



VICTORIA GOVERNMENT GAZETTE

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[1959

CHILDREN'S COURT ACT 1956.

*At the Executive Council Chamber, Melbourne,
the third day of February, 1959.*

PRESENT:

His Excellency the Governor of Victoria.

Mr. Rylah
Mr. Porter

Mr. Chandler.

REGULATIONS.

PURSUANT to the powers conferred by section fifty-two of the *Children's Court Act 1956* and all other powers him thereunto enabling, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby make the following Regulations:—

CITATION AND COMMENCEMENT.

1. These Regulations may be cited as the *Children's Court Regulations* and shall come into operation on the second day of March, One thousand nine hundred and fifty-nine.

REVOCATION OF EARLIER REGULATIONS.

2. All Regulations made under the *Children's Court Acts* previously in force and in operation at the commencement of these Regulations are hereby revoked. Nothing in the said revocation shall affect any act matter or thing made done or commenced before the commencement of these Regulations under any Regulation hereby revoked or the continuity of operation or effect of any such act matter or thing.

INTERPRETATION.

3. In these Regulations "the Act" means the *Children's Court Act 1956* and words and expressions, unless the contrary intention appears, have the same meaning as in the Act.

DUTIES OF PROBATION OFFICERS.

4. (1) Every probation officer shall keep a book, to be called a "Record book of Children under Supervision" and shall regularly and promptly record therein—

(a) the name address and age of every child who is placed under his supervision by a *Children's Court* or in respect of whom he is assigned as probation officer by the chief probation officer;

- (b) the names and addresses of the child's parents, if known, and of the persons with whom the child lives and of the persons by whom the child is employed;
- (c) the dates of his visits to the child and the dates when the child reports to him;
- (d) particulars of all matters relating to the child, ascertained by him, about which he is required to inquire by the Act or a Children's Court or by the chief probation officer; and
- (e) particulars of the child's conduct and behaviour whilst under his supervision and, in particular, when the probation period or the period of the recognizance has expired, whether the child has observed the conditions of the probation or recognizance.

(2) Every such book shall contain a part relating to the career of every such child, so far as can be ascertained by the probation officer, after the child ceases to be under the supervision of the probation officer and the probation officer shall regularly and promptly record therein—

- (a) such particulars of that after career as can be ascertained by him;
- (b) such matters of interest in respect of the child as come to his knowledge; and
- (c) particulars of any letters passing between him and the child—

in order to provide such material as to the results of the probation system as may later be required.

(3) Every such book shall be available at all times for inspection by a Children's Court, by the Officer in charge of Children's Courts or by the chief probation officer.

5. Whenever a child is placed under the supervision of a probation officer by a Children's Court, then, in the absence of any direction by the Court or condition of the probation order or recognizance as to the times and intervals of visits by the probation officer to the child, or as to the times and intervals of reports by the child to the probation officer—

- (a) the probation officer shall visit the child as often as he thinks proper or as the chief probation officer directs; and
- (b) the child shall report to the probation officer at such times and places as the probation officer, subject to any direction of the chief probation officer, may direct.

6. (1) Every probation officer shall in respect of each quarter of the year ending on the last day of the months of March June September and December respectively make a return in the form or to the effect of the form set out in the First Schedule to these Regulations before the tenth day of the following month.

(2) In every such return the probation officer shall set out in respect of each child under his supervision short particulars of the matters referred to in the said form and such other matters as he may think proper or as the chief probation officer may require.

7. Whenever a child under the supervision of a probation officer changes his place of residence the probation officer shall report that fact to the chief probation officer stating the address to which the child has removed, if that address is known to him, and making a full report of all the circumstances of the case and of the child's conduct and behaviour whilst under his supervision.

8. Where a child who is under the supervision of a probation officer—

- (a) refuses or neglects to report himself to the probation officer when so required; or
- (b) otherwise behaves in an unsatisfactory manner; or
- (c) is living or working in circumstances detrimental to his good character or behaviour—

the probation officer shall make a report in writing thereon to the chief probation officer and shall carry out such directions in the matter as the chief probation officer may make.

