

Uncontrollable

c. 1867 – 1990s

Details

Uncontrollable is a term used in child welfare legislation and in child welfare files. It was generally used by authorities to describe a child believed to be undisciplined. Being uncontrollable could be a reason for a child to be deemed neglected and made a ward of the state in court. Parents and guardians could declare that their child was uncontrollable and the child could be admitted to an institution or an industrial school. Like the word 'incorrigible', uncontrollable was used to describe children's behaviours and sometimes implied a level of aggression or mental illness, but some 'uncontrollable' children were simply complaining about the conditions they were living or working in, by arguing, running away or breaking things.

The word uncontrollable appears in many of the Australian child welfare laws. For example in South Australia, the term uncontrollable first appeared as one of the definitions of a Neglected Child in the State Children Act 1895. It was removed from this definition in the Maintenance Act 1926 but remained in the text of the legislation. Children deemed by parents or departmental staff to be uncontrollable could be charged and taken into the custody and control of the State. Uncontrollable was replaced by the term 'uncontrolled child' in the Maintenance Act Amendment Act of 1941. The term uncontrolled was defined as "a child, owing to the absence or insufficiency of control and supervision by parents or guardians, has acquired or is likely to acquire habits of immorality, vice or crime".

In Tasmania, the term first appeared in the Industrial Schools Act in 1867. In 1918, under the Children of the State Act, being uncontrollable became a category of neglect. Its use persisted through other legislation until the passage of the Children, Young Persons and their Families Act in 1997. This 1997 Act refers to such children as being without 'adequate supervision and control'.

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Related Entries

Related Legislation

- [Industrial Schools Act 1867, Tasmania \(1867 - 1896\)](#)
- [State Children Act 1895, South Australia \(1895 - 1927\)](#)
- [Maintenance Act 1926, South Australia \(1927 - 1972\)](#)
- [Maintenance Act Amendment Act 1941, South Australia \(1941 - 1972\)](#)
- [Children, Young Persons and Their Families Act 1997 \(2000 - current\)](#)

Resources

- Golding, Frank, [Our side of the story](#), Find & Connect web resource blog, 17 June 2016
- Evans, Caroline, [Protecting the Innocent: Tasmania's Neglected Children, Their Parents and State Care, 1890-1918](#), 1999

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