under detention as aforesaid for any other cause or matter, the following rules regulating his detention shall be observed:— Rules to be observed when children detained in gaols or lock-ups.

- (a) Such child shall be kept separate and apart from all adult prisoners, and, if practicable, he shall not be permitted to see or be brought within the view of any adult prisoner at the time when he is received into such gaol or lock-up, or whilst being discharged therefrom, or at any time during the period of his detention therein. Separation from adult prisoners.
- (b) He shall not during his detention be dressed in the uniform clothing provided for adult prisoners, or in that of a similar kind. Prison uniforms for adults not allowed.
- (c) He shall be served with the rations allowed in the gaol to prisoners on remand with a ration of tea and sugar added, according to the scale where that ration is allowed to adult prisoners, unless he has been lawfully sentenced to solitary confinement by any Court or the visiting Justice of the gaol, or the keeper of the gaol has lawfully sentenced him to solitary confinement, or lawfully ordered him to be deprived of any portion of his usual ration for breach of any of the provisions of the *Gaols Act* 1915, or of the prison regulations in force under that Act, in which several cases he shall only be deprived of such full rations during the time he is undergoing his sentence of solitary confinement, or during the time he is lawfully ordered to be so deprived of any portion of his usual ration as aforesaid. Rations.
He shall not, under any circumstances, be sentenced to any term of imprisonment by any Justices visiting the gaol for any breach of the provisions of the said Act, or of any of the regulations made thereunder, to a term of imprisonment longer than six months, or be ordered to serve any portion of a sentence in irons. When under sentence of solitary confinement.

No term of imprisonment for longer than six months for breach of Gaols Act or regulations.

No sentence in irons to be imposed

FIRST SCHEDULE.

FEES IN CHILDREN'S COURTS AND IN PROCEEDINGS BEFORE A JUSTICE OR JUSTICES IN CHILDREN'S COURT CASES.

PRELIMINARY COSTS.

Cases for Offences Punishable on Summary Conviction not being Indictable Offences exclusively so Punishable.

	£	s.	d.
For every summons for any offence punishable summarily, not being an indictable offence exclusively so punishable, including copy and service ..	0	2	6
For every copy beyond one, if prepared by the Clerk of Children's Court, including service ..	0	1	0
For every warrant of apprehension for any offence punishable summarily, not being an indictable offence exclusively so punishable, including execution thereof ..	0	2	6
For every summons to witnesses in any case of an offence punishable on summary conviction, not being an indictable offence exclusively so punishable, including any number of names ..	0	1	0
For every copy thereof prepared by the Clerk of a Children's Court ..	0	0	6
For service thereof, if required to be served by a constable, on each witness, if the distance from the constable's residence does not exceed 5 miles ..	0	2	6
If beyond that distance, per every additional mile for each witness ..	0	1	0
For every certified copy of an extract from the register of a Children's Court ..	0	1	0

COSTS AND CHARGES OF "DISTRESS" OR OF "TAKING AND KEEPING A DISTRESS."

	£	s.	d.
For expenses of possession under a warrant of distress, not exceeding per day ..	0	5	0
For expense or removal (including storage) of goods, not exceeding ..	1	10	0
Expenses of sale for every Twenty shillings or fraction of Twenty shillings of the price realized ..	0	0	6

MISCELLANEOUS FEES.

Cases for Offences Punishable as Aforesaid.

	£	s.	d.
For every copy of any complaint, information, summons, warrant, deposition, order, or conviction obtained after any hearing or examination, and not exceeding one common law folio, not otherwise provided for, if prepared by the Clerk of a Children's Court ..	0	1	0
For every folio or fraction beyond the first folio ..	0	1	0

SECOND SCHEDULE.

No. 1.
PARTICULARS CONCERNING CHILDREN APPREHENDED BY THE UNDERSIGNED MEMBER OF THE POLICE FORCE AS NEGLECTED CHILDREN ON A CHARGE FOR AN OFFENCE.
(The Children's Court Act 1915, s. 19 (2) and Regulation 4).

Date of Apprehension.	Name of Child Apprehended.	Age.	Sex.	Name and Address of Parents (if known).		Religion of Parents (if known).		Religion of Child.	Nature of Charge.	Where Placed in Custody prior to being brought before the Court or a Justice.	Any Other Particulars.
				Father.	Mother.	Father's.	Mother's.				

(Signed)
Member of the Police Force stationed at

To the Honorable the Attorney-General of the State of Victoria,
(Chief Probation Officer's Department),
Melbourne.

No. 2.
DAY OF 19 OF CHILDREN UNDER THE SUPERVISION OF THE UNDERSIGNED PROBATION OFFICER ASSIGNED TO THE CHILDREN'S COURT AT
(Regulations under the Children's Court Act 1915, No. 11.)

Name of Child.	When placed under Supervision and for what Period.	Age.	Sex.	Religion as determined by Court.	Offence Charged.	How dealt with by Court.	Number of Times Child visited.	Number of Times Child Reported himself to Probation Officer.	Particulars as to Child's Behaviour, Conduct, and Surroundings.	Whether Child is Observing Terms and Conditions (if any) of his Probation.

To the Chief Probation Officer

Note.—This return is due on or before the 10th of the following month.

No. 3.

RECORD BOOK OF CHILDREN ON PROBATION.

