



VICTORIA GOVERNMENT GAZETTE.

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[1918.]

REGULATIONS UNDER THE CHILDREN'S COURT ACT 1915.

At the Executive Council Chamber, Melbourne, the eighth day of January, 1918.

PRESENT :

HIS EXCELLENCY THE GOVERNOR OF VICTORIA.

Mr. Wynne
Mr. McPherson

Mr. Baird
Mr. McWhae.

UNDER and by virtue of the powers and authorities conferred by the *Children's Court Act 1915*, herein referred to, as "the Principal Act," the *Justices Act 1915*, the *Goals Act 1915*, and the *Acts Interpretation Act 1915*, His Excellency the Governor of Victoria, by and with the advice of the Executive Council thereof, doth hereby rescind the rules and regulations heretofore made under the *Children's Court Act 1915*, the *Justices Act 1915*, and the *Goals Act 1915*; and doth 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 Special Magistrate or 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 Special Magistrate, 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 sections 87 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 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.

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

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

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

of such child, and the religion of his parents, so far as available or as can be ascertained, to the Officer in Charge of Children's Courts, for the Attorney-General, in the Form No. 1 of the Second Schedule to these Regulations, and such report shall be afterwards filed in the office of the Officer in Charge of Children's Courts.

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 Special Magistrate or 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 Special Magistrate or Justice in respect of any complaint, charge, information, or application, such member of the Police Force shall immediately notify the Probation Officer, who resides nearest or most convenient to the abode of such child and who is 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 to be of good behaviour, or to observe some forbearance has been entered into before a Special Magistrate, a Justice, a Superintendent, Inspector, or Sub-Inspector of Police, or a 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 Special Magistrate or Justice, such Special Magistrate or 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. The Officer in Charge of Children's Courts shall be a Probation Officer for each and every Court throughout the State of Victoria, and 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 Officer in Charge of Children's Courts 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 Officer in Charge of Children's Courts 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, and 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 Officer in Charge of Children's Courts may from time to time direct.

Probation Officer to make a return.

14. Each Probation Officer, other than the Officer in Charge of Children's Courts, 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 Principal 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 his own discretion and whenever so required by the Officer in Charge of Children's Courts 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, and may, either in addition or 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

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):

18. Every Probation Officer is hereby authorized to visit any Receiving Depôt, 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 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 Children's Court Acts, 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 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 of the Officer in Charge of Children's Courts whenever required.

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 Officer in Charge of Children's Courts, with the address of such child at the city, town, or place to which he has removed (if known), and shall forward therewith a full report of all the particulars of the case, and of the child's general conduct and behaviour whilst under supervision.

Duties when child's removal to another place is reported.

21. Where a Probation Officer has reported to the Officer in Charge of Children's Courts 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 Officer in Charge of Children's Courts shall thereupon note the fact of such child's removal, and of his address, and shall then place such child under the supervision of an appropriate Probation Officer, and inform him of the fact, and forward him the report of the first Probation Officer for his information, 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 if the Probation Officer under whose supervision such child has been originally placed is willing and able to continue to supervise such child at the place to which he has so removed, he may continue to do so, and thereupon such child shall be deemed to be still under the supervision of such Probation Officer.

Report to Court by Officer in Charge.

22. Where any child has, by virtue of the provisions of the last preceding Regulation, been placed under the supervision of an appropriate Probation Officer owing to such child's removal as therein mentioned, the Officer in Charge of Children's Courts shall report such facts to the Court which dealt with such child.

Child under supervision may receive medical advice and medicines.

23. 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 of 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.

