

Having your say in the Childrens Court

For young people in care



How can I tell the Childrens Court what I think?

The law says children and young people need to be safe where they live. If Child Safety Services is concerned about your safety and wellbeing, a representative from Child Safety can ask the Childrens Court to make an order (decision) for them to check out your situation, or for you to be placed in care. The court will take into account your views and wishes - as well as other information - when making its decision. If you have any questions about what the court will consider when making its decision, you should talk to your CSO or lawyer. There are lots of different ways that you can make sure your views and wishes are given to the Childrens Court.

Child Safety Officer

Your Child Safety Officer (CSO) writes information for the court about your views and wishes. If you feel comfortable talking to your CSO, you can let them know your views and wishes and they can tell the court. You can ask your CSO to show you what they have written down for the court, and to add in anything else you want to say.

Separate representative

You can ask your separate representative to tell you what they plan to say to the court. You can also tell your separate representative your views and wishes about your situation so they can tell this to the court. If you aren't sure how to

get in touch with your separate representative, your CSO or Legal Aid can help you to contact them. If your separate representative has asked you to meet with a report writer, you can tell the report writer what you think. You could also ask the report writer to tell or show you what they have written about your views and wishes.

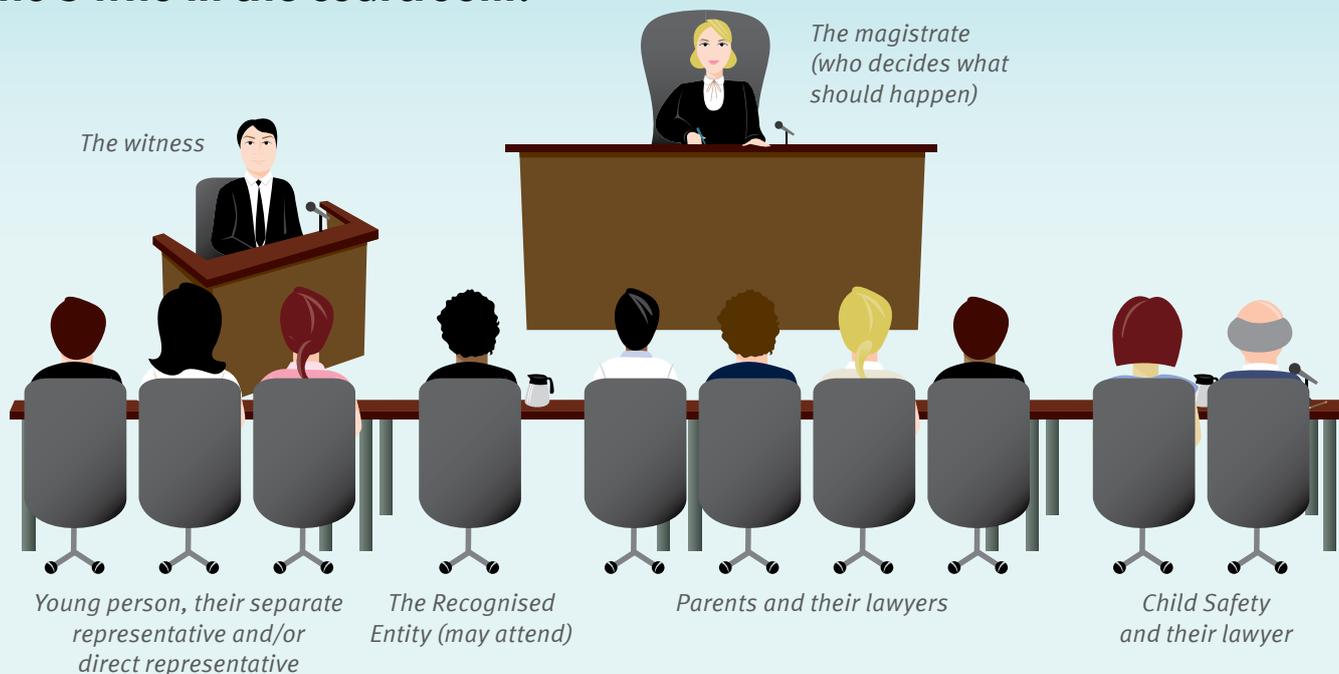
Direct representative

You may decide you want to have a lawyer who will give the court information about what you want and argue for your point of view. This lawyer is a direct representative. You might want a direct representative if you strongly disagree with what Child Safety or your parents are asking the court to do. You might also want a direct representative if you don't feel comfortable with your CSO or separate representative telling the court your views and wishes. You can ask your CSO, the court or your separate representative to help you contact a direct representative, or you can contact Legal Aid for help.

Telling the court yourself

Your ideas and feelings are a really important part of any decision the court makes about you. You may want to tell the court your views and wishes in your own words. You could write a letter or record a video to help the court understand you better. Or, you might want to go to court and speak with the magistrate. If you decide to go to court, you should ask for information about what court is like and what will be happening.

Who's who in the courtroom?



Questions to ask before going to court

- How long will I have to be at court?
- What sort of decisions will the court make when I go – for instance, will the court make a final order (decision)?
- Who else will be in the room when I am in there?
- If I have worries about my safety at court, how can these be dealt with?
- Will what I say to the court be recorded and shared with other people involved in my case?
- How will I get to court and get home afterwards?
- Can someone I trust be there to support me at court and afterwards?

You can choose anyone to support you at court. It might be your CSO, a friend, or a carer – someone who you're comfortable with.

Worried about going to court?

Your participation in court needs to happen in a way that is appropriate for your age and takes care of you. If you feel unsure or worried about going to court, or who else will be there, or how your information might be used, you should talk to someone about it before you go. For help with this, or anything else to do with having a say in court, you can ask your CSO or contact Legal Aid on 1300 65 11 88.

Just remember, you have a right to get information about important decisions that are being made about your life, and to have a say in those decisions (if you want to).

It is important to remember that if you would prefer not to be involved in court, that is ok too.

This resource has been developed as part of the Childrens Court Participation Project. It is intended to be used with children and young people aged 10 to 17 years by child safety officers, lawyers and youth workers.