Name and Address of Probation Officer—

Name and Address of child placed under my supervision—		Age—	Sex—	Creed—					
<p>Court by which so placed under supervision</p> <p>Date when placed under supervision</p> <p>Nature of offence with which child charged</p> <p>How dealt with by Court—whether</p> <p>(a) released on probation under section 24 of the Act, and on what terms and conditions</p> <p>(b) or, convicted and discharged on surety for good behaviour</p> <p>(c) or, convicted and discharged on recognisance to appear</p> <p>(d) or, for punishment when called upon (sec. 21 of the Act) and sentenced to a term of imprisonment</p> <p>For what period placed under supervision</p> <p>Name and address of child's relatives</p> <p>Father's name, nationality, creed, and address (if known)</p> <p>Mother's name, nationality, creed, and address (if known)</p> <p>Father's occupation</p> <p>Mother's occupation</p> <p>Guardians (if any) name and address</p> <p>Where child is placed</p> <p>If employed—particulars</p> <p>Particulars as to church and Sunday-school attendance</p> <p>If previously before the Court, and how dealt with</p> <p>Change of residence of child (if any)</p> <p>Once when reported to Court</p> <p>If brought before the Court on or supervision</p> <p>If brought before the Court during his probation or supervision for what cause and how dealt with</p> <p>General remarks as to child's conduct whilst on probation or under supervision—</p>		<p>After Career—</p> <p>How child situated on expiration of supervision</p> <p>With whom living</p> <p>Address</p> <p>If employed, nature of employment, where employed, and by whom</p> <p>Notes of letters sent to or received from child</p> <p>General remarks as to his progress and conduct</p>							
<p>Record of</p> <p>Visits of Probation Officer</p> <p>To Child</p> <p>Reports of Child to Probation Officer, when ordered</p> <p>Year</p> <p>19</p> <p>January</p> <p>February</p> <p>March</p> <p>April</p> <p>May</p> <p>June</p> <p>July</p> <p>August</p> <p>September</p> <p>October</p> <p>November</p> <p>December</p>	<p>First Week.</p> <p>Date of Visit</p> <p>or Report.</p>	<p>Particulars as to</p> <p>Conduct during Week.</p>	<p>Second Week.</p> <p>Date of Visit</p> <p>or Report.</p>	<p>Particulars as to</p> <p>Conduct during Week.</p>	<p>Third Week.</p> <p>Date of Visit</p> <p>or Report.</p>	<p>Particulars as to</p> <p>Conduct during Week.</p>	<p>Fourth Week.</p> <p>Date of Visit</p> <p>or Report.</p>	<p>Particulars as to</p> <p>Conduct during Week.</p>	<p>Remarks.</p>

No. 4.

ORDER FOR THE SAFE CUSTODY OF A DEFENDANT CHILD DURING AN
ADJOURNMENT OF THE HEARING OF THE CHARGE.

S. 19 (4).

Bailiwick

State of Victoria.

Informant.

Defendant.

To a member of the Police Force of
Victoria and to all other members of the said Police Force, and to all others whom
it may concern—

Whereas on the day of 19 the above-named defendant
was charged before me the undersigned Justice of the Peace in and for the said bailiwick for
that he on the day of 19 at in the said
bailiwick

And whereas the hearing of the said charge is adjourned to the Children's Court at
sitting on the day of 19 at o'clock in
the noon And whereas it is necessary that the defendant should in the meantime be
kept in safe custody you are hereby commanded to convey and have the said defendant at the
time and place to which the hearing of the said charge is so adjourned as aforesaid to answer
further to the said charge and that in the meantime (a) that you take the said defendant to
the Receiving Depot, situate at the Royal Park near Melbourne and place him (or her) therein,
or (b) you are hereby authorized to place the said defendant with some respectable person or
persons and place him (or her) therein under his or their care provided you have previously made
such arrangements or agreements with such person or persons as may be necessary or proper for
his (or her) care and maintenance by him or them or (c) that you place the said defendant in
the dwelling of a member of the Police Force or a Probation Officer (if he be married) under the
care and supervision of himself or herself or his wife having previously provided for his or
her care and maintenance at a reasonable charge or (d) the means not being available or
practicable to place said defendant in Receiving Depot at the Royal Park near Melbourne or
with some respectable person or persons or in the dwelling of a member of the Police Force
or Probation Officer (e) or the said charge being of so serious a nature that his safe custody
is a matter of paramount importance that you place the said defendant in the gaol at
in the said State or in the lock-up of the police station at
in the said State And you the keeper of the said gaol or lock-up are commanded to keep the
said defendant apart from all other prisoners as required by section nineteen of the
Children's Court Act 1915.

(a), (b), (c) Retain
(a), (b), or (c)
whichever course is
ordered.

Dated at the day of 19

J.P.

No. 5.

SUMMONS TO PARENT OF CHILD REQUIRING HIS ATTENDANCE AT CHILDREN'S
COURT ON THE HEARING OF A CHARGE OR INFORMATION AGAINST HIS
CHILD.

In the Children's Court at
Bailiwick
State of Victoria.

Informant (or Applicant).

Defendant (a).

(a) Name of child
charged.
(b) Name of parent of
said child and his
address and occupation
(if known).
(c) State shortly the
nature of the charge
against the said child,
and his or her age.

