"problem" children of this community": Christ Church St Laurence and the Children's Court, Sydney, 1936-41

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appeared in the Metropolitan Children's Court in Surry Hills, charged with making 'use of language of an offensive nature... whilst using a public telephone'. He had been arrested by police late one Friday afternoon, at the end of August, near a telephone booth. The two constables involved had hurried to the booth, after having received a complaint from the Newtown Telephone Exchange. The complaint had been made by Alice Barton, a telephonist at the exchange, who, in reporting it to her superior, Mr Bacon, identified the caller as 'this young lad who uses filthy language', the same person who had spoken to her, and other telephonists, 'in the same terms at different periods during the past three weeks'. Mr Bacon, in response, traced the call, notified the police and then instructed Alice to 'keep that boy talking' until the police

Sydney Journal Vol 4, No 1 (2013): 86-98 ISSN: 1835-0151 © UTSePress and the author arrived. On that first court appearance, Alan, accompanied by his father, apologized for his behaviour and pleaded guilty to the offence. His father also apologized, saying that it was the 'first time any of [his four] boys [had been] in trouble'. The bench directed that Alan undergo an assessment at the Department of Education's Child Guidance Clinic, which operated in Surry Hills as part of the School Medical Service.¹

Alan attended the clinic on 1 October, where he was examined and found to be below average height and weight for his age, but apparently free of physical defects and otherwise healthy. He was assessed, however, as having very dull intelligence, with an IQ of 73. It was noted that he had only reached sixth class at school. He was described as talkative and plausible, but apparently unaware of his limitations, markedly uncritical and lacking in commonsense. It was determined that he showed little appreciation of the causes or consequences of his behaviour. Perhaps more significantly it was noted that Alan, since leaving school, had been kept at home by his mother, where he undertook domestic duties, any leisure activities being described as 'meagre and scattered'. Described as lacking in virile masculine traits, his misbehavior was seen as an 'obscure abnormal sexual outlet... nurtured by his unhealthy leisure and lack of vocational activities'. Although assessed as being suitable only for 'unskilled work under supervision', it was argued that the tendencies apparent in his crime 'should not develop further' if he was encouraged to 'terminate dependency on his mother' and 'settle down to the responsibility of suitable permanent work'.2

On receipt of the Child Guidance Clinic's report, the Court, on 9 October, released Alan on a two-year good behaviour bond. Some time in the next few weeks Alan made contact with the Christ Church St Laurence Boys' Welfare Bureau. It would seem that he had had contact with the Bureau before 19 October because that 'interview', as they were termed, was recorded in the register as a subsequent one. On that day he had called to report his 'progress' which was described as 'doing well in first job'. It was also noted that he was to see Father Linton in the next few days. Two days later he visited the Bureau again, where it was recorded that he was keeping his appointments with Linton.³ By early November, however, Alan's condition was described as 'very unstable' but it was noted that he was still seeing Linton. Following an interview on 6 November he was sent back to his then place of work. Just over a week later, however, Alan had left that job. He was now being described as a 'difficult case' and another appointment with Linton was scheduled. By 18 November it was noted that Alan had been sent to a factory job, at

33 shillings per week but had left before even starting it. There Alan's presence in the register ends.⁴

This article seeks to explore the experiences of boys, such as Alan, who, in late 1930s and early 1940s Sydney, were considered by the courts and the churches, amongst other organisations, to be 'the "problem" children of this community'. The sources for this exploration are the records of the Metropolitan Children's Court and the Christ Church St Laurence Boys' Welfare Bureau. The records of the Court and the Bureau provide insights into the ways in which both religion and the law attempted to shape the lived experience of these boys, in inner city Sydney, within the context of contemporary ideas about juvenile delinquency and its treatment.

