

Children's Court

What is Children's Court?

It is a court for young people who did a crime **or** are accused of doing a crime when they were **under 18 years old**.

It is sometimes also called Lower Court.



Only people involved in the crime can be in the court room.

The public are **not** allowed to know who you are.

Before court



Your lawyer or police tell you **what day and time** you must be at court.



When you get to court, tell a court coordinator your name.
They will tell the **magistrate** you are there.



In court, you call the magistrate "**Your Honour**".

Do I need a lawyer?



If you did a crime, or are accused of a crime, you are called a **defendant**.

You must have a lawyer.



Or, you must tell a youth justice officer or court registry office worker
you do **not** have a lawyer.
They can get you a duty lawyer.

What is a duty lawyer?
















- They give you some advice if you do not have a lawyer already
- They talk for you in court
- They can help you get another court date or help you plead guilty
- They are a free service
- They can only do short court appearances



They do **not** help you in a trial **or** in a committal proceeding (See page 5).

A magistrate might adjourn your court case.

This means it will be put off until a later time so you can arrange a lawyer.

 How do I get a lawyer?	
 <p>Youth Legal Aid</p>  1300 651 188  www.legalaid.qld.gov.au Legal advice and support for all matters.	 <p>Youth Advocacy Centre</p>  (07) 3356 1002  www.yac.net.au They work mostly in Brisbane for people under 18.
 <p>ATSILS Aboriginal and Torres Strait Islander Legal Service</p>  (07) 3025 3888  1800 012 255 (24 hours a day, 7 days a week)  info@atsils.org.au www.atsils.org.au Legal advice only for Aboriginal and Torres Strait Islander people.	 <p>Community Legal Centres</p> <p>Other lawyers</p>  To get a different lawyer, you must pay for them.



Your lawyer may want to speak to you alone too. They may want to speak to your parents too.

The court room

Who will be in there?



You



Your parent or support person



Your lawyer



Court coordinator

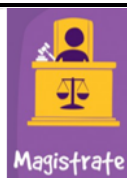


Magistrate



Police prosecutor.
This is the lawyer for the police.

This is what a Children's Court looks like.
It may look different to other courts in Queensland.



What happens in court?



What will the magistrate do?

They will ask if you are pleading **guilty** or **not guilty**.



Guilty is when you say “**I did the crime.**”



Not guilty is when you say “**I did not do the crime.**”



They may ask your parents some questions

They may ask you to say something



They may ask you if you had any questions.

You can ask the magistrate questions if you do **not** understand.

The magistrate will make a decision about what will happen.



The **police prosecutor** gives the magistrate information on the crime.



Your lawyer will tell your side of the story.

They will tell you what is happening in court.



Youth justice staff can give information about your case.

Types of proceedings

Trial



- Also called a summary hearing.
- You may say you are **not** guilty of an offence. This means, you say you did **not** do the crime.
- The magistrate will listen to your story. The magistrate will also listen to the other person's story.
- The magistrate will decide if you are guilty or **not** guilty.

Sentencing



- You say you are **guilty**. This means, you say you did the crime

OR



- The magistrate says you are guilty.

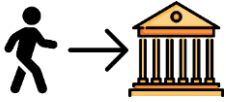
The magistrate will think about a number of different things. Like,

- What your lawyer says
- What the police prosecutor says
- What the youth justice staff says
- What your offences are
- Other offences you have done

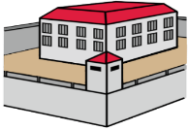
Committal proceeding

- This is when you go to court to hear all the evidence against you.
- Your case may be sent to the higher court.

Bail



- At court, your case may not get finished in 1 visit.
- **You must come back another day.**
- You may be given bail until the next court date. This means, you can go home until you come back to court.



- If you do **not** get bail, the magistrate will send you to a youth detention centre until your next court date.



You will **not** get bail if



- You were charged with certain types of offences
- You got **more charges** when you were on bail the last time
- You **did not turn up to court** last time.

Who else can help me at court?



Youth justice staff. They can tell you what happens in court. Talk to your lawyer before you talk to a youth justice staff.



Registry office workers

Court volunteers

Children's Court of Queensland

There is a higher court called **Children's Court of Queensland** or **Supreme Court**.



It is an open court. This means that people in the community can come into the court.

It is run by a **judge**.



For more information, visit: www.cyjma.qld.gov.au

The material presented in this publication is distributed by the Queensland Government for information only and is subject to change without notice. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason. ©State of Queensland (Department of Children, Youth Justice and Multicultural Affairs) 2021

Childrens Court (Easy English), ver. 1.0, April 2021