9. Upon the expiration of the term for which a child has been placed under the supervision of a probation officer the probation officer shall make a full report in writing to the chief probation officer with respect to the conduct and behaviour of the child whilst under his supervision.

PROBATION, &C.

10. (1) When a child is released on probation the clerk of the Children's Court shall forthwith send the probation order to the chief probation officer.

(2) The chief probation officer shall send copies of the probation order to the probation officer named in the order and also to the parent or guardian of the child or, if the child has no parent or guardian, to the child himself.

11. (1) When an order is made extending the term of probation the clerk of the Children's Court shall forthwith send that order to the chief probation officer.

(2) The chief probation officer shall send copies of the order extending the term of probation to the probation officer named in the probation order and also to the parent or guardian of the child or, if the child has no parent or guardian, to the child himself.

12. (1) When a child is released on probation or subject to the conditions of a recognizance by a Children's Court the parent of the child shall permit the probation officer under whose supervision the child is placed to visit the child at his place of residence and to carry out his duties in respect of the child.

(2) When a child is so released the chief probation officer shall cause a copy of this Regulation to be served upon the child's parent together with a statement of the name and address of the probation officer under whose supervision the child will be.

13. When the term of a probation order expires it shall not be necessary for the child to be again brought before a Children's Court unless proceedings are taken for the extension of the term of probation or for a breach of the terms and conditions of the probation.

CLERK OF CHILDREN'S COURT.

14. The clerk of every Children's Court shall keep a list of the names and addresses and religions of all honorary probation officers appointed for or transferred to that Children's Court pursuant to the Act and shall produce the said list for the information of the Court whenever so required.

15. Where a Children's Court adjourns the hearing of any information or application to another Children's Court the clerk of the first-mentioned Children's Court shall transmit the information or application together with a statement of the particulars of the adjournment to the clerk of the Children's Court to which the information or application is adjourned.

MISCELLANEOUS.

16. Except where the contrary is expressly provided by the Act or these Regulations, service of any notice required or authorized by the Act or these Regulations to be served upon any person may be effected by sending the same by post addressed to the person to whom the notice is directed so as to be delivered in the ordinary course of post not less than five days before the time named in the notice for compliance therewith.

17. No fees shall be required upon any proceedings before a Children's Court or in respect of any matter before a justice or special magistrate in relation to any information or application before a Children's Court.

FORMS.

18. The forms set out in the Second Schedule to these Regulations or forms to the like effect may be used in respect of proceedings before Children's Courts and shall be sufficient in law for their several purposes.

SCHEDULES.

FIRST SCHEDULE.

*Children's Court Act 1956.*RETURN OF CHILD UNDER THE SUPERVISION OF THE
UNDERSIGNED.

Offence *Probation Officer*
How dealt with by Court *Name of Child*
Quarter ending

Number of Times Child visited during Quarter.	Number of Times Child reported himself to Probation during Quarter.	Particulars as to Child's Behaviour and Conduct.	Particulars as to Child's Surroundings.	Whether Child is observing Terms and Conditions of his Probation.	Whether Regular at School or in Constant Work.

General Remarks:—

To the Chief Probation Officer of Children's Courts.

Signature

NOTE.—This return is due on or before the tenth day of the month
 following the quarter to which it relates.

SECOND SCHEDULE.

Form No. 1.

Children's Court Act 1956.

PROBATION ORDER.

IN THE CHILDREN'S COURT AT

in the

Bailliwick.

(Name in full)

Surname in Block Letters.

of

who was born on

and who is under the care of

Whereas the above child has been found guilty of
 or has been adjudged to be a child or young person in need of care and
 protection for

The Court hereby directs that the said child be released on probation
 to the Probation Officer whose name and address appears hereunder, for
 a term of on the following conditions:—

That, within 7 days after receipt of a copy of this notice from the Chief
 Probation Officer you report to the Probation Officer whose name and
 address is shown hereunder.

That you report and receive visits as directed by the Probation Officer.

That you carry out the lawful and reasonable directions of the Probation
 Officer.

That you notify the Probation Officer within 7 days of any change of
 address or change of employment during the period of probation.