To (b) of Defendant (a).
The said defendant a child within the meaning of the *Children's Court Act 1915* has
been charged before the said Court with (c)
and the hearing of the said charge or information has been adjourned to the day
of 19 at o'clock in the noon at the said Children's Court at
aforesaid and it having been alleged that you are the said child's parent and your attendance
being required at the said Court on the hearing of the said charge or information You are
therefore commanded to appear before the said Court at that day and hour and to be present
on the hearing of the said charge or information against the said defendant.

Dated at aforesaid the day of 19
(By order of the Court.)

J.P.

No. 6.

AFFIDAVIT OF SERVICE INDORSED ON SUMMONS.

In the Children's Court at
Bailiwick
State of Victoria.

I of in the said State.
(d) Him personally (or to a person apparently of the age of sixteen years or upwards for him at his last (or most usual) place of abode (or of business). make oath and say that I served the within-named defendant with a true copy of the within summons by delivering such true copy to (d) at in the said State on the day of 19 at o'clock in the noon.
Sworn at in the Bailiwick of the said State the day of 19 before me—

J.P.

No. 7.

WARRANT TO APPREHEND PARENT WHERE SUMMONS REQUIRING HIS S. 20.
ATTENDANCE ON THE HEARING OF A CHARGE OR INFORMATION
AGAINST HIS CHILD HAS BEEN DISOBEYED BY HIM.

In the Children's Court at
Bailiwick
State of Victoria.

Informant (or Applicant).

Defendant (a). (a) Name of child charged.

To , a member of the Police Force of the State of Victoria and to all other members of the said Force.
Whereas (b) , alleged to be the parent of the said (b) Name of parent of said child.
defendant, hath neglected or refused, without reasonable excuse, to attend before the said Court, at the time and place appointed in and by a summons, issued by order of the said Court, commanding him (c) to then and there appear, and to be present on the hearing of (c) or her.
a charge or information against the said defendant, although it has been proved before the said Court that the said summons was duly served upon the said (b).
You are hereby commanded forthwith to apprehend the said (b)
and bring him (c) before the said Children's Court at on the
day of 19 at o'clock in the noon, unless after (d) or she.
his (c) apprehension under this warrant he (d) be admitted to bail then and there to appear as is by law provided.

Dated at aforesaid, the day of 19 .

(By Order of the Court.)

J.P.

No. 8.

ORDER OF DISMISSAL.

S. 21 (b.)

Bailiwick
State of Victoria.

Before the Children's Court, sitting at , the day
of 19

Information (a) having been laid (b) by (a) (or) complaint.
that (c) a child within the meaning of the *Children's* (b) or, made.
Court Act 1915, hereinafter called the defendant, on the day of (c) Name of defendant.
19, at , in the said bailiwick, did (d) (d) State the nature of the offence
And this Court having heard and determined the said information and it appearing to this (e) If ordered say—
Court that the said defendant has not been previously convicted of any offence (e) it is ordered that the
this Court doth dismiss the said information. (or party aggrieved, naming him) the sum of £
for damages, and also the sum of
for costs, and the said defendant having now paid the said several sums.

A Member of the said Court.

No. 9.

CONVICTION AND DISCHARGE.

S. 21 (c).

Bailiwick
State of Victoria.

Before the Children's Court, sitting at , the day
of 19

(a) a child within the meaning of the *Children's Court Act* 1915, hereinafter called the defendant, is this day convicted for that he on the day
of 19 at
in the said bailiwick did (b)

And it is ordered that the said defendant enter into a recognisance in the sum of (a) Name of defendant.
with suret in the sum of each to the satisfaction, of (b) State nature of the offence, as in the information.
this Court (c) and the defendant having entered into such recognisance with suret in the said sum of (c) to appear before this Court for punishment when called upon, or, to be of good behaviour for the space of months;
it is ordered that the defendant be discharged as to the said information. And it is further ordered that the defendant being a (e) and his religious persuasion being of, and, if ordered—say—
(f) that he be under the supervision of of, and in addition that the defendant do pay to the said informant (or to the party aggrieved) the sum of £
for damages, and also the sum of for costs;
a Probation Officer of the said Court during the said period for which he is so bound by recognisance for good behaviour (or for the space of (g).) (d) and having now paid the said several sums awarded for damages and costs.
(e) Male or female.
(f) Protestant, Roman Catholic, or Hebrew (as the case may be).
(g) Not less than three months nor more than twelve months, as ordered by the Court.
(See rules.)

A Member of the said Court.

No. 10.

RECOGNISANCE.

Ss. 19 (4, d), 21 (c),
27 (3, i.), 28 (d, i).

In the Children's Court at
Bailiwick
State of Victoria.

We, the undersigned, severally acknowledge ourselves to owe our Sovereign Lord the
King the several sums following, namely

(a) Name of principal bound. (a) the sum of _____ of _____, as principal,
(b) Name and address (including No. of house and street, when known), of sureties. of _____ and (b) _____ as suret the sum of _____ each to be levied of our several goods lands and tenements if the said principal fail in the condition hereon indorsed.
(Signed)

A.B.
L.M.
N.O.
19
J.P.

Taken before me the _____ day of _____

CONDITION.

The condition of the above recognisance is such that if the above bounden principal (c) shall appear before the Children's Court sitting at _____ on _____ day the _____ day of _____ 19 _____ at _____ o'clock in the _____ noon to answer to the charge made against him (or) (c) shall appear before the Children's Court sitting at _____ for punishment for the offence of which he has this day been convicted when called upon (or) (c) shall be of good behaviour towards His Majesty and all his liege people and especially towards _____ for the term of _____ months now next ensuing (or) (c) shall _____
(c) Strike out the alternative clause not required.
Then the said recognisance shall be void but otherwise shall remain in full force.