24. Where a Children's Court or a Special Magistrate or Justice adjourns the hearing or further hearing of a charge or information against any child under the provisions of section 19 of the Principal 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 Special Magistrate or Justice and the hearing or further hearing of the charge or information is adjourned except by the order of such Court or Special Magistrate 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.
- 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.*
25. 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.
- Child to be placed under supervision of Probation Officer of same religious persuasion, if practicable.*
26. The Children's Court, if it makes an order placing any 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 the Officer in Charge of Children's Courts 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.
- Probation Officer to be named in order of Court and notified.*
27. 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 Principal Act, or to any sub-clause or sub-clauses of clause 15 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 such 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 Principal Act and of these Regulations.
- All duties imposed on Probation Officer to be observed unless limited by Court.*
28. 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.
- Period of Probation Officer's supervision.
Sees. 11, 21, 24, 27, and 28 of the Act.*
29. 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.
See s. 27 (1) 3, 4, and 28 (1) d, i of the Act.*
30. 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.
See s. 27 (1) 3, 4, and 28 (1) d, ii of the Act.*

CLERK OF THE CHILDREN'S COURT.

31. The Clerk of the Children's Court shall bring under the notice of the Children's Court all reports received from the Officer in Charge of Children's Courts and from Probation Officers respecting children under 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.*
32. 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 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.*

- Order of entries.** 33. 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 hearing.**
- Suitors' Cash Book.** 34. 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.
- Account of instalments.** 35. 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.** 36. 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.** 37. 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.** 38. 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 0. To be transmitted.** 39. Where a Children's Court adjourns the hearing of any information, complaint, or application to another Court, the Special Magistrates or Justices constituting such Court, or any one of them, shall sign a memorandum in the Form 6 in the Schedule to the rules under the *Justices Act 1915*, *mutatis mutandis*; 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.** 40. Any security given under the *Justices Act 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 10 in the Schedule to the rules under the said *Act mutatis mutandis*, or in any other form to the like effect.
- Security taken out of Court to be transmitted to Clerk of Court.** 41. 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 11.** 42. 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 *Act*, the Clerk of the Court issuing the warrant shall cause notice of the forfeiture to be served on the principal in the Form 11 of the Schedule to the rules under the *Justices Act 1915*. Service of the notice may be effected either personally or by letter sent to the address mentioned in the security.
- Notices to defendant.** 43. 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.

44. Every Clerk of a Children's Court shall demand, receive, and take for Fees. 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).

45. 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. Non-compliance with rules not to invalidate proceedings.

46. Where no particular form is prescribed under the Act or these rules for Forms. 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.

DETENTION OF CHILDREN IN GAOLS OR LOCK-UPS.

47. 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. 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. Rations. 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.

48. Where any child above the age of fifteen years is dealt with by a Children's Court under the provisions of section 8 of the *Children's Court Act 1917*, such Court may order that he be committed to the place set apart under section 523 of the *Crimes Act 1915* at Castlemaine or to such other place as from time to time may be so set apart for the detention and reformation of youthful offenders, and such Court shall issue its warrant in the form No. 32 in the Second Schedule to these Regulations for the commitment to and detention in such place so set apart of such child. Commitment to Reformatory Prison.

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 OR ON A CHARGE FOR AN OFFENCE.
(The Children's Court Act 1915, 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.	When 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 Officer in Charge of Children's Courts,
Melbourne.

No. 2.
RETURN FOR THE QUARTER ENDING THE 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. 13.)

Name of Child.	Offence Charged.	How dealt with by Court.	Number of Times Child visited during the quarter.	Number of Times Child Reported himself to Probation Officer during the quarter.	Particulars as to Child's Behaviour and Conduct.	Particulars as to Child's Surroundings.	Whether Child is Observing Terms and Conditions (if any) of his Probation.

To the Officer in Charge of Children's Courts.

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

No. 3.

8. 19 (4).

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

Bailiwick Informant. State of Victoria. 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) 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) 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 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. 4.

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 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. 5.

AFFIDAVIT OF SERVICE INDORSED ON SUMMONS.

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

I of in the said State 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. 6.

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 (u). (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) 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 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 day of 19 at o'clock in the noon, unless after his (c) apprehension under this warrant he (d) be admitted to bail then and there to appear (d) or she, as is by law provided.