That you abstain from violation of the law and be of good behaviour.

Name and
address of
child.Names and
address of
parents or
guardians.Strike out
which is
inapplicable.Strike out if
inapplicable.

Name
Address

Dated at this day of 19
 Stipendiary Special Magistrate.
 Special Magistrate.
 Stipendiary Magistrate.
 Justice of the Peace.

Special Magistrate
or
Clerk of the Children's Court

S.24

Form No. 4.

(To be endorsed on back of Form No. 3.)

AFFIDAVIT OF SERVICE ENDORSED OR SUMMONS.

IN THE CHILDREN'S COURT AT

in the
State of Victoria.

Bailliwick

I, _____ of
in the said Statemake oath and say I served the within named parent with a true copy of the
within Summons by posting the same on the _____ day of
19 at _____ o'clock in the _____ noon at
and that the envelope containing same was prepaid by the proper postage
stamps being affixed thereto before being so posted.Taken and sworn before me the _____ day of _____ 19
at _____ in the said State.Justice of the Peace
or
Special Magistrate
or
Clerk of the Children's Court

S.24

Form No. 5.

Children's Court Act 1956.

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

IN THE CHILDREN'S COURT AT

in the

Bailliwick
State of Victoria.Informant (or Applicant)
Child (*)(a) Name of
child.

To all members of the Police Force of the State of Victoria.

(b) Name of
parent of said
child.Whereas (*)
parent of the said child, 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 h (*)
to then and there appear, and to be present on the hearing of a charge
or information against the said child although it has been proved before
the said Court that the said summons was duly served upon the said (*)(c) him or
her.You are hereby commanded forthwith to apprehend the said (*)
and bring h (*) before the said Children's Court at

(d) he or she.

on the _____ day of _____ 19, at
o'clock in the _____ noon unless after h (*) 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.)

Justice of the Peace.
or Special Magistrate.

S.25

Form No. 6.

Children's Court Act 1956.

ORDER FOR THE SAFE CUSTODY OF A CHILD DURING AN
ADJOURNMENT OR PENDING HEARING.

Bailliwick

State of Victoria

Informant or Applicant
Child

Charge or application

To all members of the Police Force of Victoria, and to all others
whom it may concern.Whereas the hearing of the said charge or application 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 child should, in the meantime, be
kept in safe custody, you are hereby commanded to convey and have the
said child at the time and place to which the hearing of the said charge
or application is so adjourned as aforesaid, and that in the meantime (*)
you take the said child to the Reception Centre at _____
and place h _____ therein or (*) you are hereby authorized to(a), (b), (c),
(d), or (e),
whichever
course is
ordered.place the said child with some respectable person or persons and place
h _____ 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;
(c) that you place the said child 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 practicable to place the said child in a Reception Centre, or with some respectable person or persons or in the dwelling of a member of the Police Force or Probation Officer; 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 child in Her Majesty's 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 child apart from all other prisoners.

Dated at the day of 19 .

Bail fixed as follows
child f with
surety of f

*Justice of the Peace,
or Special Magistrate
or Clerk of Children's Court.*

S.25

Form No. 7.

Children's Court Act 1956.

ORDER TO RELEASE CHILD BEFORE DATE OF ADJOURNMENT
OR HEARING.

Informant or Applicant.
Child.

Charge or application.

Whereas the above-mentioned child is held in custody at to appear at the Children's Court at sitting on the day of 19 at o'clock in the noon and it appears expedient in the special circumstances of the case it is ordered that the said child shall be released from custody subject to the conditions hereunder.

Dated at this day of 19

*Stipendiary Magistrate
or
Special Magistrate.*

S.25

Form No. 8.

Children's Court Act 1956.

ORDER TO PLACE CHILD WHO HAS ESCAPED FROM CUSTODY
DURING AN ADJOURNMENT OR PENDING HEARING
IN A GAOL OR LOCK-UP.

Informant or Applicant.
Child.

Charge or Application

To all members of the Police Force of the State of Victoria and to all others to whom it may concern, whereas it is proved to me that the above-mentioned child who has been ordered to be held in custody to appear at the Children's Court at sitting on the day of 19 at o'clock in the noon, has escaped from it is hereby ordered that the said child be held at Her Majesty's Gaol or the lock-up at until the adjourned hearing of the charge or application.

