

5-11 years

# Going to Court



A booklet for children and young people  
who are going to be witnesses in court

**You should read this book with the assistance of a grown up who knows about court procedures and can answer the young witness' questions. The supporter can then pass on information about the young witness' needs at court to the police, Crown Prosecution Service and court staff.**

**Arrangements for supporting child witnesses vary in different parts of the country. The police will be able to give advice about the best person to talk to.**



# Introduction

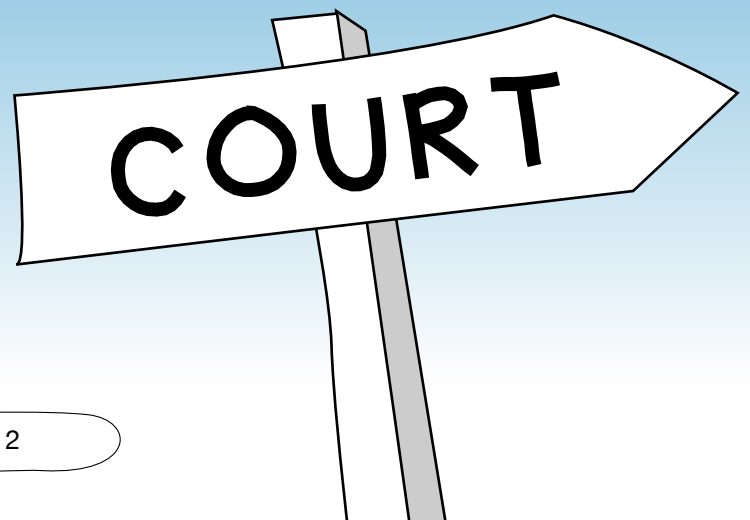
Children like you go to court every day to be witnesses. It's a very important job. Don't know what a witness is? This booklet is here to tell you.

You'll find out:

- What a witness does
- What a courtroom looks like
- Who can help you to tell the court what you know
- Who will be at the court
- What happens at a court
- What happens after you have been a witness

If you have any questions, ask the person who asked you to be a witness.

You can write down any questions you think of and hopefully the guide will answer these. If not, you can speak to the person who asked you to come to court or your witness supporter.



# What is a witness?

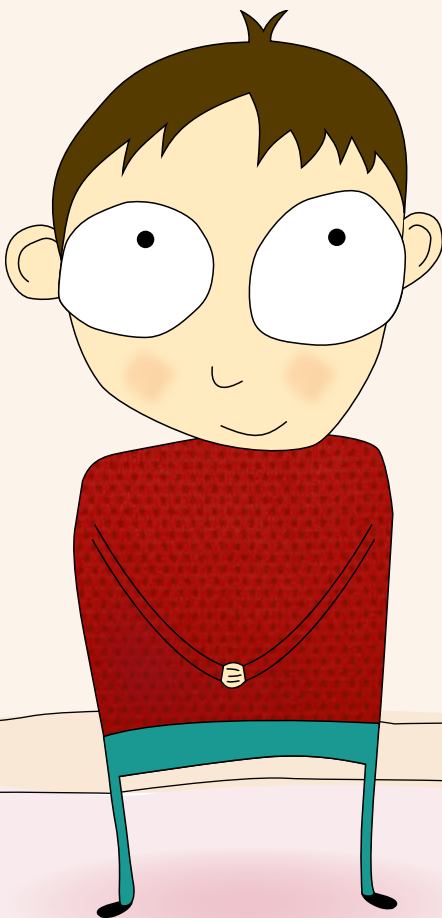
**A witness is someone who knows something important. That means you know something important!**

Do you remember how you helped the police by answering their questions?

Now the people at a place called a court need your help. They need to hear what you know.

Telling the people at court what you know is called being a witness. What you tell the court is called your evidence.

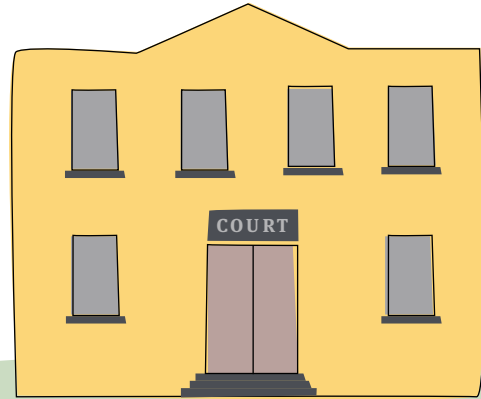
You will be asked questions about what you saw or what happened. The people asking the questions want to know what you can remember. They also need to make sure that you are telling the truth. Some questions will be difficult, but you will have a witness supporter at court and may also have an intermediary. (What an intermediary does is explained at page 13.)