Dated at aforesaid, the day of 19

(By Order of the Court.)

J.P.

No. 7.

ORDER OF DISMISSAL.

S. 21 (b.)

Bailiwick State of Victoria.

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

Information (a) having been laid (b) by that (c) a child within the meaning of the Children's Court Act 1915, hereinafter called the defendant, on the day of 19, at in the said bailiwick, did (d) And this Court having heard and determined the said information and it appearing to this Court that the said defendant has not been previously convicted of any offence (e)

this Court doth dismiss the said information.

A Member of the said Court.

(a) (or) complaint. (b) or made. (c) Name of defendant. (d) State the nature of the offence. (e) If ordered say—it is ordered that the said defendant do pay to the said informant (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.

No. 8.

CONVICTION AND DISCHARGE.

S. 21 (c).

Bailiwick State of Victoria.

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

(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 with suret in the sum of each to the satisfaction of this Court (c) and the defendant having entered into such recognisance with suret in the said sum of each to the satisfaction of this Court (d)

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 (f) 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 (g).)

A Member of the said Court.

(a) Name of defendant. (b) State nature of the offence, as in the information. (c) to appear before this Court for punishment when called upon, or, to be of good behaviour for the space of months; and, if ordered—say—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; (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.)

No. 9.

RECOGNISANCE.

ss. 19 (4, d), 21 (c), 27 (3, 4), 28 (d, f).

In the Children's Court at
Bailliwick
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, and (b) _____ 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 _____ day the _____ day of _____ 19 on _____ 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 _____ Then the said recognisance shall be void but otherwise shall remain in full force.

(c) Strike out the alternative clause not required.

No. 10.

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

ss. 19 (4, d), 21 (c), 27 (3, 4), 28 (d, f), &c., &c.

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

Take notice that you (a) _____ are bound in the sum of _____ as principal and you (b) _____ and (b) _____ each as sureties 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 bailliwick 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.

s. 21 (d).

No. 11.

CONVICTION FOR PENALTY.

Bailliwick
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 bailliwick 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 51 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. 12.

CONVICTION (IMPRISONMENT).

s. 21 (d).

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 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)

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 _____ for costs.
the informant the sum of _____

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

A Member of the said Court.

No. 13.

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,*
instalment to be paid forthwith (or on the _____ day of _____) to the *s. 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 *Imprisonment can be*
that the sum of all the instalments then remaining unpaid become at once due and payable." *ordered in default of*
payment of penalty
only according to scale.
See s. 31 of the Act.

No. 14.

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,*
Court security in the sum of _____ with _____ suret *s. 90 (3).*
in the sum of _____ (each) for the due payment of the
said sums as adjudged."

No. 15.

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

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

(a) Informant. (c) Full name of informant.
(b) Defendant. (b) Full name of defendant, the parent of the arrested child.
The information of (a) _____ in the State of Victoria a Member of a child informant.
(c) the Police Force who saith that whereas (d) _____ day (d) Name of child convicted.
within the meaning of the *Children's Court Act 1915* was on the _____ day (e) Shortly the nature of offence committed by child.
of _____ 19 _____ at _____ in the said bailiwick (f) (or) by habitually neglecting to exercise due care of such child.
convicted by the said Court of the offence of (e) _____ and the said Court being of opinion that the parent has directed the said member of the
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) Informant. (j) For signature of informant.
To (b) _____ of (k) _____ Informant. (k) Here fill in defendant's address and occupation.
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. 16.

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 said bailiwick the day of 19 in the

(a) Name of child in respect of which parent is convicted. (a) *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 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 for damages and also the said sum of for 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. And this Court doth further order that the said child being a (f) and his religious persuasion being (g) that he be 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. 17.

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) was on the day of 19 hereinafter called the defendant at in the said bailiwick ordered to forthwith enter into his own recognisance in the sum of as principal with

(b) Name of parent's child. suret for the good behaviour of his child (b) 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. 18.