Dated at this day of 19

*Stipendiary Magistrate,
or Special Magistrate,
or Justice of the Peace.*

S.25 (4)

Form No. 9.

Children's Court Act 1956.

WARRANT WHERE CHILD FAILS TO ATTEND ADJOURNED
HEARING.

IN THE CHILDREN'S COURT AT
in the

Balliwick.

Informant.
Child.

Nature of Information or Application

To all members of the Police Force of the State of Victoria. Whereas the said child hath neglected to be or appear at the time and place of the adjourned hearing of the information or application herein.

These are therefore to command you in Her Majesty's name forthwith to apprehend the said child and to bring him before the Children's Court at to be further dealt with according to law.

Dated at the day of 19

*Special Magistrate.
or Justice of Peace.*

S.26

Form No. 10.

Children's Court Act 1956.

ORDER TO BRING UP CHILD WITHOUT WRIT OF HABEAS CORPUS.

To the Director of the
CHILDREN'S WELFARE DEPARTMENT.

It is hereby ordered under the provision of Section 26 of the *Children's Court Act 1956* that a child now in custody under your care be brought up before the _____ to be held at _____ on the _____ day of _____ 19 _____ and the said child is to remain in the custody of the officers, and members of the Police Force acting under this order until the said child is in due course returned to the custody of the Director of the Children's Welfare Department.

Dated the _____ day of _____ 19 _____

Special Magistrate
Stipendiary Magistrate
Officer in Charge of Children's Court
Clerk of the Court
at _____

S.25, S.28 (1) (d)

Form No. 11.

Children's Court Act 1956.

RECOGNIZANCE.

IN THE CHILDREN'S COURT AT
in the _____ Bailiwick
State of Victoria.

WE, the undersigned, severally acknowledge ourselves to owe our Sovereign Lady, the Queen
(a) Name of principal bound. _____ of _____
(b) Name and address (including No. of house and street when known) of sureties. _____ as principal, the sum _____ of _____
_____ and _____ of _____
_____ as suret _____ the sum of _____
each, to be levied on our several goods, lands and tenements if the said principal fail in the condition hereon endorsed.

(Signed)

Taken before me the _____ day of _____ 19 _____

Justice of the Peace
or
Special Magistrate.

CONDITION.

The condition of the above recognizance 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 charge or application against him, or (c) shall be of good behaviour and shall appear before the Children's Court sitting at _____ for punishment for the offence of which he has this day been convicted if called upon, within _____ years after this date.

Then the said recognizance shall be void and otherwise shall remain in full force.

S.28 (1) (f) (i)

Form No. 12.

Children's Court Act 1956.

ORDER OF COMMITTAL OF A CHILD UNDER THE AGE OF FIFTEEN YEARS CHARGED WITH AN OFFENCE, TO THE CARE OF THE CHILDREN'S WELFARE DEPARTMENT.

IN THE CHILDREN'S COURT AT
in the _____ Bailiwick
Whereas it has this day been proved to the satisfaction of the above Court that (1) _____

(1) Name. _____ of (2) _____ in Victoria.
(2) Address. _____
(3) Boy or Girl. _____ who was born on the _____ day of _____ 19 _____ and whose religion is _____
(4) Particulars of charge or offence. _____ did (4) _____ the Court orders that the said _____ be committed to the care of the Children's Welfare Department for a period of _____

(5) Name of parent. _____ And the Court further orders that (5) _____ the _____ of the said _____ pay the sum of _____ shillings _____ pence every week for or towards the maintenance of the said _____ the first payment to be made on _____ day next; and such payments are to be made to the Director of Children's Welfare.

Dated at _____ the _____ day of _____ 19 _____

Stipendiary Magistrate
Special Magistrate
Justice of the Peace.

S.28 (1) (f) (11)

Form No. 13.

*Children's Court Act 1956.*ORDER OF COMMITTAL OF A CHILD OVER THE AGE OF FIFTEEN
YEARS CHARGED WITH AN OFFENCE, TO THE CARE
OF A JUVENILE SCHOOL.