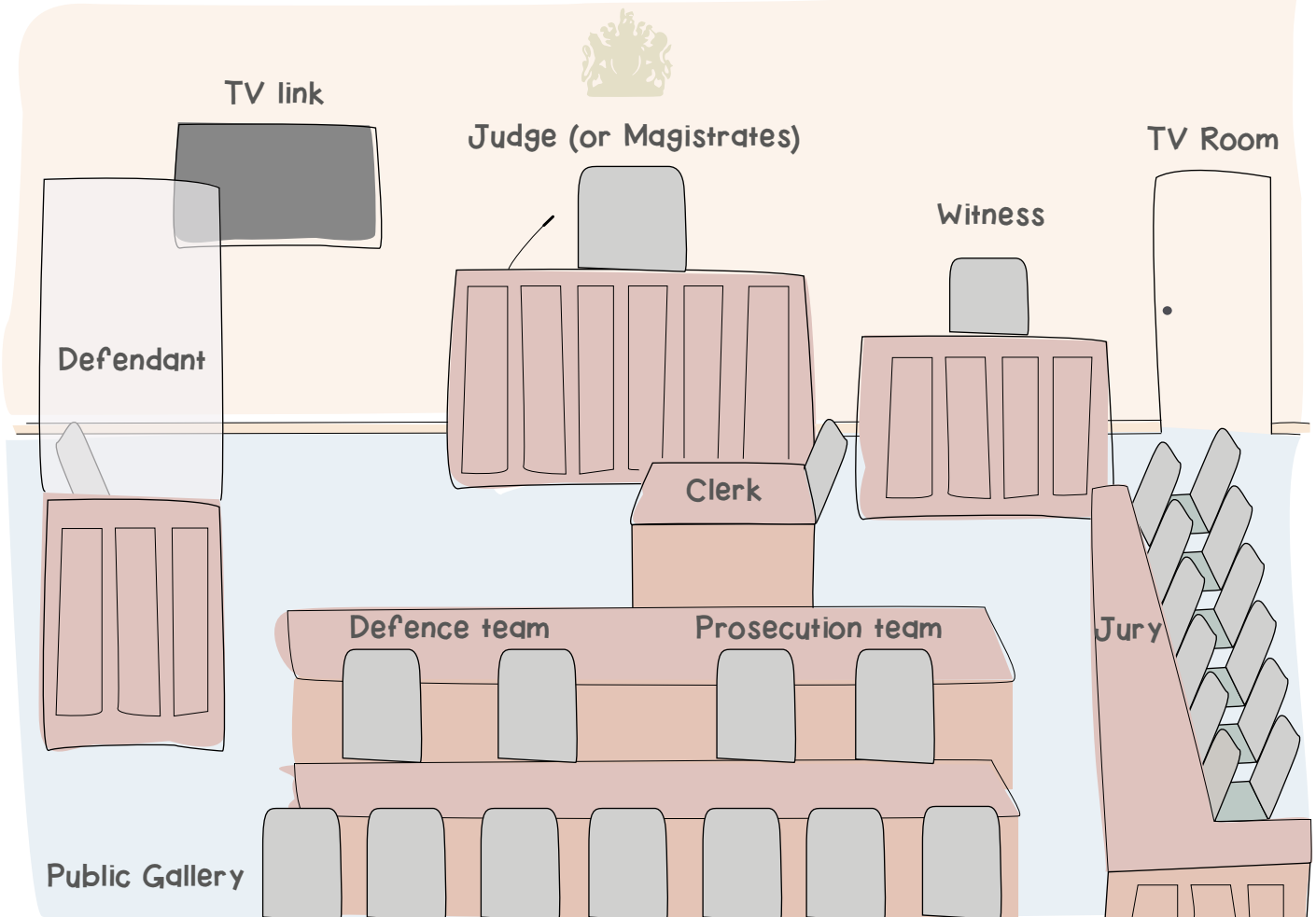
# What is a court?

Courts are usually big buildings with lots of people in them. There are different kinds of courts. Inside, there are rooms called courtrooms.

You may give your evidence from a courtroom or by video link from a different room in the court or in another building.

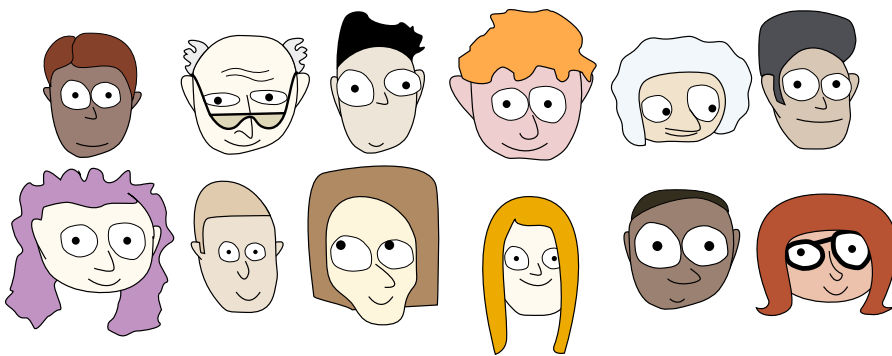


The courtroom you visit might look like the one shown here.

