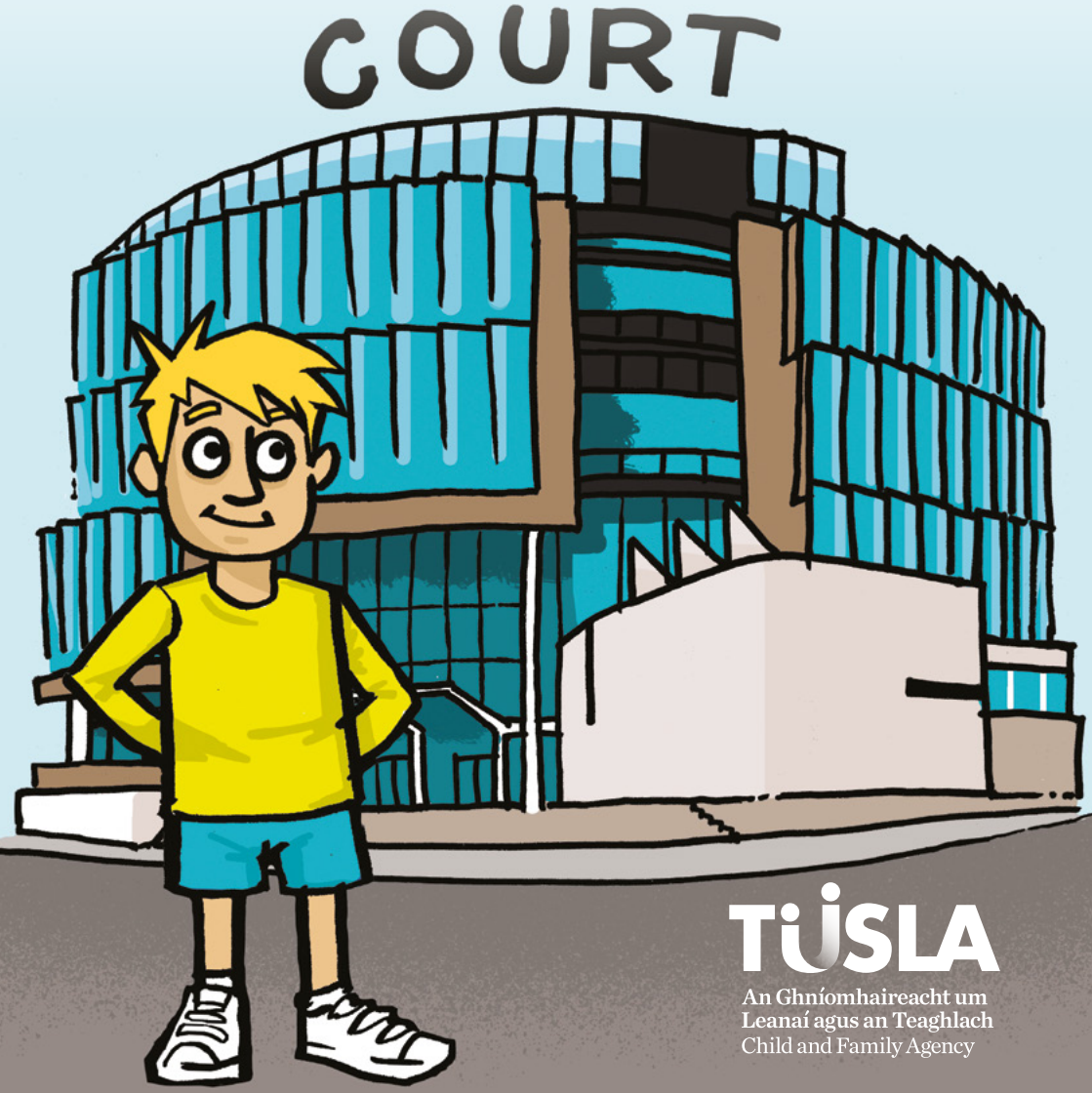
