

Vagrancy

c. 1864 –

Details

Vagrancy is a term to describe the criminalisation of poverty. Vagrancy was an offence whereby people could be imprisoned for being without visible means of support. An adult convicted of vagrancy could have their child/ren committed to the state under child welfare legislation. State laws authorised the transfer of 'neglected children' into care if they lived with an adult convicted of vagrancy. Children deemed to be vagrants could also be committed to institutions under various laws. Vagrancy remained a key marker of neglect in child welfare legislation from the nineteenth century until the late twentieth century.

Legislators based some aspects of child welfare legislation on vagrancy laws. For instance, in Tasmania, section four of the 1867 *Industrial Schools Act* stipulates that a child 'found wandering and not having any home or settled place of abode, or proper guardianship, or visible means of subsistence' was neglected. A similar form of words persisted in all subsequent legislation until the 1997 *Children, Young Persons and their Families Act*.

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Related Legislation

- [Industrial Schools Act 1867, Tasmania \(1867 - 1896\)](#)
- [Children, Young Persons and Their Families Act 1997 \(2000 - current\)](#)

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