

Snowy and Me

Getting Ready for Court



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Before Court



Why am I going to court?



Can you remember telling the police or a social worker about something that happened to you, or about something you saw or heard? Your job now is to go to court and tell a Judge what you know. You are a witness and the Judge needs to hear you say what happened.

A witness is someone who tells what happened to them or what they saw or heard happening. Being a witness is important.



Your story is like an important piece of a puzzle.



When you go to court, telling your story will help the Judge decide if the accused person is guilty or not guilty.

The accused person is the one who the police believe has broken the law.

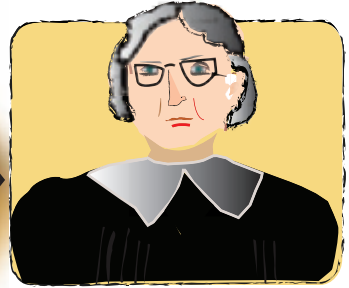


If the Judge has proof that the accused person broke the law, he or she will find that person guilty. If the Judge does not have proof, he or she will find the accused person not guilty. It is the Judge's job to make that decision. Your job is to tell the Judge the truth about what you know.

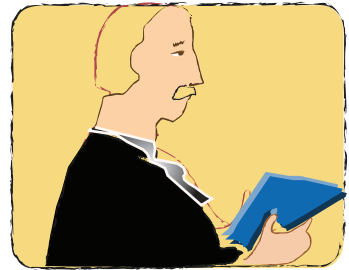
Sometimes a Judge has to decide if there will be a trial in Court of Queen's Bench. If this happens, you may have to go court a second time, but not right away.

Who will be in court besides me?

The **Judge** listens very carefully to what people say in court. The Judge may ask you questions. After everyone has spoken, the Judge makes a decision.



The **Court Clerk** makes sure that everything said in court is recorded. He or she will tell the Judge if you need to speak louder to be recorded. If you need a drink or a break, the clerk will help you.



The person who helps you get ready for court is the **Victim Services Worker**. She or he can also go to court with you for support. The Victim Services Worker may be able to sit by you while you tell your story to the court.



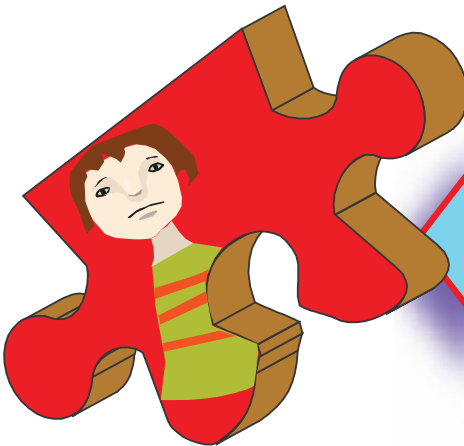
Who will be in court besides me?



The **Police Officers** you already talked to might be in court the same day as you. Some of them could be witnesses, too. There may also be a **Sheriff Officer** or a Police Officer at court just to keep everyone safe.



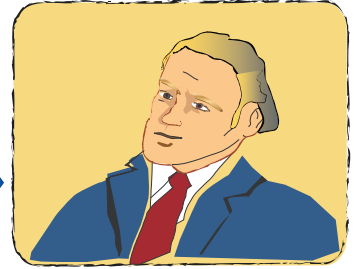
The **Crown Attorney** is the lawyer who helps you tell the court your story. You may have met him or her before to talk about court. He/she will be the first lawyer to ask you questions in court.



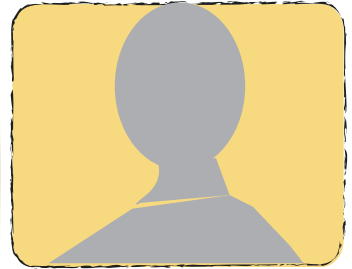
Witnesses are people who tell the Judge, in their own words, about things that happened to them or that they saw or heard.

Who will be in court besides me?

Defence Counsel is the lawyer who works for the accused person. He or she will also ask you questions in court about what happened. The most important thing is tell the truth whenever you are asked a question.



The police believe that the **accused person** has broken the law. The Judge or Jury will decide if there is proof that the accused person did break the law.



*In **Court of Queen's Bench** it may be a jury deciding if the accused person is guilty or not guilty. A jury is twelve people who listen to everything people have to say in court before making a decision. The jury does not ask the witnesses any questions.*



Anyone can come to watch court unless the Judge says the courtroom is closed. You can ask your Victim Services Worker and the Crown Attorney to find out if court will be closed when you are a witness.

What will court look like?





Where does the Judge sit?

Where does the Clerk sit?

Where will you sit when you testify?

Where does the Crown Attorney sit?

Where does the Defence Counsel sit?

Rules

- *No hats*
- *No chewing gum*
- *No games, phones or music players turned on*
- *No running around*
- *Everybody stands until the Judge tells them they can sit down.*



What will court look like?



Any room that is big enough can be a courtroom. Small communities far away from towns and cities set up courts in community centres, town offices.

Who will be in this courtroom and where will they be?

How are you feeling about court?