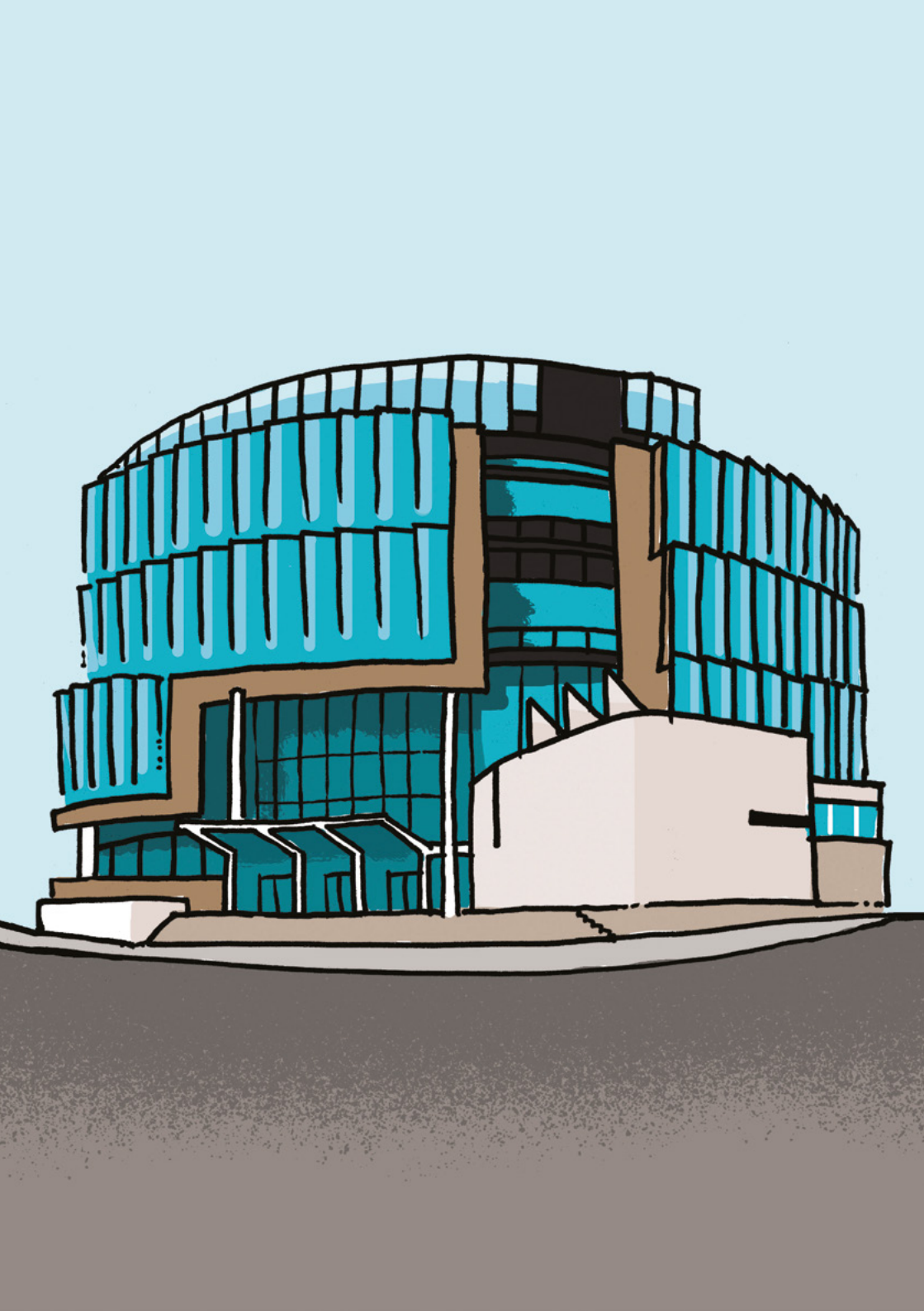
Going to Court

