



Children's Court  
Victoria

Magistrates' Chambers  
Children's Court  
477 Little Lonsdale St  
Melbourne Vic 3000

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21 August 2002

Ms. Merrin Mason  
Executive Officer  
Victorian Parliament Law Reform Committee  
Level 8, 35 Spring Street  
Melbourne 3000

DX 210175

**Re: Inquiry into Oaths and Affirmations with reference to the Multicultural Community**

Dear Ms. Mason,

The Magistrates of the Melbourne Children's Court are pleased to respond to the invitation to make a written submission to the Inquiry, and will also be available to attend the hearing to give evidence.

The Magistrates at this Court consider that in general, it would be preferable to replace the oath with the affirmation. This is because to do so would remove the distinction which is currently made, in the context of the oath having the appearance of being preferred by the court or the system.

Clerks of Courts in the Magistrates' Court are encouraged to offer the choice in a neutral way to witnesses, and this has a clear benefit for those who prefer not to take the oath.

Notwithstanding this practice, the Magistrates are of the view that the procedure would be fairer if the oath were abandoned. However, there were reservations expressed that among those groups holding strong religious convictions, an affirmation might be regarded with less solemnity and importance.

Yours sincerely

Judge Jennifer Coate  
President  
Children's Court of Victoria

