





HELPING A CHILD PREPARE FOR COURT

As the parent or care-giver of a child victim who is going to court, your job is very important.

Going to court can be very frightening and stressful for children - they will need all your support and encouragement to prepare them.



HAGAR
THE WHITE JOURNEY

WHY GO TO COURT?


When a person is accused of breaking the law, the matter needs to be investigated by the police and prosecutor. If the police and prosecutor think that the person has broken the law, they will "charge" the person with a criminal offence and refer the matter to the court.

The judge in the court will then need to investigate all of the facts so they can decide if the person is guilty of breaking the law, and if so, what punishment that person should receive.

Sometimes, the victim of the crime can also pursue a civil case against the same person. This means they are asking the court to make a decision about a private dispute between the victim and the person accused of causing them harm.

The person accused is allowed to defend himself and present his side of the case, with the help of a lawyer.

A court hearing will let the judges look at all of the evidence in the case and ask questions to the people involved about what happened. They may need to ask questions to witnesses and to the victim.

WHAT YOU NEED TO DO BEFORE COURT

Your lawyer or NGO case manager will let you know the date and time the child will be required to attend court.

Once you have the date, make sure that you:


- Let the child's school know that the child will need to be absent on that day.
- Make arrangements so that you are available to go with the child on that day (for example, you may need to ask for a day off from work).
- Arrange with the lawyer or NGO case manager how you will travel to the courthouse on the day of the hearing.




COURT RULES

A court hearing is a very serious matter. There are a number of rules about how to behave in court. Please remember them:

 DO: <ul style="list-style-type: none"> Arrive on time Turn off your cell phone in the courtroom. Stand up when the judge enters or leaves the courtroom. Stand up if you are asked to speak to the judge directly. 	 DO NOT: <ul style="list-style-type: none"> Talk in court, unless you are asked to speak by the judge or lawyer. Eat or drink in the courtroom. Speak with anyone (including the child) while they are giving evidence.
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ADJOURNMENTS

An adjournment is the re-scheduling of a court date.

Although the child's court date may be scheduled for a particular day, there may be some reason why the judge decides to re-schedule. Unfortunately, the rescheduling can sometimes happen at the last-minute.

Your lawyer or NGO case manager will let you know if there is an adjournment.





OUTCOMES

1. "Guilty" or "Not Guilty"

After the court hearing, the trial judges will make a decision about the case. There are usually two possible outcomes:

<p>Acquittal</p> <p>The judge decides that the person accused of the crime is not guilty.</p>	<p>Finding of guilt</p> <p>The judge decides that the person accused of the crime is guilty.</p>
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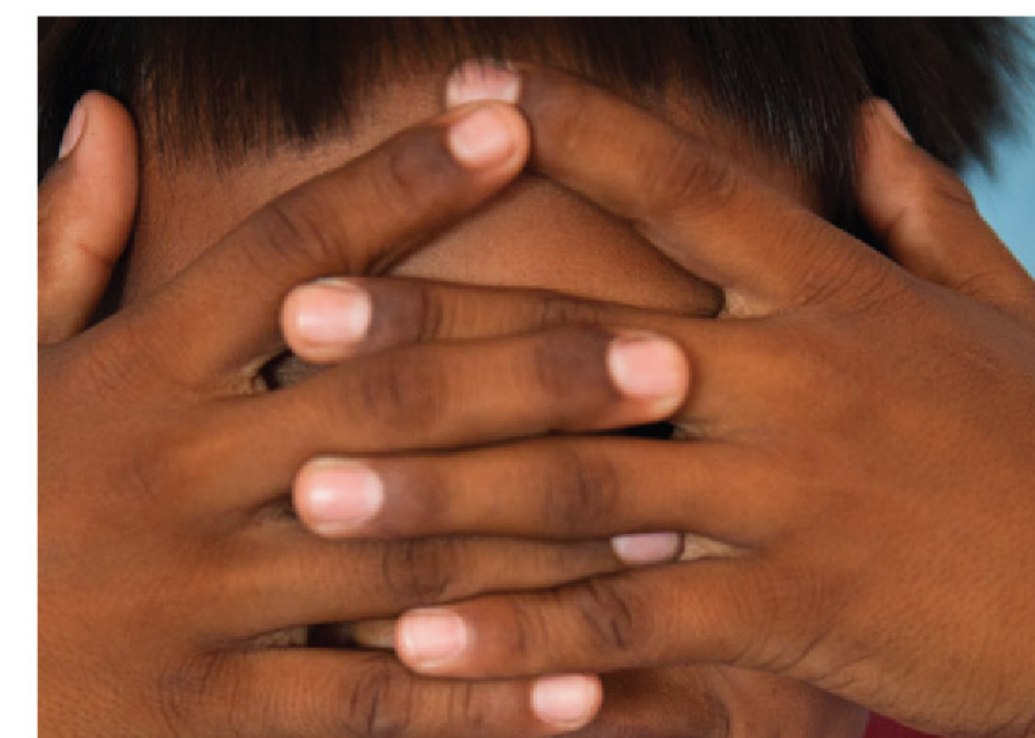

2. Penalties

If the person is found guilty of the crime, the judge will consider the best penalty for that person.

The court will schedule another date to announce the penalty. Your child's lawyer or NGO case manager will let you know when this court date is scheduled.

The judge may order different penalties (or a combination of penalties) such as:

<p>For a criminal case</p> <ul style="list-style-type: none"> Compensation (an order requiring the offender to pay money compensation to the victim or victim's family), Probation (release of the offender on certain conditions), Imprisonment. 	<p>For a civil case</p> <ul style="list-style-type: none"> Compensation (such as money to be paid by the offender to the victim).
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3. Appeals

- The prosecutor may appeal against a verdict of acquittal.
- The person found guilty of a crime may appeal.
- Either party may appeal the penalty.
- If there is also a CIVIL case, the child (or child's family on the child's behalf) can appeal the judge's decision about the civil case.