A book for children and young people going to court as a witness



TUSLA
An Ghníomhaireacht um Leanaí agus an Teaghlach
Child and Family Agency



Contents – what this book explains

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1. Why do I have to go to court?



Lots of young people go to court every day to be a witness. They go to tell the court about something that has happened. A witness is a person who knows some important information about something that happened and tells the court about it. You can read more about what happens in court on page 16.

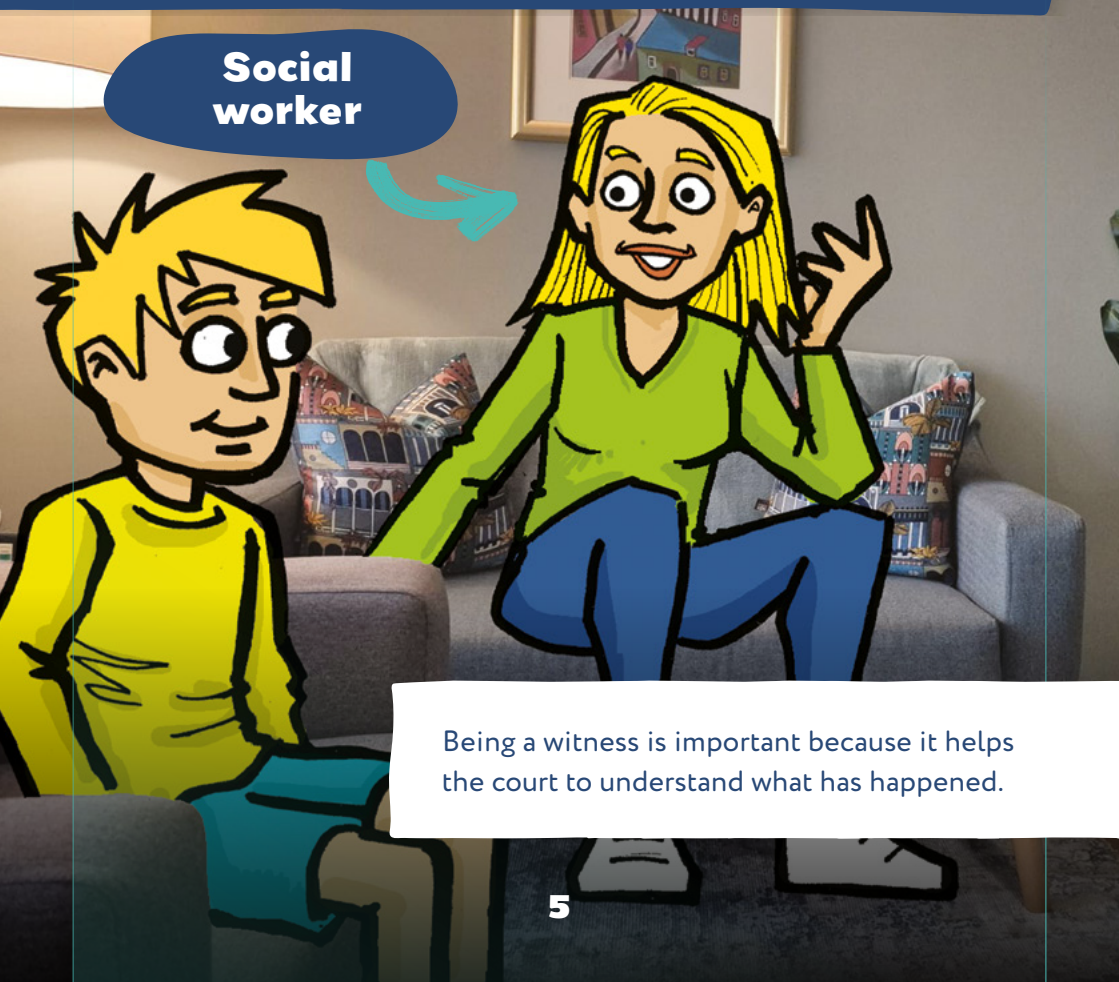
If you have been asked to be a witness, you might feel nervous about going to court and what might happen when you go there. This book can help you understand what happens in court and about the people who go to court. This will help you feel less nervous. Read some tips to help you feel more prepared. **See pages 30 to 33**.

Learn more in the dictionary

Using this book

You should read this book with the help of an adult who knows about court and can help answer any questions that you may have. There are some words in this book that are used in court. Many are legal words. We want you to understand these too. That is why we have included a dictionary of these words. It starts on **page 39**.

The words that are underlined with ~~~ are explained in the dictionary which is at the end of this book. You can go to this dictionary to check these words as you read or ask an adult to help you.



Being a witness is important because it helps the court to understand what has happened.

2. What will I do before I go to court?

Do you remember when you made your video recorded interview with the Gardaí (An Garda Síochána)? A social worker may have been there too.

In that recording, you helped the Gardaí or Specialist Interviewer by answering questions. When you go to court, some of the people in court will ask you about what you said when you made this recording. The court will decide if you can watch the video recording of your interview.

You can talk to the Gardaí about whether you can watch the video recording of your interview. If you watch this recording it will be somewhere comfortable with a support person.



Learn more in the dictionary

3. What is a courthouse?

Court is usually in a big building called a courthouse. There are lots of rooms in the courthouse called courtrooms.

Before you go to court it is a good idea to see and visit the courthouse to have a look around the empty courtroom and its waiting room. You can ask any questions you might have.

We encourage you to click on the QR codes for an online tour of the courts.



Interactive tours of 72 different court venues around the country

Virtual tours of Dublin Central Criminal Justice (CCJ) Court

4. How does a case get to court?

When someone is suspected of committing a crime, the Gardaí must gather all the information about what has happened. The person who the crime happened to is usually called the 'victim', but sometimes they are called the 'complainant', 'injured party' or 'survivor'.

The person suspected of committing the crime is usually called the 'defendant', but sometimes they are called the 'accused'.

The Gardaí need to talk to everyone who might know something about what has happened. They keep all of this information safe and use it to prepare a file for the court.



Learn more in the dictionary

Sometimes people like social workers, nurses and doctors might also tell the Gardaí what they know about what has happened.



The Gardaí send this information (the file) to the Office of the DPP (Director of Public Prosecutions). The DPP's office looks at the file very carefully and decides if the case should go to court.

When a case goes to court this is called a trial. The court will decide which judge will hear the trial and when the trial will start.

Learn more in the dictionary

5. What is evidence?

The court needs your help, so they have asked you to be a witness during a trial in court. People who work in court will ask you questions. When you answer questions in court, this is called giving evidence. The questions will be about what happened or what you saw. The people who ask questions in court want to know what you can remember.

Some questions might be hard to understand. Sometimes you can get help with understanding questions from a person called an intermediary. An intermediary is a trained person who can help you understand questions that are asked in court.