Children's courts were established in New South Wales in 1905, under the *Neglected Children and Juvenile Offenders Act* of the same year. Comparable courts were created throughout Australia in the period 1895 (South Australia) to 1918 (Tasmania), as well as, at roughly the same time, in Britain and the United States. As well as the Metropolitan Children's Court, in Albion Street, Surry Hills, there were separate children's courts, at times, in other parts of Sydney, including Burwood, Campsie, Hornsby and Parramatta. In 1934, however, the Burwood and Campsie children's courts were closed, with all metropolitan cases now being heard at Surry Hills. In country areas Courts of Petty Sessions were constituted, when required, to sit as children's courts.⁶

Children's courts had jurisdiction over both criminal matters (juvenile offenders) and welfare matters (neglected children and young people). The major reason given for the establishment of children's courts was to ensure that young people were tried separately from adults and thus not subject to the harmful effects of contamination and stigma. The courts encouraged minimum procedural formality by, for example, the absence of solicitors and an informal approach to sentencing. As well, judges were encouraged to look at the character and social background of the children who came before them. Parents were often present and asked to make statements.⁷

The Christ Church St Laurence Boys' Welfare Bureau was established by that congregation in April 1936, as a response to a general request to New South Wales churches from the Child Welfare Department a year earlier. The department had suggested that churches form a 'Child Welfare and After Care Committee', the purposes of which would be:

to exercise a watchful care and oversight over the child who is handicapped in life by conduct involving a mistake which has brought it before a Children's Court, or the destitute child who may be an orphan or the child of destitute parents, and

to recruit employers of these children, to record the names of all children who are 14 years of age and over, and find employment or training for them after they leave school.⁸

It cannot easily be determined whether any other churches responded to the Child Welfare Department's request. But Christ Church St Laurence certainly did. It established a bureau where boys who had been before the Court and had been 'admonished and discharged' or 'released on probation' could seek guidance and assistance in acquiring employment, 'desirable social and religious activities' and other means necessary to their welfare. Such information and assistance was to be provided free of charge. But the charge of the control of the charge of the control of the charge of the charge.

This occurred largely because a congregational member of Christ Church was, at the time, interested and involved in the work of the Children's Court. That person was Herbert V. Fort. Fort had become associated with the Christ Church St Laurence congregation soon after he had arrived in Sydney in late 1925. He quickly became aware of both the compassion and the generosity which the Church's rector, Father John Hope, displayed to the 'thousands – not hundreds – who called at [Clergy House] asking for a handout'. Fort worked as a hotel manager, at the Hotel Sydney, situated just a few hundred yards from the Children's Court, in Surry Hills. He developed an interest in its operations and records how he 'soon found most of my free afternoons were spent there'. As a result of this attendance Fort decided that assistance could and should be provided to many of the boys who appeared before the court but that to provide that 'on a large scale would require fulltime work and organisation'. It was here that Fort's connection with Christ Church St Laurence and the request from the Child Welfare Department intersected. John Hope and his wardens offered Fort a room in the Church's school hall and the Christ Church Boys' Welfare Bureau officially began its work on 1 April 1936, with Fort as Organising Secretary.¹¹

Yet the establishment of the Bureau can also be seen as an expression of Christ Church St Laurence's long-standing Anglo-Catholic theology. The Anglo-Catholic nature of the church was primarily manifest in their High Church forms of worship, which were akin to Catholic ritual. The church building itself, on George Street, near Central Railway Station – the first complete Gothic revival church to be built in

Australia, with the sanctuary as a focal point and the altar raised several steps above the nave – was conducive to this style of worship. Yet the Anglo-Catholic nature of the church was also expressed theologically. Father John Hope, the rector in this period, had trained at St John's Theological College, Melbourne where he had been exposed to, and influenced by, the liberal Catholicism of Bishop Charles Gore and Anglo-Catholic ideas of social justice. There, too, he and his fellow students had been inspired by the biographies of English Anglo-Catholic slum priests. Influenced by incarnational theology, these Anglo-Catholic priests sought to live out the implications of Jesus Christ having lived as a human being.¹²

For Hope, and his congregation at Christ Church St Laurence, these ideas found practical expression in a number of ways during the 1920s and 1930s. The church, for example, provided breakfast in the parish hall, known as the Christ Church 'Cheero', for the lonely and destitute of the surrounding areas who attended the weekday services. With the onset of the Depression the 'Cheero' became a soup kitchen, serving as many as 300 meals a night. As well, a parishioner, Dr Sydney Sweet conducted a free dispensary in the hall for those who could not afford to go to a doctor or to buy medicine if they did. Hope was also involved in the nearby Harris Street Settlement which provided a play centre for local working-class children. The Boys' Welfare Bureau can thus be understood as another expression of Father Hope, and the congregation's, Anglo-Catholic theological response to those in their midst who they perceived to be in need.¹³