No. 11.

Ss. 19 (4, d), 21 (c),
27 (3, i.), 28 (d, i.),
&c., &c.

NOTICE OF RECOGNISANCE TO BE GIVEN TO THE DEFENDANT AND HIS SURETIES.

In the Children's Court at
Bailiwick
State of Victoria.

(a) Name of principal bound. Take notice that you (a) _____ are bound
(b) Name of each surety. in the sum of _____ and (b) _____ as principal and you (b) _____ each as sureties
(c) Strike out the alternative clause not required. in the sum of _____ that you the said principal (c) (appear before the Children's Court sitting at _____ on _____ day the _____ day of _____ 19 _____ at _____ the hour of _____ o'clock in the _____ noon to answer the charge made against you and unless you the said principal appear accordingly) or (c) (appear before the Children's Court sitting at _____ in the said bailiwick for punishment for the offence of which you have this day been convicted when called upon) or (c) (be of good behaviour towards His Majesty and all his liege people and especially towards _____ for the term of _____ months now next ensuing) or (c) shall _____

And unless you, the said principal (c) (appear accordingly) or (c) (appear before the said Children's Court accordingly for punishment when called upon) or (c) (be of good behaviour accordingly) or (c) (

the said sums will forthwith be levied on you severally.

Dated the _____ day of _____ 19 _____ J.P.

No. 12.

S. 21 (d).

CONVICTION FOR PENALTY.

Bailiwick
State of Victoria.
Before the Children's Court, sitting at _____, the
day of _____, 19 _____

(a) Name of defendant. (a) _____, hereinafter called the defendant being a child within the meaning of the *Children's Court Act* 1915, is this day convicted for that he on the _____ day of _____, 19 _____, at _____ in the said bailiwick did (b) _____

(b) Set out the nature of the offence as in the charge or information.

And it is adjudged that the said defendant for his said offence do forthwith forfeit and pay the sum of _____ and do also pay the further sum of _____ for costs

(c) The term of imprisonment ordered according to the scale in section 31 of the Act.

And in default of payment of the said first-mentioned sum of _____ it is adjudged that the defendant be imprisoned in the gaol at _____ for the space of (c) _____ months unless the said first-mentioned sum be sooner paid.

A Member of the said Court.

No. 13.

CONVICTION (IMPRISONMENT).

S. 21 (d).

Bailiwick
State of Victoria.

Before the Children's Court sitting the
day of 19 .

(a) hereinafter called the defendant (a) Name of defendant.
being a child within the meaning of the *Children's Court Act* 1915 is this day convicted for
that he on the day of , 19 , at (b) Set out nature of
in the said bailiwick did (b) offence as in
the charge or
information.

And it is adjudged that the defendant for his said offence be imprisoned in the gaol at
in the said State for the space of
And it is ordered that the defendant pay to
the informant the sum of

for costs.

A Member of the said Court.

No. 14.

FORM OF ORDER FOR INSTALMENTS.

Add the following words to the conviction or order in the appropriate place.

"By instalments of for every days the first *Justices Act*, 1915, s.
instalment to be paid forthwith (or on the day of) to the 90 (2).
Clerk of the Children's Court at (or to the person appointed to receive
them by the Court) and if any one of the said instalments be not paid when due it is ordered
that the sum of all the instalments then remaining unpaid become at once due and payable." Imprisonment can be
ordered in default of
payment of penalty
only according to scale
See s. 31 of the Act.

No. 15

FORM OF ORDER WHERE SECURITY FOR PAYMENT PERMITTED.

Add the following words to the conviction or order in the appropriate place.

"And it is ordered that the defendant be at liberty to give to the satisfaction of the *Justices Act*, 1915, s.
Court security in the sum of with suret 90 (3).
in the sum of "(each) for the due payment of the
said sums as adjudged."

No. 16.

INFORMATION AGAINST PARENT FOR CONTRIBUTING TO THE COMMISSION S. 22.
OF HIS CHILD'S OFFENCE AND SUMMONS THEREON.

In the Children's Court at
Bailiwick
State of Victoria.

(a) Informant. (a) Full name of
Informant.
(b) Defendant. (b) Full name of
defendant, the parent
of the arrested child.
The information of (a) (c) Address of
informant.
(c) in the State of Victoria a Member of (d) Name of child
a child convicted.
(d) the Police Force who saith that whereas (d) within the meaning of the *Children's Court Act* 1915 was on the day
of 19 , at in the said bailiwick
convicted by the said Court of the offence of (e) and the said Court being of opinion that the parent
of such child has contributed to the commission of the said offence by wilful default (f)
Police Force to lay an information against the said parent charging him with so
contributing to the commission of the said offence and it appearing to the said member
of the Police Force that the said (b)
is the parent of such child, the said (b)
is now charged by me the undersigned informant for that he between the day
of 19 , and the day of 19 ,
aforesaid did contribute to the commission of the said offence of such child by wilful
default (f)

(j)

(j) For signature of
Informant.

To (b) of (k) Informant. (k) Here fill in
Whereas the above information has this day been laid by the above-named informant
before me, the undersigned, you are therefore commanded to be and appear on the
day of 19 , at the hour of o'clock in the
noon, at the said Children's Court at to answer to the
said information and to be further dealt with according to law.