Giving evidence

It is important to tell the truth when you are giving evidence in court. Tell the court what you know and what you remember. If you don't know the answer to something, just tell the court that you don't know. Or if you can't remember – just tell the court that you can't remember.

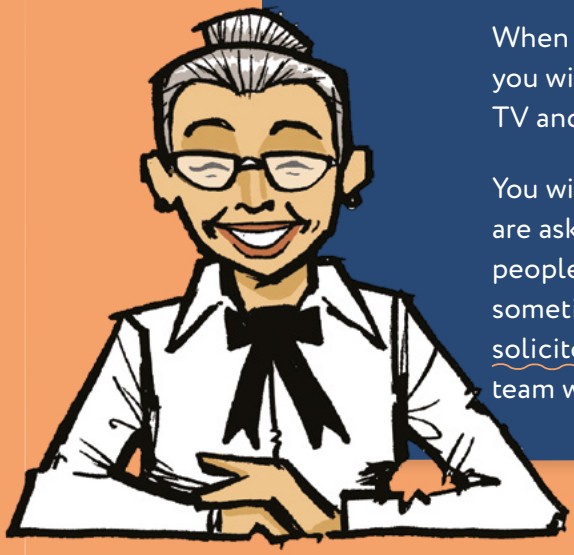
It is OK if you don't know the answer to a question.

Learn more in the dictionary

6. Can I give evidence by video link?

Sometimes, when children and young people go to court they can talk to the court without being in the same room as all the other people involved. You can be in another room or even another building. This is called giving evidence by 'video link'. This means you don't have to be in the courtroom but can talk to the court through the video link.

The judge will decide if you can give your evidence to the court by video link. The Gardaí can help you with this.



When you are using the video link you will see a camera on top of the TV and you will see the judge.

You will also see the people who are asking you questions. These people are called lawyers (or sometimes called barrister or solicitor). They are part of the legal team who ask questions in court.

Learn more in the dictionary

The other people in the courtroom, including the defendant, can see and hear you on the TV in the courtroom. The defendant is someone who is accused of breaking the law or committing a crime.

Sometimes there is a jury in the courtroom too. A jury is made up of 12 people from the public. They help to decide if the defendant has committed a crime.



Learn more in the dictionary

7. Who are the people in court?

There may be many people in the court building who are in a trial. Courts can be very busy places. Each person who is in the court has a different job and a different place to sit.

Here is a list of some of the different people who are in court:

- Judge
- Jury
- Defendant
- Lawyer
- Prosecution team
- Defence team
- Court clerk
- The Gardaí
- Interpreter
- Intermediary
- Witnesses

In court cases where there are children and young people, the judge decides who can and cannot be in court. The defendant will sit in the courtroom for all of the trial and hear all of the evidence. The Gardaí also go to court. Sometimes they are witnesses like you.

But they also help people to sit in the right place in court. The Gardaí will make sure you are in the right place and show you where you will give your evidence.

Some Gardaí wear their uniform, and some don't. Those who don't are usually detectives. Detectives investigate serious crimes. If you are not sure whether the person is a Garda or not, please ask an adult with you who will find out for you.

There will be lots of people who can help you to give your evidence.



8. What happens in court?

One of the first things that happens in court is that the judge will ask the defendant if they have done something wrong.

The defendant pleads guilty or not guilty

The defendant is the person being accused of a crime. If the defendant says that they have done something wrong, this is called pleading 'guilty'.

If the defendant pleads guilty, then you usually don't have to give evidence. You can still tell the court about how what has happened has affected you. This is called a victim impact statement. Find out more on page 25.

If the defendant says they didn't do anything wrong, it is called pleading 'not guilty'. If they plead not guilty, the court will hold a trial to find out the truth about what happened. This means that the witnesses will be called to give their evidence to the court.

People working in the court ask witnesses questions

In a trial, witnesses are asked questions about what they know about what has happened. You are one of those witnesses.

Remember that you may be able to watch the video of your recorded interview before you go to court to help you. The judge will decide who else can see your recording.

Learn more in the dictionary

Some witnesses will be asked to swear an 'oath' or 'affirmation' to the court when they are giving their evidence. This oath or affirmation is a promise that the person will tell the court the truth.

If you have any questions about who is in the courtroom during the trial please ask a:

- Parent
- Social worker
- Trusted adult
- Family member
- Garda



The Gardaí will tell you when it is your turn to give evidence and make sure that you are in the right place. Sometimes you might have to wait a little while to give your evidence.

It's a good idea to bring some snacks or drinks, toys and music so that you don't get bored. We have a checklist of things you might like to bring or think about before you go to court. It's on page 32.

9. How do I listen and answer questions in court?

When it is your turn to talk to the court you need to:

- make sure you understand each question
- listen very carefully
- answer the question if you can
- most importantly, tell the truth

Remember, it's OK to say that you don't remember or that you don't understand the question.