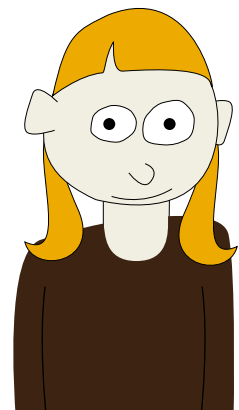


# Who is in a court?

There are lots of people in a court and they can be very busy places. There will be people to help you give the best evidence you can. Each person has a different job and a different place to sit or stand.



Jury (12 people)



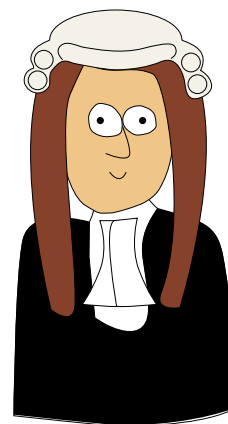
Defendant



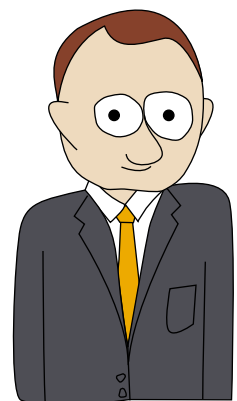
Prosecution  
Counsel



Judge



Defence  
Counsel



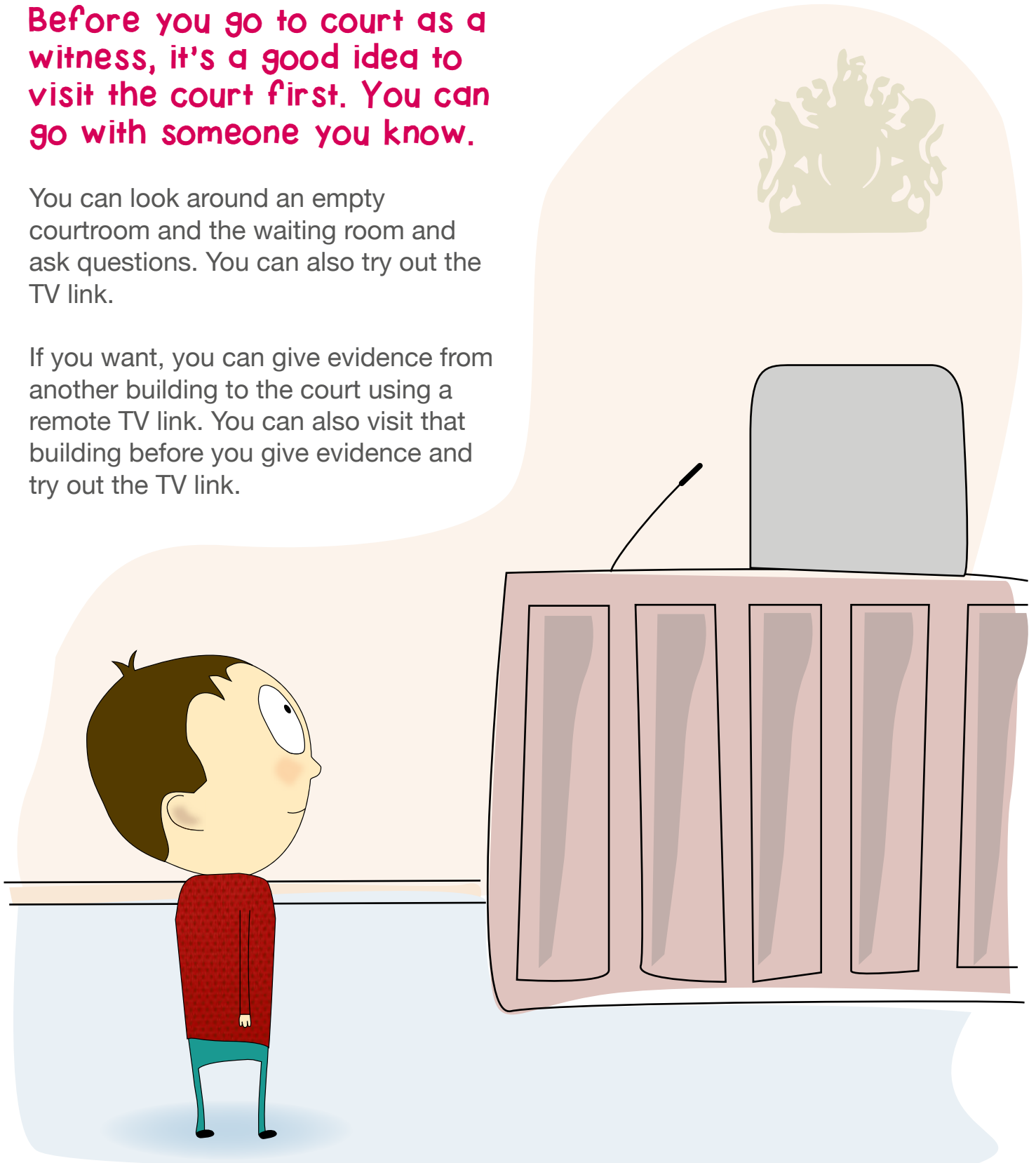
Court Clerk

# Looking around the court

**Before you go to court as a witness, it's a good idea to visit the court first. You can go with someone you know.**

You can look around an empty courtroom and the waiting room and ask questions. You can also try out the TV link.

