

# Child Welfare Act 1923, New South Wales

1923 – 1939

URL: <https://www.legislation.nsw.gov.au/view/pdf/asmade/act-1923-21>

## Details

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The Child Welfare Act 1923 was 'An Act to Amend and consolidate certain acts relating to children.' It abolished the State Children's Relief Board and created the Child Welfare Department. It also replaced a range of previous acts relating to children. These were the State Children Relief Act 1901, the Children's Protection Act 1902, the Infants' Protection Act 1904 and the Neglected Children's and Juvenile Offenders Act 1905. The Act introduced the first adoption legislation in New South Wales. The age of children in care, and those who could be considered juvenile criminals, was extended to 18 years, from 16 years. This Act was amended in 1924 and was repealed by the Child Welfare Act 1939.

The Child Welfare Act had similar powers to the 1905 Act to commit a 'neglected' or 'uncontrollable' child. Children who were committed to or already in institutions were placed under the control of the superintendent of the institution until the age of 18, or until they were discharged, removed, apprenticed or placed out. This Act provided the first adoption legislation, allowing adoptions if the child's parents or guardians consent, or if a court decided the child was deserted or abandoned.

## More info

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### Chronology

- Children's Protection Act 1902, New South Wales (1902 - 1923)
- Neglected Children and Juvenile Offenders Act 1905, New South Wales (1905 - 1923)
- Infant Protection Act 1904, New South Wales (1904 - 1923)
- State Children Relief Act 1901, New South Wales (1901 - 1923)
  - **Child Welfare Act 1923, New South Wales (1923 – 1939)**
    - Child Welfare Act 1939, New South Wales (1939 - 1987)
      - Adoption of Children Act 1965, New South Wales (1965 - 2003)
      - Adoption Act 2000, New South Wales (2000 - current)

### Related Entries

#### Related Events

- [Inquiry into Adoption Practices in NSW, New South Wales Legislative Council \(1998 - 2000\)](#)

#### Related Organisations

- [Child Welfare Department, State Government of New South Wales \(1923 - 1970\)](#)  
The Child Welfare Department was regulated by the Child Welfare Act 1923.  
Date: 1923 - 1939
- [St Anthony's Home Croydon \(1925 - 1980\)](#)  
St Anthony's Home placed babies with Catholic families for adoption under the *Child Welfare Act 1923*.
- [Bidura \(1920 - 1977\)](#)  
Date: 1923 - 1939
- [Metropolitan Boys' Shelter \(1911 - 1983\)](#)
- [Children's Court of New South Wales \(October 1905 - current\)](#)  
Children's Courts were regulated by the *Child Welfare Act 1923*.  
Date: 1923 - 1939

#### Related Archival Series

- [Boarding Out Registers \(Ward Registers\) \(1 August 1923 - 31 December 1936\)](#)
- [Dependent Children Register Cards \(c. 1945 - 1972\)](#)

#### Is amended by

- [Child Welfare \(Amendment\) Act 1924, New South Wales \(1924 - 1939\)](#)

#### Related Concepts

- [Adoption in New South Wales \(c. 1923 - current\)](#)  
The *Child Welfare Act 1923* was the first law in NSW that provided for legal adoption.  
Date: 1923 - 1939

## Resources

- Bowen, Jennifer, [Tangled Web, Part I: the silence of consent](#), 20 March 2011
- [Mr. Walter Bethel](#), The Sydney Morning Herald, 7 March 1929
- McCulloch, J.E., *Child Welfare Department : report on the general organisation, control and administration of, with special reference to state welfare institutions*, 1934
- Minister of Public Instruction, *Report of the Minister of Public Instruction on the work of the Child Welfare Department*, 1921 - 1955
- Child Welfare Department, [Annual Report: Child Welfare Department of New South Wales](#), 1923 - 1970
- Department of Justice, [History](#), Children's Court of New South Wales, 2012
- Parliamentary Counsel's Office, [NSW legislation](#), No date
- State Records Authority of New South Wales, [Dept of Community Services](#), No date
- Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), [To Remove and Protect](#), 2014

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