Listening

It's very important that you understand the questions that you are asked in court.

If you don't understand a question, you can:

- ask for the question to be asked in a different way
- ask the person asking you questions to repeat the question to make sure you hear it properly

When lots of questions are asked together, it can be very confusing. If this happens you can ask for the questions to be asked one at a time. It is much better for everyone if the person who asks the questions slows down so that everybody understands.

Answering questions

Some of the questions that you will be asked in court will be about what the defendant (the person accused of the crime) said or did. These may be things that only you and the defendant know about.

The judge and the jury were not there so they will need you to tell them about it. Tell them as much as you can remember about what you know. When you are answering questions remember:



- Telling the truth is the most important thing you must do in court, even if you have been asked to keep it a secret.
- Try not to leave anything out.
- Never make up anything.
- Never guess the answer.
- It is OK to correct what someone said in court if it is not true or not how you remembered what has happened.
- If you think you made a mistake about what you told the court or if there is something that you left out while answering questions, let the judge know.
- It's OK if you don't know the answer to a question you are asked.

Everything you say helps the judge so don't be scared to talk to the judge. Telling the court what happened in your own words will be very helpful for the court.

Nobody is allowed to tell you what to say in court or how to answer questions. It's important that the court hears what has happened in your own words.

10. How do I get help in court?

There are lots of different people in court who can help you. The judge is in charge of the court, and it is very important to the judge that the court is fair and that everybody is listened to. The judge also wants to make sure that you are comfortable and understand what is happening during the trial.

There are different ways you can get help. Here are some:

You can get help from an intermediary

An intermediary is a trained person who can help you as a witness understand questions that are asked in court. The intermediary's job is to make sure that you understand the questions you are asked. But they cannot answer questions for you.

If you are asked a question you don't understand, the intermediary will tell the judge. The question will then be asked in a way that you can understand. An intermediary can also tell the court if you need a break.

If you need an intermediary, you will meet them before you go into court. But you might not need an intermediary to help you, the judge makes this decision.

Learn more in the dictionary

You can get help from an interpreter

An interpreter is a trained person who translates words and conversation from one language into another. If you are more comfortable talking to the court in another language, the court can arrange to have an interpreter with you.

The interpreter can help translate the court questions for you into the language you are familiar with. They can also translate your answers for the court. This will all be decided before you go into court or give evidence through video link.





You can get help from victim support services

If you would like someone to support you when you go to court, you can ask the person who gave you this book for help. Tell them what you want and ask for support.

People who work in a victim support service meet with you before the trial starts and can show you the courthouse. They also help answer any questions about the court itself or how it works in a trial. They will go with you to court and wait with you before you give your evidence.

You can also ask for a break

The judge understands that going to court can make you feel nervous and uncomfortable and even upset. You can ask the judge at any time for a little break or a tissue if you are not feeling OK. Even when you are in the video link room, the judge can hear you and will want to know if you need help.

How to ask the court a question

You can put your hand up and ask for:

- **A drink of water**
- **A break**
- **A rest**
- **A tissue**

Intermediaries and interpreters can also help you in court. There is more information about intermediaries and interpreters in the dictionary on **page 40**.



Learn more in the dictionary

11. What happens after all the evidence is heard?

After you give your evidence to the court, you may be able to listen to the rest of the trial. The judge will decide.

When the judge and jury have listened to all the witnesses, they have to make a very important decision. They must decide if the defendant is guilty or not guilty.



Guilty verdict

If the judge or jury decides the defendant did something wrong, they will say that the defendant is guilty. The judge will decide what will happen to the defendant. The judge usually decides this on a different day.

You may be asked by the court if you want to make a 'victim impact statement'. A victim impact statement is a statement you can write up or tell the court yourself about how what has happened has affected you. The judge will give you time to work out what you want to tell the court in your statement before they decide what will happen to the defendant.

The court might also ask other people to make a victim impact statement. (We know you may not be a victim to make this statement, but this is the name of the statement.)

Not guilty verdict

If the jury or the judge decide that the defendant is not guilty, the defendant can leave the court. It might be hard if you hear that the defendant is not guilty. It might make you feel that you did not do a good enough job, or that the jury or judge thought you weren't telling the truth, but this is not the case.

Remember the court may have heard from a lot of other witnesses and they have to think about all the evidence they have heard. You are not responsible for what the judge or jury decides.

12. What happens after court is over?

Can the defendant contact me?