If you want, you can give evidence from another building to the court using a remote TV link. You can also visit that building before you give evidence and try out the TV link.



# In the waiting room

**When you go to court, someone you know will be with you. This might be someone from your family, or a supporter.**

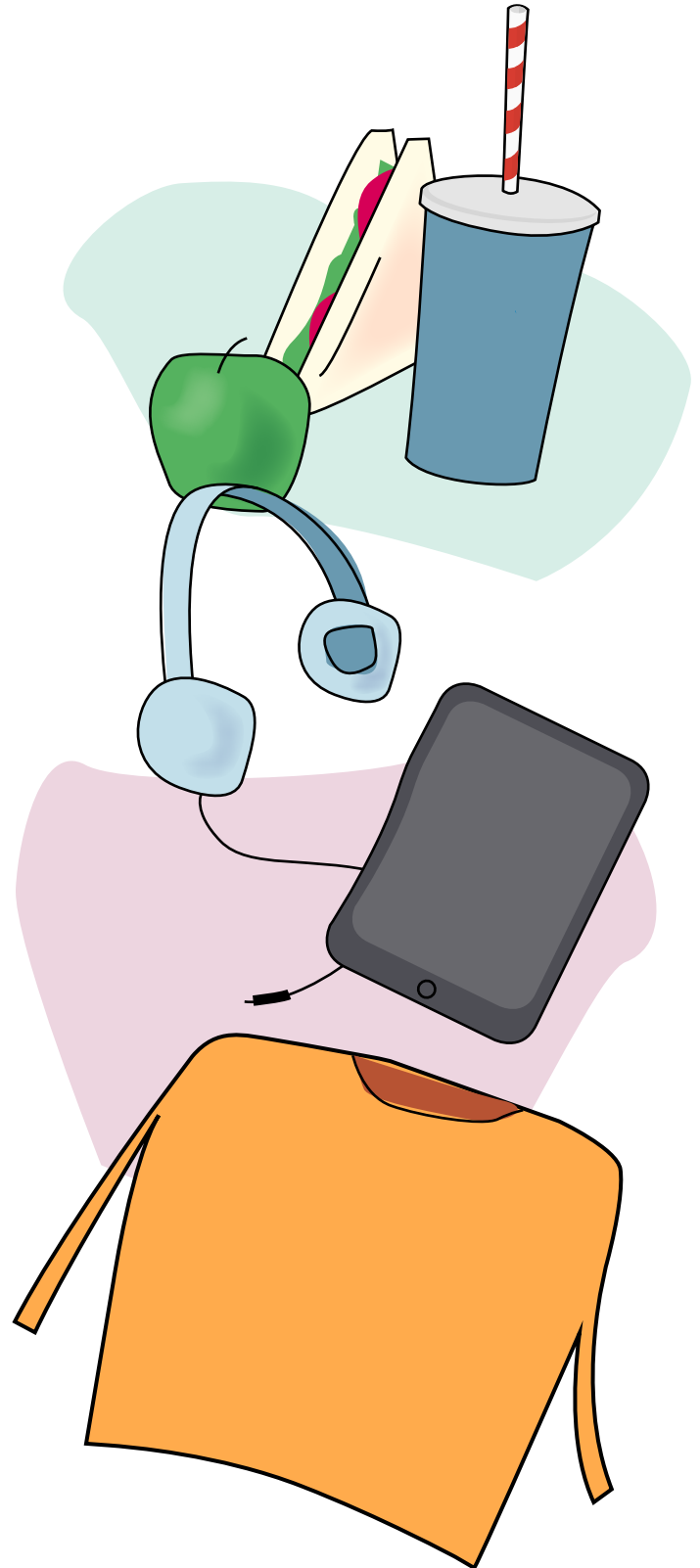
You may have to wait for a while before it is your turn to answer questions. So it's a good idea to take something to eat and drink.

While you are waiting, the judge, prosecutor and the defence lawyer may come and meet you. (Remember who they are? They're on page 5)

When it is your turn, the usher will come and collect you.

Take some toys, books or music and headphones or games so you don't get bored.

Take a jumper or sweatshirt too in case it's cold.



