

# Children's Hearings - Going to court?

## Information for Children and young people



Sometimes at a Hearing, statement of grounds (the reasons for being referred to a Hearing) are read out by the Chair of the Panel. If you and/or your parents/carers do not agree with the statement of grounds, or you are unable to understand them, then the Hearing will not go ahead with your case that day.

The Hearing may decide to discharge the case altogether, or they may ask the Reporter to arrange for the case to be heard at court. At the court, a judge, who is called a Sheriff, can decide if the statement of grounds are correct.

### Do I have to go to court?


You have the right to attend. The Sheriff may decide that you do not have to go. If you do need to attend, you will be sent a letter from the Reporter telling you when and where, you and your parents/carers need to attend court. You have the right to have a lawyer to speak for you in court and there will be information about that in the letter. You can also phone the Scottish Legal Aid Board on 0131 226 7061 and they will give you the details of some local lawyers.


### How long will it take?

The court has to arrange a date for you and your parents/carers to come to court within 28 days (about a month) from the date of the Children's Hearing when the statement of grounds were read out. The length of time court takes varies. Sometimes the Reporter or the lawyers may need more time, and the Sheriff might agree that the case can continue until a later date. You may have to go to court more than once.

### Who is in the courtroom?

The Sheriff, the Children's Reporter, lawyer/s and sometimes a person called a Safeguarder or Curator ad Litem.





The jargon buster on our website can help you with these different terms. There will also be someone called a clerk who looks after the court's papers and a court officer who is responsible for helping the Sheriff and other people in the court. No members of the public are allowed into the courtroom.

## What will happen?

Sometimes the lawyers and the Reporter discuss the statement of grounds and can reach an agreement about what is correct or not. They would let the Sheriff know this and the Sheriff might decide that the case be sent back to a Children's Hearing. If the lawyers and the Reporter cannot agree what is correct, the Sheriff will have to decide.


To allow the Sheriff to make a decision, he/she might have to hear from witnesses. A witness is someone who may know something important about your case and who might have to tell the court about what they know.

The Reporter and the lawyers will ask the witnesses questions so that they can tell the Sheriff what they know. Sometimes a young person will also need to be a witness. If you are asked to be a witness, please talk to your Reporter. Plus there is lots of information available about being a witness in court, including a special booklet, which the Reporter can give to you.

## What can the Sheriff decide?

The Sheriff could decide that the statement of grounds are correct and send the case back to a Children's Hearing so that the Panel Members can make a final decision.

The Sheriff could decide that the statement of grounds are not correct and that would be the end of the case. It would not go back to a Children's Hearing.



For more information please speak to your Reporter or you can view a short film about court on our website - [www.scrj.gov.uk](http://www.scrj.gov.uk)