

and the employment generally of children ; the regulation of the attendance of children under certain ages at picture-theatres and places of public amusement ; and for the proper conduct and inspection of private institutions for children.

In view of the drain on the resources of the Dominion during the period of the war, and of the need now to increase our productive powers, it is essential that the country should protect and foster its children, that it should utilize the most effective means of conserving the health of the young of the nation, and should so train them that they will be strong and vigorous to carry on not only the vocations of peace but also the practice of war if that be required. In fact, it is difficult to conceive any more important function of the State at the present period than the care of the children who are the future citizens of the State.

A brief examination of the present position shows that destitute and dependent children are dealt with in a somewhat haphazard manner. There is no controlling authority, and an utter lack of co-operation and co-ordination even between Government Departments, without including the work carried out by Charitable Aid Boards and the social service agencies of the various Churches. There is no provision for Government supervision of children over the age of six years who are maintained apart from their parents, no provision for supervizing the illegitimate child or the orphan, and no system of supervision of the thousands of children who indulge in street trading or attend picture-theatres at all hours of the day and night. In dealing with delinquent children it will be found that the legal machinery has not been changed to any appreciable extent during the past thirty-eight years, and is now almost obsolete. So far as the law is concerned, at present every detail of the criminal law is worked out against the child. Like the adult, he is a law-breaker, and as such must be punished.

At the present time a child who is destitute or perhaps an orphan cannot be provided for by the Department until the case has been investigated by the police, whose duty it is to lay an information in the Magistrate's Court charging the child with either destitution or as being not under proper control. The case is then dealt with by the Magistrate (usually in his own room), who, if satisfied that the facts are as stated, may commit the child to an industrial school.

Notwithstanding the limitations of the present legislation, the scope of the Special Schools Branch has been enlarged to allow of its dealing with the ever-increasing need for providing and caring for children who through the economic changes and stress due to the war have been thrown on the State for support and training. In order to cope with the enormous increase in the number of uncontrollable and delinquent children the juvenile probation system has been established, and is working well. The direct result has been found in the reduction of admissions to institutions by at least 85 per cent., the reduction in the number of institutions, and the reduction in the number of children maintained in the institutions that still exist. Furthermore, the regulation of the admissions to these schools has now passed definitely into the hands of the Probation Officers in each of the four centres.

The probation system, which is more remedial in its working than punitive, has demonstrated clearly that for dealing adequately with children the present machinery contained in the Industrial Schools Act passed in 1882 is practically out of date. In nearly every enlightened country in the world it has been realized that the methods adopted for the punishment of adult offenders cannot be applied in the case of children. In most countries the handling of children by the uniformed police, of detaining them in cells, and of recording convictions for petty offences, have all been abandoned. Special Courts have been established, presided over by special Magistrates, who are selected not on account of their knowledge of legal procedure alone, but mainly on account of their knowledge and experience of child life and nature. The system of dealing with children under the Criminal Code has given place to a system of equity whereby the child is not regarded as a criminal who should be punished, but as one who requires the protection and assistance of the Court.

A complete children's code has been drafted by the Branch on similar lines to what already exists in most of the Australian colonies, Great Britain, Canada, and the United States of America, and it is hoped that at no distant date many of the provisions so included will find a place in our legislation. The main features of the code are as follows :—

- (1.) Special Courts for children, and special Magistrates.
- (2.) Provision for Court being held at a probation home.
- (3.) Proceedings not to be published except with Magistrate's permission, but names of children not to be published under any circumstances.
- (4.) Appointment of Probation Officers (male and female), who will deal entirely with children appearing before the Children's Courts.
- (5.) Provision for child being sent to receiving-home or probation home either on arrest or remand, in preference to being detained in a police lock-up.
- (6.) In place of conviction and commitment to any particular industrial school, a child, without having a conviction recorded against him, would be declared a ward of the State and his ultimate disposal left in the hands of the Department.
- (7.) Provision for parents being charged with contributory delinquency.
- (8.) Provision for juveniles between sixteen and eighteen years being dealt with by Children's Court under certain conditions. At the present time any boy over sixteen years of age and under nineteen years who has been sentenced to imprisonment may be transferred to an industrial school (section 25 of the Industrial Schools Act, 1908). The common-sense view to take is that if a Magistrate or Judge considers that a youth over sixteen years is a fit case for an industrial school he should be sent *direct* to a school, not after he has served perhaps a month in gaol.
- (9.) Provision for transfer (by application to a Magistrate) of a ward of State who is found to be incorrigible to a reformatory prison or Borstal institution.
- (10.) The term " industrial school " has been entirely omitted, thus doing away with the stigma that is at present attached to children who through no fault of their own have been committed to the care of the State.