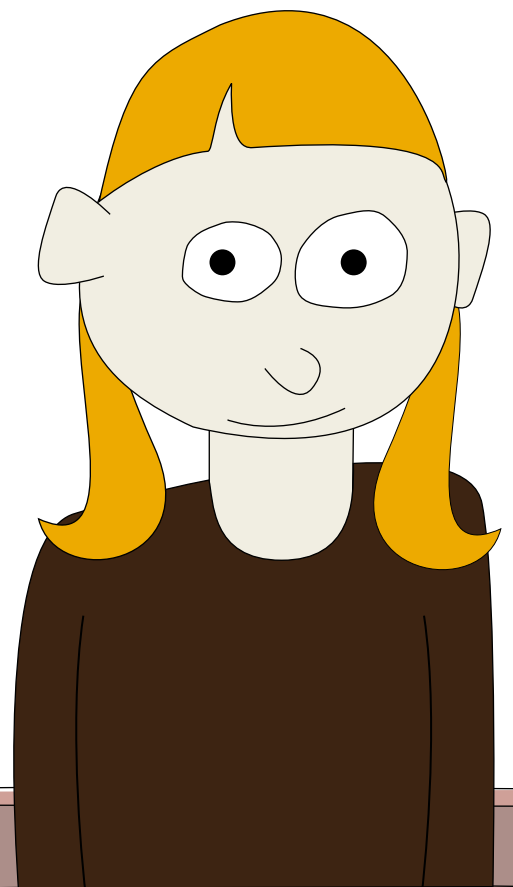


# What happens in a court?

First of all, the defendant is asked if he or she did something wrong. If the defendant says, "Yes, I did it", then you don't have to be a witness. You can go home!

If the defendant says, "No, I didn't do it", then the court will want to hold a trial to find out the truth. In a trial, witnesses like you are asked to go to the court to answer questions. What the witnesses say will help the jury decide if the defendant broke the law.

If the police made a video recording of you when you spoke to them before, it will be shown in court and everyone will watch it. Then you will be asked some questions about what you said on the video recording. You can watch your recording before the trial to help you remember what you said.



# Using a TV link in court

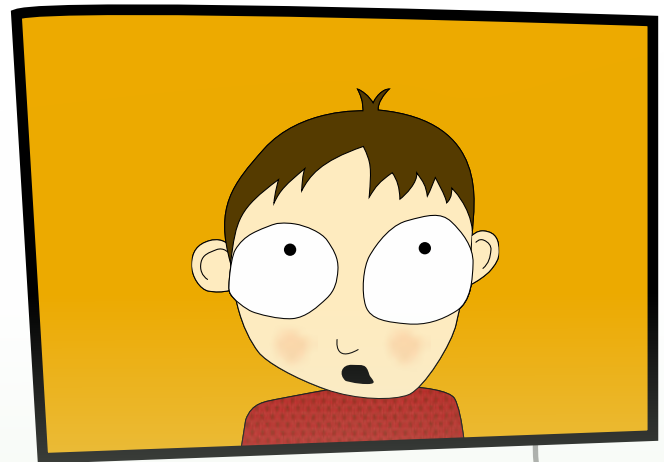
**The judge or magistrate decides if you are going to answer questions over the TV link. This will either be in the court building, or another building away from the court. You may find it easier to answer questions away from the court building. Your witness supporter will help with this.**

You will see a TV in the room, with a camera on top of it. You can talk to the people you see on the TV and they can talk to you. When this TV is turned on, the people in the court, including the defendant, can see and hear you on another TV in the courtroom.

You may also give your evidence and be asked questions before the trial. This will be recorded and the tape will be played at the trial so you may not have to go to court.

You do not have to use the TV link. If the judge or magistrate agrees, you can choose to go into the courtroom. You will see the people in the court and they will see you. You can ask for screens so that you cannot see the defendant.

Remember the defendant is not allowed to come near you.



When it's your turn,  
what do you have to do?

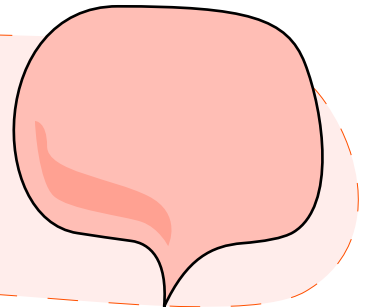
1

Listen carefully  
and make sure you  
understand each  
question.



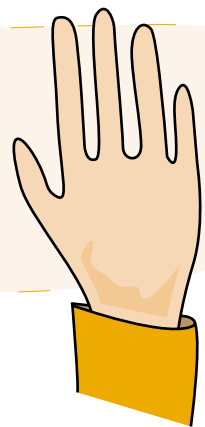
2

Answer the questions,  
if you can.



3

And most importantly,  
tell the truth.



# Listening



It can be hard to speak in front of lots of people. So everyone will understand if you're a bit nervous.

Make sure you understand what every question means before you answer it. It's OK to say, "I don't understand."

If you are asked the same question again in a different way, and you still don't understand, don't worry. You can say, "I'm sorry, but I still don't understand."

Someone may ask a lot of hard questions at the same time. If this happens, just say, "Please ask me the question a bit at a time."

An intermediary can help you to understand the questions.