Dated at the day of 19 .

J.P.

No. 17.

CONVICTION WHERE A PARENT HAS BEEN ADJUDGED TO HAVE
CONTRIBUTED TO THE COMMISSION OF AN OFFENCE BY HIS CHILD.

Ss. 22 and 23.

Bailiwick

State of Victoria.

Before the Children's Court sitting at _____ in the
said bailiwick the _____ day of _____ 19 _____

(a) Name of child in respect of which parent is convicted. (a) _____ a child within the meaning of the
Children's Court Act 1915 having been convicted by the said Court on the _____ day
of _____ 19 _____ at _____ in the said bailiwick
for that he on the _____ day of _____ 19 _____ at _____

(b) State shortly the offence of which the child is convicted. _____ in the said bailiwick did (b)

and he having been adjudged by the said Court to forfeit and pay for his said offence the sum
of _____ as a penalty and also to pay the sum of _____
for damages and also the sum of _____
for costs and in default of payment of the said first-mentioned sum forthwith was adjudged
to be imprisoned for the space of _____

(c) Name of parent of child convicted. And it having been proved to the said Court that (c)
hereinafter called the defendant is the parent of the said child.

The said defendant is this day convicted for that he between the _____ day
of _____ 19 _____ and the _____ day of _____ 19 _____ at _____ in
the said bailiwick did (d)
contribute to the commission of the said offence by his said child. And it is adjudged that
the said defendant do forfeit and pay the said sum of _____
as a penalty and do also pay the said sum of _____
damages and also the said sum of _____
costs instead of his said child convicted as aforesaid and in default of payment of the said
sum of _____ the said penalty it is adjudged that the said
defendant be imprisoned in the gaol at _____ for the
space of _____ unless the said penalty be sooner paid and
in default of payment of the said several sums of _____ for damages
and _____ for costs forthwith it is adjudged that the same
be levied by distress and sale of the said defendant's goods. (e) And it is further ordered
in addition that the said defendant do forthwith enter into his own recognisance in the sum of _____
with _____ suret _____ in the sum of _____
each, to the satisfaction of the said Court the condition
of the said recognisance being that his said child be of good behaviour for the space of _____
months and that in default of defendant forthwith
entering into such recognisance with such suret _____ as aforesaid that he be imprisoned
in the gaol at _____ for the space of _____
months. And the said Court doth now permanently suspend the enforcement of the payment
of the said sums by the said child so adjudged to be paid by him in the first instance.

(d) By wilful default (or) by habitually neglecting to exercise due care of the said child. (e) Omit this paragraph if child ordered to be sent to care of Department for Neglected Children, or to the care of the Department for Reformatory Schools.

(f) Male or female. (g) Protestant, Roman Catholic, or Hebrew (as the case may be). And this Court doth further order that the said child being a (f) _____ that he be
and his religious persuasion being (g) _____ under the supervision of _____ a Probation Officer of
this Court during the period for which the said defendant is so bound for his good behaviour.

A Member of the said Court.

No. 18.

S. 23.

COMMITMENT OF PARENT IN DEFAULT OF ENTERING INTO A RECOGNISANCE
FOR HIS CHILD'S GOOD BEHAVIOUR, WHEN ORDERED.

Bailiwick

State of Victoria.

To each and all of the members of the Police Force of the State of Victoria and to the
Keeper of the Gaol at _____

(a) Name of parent. (a) _____ hereinafter called the defendant
was on the _____ day of _____ 19 _____, before the Children's Court sitting
at _____ in the said bailiwick ordered to forthwith enter into his own
recognisance in the sum of _____ as principal with _____
suret _____ for the good behaviour of his child (b)

(b) Name of parent's child. for the space of _____ months and in default of such recognisance being entered
into accordingly was ordered to be imprisoned for the space of _____ months.
And the defendant having made default in obeying the said order
you the said members of the Police Force are hereby commanded to convey the defendant to
the said gaol and there deliver him to the keeper thereof together with this warrant; and you
the keeper of the said gaol to receive the defendant into your custody and keep him for the
space of _____ months unless the said order be sooner obeyed.

Dated the _____ day of _____, 19 _____

A Member of the said Court.

No. 19.

ORDER RELEASING A CHILD ON PROBATION.

Bailiwick
State of Victoria.

Before the Children's Court sitting at
said bailiwick the day of 19 in the

(a) , having laid an information for
that (b) hereinafter called the defendant
on the day of 19 , at
in the said bailiwick (c)

And the said information having been proved to the satisfaction of the said Court (d)

the said Court instead of dealing with the said defendant under the provisions of the said
Act doth now order (e) to be released on probation
on the following terms and conditions (that is to say) (f).

And that (g) will be of good behaviour towards His
Majesty and all his liege people for the period of months.
And the said Court doth further order that the said defendant being a (h)
and his religious persuasion being (j) that he be under
the supervision of of
a Probation Officer of the said Court during the said period.

And the said defendant having duly acknowledged and signed the form of release in the
Second Schedule of the *Children's Court Act 1915*, the said Court doth now release (e)
on probation accordingly.

A Member of the said Court.

S. 24.

(a) Name of informant.

(b) Name of defendant.

(c) Here set out the one of the particular charges under ss. 18 or 21 of the *Neglected Children's Act 1915* that has been preferred.

