

Criminal Code Amendment Act 1918, Western Australia

1918 –

URL:

[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_13657.pdf/\\$FILE/Criminal%20Code%20Amendment%20Act%201918.pdf](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_13657.pdf/$FILE/Criminal%20Code%20Amendment%20Act%201918.pdf)

Details

The Criminal Code Amendment Act 1918 (Act no. 032 of 1918 (9 Geo. V No. 22)) amended the Criminal Code in a way that allowed the Children's Court to have jurisdiction over young people up to the age of 18 years, rather than 16 years as previously. The child would then be dealt with under the relevant parts of the State Children Act 1907. Amendments also said that a court hearing a case where a person under 18 years was indicted 'may' exclude the public and 'may' prohibit the publication of proceedings. These amendments reflected the changes suggested by the Inquiry of the Select Committee of the Legislative Council into the State Children Act Amendment Bill in 1918.

Section 18 of the Criminal Code was amended to substitute the words 'preventive detention' with 'detention in a reformatory prison'. Section 19 added detention of a child or young person under the age of 18 years in an industrial school as one of the general sentencing guidelines, relative to the provisions of the State Children Act 1907.

The provisions relating to sexual assaults against girls, young women and those who were not intellectually competent to give consent were also clarified in this Amendment Act, and limited the time in which some prosecutions could commence. For example, if a man had 'indecent dealings' with a girl over 13 but under the age of 17 years for whom he was a guardian, the injured girl had to bring a prosecution 'within three months after the offence' had been committed (s.189).

More info

Related Entries

Related Events

- [Select Committee of the Legislative Council on the State Children Act Amendment Bill, State of Western Australia \(15 October 1918 - 19 November 1918\)](#)

Related Organisations

- [Children's Court of Western Australia \(1907 - current\)](#)
Amendments to the Criminal Code in 1918 gave the Children's Court jurisdiction over young people under 18 years of age.

Amends

- [Criminal Code Act 1902, Western Australia \(1902 - current\)](#)
-

You can view this page online by visiting <https://www.findandconnect.gov.au/entity/criminal-code-amendment-act-1918-2/>