IN THE CHILDREN'S COURT AT

in the Balliwick
Whereas it has this day been proved to the satisfaction of the above
Court that ⁽¹⁾of ⁽²⁾ who was born on the day of 19 at In Victoria, <sup>(1) Name of
a ⁽³⁾ and whose religion is child or
young person.</sup>did on the day of 19 at in the said Balliwick ⁽⁴⁾
the Court orders the said
be committed to the Juvenile School at
for a period of and the Court further ordersthat ⁽⁵⁾ of the said pence every
the of the said
pay the sum of shillings and pence every
week for or towards the maintenance of the said
the first payment to be made on day next; and such
payments are to be made to the Director of Children's Welfare.Dated at the day
of 19*Stipendiary Magistrate
Special Magistrate
Justice of the Peace.*

S.28 (1) (h)

Form No. 14.

*Children's Court Act 1956.*ORDER TO ADMIT A CHILD CHARGED WITH AN OFFENCE TO THE
CARE OF THE CHILDREN'S WELFARE DEPARTMENT AS A
CHILD OR YOUNG PERSON IN NEED OF CARE
AND PROTECTION.

IN THE CHILDREN'S COURT AT

in the Balliwick.
Whereas it has been proved to the satisfaction of the above Court that <sup>(1) Name of
child or
young person.</sup>born in Victoria, a ⁽²⁾ who was <sup>(2) Address.
(3) Boy or
Girl.</sup>
day of 19 on theand whose religion is
is guilty of and the Court is satisfied that
the said is a child
young person in need of careand protection for that ⁽⁴⁾
and the Court orders that the said
be admitted to the care of the Children's Welfare Department:
And the Court further orders that ⁽⁵⁾of the said pence
pay the sum of shillings and pence
every week for or towards the maintenance of the saidthe first payment to be made on
day next; and such payments are to be made to
the Director of Children's Welfare.Dated at in Victoria, the day
of 19*Stipendiary Magistrate
Special Magistrate
Justice of the Peace.*

S.28 (2)

Form No. 15.

*Children's Court Act 1956.*WARRANT OF APPREHENSION FOR FAILING TO OBSERVE
CONDITIONS OF PAROLE.

IN THE CHILDREN'S COURT AT

in the Balliwick.
To all Members of the Police Force in the State of Victoria.
Whereas it appears to me on oath that of
who was released on parole by the Children's Courtat
following the termination of a period of committal to the Children's Welfare
Department or the Juvenile School has failed to observe the condition of
his release you are hereby commanded forthwith to apprehend the said
and bring him before the said
to be further dealt withChildren's Court at
according to law.Dated at the day
of 19*Stipendiary Magistrate.
or
Special Magistrate.*

S.28 (5)

Form No. 16.

*Children's Court Act 1956.*WARRANT TO APPREHEND CHILD WHO HAS FAILED TO OBSERVE
CONDITION OF HIS CONDITIONAL RELEASE BY A CHILDREN'S
COURT.

IN THE CHILDREN'S COURT AT
in the Bailiwick.
To all members of the Police Force of the State of Victoria.
Whereas on the day of 19
of
was committed to the care of the Children's Welfare Department or the
Juvenile School by the above and on the day
for a period of 19 the said court directed that the said child
be released on the following conditions
And it now appears to me by evidence on oath that the said
has failed to observe the conditions of his release.
You are hereby commanded forthwith to apprehend the said
and bring him before the said Children's Court at
to be further dealt with according to law.
Dated at 19 the day
of

*Stipendiary Magistrate.
Special Magistrate.*

S.31 & S.32

Form No. 17.

*Children's Court Act 1956.*INFORMATION AGAINST PARENT FOR CONTRIBUTING TO THE
COMMISSION OF HIS CHILD'S OFFENCE AND SUMMONS THEREON.

IN THE CHILDREN'S COURT AT
in the Bailiwick.
State of Victoria.