(d) If the charge preferred is under s. 18 of the *Neglected Children's Act 1915*, say—"the said defendant is now adjudged by the said Court to be a neglected child within the meaning of the *Neglected Children's Act 1915*, but" If under s. 21 of the said Act, leave out all those words and draw a line through the blank space.

(e) Him or her (as the case may be).

(f) State terms here, such as "to report himself to his Probation Officer once a week, viz., every Saturday," &c., &c.

(g) He or she (as the case may be).

(h) Male or female.

(j) Protestant, Roman Catholic, or Hebrew (as the case may be).

No. 20.

CONVICTION OF A CHILD WHOSE AGE EXCEEDS SEVEN YEARS BUT IS UNDER S. 27.
THE AGE OF TWELVE YEARS FOR AN INDICTABLE OFFENCE.

Bailiwick
State of Victoria.

Before the Children's Court sitting at the
day of 19

(a) hereinafter called the defendant (a) Name of child convicted.
being a child above the age of seven years and under the age of twelve years to wit of the age of years is this day convicted without objection of the parent after being informed by this Court of his right to have the defendant tried by a jury, for that he on the day of 19 , at in the said bailiwick did (b) (b) Set out nature of offence as in information.
And it is adjudged that the said defendant for his said offence do forthwith forfeit and pay the sum of and do also pay the further sum of

for costs

And in default of payment of the said first-mentioned sum of it is adjudged that the defendant be imprisoned in the gaol at for the space of (c) months unless the said first-mentioned sum be sooner paid. (c) The term of imprisonment ordered according to the scale in s. 31 of the Act.

A Member of the said Court.

No. 20.

CONVICTION OF A CHILD WHOSE AGE EXCEEDS SEVEN YEARS BUT IS UNDER S. 27.
THE AGE OF TWELVE YEARS FOR AN INDICTABLE OFFENCE.

Bailiwick
State of Victoria.

Before the Children's Court sitting at the
day of 19

(a) hereinafter called the defendant (a) Name of child convicted.
being a child above the age of seven years and under the age of twelve years to wit of the age of years is this day convicted without objection of the parent after being informed by this Court of his right to have the defendant tried by a jury, for that he on the day of 19 , at in the said bailiwick did (b) (b) Set out nature of offence as in information.
And it is adjudged that the defendant for his said offence be imprisoned in the gaol at in the said State for the space of
And it is ordered that the defendant pay to the informant the sum of for costs.

A Member of the said Court.

No. 21.

S. 27 (3.)

CONVICTION AND DISCHARGE OF A CHILD WHOSE AGE EXCEEDS SEVEN YEARS BUT IS UNDER THE AGE OF TWELVE YEARS ON A CHARGE FOR AN INDICTABLE OFFENCE.

Bailiwick

State of Victoria.

Before the Children's Court sitting at
day of 19

the

- (a) Name of defendant. (a) hereinafter called the defendant being a child above the age of seven years and under the age of twelve years to wit of the age of years is this day convicted without objection of the parent after being informed by this Court of his right to have the defendant tried by a jury, for that he on the day of 19, at in the said bailiwick did (b)
- (b) Describe offence as in information. And it appearing that the defendant has not been previously convicted of any offence for which he was sentenced or adjudged to be imprisoned not in default of payment of a fine merely, it is ordered that the defendant enter into a recognisance in the sum of with suret in the sum of each to the satisfaction of this Court (c)
- (c) and having now paid the said several sums awarded for damages and costs. it is ordered that the defendant be discharged as to the said information. And it is further ordered that the defendant being a (d) and his religious persuasion being (e) that he be under the supervision of of a Probation Officer of the said Court during the said period for which he is so bound by recognisance for good behaviour (or for the space of (f).)
- (d) Male or female.
- (e) Protestant, Roman Catholic, or Hebrew (as the case may be).
- (f) Not less than three months nor more than twelve months, as ordered by the Court.

A Member of the said Court.

No. 22.

S. 27 (3, ii).

CONVICTION OF A CHILD WHOSE AGE EXCEEDS SEVEN YEARS BUT IS UNDER THE AGE OF TWELVE YEARS ON A CHARGE FOR AN INDICTABLE OFFENCE IMPRISONMENT AND SUSPENSION OF THE EXECUTION OF THE SENTENCE.

Bailiwick

State of Victoria.

Before the Children's Court sitting at
day of 19

the

- (a) Name of defendant. (a) hereinafter called the defendant being a child above the age of seven years and under the age of twelve years to wit of the age of years is this day convicted without objection of the parent after being informed by this Court of his right to have the defendant tried by a jury, for that he on the day of 19, at in the said bailiwick did (b)
- (b) Describe offence as in information. And it is adjudged that the defendant for his said offence be imprisoned in His Majesty's gaol at for the space of And it appearing that the defendant has not been previously convicted of any offence for which he was sentenced or adjudged to be imprisoned not in default of payment of a fine merely, it is adjudged that the execution of the said sentence of imprisonment be suspended upon the defendant entering into his own recognisance in the sum of with suret in the sum of each to the satisfaction of this Court that he the defendant will be of good behaviour for the space of And the defendant having entered into such recognisance with suret as aforesaid to the satisfaction of this Court, the execution of the said sentence of imprisonment is now suspended.

A Member of the said Court.

No. 23.