How are you feeling about going to court? If you are a little worried, that is pretty normal. Most people find it a bit scary until they know more about it.

If you don't like the idea of your friends asking about the court case, that's okay. You don't have to talk about it if you don't want to.

If they ask, you can just say something like:



“I don't want to talk about it.”


or

“Sorry, I'm not allowed to talk about it.”

or

“Let's do something fun ...come on!”

You can talk over your feelings about court with the Victim Services Worker who will help you get ready to testify.



Testify means telling the court what you know and answering questions.



How are you feeling about court?

You can visit the courtroom when it is empty and see where you will sit. If it is far away, your Victim Services Worker can show you some pictures or a video.

What is your Victim Services Worker's name?

What is his or her phone number?

You will meet the Crown Attorney before you go to court, too. He or she will also talk to you about court and how you are feeling about it.

*Here is some good advice—If you are afraid to go to court, tell the Crown Attorney. There are some things the Crown Attorney can use to help you feel more comfortable. They are called **testimonial aids**. Let's look at them...*



Testimonial aids

Some witnesses worry when they hear that the accused person and members of the public will be in court. Testimonial aids can help you feel more comfortable when it is your turn to speak. You can talk about these aids with your Victim Services Worker and the Crown Attorney. They can ask the Judge if an aid can be used.

A Support Person

You will probably feel safer and calmer if someone you trust sits close by while you testify. A support person is not allowed to talk to you, hold your hand or smile at you until you are done, but you know they are with you. You can choose your support person, but usually not someone who is also a witness.

A Screen

A screen can be set up between you and the accused person. Everybody can hear your answers, but you won't see the accused person. You will be able to see the Judge and the lawyers.



Testimonial aids

A Screened Area in Courtroom

Some courtrooms have a screened area where you can sit. You can see the Judge and the lawyers, but not the accused person or the public. A camera will show you on a TV screen in the courtroom which the accused person and the public can see. If you have a support person, they will be close by.

Closed Circuit TV

Some courts have a special room set up with a camera and a microphone. There is a TV screen in the courtroom where people can watch you testify. The Crown Attorney and Defence Counsel might be in the room with you, or you might see and hear them on a TV screen in the private room with you. If you have a support person, they can be with you.



Testimonial aids

Video-Recorded Statements

You probably talked to the police about what happened to you or what you saw or heard. If the police recorded you on a video camera, the video could be played in court so you would not have to tell the whole story again. You would still have to go to court, watch the video, and answer questions about it. It might be easier because the video may help you remember.

Video Conference

Sometimes witnesses can testify from a video-conference centre in their own communities. It works the same way as the closed circuit TV in court. Not all communities have this equipment.

Closed Court

The Judge may decide to keep the public out of the courtroom while you testify. The lawyers and the accused person would still have to be there. The Judge will decide who can remain in the court room. You could still use a screen and have your support person close by.



Getting ready

Let's make a plan for the day you go to court!

First of all, you will need clean, comfortable clothes that you feel good in. What are your favourite clothes? Are they neat and tidy enough for court? Write down what you want to wear so you can get it ready:



It is a good idea to pack a bag or a backpack with snacks and things to do.

What will you take?



Getting ready

Snacks



Things to do

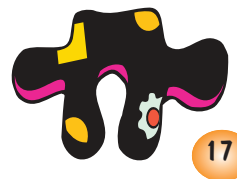


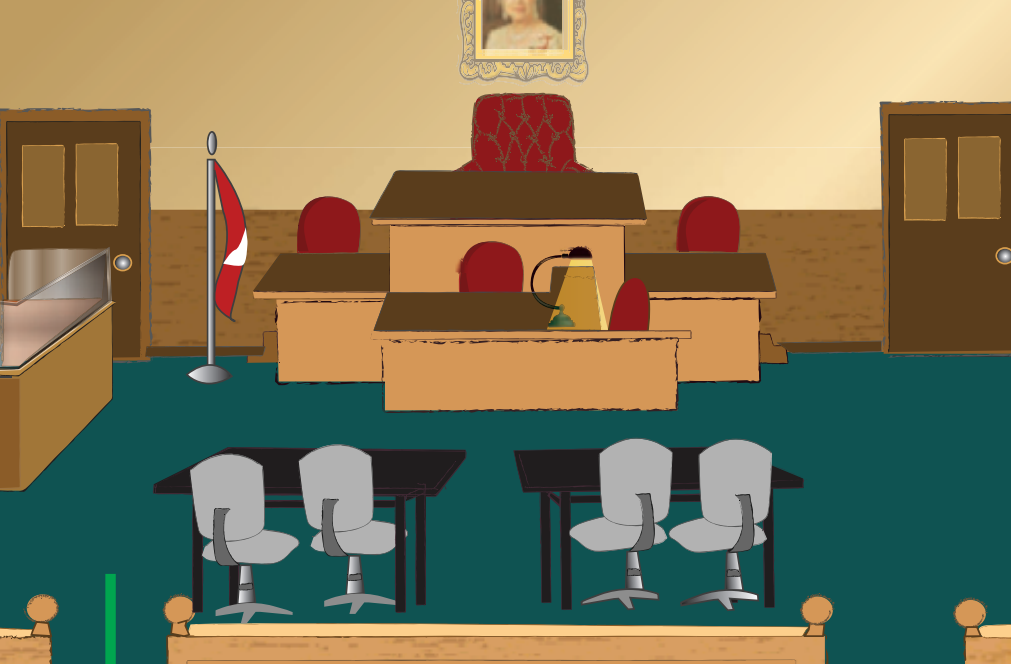
You can get these things ready to go the night before court.