The aims of the Bureau included assisting 'the problem children of this community so that they shall not be the criminals of tomorrow' and to 'feed, clothe and generally assist those boys who are without homes or friends'. There was, claimed their literature, to be 'no differentiation of creed or colour'. In its first year of operation 185 boys were sent from the Court to the Bureau. As part of the assistance provided to the boys, 64 were supplied with 'suitable clothing' before being sent to a prospective employer while 56 boys were sent to a local hairdresser who had ndertaken to supply free haircuts. As well 64 boys had commenced evening continuation school. In

These figures are taken from the First Annual Report of the Bureau published in 1937. It is in the annual reports of the Bureau that we find descriptions, of a sort, of how it operated and, in particular, how boys were put in contact with it. Boys were 'sent' from the Court to the Bureau or 'directed' there by the 'Chaplain, Magistrate, or other officer of the Children's Court'. Chaplains or court officials would, it was recorded, make a plea for a boy's release, 'on condition that the boy

[placed] himself in the Bureau's care'. Or boys themselves were 'advised', by the Court, to report to the Bureau. ¹⁷ In its fourth annual report, it was stated that Children's Court magistrates, chaplains and officials 'either sent for us to take a special interest in a boy while he is under detention that we present our recommendation to the court, or they send the boy to the Bureau'. ¹⁸

Virtually none of this, however, appears anywhere in the court records. An explication of the relationship between the Children's Court and the Boys' Welfare Bureau seems elusive. For two such formal institutions it would seem that the relationship operated informally through generally unrecorded personal connections and influence. Except for the existence of one surviving register from the Bureau, which covers the five or so months from 18 October 1940 to 17 March 1941 there would only be the statements contained in the annual reports as evidence of what seems to have been a significant relationship between the Children's Court and the Bureau. There are 64 boys listed in the surviving register who were identified as being referred to the Bureau from the Children's Court, about one-fifth of the total number of entries. The Metropolitan Children's Court records also exist for this period, although those records are, likewise, incomplete. I have thus far only been able to trace the details of the court appearances of nine of the 64 boys in the surviving register who were identified as being referred to the Bureau from the Children's Court.

But if the court records are unhelpfully mute, the surviving Bureau register, for all its brevity, is potentially quite rich. Here let us return to the case of Alan L___, who was charged in September 1940 with offensive language 'whilst using a public telephone'. As we saw earlier, the Bureau was able to find employment for Alan and continued to attempt to after Alan had left that first job, even though he was beginning to be described in the register as a 'difficult case' and 'proving difficult to satisfy with work'. ¹⁹

Finding employment for boys was, in fact, what the Bureau became primarily known for in its first few years of operation. At the end of 1936 the Bureau had reported that about 500 boys had used their services, out of which 400 boys had been found positions. The Bureau's services were used by 968 boys in its second year of operation, of whom 857 were found positions. These figures, the Bureau argued, showed that in spite of the improved economic conditions, demand for its services had not diminished. 'Problem' children were to be met with 'at all time irrespective of economic conditions'.²⁰

The Bureau's services were used by 1124 boys in its third year of operation, 1938-39, of whom 843 were found positions. There was, however, some concern in the annual report that year that the Bureau was becoming known 'merely' as an employment office. The report also highlighted the Bureau's distribution of money for food and accommodation as well as the establishment of a 'refit store', selling donated second-hand clothes. In the process of having provided nearly 500 boys with new clothes in the previous three years, the Bureau had become aware of 'scores' of families, 'faced with the difficult task of maintaining their family wardrobes on restricted incomes'. The store operated as both a social service, selling goods at low cost, and as a supplement to the Bureau's income.²¹