It's OK to say:

**I don't understand**

**I'm sorry, but I still don't understand**

**Please ask me one question at a time**

# Answering



Some of the questions will be about something the defendant did or said. These may be things that only you and the defendant know about. Remember, the judge and jury were not there, so they need you to tell them what happened.

Nobody is allowed to tell you what to say. If anyone tries to, just ignore them. You are a witness because the people in court want to hear what happened – from you and in your own words.

**When you answer a question, try not to leave anything out. Never make anything up and never guess.**

# Telling the truth



**Telling the truth is the most important thing you have to do.**

Do you understand what it is to lie? It means saying that something happened when you know it didn't. Or it can mean saying that something didn't happen when you know it did. It is wrong to tell a lie.

**It's OK to tell a secret in court - as long as it's true.**



# Can I get some help?

**YES!**

## There are lots of ways the people in the court can help you.

You can ask the judge for help at any time – for instance, if there's something you don't understand or that's making you feel bad. Even if you are in the TV link room, the judge can always see and hear you when the TV link is turned on.

If you want to ask a question or you don't understand something, just say or put your hand up. Perhaps you'll need to ask for a:

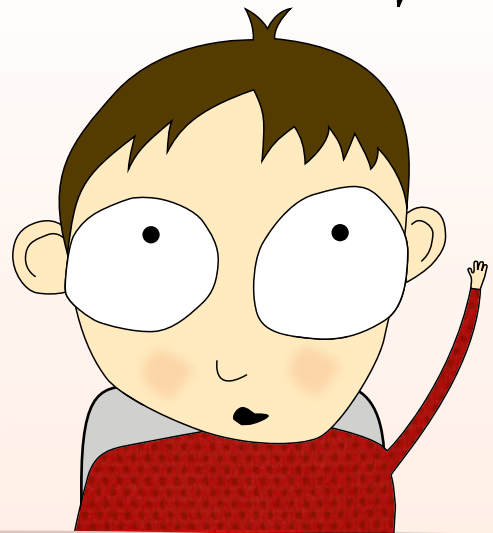
- **drink of water**
- **break to go to the toilet**
- **little rest**
- **tissue**

If you think you have made a mistake, or if there is something you think you have left out while answering a question, tell the judge. Everything you say helps the judge, so don't be scared to say... 'Excuse me!'.

**An intermediary** is an adult who can help you tell the court what you know. They will also help the court understand what you say. An intermediary does not answer questions for you.

You may not need an intermediary, the judge will decide if you can have an intermediary to help you. If this happens, you will meet them before you go to court. The intermediary will sit with you while you answer questions at court.

**Excuse me!**



# What happens if the defendant is guilty?

If the people in the jury or magistrate decide the defendant did something wrong they will say the defendant is guilty.

The judge or magistrate will decide what will happen to the defendant. The punishment could be anything from a fine or community service, to time in prison.



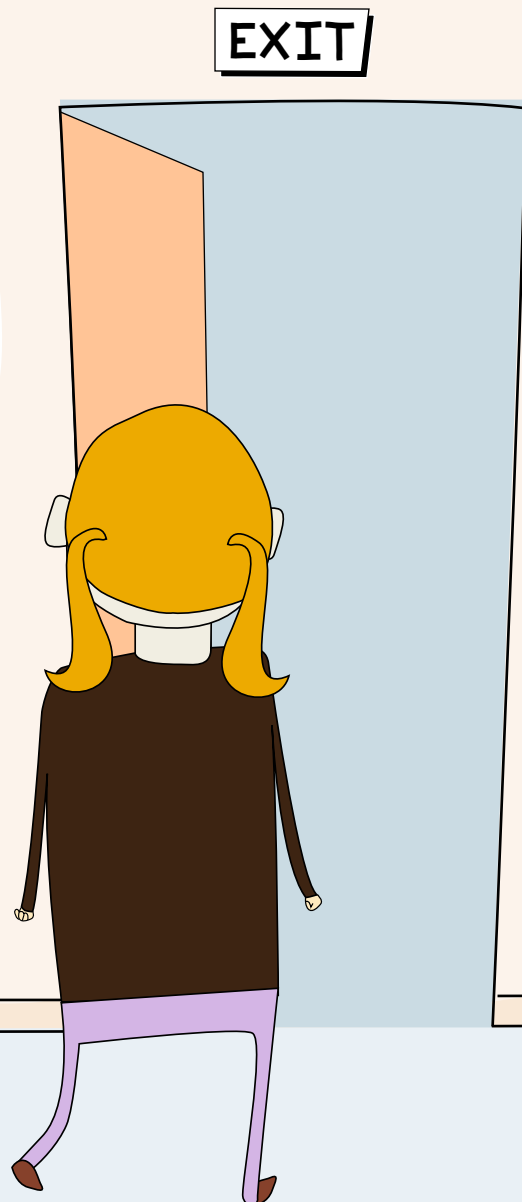
**GUILTY!**

# What if the defendant is not guilty?

**If the jury or magistrate decides the defendant is not guilty, he or she are usually free to leave.**

Hearing they the defendant is not guilty can be difficult. It might make you think that you didn't do a good enough job, or that the jury or magistrate thought you weren't telling the truth but this is not the case.