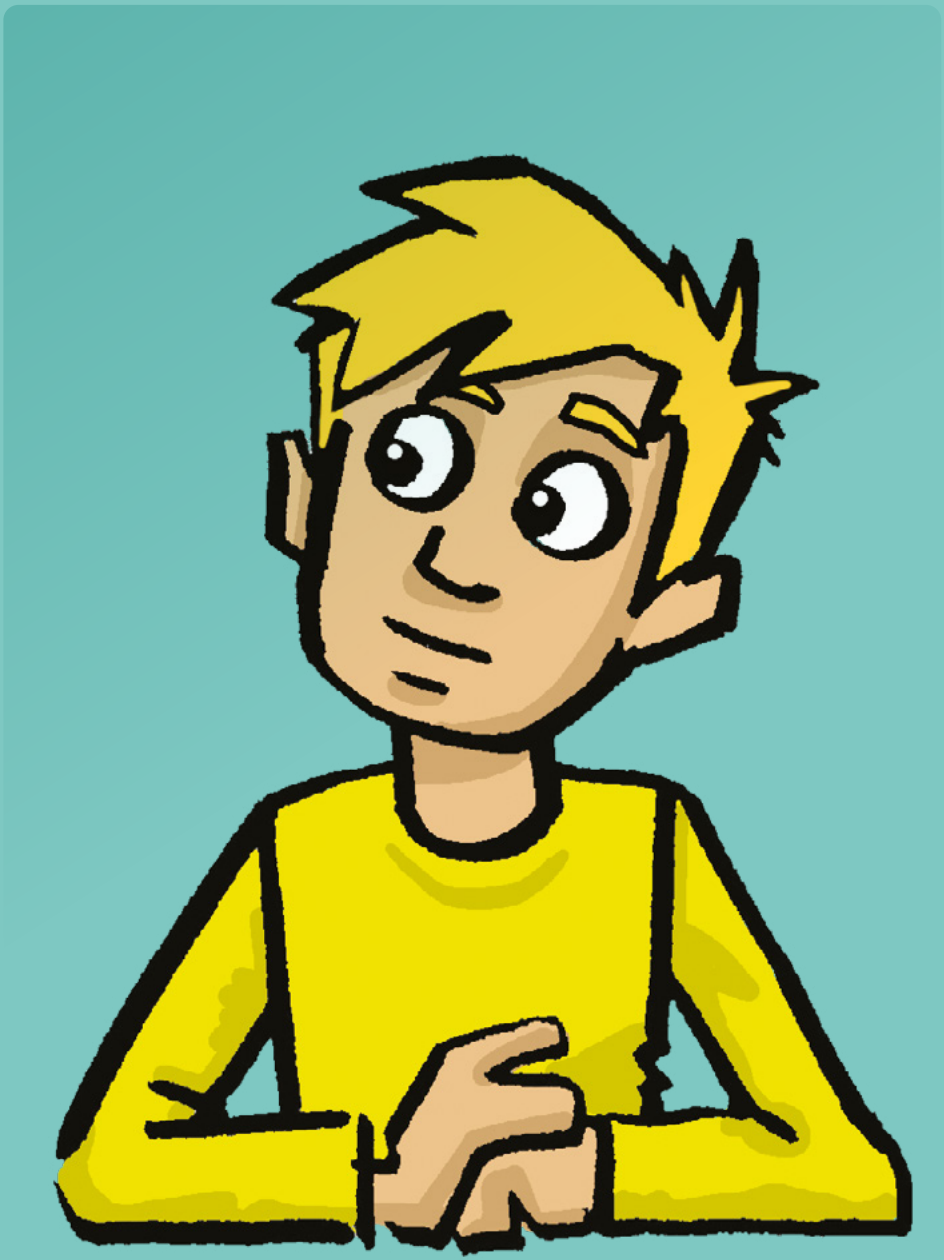
During the trial the defendant is not allowed to contact you.

After the trial whether the defendant is found guilty or not guilty, they might not be allowed to contact you. If the defendant is not allowed to contact you but they try to contact you in person or by phone, text, email or social media, you need to tell an adult who you trust. This could be your carer, a member of the Gardaí, key worker, social worker or the person who gave you this book.

What the judge or jury decide

If you want to know what the judge or jury decided in the end, ask the person who gave you this book.

If you want to talk about what happened at court, ask a grown-up who knows you and about your time in court.



13. What happens when I go to court?

Before you go to court

- You meet the Specialist Interviewers and make a video recorded interview about what happened.
- The Gardaí investigate what happened.
- The Gardaí prepare reports (a file) after they speak to you and other witnesses, and they send the file to the Director of Public Prosecutions (DPP).

Who decides if you go to court?

- The DPP looks at the file very carefully and then decides whether a case goes to court.

If going to court

- You are asked to be a witness, and you will be given a date for the trial to begin.
- You read this book along with somebody who knows about the law, and you ask any questions you have.
- You might meet with a support person and the Gardaí to watch your video recording. This can help refresh your memory.
- You might also visit the courthouse before the trial or see a video of it before the trial starts.

At court

- The trial begins in court.
- You go to court to give your evidence or give it by video link. If you go to court, you can bring someone with you. Bring snacks and music or toys in case you have to wait a bit.
- After the court has heard all of the evidence from witnesses, the judge or jury delivers a verdict.
- You may give a victim impact statement **(see page 25)**.
- The judge decides on sentencing – this happens if the defendent is found guilty.