There is also evidence in the register of the 'desirable social and religious activities' to which boys were directed. The Bureau arranged for Ernest F___ to begin attending an art course after he had been sent to them from the Children's Court in October 1940.²² Keith M___ was enrolled in the local Police Boys' Club as well as being encouraged to attend church, 'Christ Church if convenient', when he was sent to the Bureau from the Court, also in October 1940.²³ Colin D___ was instructed to attend mass at Christ Church St Laurence during each of his interviews at the Bureau from mid-February to mid-March 1941. In early March an appointment was made for him with the rector, Father Hope, regarding 'confession'. It was noted in the register that Colin had 'continued to be dishonest' since being sent to the Bureau from the Children's Court but that he had 'admitted his failing and expresses [a] desire to make [a] clean breast of things'. Following his meeting with Father Hope the Bureau began talking about night school attendance with Colin and by the middle of March was providing him with a subsidy towards his night school fees.²⁴

The other service the Bureau offered to Alan L___, and other boys, was appointments with Father Linton. Father Hugh Linton, an Anglican priest and a Cambridge graduate, was in charge of the Christ Church Clinic, a psycho-therapeutic clinic opened by the parish towards the end of July 1940. Its purpose was to 'help those people who are feeling out of tune with life or who are facing problems of a personal nature with regard to marriage, sex or temperament'. And amongst those people were boys who came to the Bureau seeking assistance. As we saw, Alan L__ was described in his register entries as being 'very unstable' but entries for other boys who were referred to Father Linton are more detailed.

William L___, for example, was described as a chronic gambler and as being 'very partial to 'two-up' and 'horses' in his entries in the register

in March 1941. The Children's Court had asked the Bureau to 'endeavour to adjust [the] boys' life' and 'so save [him from] committal to [an] institution'. He had been interviewed by Father Linton who, it was reported in markedly psycho-therapeutic language, had directed William to 'forms of sublimated interest' as well as persuading him to take a job at Bobbin Head, on the outskirts of Sydney, and 'so avoid temptation'.²⁷

Ralph L___'s uncle met with Father Linton when Ralph was sent by the court to the Bureau in November 1940. Ralph, it was noted, had an IQ of only 63 as well as multiple other difficulties and there was concern from Linton that he may develop into a 'violent character'. Linton advised Ralph's uncle to press for the re-opening of the boy's court case so that a 'mental examination' of him could be arranged and his punishment adjusted accordingly. It was noted in the register that this had been able to be done.²⁸

Yet a sensitivity to 'problems of a personal nature', the sort for which boys were recommended to Father Linton, is also apparent in the Bureau's general dealings with them. Norman R___, for example, came to the Bureau, from the Children's Court in October 1940. His father had died following his court case and he was now homeless. A job in the country was found for him but several weeks later he was reported as 'becoming despondent', having written to the Bureau 'mentioning suicide'. The Bureau advised Norman to return to Sydney, noting that the solitude of his position in the country was 'having bad mental effect[s]' on him and pledging to find him a job in the city.²⁹

The Bureau also found city employment for Thomas B___ when he was sent to them from the Children's Court in November 1940. As well as being assessed as of low intelligence, he was described as having an 'unstable make-up' and as being a 'weak mental type'. Several months later, however, at the end of February 1941, his mother contacted the Bureau to express her thanks for their assistance. Thomas, she reported, was doing his best, 'exceeding expectations'. Encouragement, rather than punishment, the Bureau noted, had 'proved restorative in this case'.³⁰

This sensitivity, I would suggest, was a manifestation of the Bureau's wider interest in establishing a child guidance clinic in Sydney. One of its original objectives, the clinic was to be for 'children whose behaviour is causing concern', that they may be 'studied by specialists and that the necessary remedial treatment or advice may be made available to them'. It was an objective that the Bureau pursued with some vigour in its first few years of operation, being discussed and

advocated for at length in their annual reports and in their appeals to the public for support.

