

What to expect when you go to the Childrens Court



If you go along to the Childrens Court, you can expect to see:

- the magistrate
- someone from Child Safety Services
- your parents
- lawyers.

If you are Aboriginal or Torres Strait Islander, there may be someone from a Recognised Entity.

Magistrate

The magistrate (or judge) is in charge of the Childrens Court. They get the final say and make the decisions about what's going to happen to you. The magistrate will make a decision after looking at all the information and letting everyone have their say, including you (if you want to).

Child Safety Services

Child Safety will explain to the court why they are concerned about your safety and wellbeing. They will ask the court to make a child protection order to keep you safe. They will explain what they think needs to happen to look after you and who will be working on this.

Your Child Safety Officer (CSO) should find out what you think about their decisions. Your CSO is expected to tell the court that information.

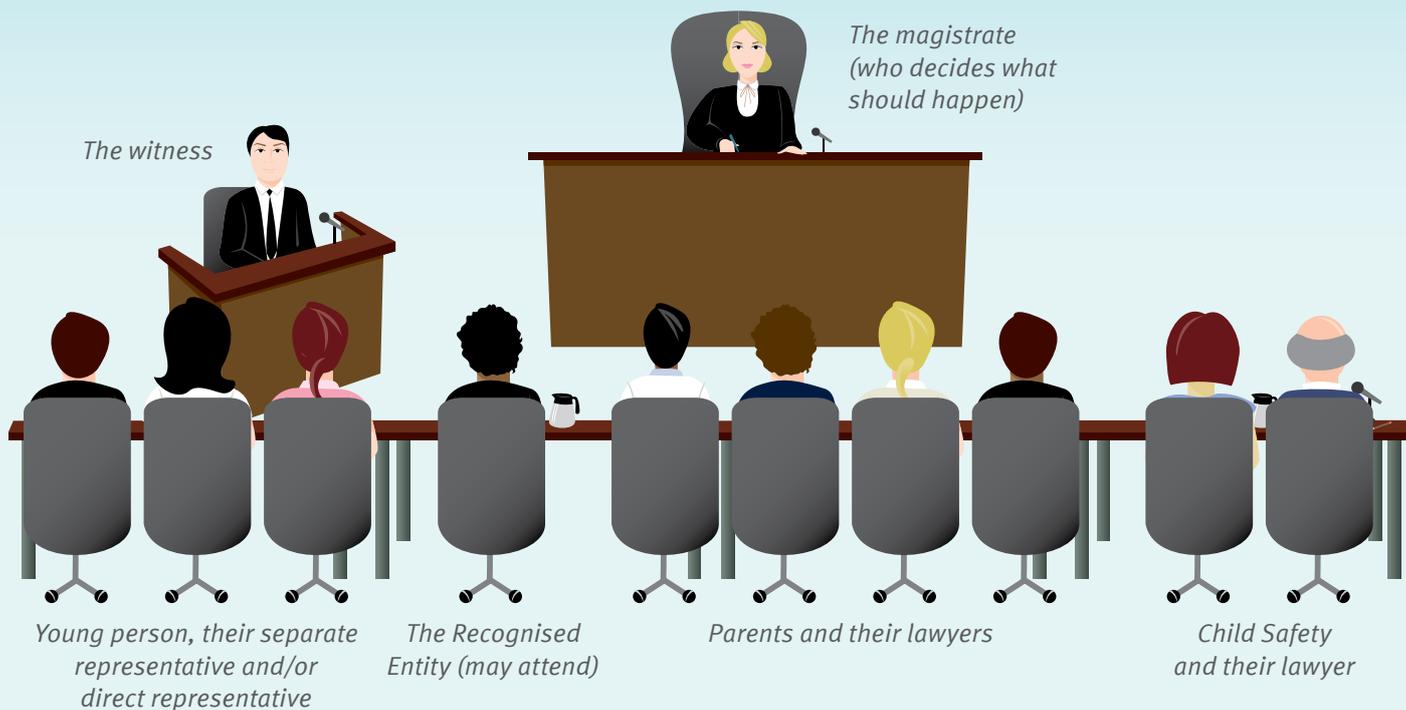
Parents

Your parents will be asked if they agree or disagree with what Child Safety is saying. If your parents don't agree, they can tell the court why they think you should live with them. This means explaining why they are both 'willing' and 'able' to take care of you and keep you safe in their care. These are legal words that your lawyer or your CSO can explain to you.

Separate representative

The separate representative is a lawyer that the court might appoint for you. They are independent from everyone else in the court – they don't work for Child Safety or for your parents. Part of their job is to find out your views and wishes (if you want to have a say) and to make sure the court knows what they are. The separate representative must also tell the court what they think is best for you. Sometimes, what you want and what is best for you might not be the same thing.

Who's who in the courtroom?



Direct representative

The direct representative is another kind of lawyer who works with children and young people. A direct representative can help you get information and can explain what the law means for your situation. They tell the court what you would like to happen and they will stand up for your point of view. To be your lawyer, a direct representative will first need to be sure that you can understand the court process and the decision you want to have a say in. You can ask your CSO, the court or your separate representative to help you contact a direct representative, or you can contact Legal Aid Queensland on 1300 65 11 88 for help with this.

Recognised Entity

If you are Aboriginal or Torres Strait Islander there may be someone from a Recognised Entity to provide cultural advice to Child Safety and the court, to make sure you have a connection to your family, culture and community.

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.