S. 23 (1).

CONVICTION BY CONSENT OF A CHILD OF THE AGE OF TWELVE YEARS AND UNDER THE AGE OF SIXTEEN YEARS FOR AN INDICTABLE OFFENCE.

Bailiwick

State of Victoria.

Before the Children's Court sitting at
day of 19

the

- (a) Name of child convicted. (a) hereinafter called the defendant being a child under the age of twelve years and under the age of sixteen years to wit of the age of years is this day charged for that he on the day of 19, at in the said bailiwick did (b)
- (b) Set out nature of offence as in information.
- (c) If the case, add— "and having pleaded guilty to the said charge." And the defendant having consented to be dealt with summarily after being informed by this Court of his right to be tried by a jury (c) is convicted of the said offence And it is adjudged that the said defendant for his said offence do forthwith forfeit and pay the sum of for costs. And in default of payment of the said first-mentioned sum of it is adjudged that the defendant be imprisoned in the gaol at months unless the said first-mentioned sum be sooner paid.
- (d) The term of imprisonment ordered according to the scale in s. 31 of the Act.

A Member of the said Court.

No. 23.

CONVICTION BY CONSENT OF A CHILD OF THE AGE OF TWELVE YEARS AND UNDER THE AGE OF SIXTEEN YEARS FOR AN INDICTABLE OFFENCE.

Bailiwick
State of Victoria.

S. 28 (1).

Before the Children's Court sitting at _____ the
day of _____ 19 .

(a) _____ hereinafter called the defendant (a) Name of child convicted.
being a child of the age of twelve years and under the age of sixteen years to wit of the
age of _____ years is this day charged for that he on the _____ day
of _____, 19 , at _____ in the said bailiwick (b) Set out nature of offence as in information.
did (b) _____ (c) If the case, add—
And the defendant having consented to be dealt with summarily after being informed by this Court of his right to be tried by a jury (c) "and having pleaded guilty to the said charge."
is convicted of the said offence
And it is adjudged that the defendant for his said offence be imprisoned in the gaol at _____ in the said State for the space of _____
And it is ordered that the defendant pay to the informant the sum of _____ for costs.

A Member of the said Court.

No. 24.

CONVICTION AND DISCHARGE OF A CHILD OF THE AGE OF TWELVE YEARS AND UNDER THE AGE OF SIXTEEN YEARS FOR AN INDICTABLE OFFENCE.

Bailiwick
State of Victoria.

S. 28 (1) (d, i).

Before the Children's Court sitting at _____ the
day of _____ 19 .

(a) _____ hereinafter called the defendant (a) Name of defendant.
being a child of the age of twelve years and under the age of sixteen years to wit of the
age of _____ years is this day charged for that he on the _____ day
of _____, 19 , at _____ in the said bailiwick (b) Describe offence as in information.
did (b) _____ (c) If the case, add—
And the defendant having consented to be dealt with summarily after being informed by this Court of his right to be tried by a jury (c) "and having pleaded guilty to the said charge."
is convicted of the said charge and it appearing that the defendant
has not been previously convicted of any offence for which he was sentenced or adjudged to be imprisoned not in default of payment of a fine merely, it is ordered that the defendant enter into a recognisance in the sum of _____ with _____ suret in the sum of _____ each to the satisfaction of this Court (d).
(d) Proceed as in form of conviction and discharge under s. 21. Form 9.

A Member of the said Court.

No. 25.

CONVICTION OF A CHILD OF THE AGE OF TWELVE YEARS AND UNDER THE AGE OF SIXTEEN YEARS ON A CHARGE FOR AN INDICTABLE OFFENCE.

Imprisonment and Suspension of Sentence.

S. 28 (1) (d, i).

Bailiwick
State of Victoria.

Before the Children's Court sitting at _____ the
day of _____ 19 .

(a) _____ hereinafter called the defendant (a) Name of defendant.
being a child of the age of twelve years and under the age of sixteen years to wit of the
age of _____ years is this day charged for that he on the _____ day
of _____, 19 , at _____ in the said bailiwick (b) Describe offence as in the information.
did (b) _____ (c) If the case, add—
And the defendant having consented to be dealt with summarily after being informed by this Court of his right to be tried by a jury (c) "and having pleaded guilty to the said charge."
is convicted of the said charge and it is adjudged that the defendant for his said offence be imprisoned in His Majesty's gaol at _____ for the space of _____
and it appearing that the defendant has not been previously convicted of any offence for which he was sentenced or adjudged to be imprisoned not in default of payment of a fine merely, it is adjudged that the execution of the said sentence of imprisonment be suspended upon the defendant entering into his own recognisance in the sum of _____ with _____ suret in the sum of _____ each to the satisfaction of this Court that he the defendant will be of good behaviour for the space of twelve months. And the defendant having entered into such recognisance with _____ as aforesaid to the satisfaction of this Court, the execution of the said sentence of imprisonment is now suspended.

A Member of the said Court.

No. 26.

RECOGNISANCE WHERE CHILD CONVICTED AND SENTENCED TO
IMPRISONMENT AND CONVICTION SUSPENDED.

S. 27 (1) (3, ii), and
28 (1) (d, ii).

Bailiwick
State of Victoria.

We the undersigned severally acknowledge ourselves to owe our Sovereign Lord the King
the several sums following namely of and of
as principal and of and
as suret the sum of each to be levied of our several
good lands and tenements if the principal fail in the condition hereon indorsed.

(Signed)

A.B.
L.M.
N.O.