(a) Full name of informant. (a)
(b) Full name of defendant, the parent of child. (b)
(c) Address of informant. (c)
(d) Name of child convicted. (d)
(e) Shortly the nature of offence committed by child. (e)
(f) (or) by habitually neglecting to exercise due care of such child. (f)

The information of (a) of (c)
State of Victoria a member of the Police Force who saith that whereas in the
(d) a child within the meaning of the
Children's Court Act 1956 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) has directed the said
member of the 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) For signature of informant. (j)
(k) Here fill in defendant's address and occupation. (k)

To (b) of (k)
Informant.
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 19 the day
of

*Justice of the Peace
or
Special Magistrate*

S.33 (1)

Form No. 18.

(To be endorsed on back of Form No. 17).

Children's Court Act 1956.

AFFIDAVIT OF SERVICE ENDORSED ON SUMMONS.

IN THE CHILDREN'S COURT AT
in the Bailiwick.
I,
of
in the State of Victoria make oath and say that
I served the within-named parent with the within notice by delivering a true copy to him personally or by leaving the same for him at his last or most usual place of abode (or business) with

a person apparently an inmate thereof (or employed thereat) and
apparently not less than sixteen years of age at
on the day of 19 at the
hour of o'clock in the noon.
Sworn at 19 in the said State the
day of before me

*Justice of the Peace,
Clerk of Children's Court*

S.33 (1)

Form No. 19.

Children's Court Act 1956.

**RECOGNIZANCE FOR GOOD BEHAVIOUR OF CHILD BY PARENT
DEEMED TO HAVE CONTRIBUTED TO COMMISSION OF CHILD'S
OFFENCE.**

IN THE CHILDREN'S COURT AT
in the

Bailliwick.

Be it remembered that on the day of 19
in the State of Victoria of and

signed and severally acknowledged themselves to owe our Sovereign Lady
the Queen the several sums following (that is to say) the said
the sum of and the said
the sum of good and lawful money to be made and
levied of the several goods and chattels lands and tenements respectively
to the use of our said Lady the Queen her heirs and successors if
the child of the said shall fail in the Name of
conditions endorsed. Taken and acknowledged the day and year first above child.
mentioned at in the said State before me

CONDITION.

The condition of the within written recognizance is that the said child
shall be of good behaviour for a period
of Then the said recognizance shall be void but
otherwise shall remain in full force.

37 (1)

Form No. 20.

Children's Court Act 1956.

**NOTICE TO PARENT OF CHILD OR PERSON WITH WHOM CHILD
IS LIVING OR TO WHOSE CARE CHILD COMMITTED.**

IN THE CHILDREN'S COURT AT
in the

Bailliwick.

Informant
Child

Nature of Information of Application.
To

Whereas the said child appeared before the Children's Court at
on the day of 19
and was released on probation under the supervision of Mr. months;
Probation Officer, for a period of
and whereas the said child has failed to observe the condition imposed upon
h by the said court at the time of h release:
Take notice therefore that you, the parent of the said child are directed
to bring h before the Children's Court at on the
day of 19 at o'clock
in the noon to be further dealt with by the said court.

Dated at this day of 19
*Chief Probation Officer
or
Clerk of the Children's Court*

S.37 (1)

Form No. 21.

(To be endorsed on back of Form No. 18).

AFFIDAVIT OF SERVICE INDORSED ON NOTICE

IN THE CHILDREN'S COURT AT
in the

Bailliwick.
of

I, in the said State

made oath and say I served the within named parent with a true copy of
the within notice by posting the same on day of

at 19 at o'clock in the noon
and that the envelope containing same was prepaid
by the proper postage stamp being affixed thereto before being so posted.
Taken and sworn before me the day of 19
at in the said State.

*Justice of the Peace.
or
Stipendiary Magistrate
or
Clerk of the Children's Court*

37 (1)

Form No. 22.

Children's Court Act 1956.

WARRANT OF APPREHENSION WHERE NOTICE UNDER SECTION
37 (1) OF THE CHILDREN'S COURT ACT 1956, IS DISOBEYED BY
A PARENT OR GUARDIAN.

IN THE CHILDREN'S COURT AT
In the

Bailiwick.

