

being a witness

A BOOKLET FOR CHILDREN
IN CHILDREN'S HEARING COURT PROCEEDINGS



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SCOTTISH EXECUTIVE

being a witness

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Special thanks to the children of Albert Primary School of Springburn and Glendale Primary School of Pollokshields.

Illustrations by Eleanor Meredith,
Duncan of Jordanstone College of Art and Design, University of Dundee

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introduction

You have been asked to be a witness.

This booklet will help you.

what is a witness?

A witness is someone who may know something important.

You may have seen something or heard something.
Or perhaps something has happened to you.

You may have spoken to a children's reporter, a lawyer,
social worker or the police and told them what you know.

Now, it is important to tell the people in the court what you know.

This is called being a witness.



Some children don't know a lot about being a witness or going to court. Don't worry. There are lots of people who can help you.

Here are some things that other children have asked about.

What happens at court?

Who will be at court?

Will I be on my own?

Who can help when I am a witness?



This booklet tells you what you need to know.

who can help you?

There are lots of people who can help you. You can talk to someone in your family or to someone at your school.

Here are some other people whose job it is to help you:

- **The children's reporter or the lawyer** can help you. This is the person who asked you to be a witness.
- **A social worker** can help you. A social worker is someone who works with people who need extra help.
- **A safeguarder.** In some cases, a person called a safeguarder will be there to help you.





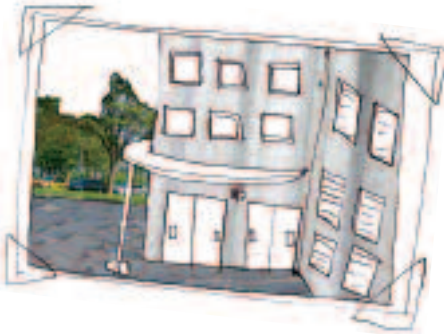
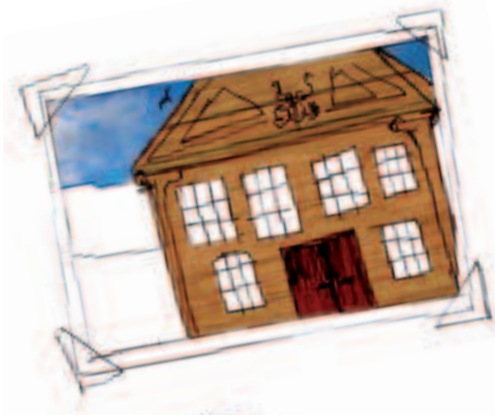
what happens before I go to court?

You may have spoken to the children's reporter or a lawyer about being a witness. The reporter and lawyer are people who make the law work properly.

The reporter or the lawyer will usually come and talk to you and ask you questions. There may be more than one lawyer who wants to ask you questions.

They can tell you about the court and show you what it looks like. Tell them if you want to visit the court to have a look around.

The reporter or lawyer will try to answer all your questions.



what is a **court**?

A court is a place where a sheriff works. The sheriff is in charge of the court and their job is to listen to what you say. They may also ask you questions.

The court has to decide if something has happened and what should happen next.

Most courts are buildings with more than one room inside. The most important room is the courtroom.

who is in the courtroom and what is their job?

- **The sheriff, the children's reporter and the lawyer are always in the courtroom.** Their job is to make sure everything is fair.

Sheriffs have other people to help them.

- **The clerk:** This is the person who looks after the sheriff's papers.
- **The court officer (sometimes called a macer):** This is the person who gets things for the sheriff and looks after the other people in the court.

The person who asked you to be a witness will explain who else might be in the courtroom.



what is your job as a witness?

Your job is to tell the people at court what you know. This can sometimes be hard. The sheriff, the children's reporter and the lawyer will understand if you are a bit worried. They know you are there to help them. And they will help you.

You will be asked questions.

- The sheriff might ask you your name and how old you are.
- The children's reporter and lawyer will ask you questions about something you have seen or heard.
- They might ask you about something that has happened to you.