Taken before me the

the

day of

19

J.P.

CONDITION.

The said principal a child (a) having been convicted before the Children's Court at
(a) Whose age exceeds seven years, but is under twelve years, to wit of the age of years.
(or) of the age of twelve years and under the age of sixteen years, to wit of the age of years.
of the offence of and sentenced by the said Court to be
imprisoned for the space of and the said Court having
adjudged that the execution of the said sentence be suspended upon the said principal entering
into the above-written recognisance with such suret as aforesaid. Now the condition of the
said recognisance is such that if the said principal be of good behaviour towards His Majesty
and all his liege people for the space of twelve months now next ensuing then the said
recognisance shall be void but otherwise shall remain in full force.

No. 27.

NOTICE OF RECOGNISANCE TO BE OF GOOD BEHAVIOUR TO BE GIVEN
TO THE ACCUSED AND HIS SURETIES.

In the Children's Court at
Bailiwick
State of Victoria.

Informant.
Defendant.

Whereas the said years has been convicted by the Children's Court of a child of the age
of and has been sentenced to be imprisoned
for the term of months and whereas the said Court has suspended the
execution of the said sentence upon such child entering into a recognisance in the sum of
with suret in the sum
of each that the said child be of good behaviour for the
period of months.
(2) Name of defendant. Take notice that you²
(3) Trade or calling. a are bound in the sum of
pounds as principal and your sureties
and
in the sum of pounds each, that you²
be of good behaviour towards His Majesty and all his liege people
for the space of twelve months now next ensuing. Now unless you the said
be of good behaviour as aforesaid for the said period the
recognisance entered into by you and your sureties will be forthwith levied on you and them.

Dated this

day of

19

NOTICE.—If the defendant has failed to observe any of the conditions of his recognisance he may be adjudged
guilty of misbehaviour for which such recognisance shall be forfeited.—Crimes Act 1915, s. 538.

No. 28.

NOTICE TO CONVICTED CHILD TO APPEAR BEFORE A CHILDREN'S COURT FOR PUNISHMENT AND TO HIS SURETIES TO SO PRODUCE HIM. S. 30.

Bailiwick
State of Victoria.

(a) hereinafter called the defendant
having been convicted by the Children's Court at on the day
of 19 of the offence of (b)
And the said Court having ordered him to be discharged upon his entering into a recognisance, (a) Name of defendant
as principal, in the sum of with suret in the sum of child.
(each) to appear before the said Court for punishment for his said offence when called upon. (b) State shortly
And the defendant and his suret having entered into such recognisance accordingly nature of offence.

This Court doth hereby command you the defendant to appear before the Court at
on the day of 19 at o'clock in the noon.
and doth hereby command you and
his suret to them and there produce him the defendant, to receive punishment for his said
offence according to law. And unless you the defendant appear accordingly and you his
suret so produce him the said sums will forthwith be levied on you severally.

Dated the day of 19
By order of the said Court.
Clerk of the said Children's Court.

To of
the defendant and to
of and
of his suret

No. 29.

AFFIDAVIT OF SERVICE TO BE INDORSED ON SUCH NOTICE.

1 of S. 30 (2).
make oath and say that I served a true copy of the within notice
on the defendant and on his suret severally by posting the same on the day
of 19 at o'clock in the noon at the post office
at and to his suret at noon being
the addresses of the defendant and his suret mentioned respectively in the recognisance
entered into by them and that the envelopes containing the same were severally prepaid by
the proper postage stamp being affixed thereto before being so posted (a)

Taken and sworn before me
the day of
19 at in the said State.

(a) If the notices are
served as a summons
may be served under
the Justices Act 1915,
one of the forms of
affidavit indorsed on
such summons may be
used, altered as
circumstances may
require.
J.P.

INDORSEMENT OF FORFEITURE ON RECOGNISANCE.

Bailiwick
State of Victoria.

S. 30 (3).

Before the Children's Court sitting at
The within-mentioned principal not having complied with the said condition, this Court
adjudges the within written recognisance to be forfeited.
Dated the day of 19

A Member of the said Court.

No. 30.

WARRANT OF APPREHENSION OF A DEFENDANT WHO HAS FAILED TO APPEAR FOR PUNISHMENT WHEN CALLED UPON.

Bailiwick
State of Victoria.

S. 30 (3).

To each and all of the Members of the Police Force in the State of Victoria
Before the Children's Court sitting at

(a) hereinafter called the defendant (a) Name of defendant.
having been duly convicted by this Court of an offence and discharged on his having entered
into a recognisance as principal with suret to appear before this Court for
punishment when called upon. And this Court having thought fit to call upon the defendant
to appear before this Court at on the day of 19 at
o'clock in the noon to receive punishment for his offence
And the defendant not having so appeared
And it having been proved on oath that a notice in writing signed by the Clerk of this Court
and addressed to the defendant commanding him then and there to appear, and that a like
notice signed as aforesaid and addressed to (each) of his suret commanding (b)
then and there to produce him was duly served on the defendant and (each of) his suret (b) Him or them.
You are therefore hereby commanded to bring the defendant before the Children's Court
sitting at forthwith.

Dated the day of 19
A Member of the said Court.

And the Honorable Donald Mackinnon, His Majesty's Solicitor-General for
the State of Victoria, shall give the necessary directions herein accordingly.

F. W. MABBOTT,
Clerk of the Executive Council.