The type of clinic the Bureau was advocating for was a pre-court one where 'parents may bring their children for advice and treatment' before the anti-social tendencies of those children brought them into contact with the law. It was certain, the Bureau argued, that many parents would seek advice regarding the 'idiosyncrasies' of their children when they first became evident, if they could gain such assistance through a 'non-official centrally situated organisation'. The Bureau also cited the support of Child Welfare Department officials, as well as the magistrate, the chaplain and other officers of the Children's Court for the establishment of such a clinic.³²

In fact, from the end of 1937 until the following September, there was a concerted effort by a small committee of people to establish a clinic, under the auspices of Christ Church St Laurence. Chaired by the rector, John Hope, the committee included Herbert Fort as well as the Sydney psychiatrist, John McGeorge. The minutes of their fairly regular meetings throughout this period (between May and August they met fortnightly) largely record their attempts to raise funds and get publicity for their cause. Professor Henry Tasman Lovell, McCaughey professor of psychology at the University of Sydney, was approached for advice about the employment of staff for the clinic. But it all came to naught with the committee deciding in early September 1938 to cease meeting.³³

The Bureau continued to call for the establishment of such a clinic in their annual reports, although conceding in their 1938-39 report that their appeals had 'met with very little response'. Despite having been promised the honorary assistance of various specialists, what was needed was money. The public, it appeared, was not conversant with the possibilities of such clinics. Meanwhile, children appearing before the Court underwent psychiatric assessments conducted by the Department of Education's Child Guidance Clinic which, as we have seen, operated as part of the School Medical Service. From 1936 these assessments were undertaken by the psychiatrist, Irene Sebire.³⁴

In conclusion, then, how might we understand Christ Church St Laurence Boys' Welfare Bureau within the context of child welfare in late 1930s early 1940s Sydney? I would contend that the Bureau, to a large extent, exemplifies the tensions apparent within the discourses about juvenile delinquency and its treatment in this period. The first few decades of the twentieth century, as welfare historians have argued, can be seen as a period of change in approaches to delinquency, characterised by attempts to render approaches to the problem more

scientific, systematic and efficient, to ground social policy, as Stephen Garton argues, in 'science' rather than 'morality'. 35

Yet, as Robert Van Krieken argues, while the rhetoric, and some of the practices, of child welfare changed in the inter-war period, they did so in ways which retained much of the pre-scientific moral approach of the nineteenth century. These tensions can be seen in the operation of the Bureau. The work of Father Hugh Linton, of the Christ Church Clinic, in the diagnosis of personal problems, particularly with those boys referred to the Bureau from the Children's Court, can be seen as a distinctively modern intervention, informed by current trends in psychology. At the same time, however, the failure of the Bureau to elicit sufficient public financial support for a Child Guidance Clinic was perhaps indicative of the reluctance of the wider society to fully embrace a scientific approach to juvenile delinquency.³⁶

The aims, and much of the activity, of the Bureau can, however, be seen as speaking to an older, nineteenth-century desire to prevent delinquent children from entering the 'criminal classes', with their emphasis on the restorative value of regular work and religion. Successfully finding employment for boys was what the Bureau became generally known for in its first few years of operation. The surviving register suggests that securing jobs was, in fact, often the Bureau's primary concern, the first aspect of a boy's life to be attended to. We see, too, in the case of Alan L____, for example, how the Bureau persisted in their attempts to find him employment after he had left the first position they had secured. Finding work for homeless, 'despondent' Norman R___ was, similarly, central to the Bureau's dealings with him in October 1940, albeit with a sensitivity to his current mental state.³⁷

An acknowledgement of the Bureau's sensitivity to 'problems of a personal nature' in its dealings with the boys who sought its assistance reminds us of the tensions apparent in its approach to the treatment of juvenile delinquency. As such the Bureau is, perhaps, most usefully understood as exemplifying the wider tensions evident in the field of child welfare in this period. Its work, both with boys referred to it from the Children's Court, as well as the other four-fifths who appear in the pages of the register, warrants further exploration.

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ENDNOTES

¹ Summons Case No. 1: P.M.G. v Alan William 5.9.1940; Statement by Alice Barton, 30.8.1940; Constable Jack H. Brown's report, 2.9.1940.

² Summons Case No. 1: P.M.G. v Alan William L__, Children's Court, Sydney, 9.10.1940; Report on Alan L., No. 2 Child Guidance Clinic, 8.10.1940.

⁴ Christ Church St Laurence Boys' Welfare Bureau Register: 6.11.1940; 14.11.1940; 18.11.1940.