After court

- After court, know that you did a good job. If you want to talk about the court and what happened in court you can talk to a trusted adult.
- There are other people like social workers or support services that can also help you after court has finished.
- You have done a really important job by helping the court understand what has happened.



Well done and thank you for being a witness!

14. Checklist for before and when I go to court

Preparing to watch the video recording of my interview

Things I want to bring

My checklist

- [ ] My water bottle.
- [ ] My book.
- [ ]
- [ ]
- [ ]

My favourite thing that makes me feel comfortable

- [ ] My favourite toy.
- [ ]
- [ ]
- [ ]



Learn more in the dictionary

Things I can do if I feel upset about going to court

- [ ] Talk to my trusted adult about what might help me.
- [ ] Ask my trusted adult for help.
- [ ]
- [ ]

Other things I can do if I feel upset

- [ ] Listen to my music.
- [ ] Tell someone if I need help.
- [ ] Read my book.
- [ ] Ask if I don't understand something.





Things I might need to bring to court

My checklist

- [ ] My water bottle.
- [ ] Snacks.
- [ ] Jumper or hoodie in case I'm cold.
- [ ] My favourite toy or book.
- [ ]
- [ ]
- [ ]
- [ ]

Activities I can bring with me to court

- [ ] Wordsearch.
- [ ] Spot the difference.

Things I can do to help me relax when I am going to court

- [ ] Talk to my trusted adult.
- [ ] Tell my trusted adult how I am feeling.
- [ ]
- [ ]
- [ ]



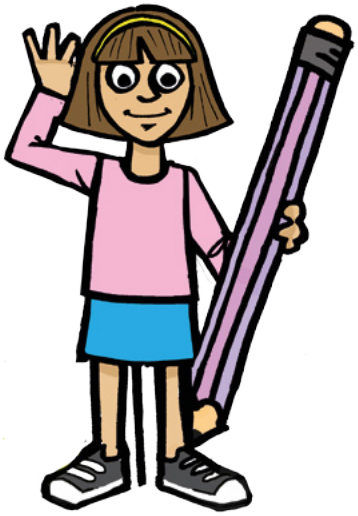
Going to Court
Wordsearch

E V I T C E T E D Z G X O P M U O M
R A N I V X S R W Y U V M O T X X G
R R Y C N E D A Q I E X L C R I W A
S E Z U X T R E K M T S G A C Q R R
Y C R I M E E D F E N N S M W D L D
K O M S R C C R I E V C E T M Y A A
M R Y M R I R E M C N I J S O E E F
T D M P C X L X R E T D D U S M L R
Z I M M O W T F S D D M A E D V L L
G N S J U R Y Q A Z L I N N N G M B
L G G R R E W D N I W R A P T C E E
T B U X T R I A L N D L E R U S E I
E E W V I C T I M O A O J Z Y Z O N

←, →, ↓ & ↘

Find the following words in the puzzle.
Words are hidden

INTERMEDIARY
DEFENDANT
RECORDING
EVIDENCE
WITNESS
VERDICT
LAWYER
VICTIM
COURT
TRIAL
JUDGE
CRIME
GARDA
JURY
DETECTIVE



Created by Tusla using the Word Search Generator on Super Teacher Worksheets
www.superteacherworksheets.com

Spot the **difference**

There are 7 differences to spot

1.



2.



15. What are my rights when I go to court?

UNICEF is a United Nations agency. It focuses on protecting the rights and well-being of children worldwide. It helps make sure that children who have been harmed by crime and children who have seen others harmed are protected and treated fairly when they say what happened to them in a court.

What are my rights when I go to court?

You have the right to be treated with dignity and compassion. This means that people should always show you respect and understanding.

1. You should be treated in a caring and sensitive way throughout the justice process.
2. You should be treated as an individual with your own needs, wishes and feelings.
3. People who investigate a crime should spend only the amount of time with you that they need to find out what happened.
4. Any person who interviews you should be specially trained so that they ask questions correctly and in a respectful way. They should think about what you need and treat you fairly and respectfully.

5. You should expect that everyone who has contact with you should consider your needs, thoughts and feelings. They should talk to you in a place where you feel comfortable and safe. They should talk to you using words you use and understand. They should make sure they explain any words you don't understand.

6. You have the right to be protected from discrimination. This means you can't be treated differently due to things like the colour of your skin, where you come from and your religion. If you are concerned or you need special help or protection, you have a right to get help.

7. You have the right to information. This means you have a right to:

   - be told and to know what is happening
   - ask questions if you do not understand something
   - be told what kinds of special help and support are available to you.

8. You have the right to be heard and to express views and concerns. This means you have a right to:

   - give your opinion
   - be listened to
   - be taken seriously.

All the adults involved should make every effort to allow you to be heard and express your views and concerns.