Remember the court may have heard from a lot of witnesses and they have to think about all the evidence. Your only job as a witness is to tell the court what you saw. You are not responsible for what they decide.



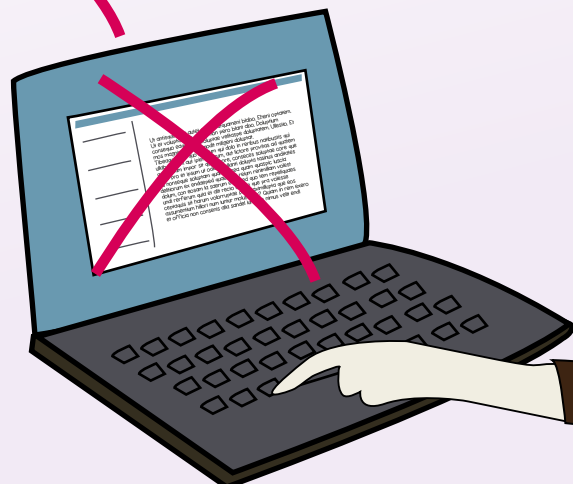
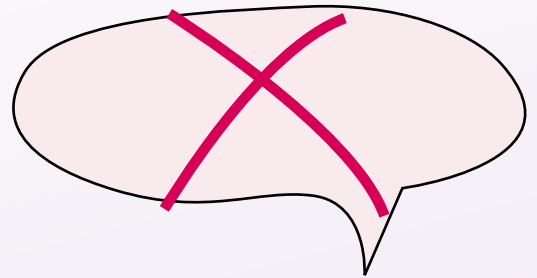
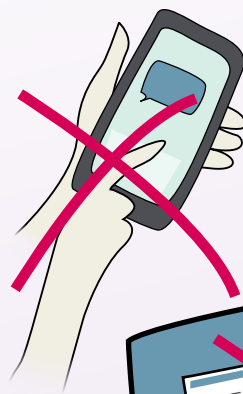
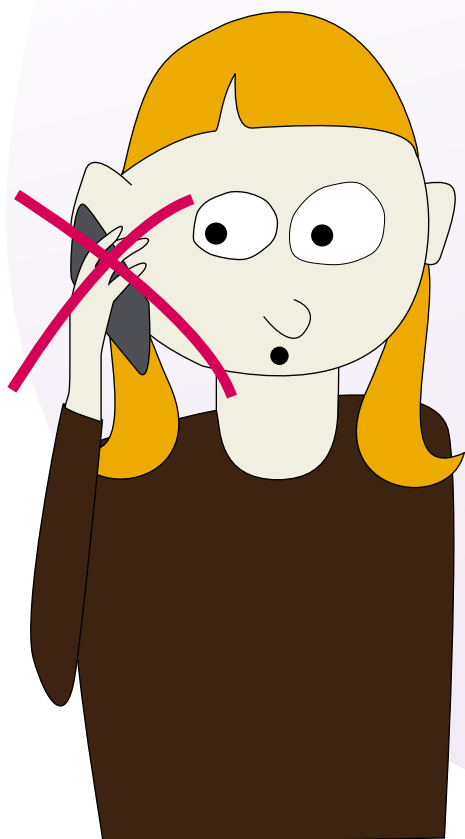
# Can the defendant contact me?

**NO!**

**Whether they are guilty or not, the defendant isn't allowed to contact you, if they want to, for whatever reason, they have to get permission.**

If you want to know what the judge and jury or magistrate decided in the end, ask the person who gave you this booklet. If you want to talk about what happened at the court, ask a grown-up who knows you and knows about your day at court.

If you do hear from the defendant – in **person**, or by **phone**, **text** or **email** – you should tell an adult who you trust, such as your Witness Supporter and they should contact the National Offender Management Service Victim Helpline on **0300 060 6699**.



# Glossary

## **Acquittal**

A formal direction or finding that the accused is not guilty of a criminal charge.

## **Adjournment**

The temporary stopping of a hearing of a case ordered by the court.

## **Bail**

The release of a suspect from custody until his or her next appearance at the court, sometimes this is subject to restrictions like security being given or regularly reporting to a police station.

## **Barrister**

These are the lawyers who talk to the judge or magistrates.

## **Charge**

A formal accusation against a person(s) by the state.

## **CPS (Crown Prosecution Service)**

The CPS is responsible for prosecuting criminal cases investigated by the police in England and Wales.

## **Crown Court**

A court where criminal proceedings are heard before a judge and a jury.

## **Entitlement**

Services that are provided to the victims of criminal conduct from the relevant service provider.

## **Magistrates' court**

A court where cases are heard by magistrates' or district judges.

## **Needs Assessment**

An evaluation carried out by service providers to determine the kind of support that someone may need following a crime.

## **Offence**

Any Crime punishable in a Crown Court, Magistrates' Court or by an out of court disposal.