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) that he be under
and his religious persuasion being (j) the supervision 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. 19.

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
day of 19 the

(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)

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
for the space of (c) months unless the said first-mentioned sum be sooner
paid.

- (a) Name of child convicted.
- (b) Set out nature of offence as in information.
- (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
day of 19 the

(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)

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) Name of child convicted.
- (b) Set out nature of offence as in information.

A Member of the said Court.

No. 21.

s. 27 (2.)

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 _____ the
day of _____ 19

- (a) Name of defendant. _____ 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 _____
- (d) Male or female. (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).)
- (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, 4).

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 _____ the
day of _____ 19

- (a) Name of defendant. _____ 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. 28 (1).

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

Bailiwick
State of Victoria.

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

- (a) Name of child convicted. _____ hereinafter called the defendant being a child of the age of twelve years and under the age of seventeen 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. 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
- (c) If the case, add— "and having pleaded guilty to the said charge." And it is adjudged that the said defendant for his said offence do forthwith forfeit and pay the sum of _____ for costs. _____ and do also pay the further sum of _____
- (d) The term of imprisonment ordered according to the scale in s. 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 (d) _____ months unless the said first-mentioned sum be sooner paid.
- A Member of the said Court.

No. 24.

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

S. 28 (1).

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 of the age of twelve years and under the age of seventeen years to wit of the day
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)

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) (c) If the case, add—
"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. 25.

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

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 seventeen years to wit of the day
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)

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) (c) If the case, add—
"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. 26.

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

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

Imprisonment and Suspension of Sentence.

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 seventeen years to wit of the day
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)

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) (c) If the case, add—
"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 _____ 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. 27.

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

S. 27 (1) (3, 4), and 28 (1) (d, 4).

Bailiwick State of Victoria.

We the undersigned severally acknowledge ourselves to owe our Sovereign Lord the King the several sums following namely as principal and of and of 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.

(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.

The said principal a child (a) having been convicted before the Children's Court at 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. 28.

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 months 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. (3) Trade or calling.

Take notice that you are bound in the sum of pounds as principal and your sureties and in the sum of pounds each, that you 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

NOTE.—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. 533.

No. 29.

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

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. 30.

AFFIDAVIT OF SERVICE TO BE INDORSED ON SUCH NOTICE.

I 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 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 Justice 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. 31.

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.

No. 32.

Children's Court Act 1917—Section 8.

WARRANT OF COMMITMENT OF A CHILD TO A PLACE SET APART UNDER SECTION 523 OF THE CRIMES ACT 1915.

In the Children's Court
at
in the Bailiwick.

Informant.
Defendant.

Nature of Information.—

To a Member of the Police Force of the State of Victoria and to all other Members of the said Force and to the Superintendent of the Reformatory Prison at Castlemaine.

Whereas the said a child above the age of fifteen years having been this day charged before the Children's Court at information and the said Court having found such charge to be proved. on the said

And the said having been by the said Court ordered to be committed to the Reformatory Prison at Castlemaine and there detained for the space of months.
*And the said Court having directed that at the expiration of the term of months the said be further detained in such Reformatory Prison during the Governor's pleasure.

* Strike out what is inapplicable.

These are therefore to command you the said Members of the Police Force in His Majesty's name to take the said and him safely to convey to the Reformatory Prison at Castlemaine and there to deliver him to the Superintendent thereof together with this precept.

And I do hereby command you the said Superintendent to receive the said into your custody in the said Reformatory Prison there to be detained for the term of months.

* Strike out what is inapplicable.

*And I do also command you the said Superintendent that at the expiration of such term you further cause him the said to be detained in such Reformatory Prison during the Governor's pleasure.

And for your so doing this shall be your sufficient Warrant.

Dated at this day of 19

Special Magistrate or J.P.

And the Honorable Agar Wynne, 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.