Informant.
Defendant.

Nature of Information.

To all members of the Police Force of the State of Victoria.

Whereas the said Defendant has not been brought before the said Court at the time and place appointed in and by a notice under Section 37 of the *Children's Court Act 1956* herein although it hath now been proved to the said Court upon oath that the said notice was duly served upon the parent of the said Defendant.

These are therefore to command you in Her Majesty's name forthwith to apprehend the said Defendant and to bring h before the Children's Court at in the said Bailiwick of the said State, to answer to the said information and to be further dealt with according to law.

Dated at the day
of 19

Special Magistrate.
or
Justice of the Peace

Form No. 23.

Children's Court Act 1956.

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

IN THE CHILDREN'S COURT AT
in the

Bailiwick.

(a) Name of
defendant
child.

(a) hereinafter called the Defendant
having been convicted by the Children's Court at
on the day of 19 of the offence

(b) State
shortly nature
of offence.

of (b)
And the said Court having ordered him to be discharged upon his entering into a recognizance 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 recognizance accordingly

This Court doth hereby command you the Defendant to appear before the Children's Court at on the day of
19 at o'clock in the noon, and doth hereby command you and his suret to then 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
the Defendant and to
of
of

of

and

his suret

Form No. 24.

(To be endorsed on back of Form No. 23).

Children's Court Act 1956.

AFFIDAVIT OF SERVICE TO BE ENDORSED ON NOTICE.

I, of
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 recognizance 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
1957 one of
the forms of
affidavit
indorsed on
such summons
may be used,
altered as
circumstances
may require.

Justice of the Peace.
Clerk of Children's Court.

S.39

Form No. 25.

Children's Court Act 1956.

WARRANT OF APPREHENSION OF A DEFENDANT WHO HAS
FAILED TO APPEAR FOR PUNISHMENT WHEN CALLED UPON.
IN THE CHILDREN'S COURT AT

in the Bailiwick.

To each and all of the members of the Police Force in the State of Victoria.

Before the Children's Court sitting at _____ hereinafter
(a) called the Defendant having been duly convicted by this Court of an offence (a) Name of
and discharged on his having entered into a recognizance as principal with defendant.
surety 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 on the _____ day
of _____ 19 _____ at _____
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 surety commanding (b) then and there to (b) Him or
produce him was duly served on the Defendant and (each of) his surety them.
You are therefore hereby commanded to bring the Defendant before the
Children's Court sitting at _____ forthwith.

Dated the _____ day of _____ 19 _____

*Justice of the Peace,
or Special Magistrate.*

A Member of the said Court.

S.41

Form No. 26.

Defendant's Address is

No.

Date of Hearing

Children's Court Act 1956.

WARRANT OF COMMITMENT UPON A CONVICTION FOR A
PENALTY IN THE FIRST INSTANCE.

IN THE CHILDREN'S COURT AT

in the Bailiwick.

Informant.

Defendant.

19

Date of Information

Nature of Information

To all members of the Police Force of the State of Victoria, and to the

- (a) 1. Superintendent Reception Centre; or
2. Superintendent Juvenile School; or
3. Governor Her Majesty's Gaol Pentridge.

(a) Strike out
which is
inapplicable.

The said Defendant having been on the hearing of the said information
adjudged to forfeit and pay the sum of £ _____ and the said Defendant
being in default therein in respect of the said sum.

These are therefore to command you, the said members of the Police
Force, to take the said Defendant unless the said sum shall be sooner paid
unto you, the said members of the Police Force, and h _____ safely to convey
to the said Reception Centre, Juvenile School or Gaol there to deliver
h _____ thereof, together with this precept. And I do hereby command you,
the said Superintendent or Governor, to receive the said Defendant into
your custody and detain h _____ for the space of _____ unless
the said sum shall be sooner paid, and for your so doing this shall be your
sufficient warrant.

Dated at _____ the _____ day
of _____ 19 _____

*Special Magistrate.
Clerk of Children's Courts.*

And the Honorable Lindsay Hamilton Simpson Thompson, for and
on behalf of Her Majesty's Attorney-General for the State of Victoria,
shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