## **Offender**

The person who committed the crime.

## **Out of Court Disposals**

Alternatives to prosecutions such as giving the offender a caution, usually for low level crime where a prosecution would not be in the public interest.

## **Police Bail**

Where the Police let a suspect out of the police station but they will have to return to the police station or a court on another day.

## **Prosecutor**

The lawyer who presents the case against the suspect(s).

## **Sentence**

The punishment given to a suspect found guilty.

## **Suspect**

Someone who the police believe may have committed a crime.

## **Trial**

The court process that decides whether someone who is accused of a crime is guilty.

## **Victims' Services**

Organisations providing emotional and practical support to the victims of crime.

## **Witness Care Units**

Units set up across England and Wales to provide information and support to victims and witnesses in cases progressing through the criminal justice system.

## **Witness Statement**

A written or video account by a witness of facts or details of a crime or an incident.



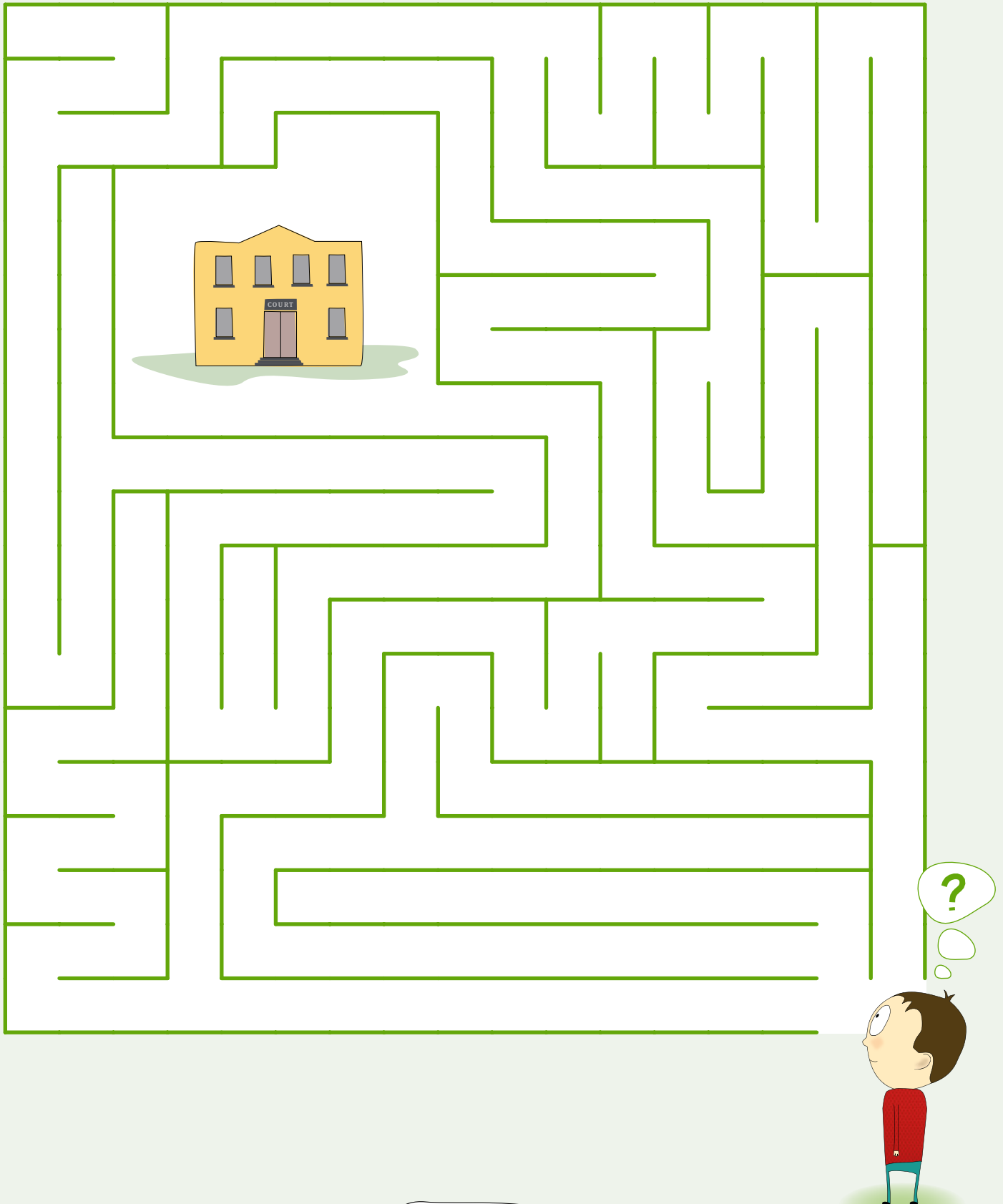
# Thank you!

After you have talked to the court,  
you can go home. Well done. Thank  
you for being a witness.

You have done a very important job.

# Activities

Find your way to court through the maze...



Find 10 differences...