You should tell the sheriff, children's reporter and lawyer everything you know.

It's ok to tell them even if some things are difficult to talk about.

It's ok to tell them a secret, as long as it's true.

You should not be scared to tell the truth.





telling the court what you know

The sheriff, children's reporter and lawyer don't know what happened. You need to help them by telling the court what you know.

It is very important to tell the truth about everything.

Listen carefully to all the questions. Try to answer the questions. Remember to speak clearly and loudly.

The court wants to hear what **you** have to say. Nobody should tell you what to say.



Sometimes the children's reporter or lawyer use long and difficult words or ask confusing questions. If you don't understand a word or a question, it's ok to say 'I don't understand'.

You can put your hand up and say excuse me, just like you do at school. You can ask them to use smaller words.

It is important that you don't guess about something.

If you do not know the answer or can't remember, it's ok to say so.

Don't be upset if you don't know the answer.



helping you to be a witness

It is not always easy being a witness. Adults understand that you might be worried.

You will be told about different ways to help you be a witness. These ways can help you feel more comfortable.



The reporter, lawyer or social worker will tell you about these special ways to be a witness.

using a special television

You can be a witness by using a special television without going into the courtroom. This can help you if you are not sure about going into a courtroom full of people. You can use this television to speak to the sheriff, children's reporter and lawyers.

The television room might be in the same building as the courtroom.

Sometimes young children do not have to come into the court building at all. The television room might be in another building away from the court.

When the television is turned on, the people in the courtroom can see and hear you. You will be able to see the person asking you the questions on the television screen.

You should tell the sheriff if you can't hear the questions properly or if there is another problem.





using a screen

You might want to go into the courtroom but you might be worried about seeing someone in court.

A screen can be put up in the courtroom so you don't have to look at that person.



The screen is like a curtain that divides the room.

You will still be able to see the sheriff, children's reporter and lawyers and their helpers.



using a support person

You can also have a grown-up person to be with you the whole time even when you are speaking to the sheriff or the reporter or lawyers.

This person is called a supporter.

Think about who you would like to be your support person.

other things that might help you

The children's reporter, social worker or the lawyer may tell you about any other special ways they can help you to be a witness.

The court wants to know which way you would like to be a witness.

Don't be nervous to ask questions.

Someone will help you to choose which is best for you.

If you change your mind, tell someone who can help you.



visiting the court

You might not have been to a court before.

It's a good idea to visit the court or the place where you are going to be a witness.

You can go with someone you know. Maybe someone from your family or your social worker or the children's reporter.

You can look around and see where you will sit.



You can see the special television and screen. You can practise being a witness.

If you want to have fun, you can practise being a sheriff.

You may be able to see what a courtroom and the special ways look like on a CD ROM. You can ask about this.



waiting to be a witness

Waiting to be a witness can take a long time.

Courts are busy places. You might have to wait. It can get a bit boring. **It is a good idea to bring a book or comic or one of your favourite toys.**

Ask the person who is coming with you to bring you something to eat and drink.



Sometimes you may have to go home and come back another day.

Sometimes you may have started to answer questions but have to come back another day to finish.

what happens when you are finished?

After all the questions have been asked, and after you have told the court what you know, you will be finished.

You will have done a very important job.

When all the witnesses are finished the sheriff will make the decision about what to do next. Someone will tell you what the sheriff decides.

well done!
thank you for being a witness.

things to remember

You can ask for help when you are a witness.



It's ok to put your hand up to say 'excuse me'.

You might need to stop for a rest.

You might want a glass of water or to go to the toilet.

If you feel unwell or tired, the sheriff, children's reporter and lawyer will all understand.

Everyone will try to help you.



questions?

You can write down any questions you have about being a witness.

Get someone to help you if you want.

The reporter, social worker or lawyer will try to answer all your questions.

QUESTIONS?	ANSWER
Do I want to use a screen or a special television?	
Who could be my support person?	
Do I want to visit the court?	
What things am I worried about?	

well done and thank you

your notes

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