9. You have a right to get help. This help might be from an:

- Intermediary
- Interpreter
- Garda
- Social worker
- Doctor
- Psychologist
- Solicitor or lawyer
- Victim support service

10. As a child you have a right to privacy when you are a witness in court. You cannot be identified outside of the courtroom. This means the court won't tell your name to anyone who wasn't involved in the trial.

11. You have a right to safety – this means that you have a right to feel secure and not be harmed.

12. You have the right to seek reparation. This means you have a right to look for financial compensation to help make up for being hurt by what happened. If you decide to do this, you may need to consider going to court again. A solicitor who was not involved in the trial can help you with this.

Learn more in the dictionary

16. Dictionary of words used in court and what they mean

There are lots of different words that are used in court. Here is a list of some of those words and what they mean. While you read this book you can use the dictionary to help explain some of the words in the book and what they mean.

The list below is in A – Z order.



Barrister (also known as a lawyer): is a trained person who asks questions in court. Barristers are usually hired by solicitors for trials.

Crime: is an act that breaks the law. This can also include failing to do what the law says you should do.



Complainant: is another word for the victim. This is a word often used by lawyers and the judge during the trial.



Defendant (accused): is a person who is accused of breaking the law or committing a crime.

DPP (Director of Public Prosecutions): is an office where its legal staff decide whether to prosecute people who may have committed a crime. The Gardaí complete their investigations and send all the information they have in a file to the Office of the DPP. The information in the file helps the staff in the Office of the DPP to decide if the case should go to court.

Evidence: is information or objects that are used to help prove if the accused person has committed a crime or not.



Gardaí (also known as An Garda Síochána): are the police force in Ireland. The Gardaí investigate crimes, they keep communities safe and make sure laws are followed to prevent crimes from happening.

Guilty: a person is guilty if they tell the court that they committed a crime. A person does this by pleading guilty. In court when the judge and jury listen to all of the evidence and decide that a person has committed a crime, the person is found guilty.

Intermediary: is a trained person who can help a witness to understand questions that are asked in court.



Interpreter: is a trained person who translates what is said or written from one language to another. An interpreter can also interpret using sign language if needed.

Judge: is the person who decides what happens to the defendant. They also make sure:

- **the law is respected**
- **the trial is run properly**



Jury: is made up of 12 people from the public who help to decide if a defendant has committed a crime. The jury sit together and listen to everything that takes place in a court.

Justice or justice process: includes many people working together to uphold fairness, while respecting everyone's rights.

Laws (or the law): are rules that everyone has to follow so that people can respect each other and each other's rights. There are many different kinds of laws. Together they help people do what is right.



Lawyer (also known as barrister or solicitor): is a trained person who knows the law and who helps a person in the court. The lawyer asks witnesses questions in court.

Not guilty: a person says they are not guilty if they do not admit to committing a crime. In court when the judge and jury listen to all of the evidence and decide that a person has not committed a crime, the person is found not guilty.

Oath or affirmation: is a promise to tell the court the truth. Witnesses are asked to make this promise before they give their evidence to the court.



Prosecute: when a person has been officially accused of committing a crime, to prosecute them means to take them to court to try to prove that they did commit a crime.

Solicitor: is another type of lawyer. They help someone prepare before a case goes to court. They talk to witnesses, other lawyers and solicitors and get the court papers ready for court. They can also talk in court and ask questions.

Specialist Interviewer: is a trained person who talks to children and young people about something that has happened.



Trial: takes place in a courtroom where a judge and sometimes a jury listen to evidence to decide if someone has broken the law.

Victim: this is a person who has suffered harm or has been hurt by someone who has broken the law. Sometimes victims are called 'injured parties' or 'complainants'. Sometimes victims prefer to be called survivors.

Victim impact statement: is where you can tell the court how what has happened has affected you. The judge will listen or read carefully what you say in your victim impact statement when deciding what sentence to give the offender. Victim impact statements can be seen by the prosecution team, the defence team, the defendant, the Gardaí, and the court.



Video recorded interview: is the interview you recorded when you met with specialist interviewers, and you told them about what happened. What you said in your recorded interview can sometimes be shown to the court. You can watch your recorded interview before you go to give your evidence

Victim Support Service: people who can meet with you before the trial starts and can show you the courthouse. They also help answer any questions about the court itself or how it works in a trial. They will go with you to court and wait with you before you give your evidence. They don't go into the courtroom with you.

Witness: is someone who goes to court to say what they know or what they saw happen.

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Cara
Eva
Emmah

More information for young people about Tusla services
www.changingfutures.ie
www.barnahus.ie



CHANGING FUTURES
TUSLA INFORMATION FOR YOUNG PEOPLE BY YOUNG PEOPLE



BARNAHUS
IRELAND

TUSLA
An Ghníomhaireacht um Leanaí agus an Teaghlach
Child and Family Agency

Plain English
Approved by NALA