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¹³ L.C. Rodd, John Hope of Christ Church, pp65, 82; see also S. Judd and K. Cable, Sydney Anglicans: A History of the Diocese, Anglican Information Office, Sydney, 1987, p202; L.C. Rodd and J. Trainer, Christ Church S. Laurence, Railway Square, Sydney: Yesterday, Today, Tomorrow, p18.

¹⁴ L.C. Rodd, John Hope of Christ Church, p88; 'Formation of the Christ Church Boys' Welfare Bureau', Christ Church Magazine, April 1936, p. 4; Fundraising letter from the Organiser, Christ Church Boys Welfare Bureau, 1936 (?), Box B17, Christ Church St Laurence Archives.

¹⁵ First Annual Report and Financial Statement of Christ Church Boys' Welfare Bureau, 1936-37, Box B17, Christ Church St Laurence Archives.

³ Summons Case No. 1: P.M.G. v Alan William L__, Children's Court, Sydney, 9.10.1940; Christ Church St Laurence Boys' Welfare Bureau Register, 18.10.1940 to 17.3.1941-19.10.1940; 21.10.1940.

¹⁶ First Annual Report and Financial Statement of Christ Church Boys' Welfare Bureau, 1936-37

¹⁷ Third Annual Report and Financial Statement of 1938-39 of Christ Church Boys' Welfare Bureau.

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²⁰ Letter to the Walter and Eliza Hall Trust from the Organising Secretary, 29 January 1937, Box B17, Christ Church St Laurence Archives; Second Annual Report and Financial Statement of Christ Church Boys' Welfare Bureau, 1937-38, Box B17, Christ Church St Laurence Archives.

²¹ Third Annual Report and Financial Statement of Christ Church Boys' Welfare Bureau, 1938-39, Box B17, Christ Church St Laurence Archives.

²² Ernest F_, in Christ Church St Laurence Boys' Welfare Bureau Register, $18.10.19\overline{40}$.

 Keith M__ in Christ Church St Laurence Boys' Welfare Bureau Register, 31.10.1940
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²⁵ Christ Church News, vol 1, no 6, August 8, 1940; L.C. Rodd, John Hope of Christ Church, pp87; 90; see Stephen Garton, Medicine and madness: a social history of insanity in New South Wales 1880-1940, New South Wales University Press, Kensington, 1988; Stephen Garton, 'Freud and the psychiatrists: the Australian debate 1900 to 1940', in Brian Head and James Walter (eds), Intellectual movements and Australian society, Oxford University Press, Melbourne, 1988, pp170-87; Joy Damousi, Freud in the Antipodes: a cultural history of psychoanalysis in Australia, University of New South Wales Press, Sydney, 2005; and Joy Damousi, 'A history of dreams: modernity, masculinity and inner life, 1920s and 1930s', in Joy Damousi and Robert Reynolds (eds), History on the couch: essays in history and psychoanalysis, Melbourne University Press, Carlton, 2003, pp26-35 for a discussion of the development of psychiatry in Australia in the inter-war period and, in particular, the influence of psychoanalysis on the profession.

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²⁷ William L__, in Christ Church St Laurence Boys' Welfare Bureau Register: 12.3.1941; 14.3.1941.

²⁸ Ralph L__, in Christ Church St Laurence Boys' Welfare Bureau Register, 13.11.1940.

²⁹ Norman R__, in Christ Church St Laurence Boys' Welfare Bureau Register, 19.10.1940, 23.10.1940, 4.11.1940, 13.11.1940.

³⁰ Thomas B__ in Christ Church St Laurence Boys' Welfare Bureau Register: 8.11.1940: 28.2.1941.

³¹ Second Annual Report and Financial Statement of Christ Church Boys' Welfare Bureau, 1937-38.

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33 See Christ Church Social Services Minute Book, 2 Dec 1937-5 Sept 1938; Minutes, Christ Church Social Services, 2 Dec 1937; 15 March 1938; 6 May 1938; 17 May 1938; 6 June 1938; 22 June 1938; 8 July 1938; 5 Sept 1938; Box B17, Christ Church St Laurence Archives.

³⁴ See Joy Damousi, Freud in the Antipodes, for a discussion of Irene Sebire's

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