Who will go to court with you?

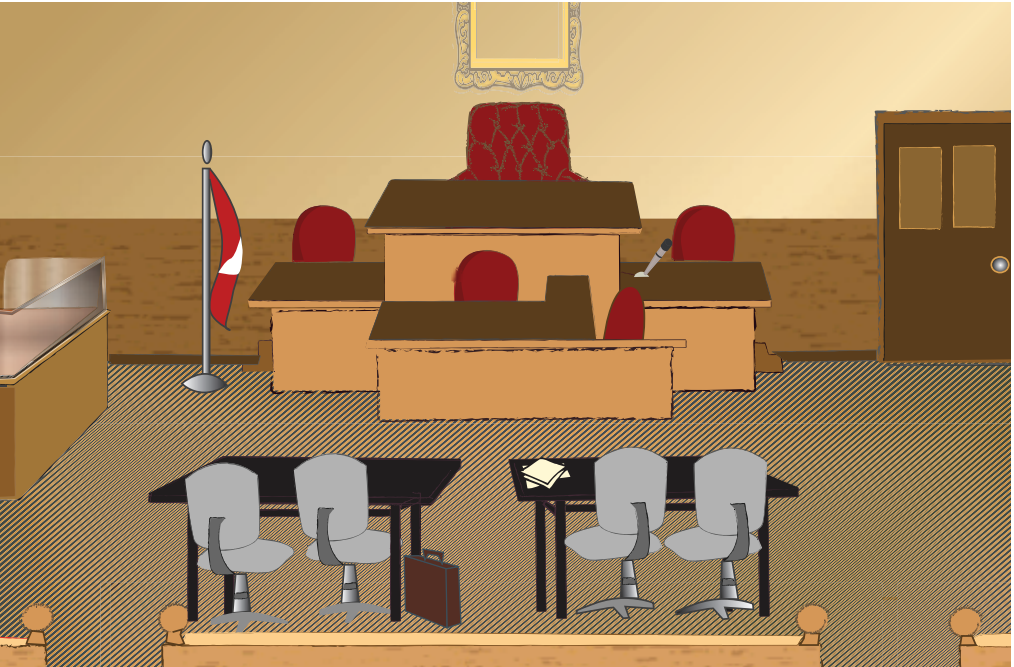


Who will come inside the courtroom with you when it is your turn to go in?





find six differences



1

4

2

5

3

6



Court day arrives

What time is it? _____ Time to get up!

Checklist:

Eat my breakfast

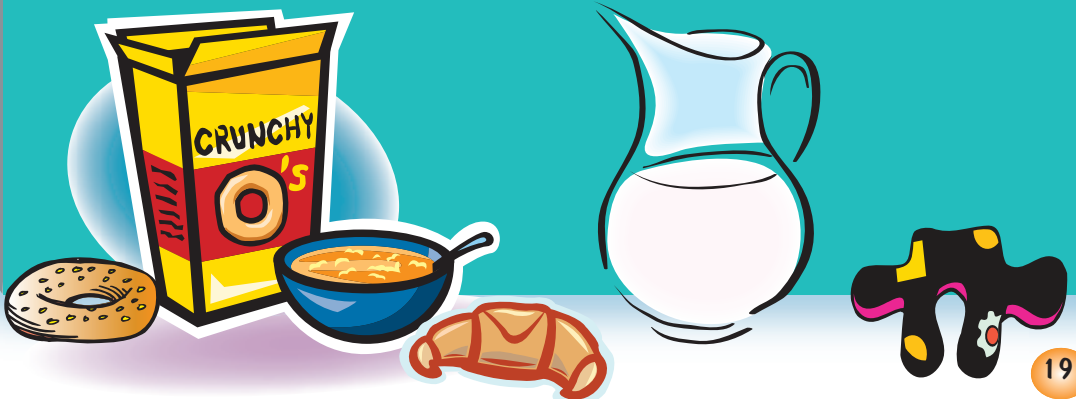
Brush my teeth

Wash my face and hands

Get dressed

Don't forget my bag of snacks and things to do !

**You will need a good breakfast to start your day off right.
What will you have?**



How will you get to court?



Your Victim Services Worker will meet you at court.

Do you know where you are going to meet?

What time will you meet?

Waiting to testify

There is often a lot of waiting at court. Witnesses are not allowed in court until it is their turn to testify. When it is your turn someone will come and get you.

Different courts have different waiting places. Sometimes there will be a room just for witnesses. Sometimes you might wait in a public area like a hall or a lobby. You may need to wait outside in a car. Your pack of snacks and things to do will come in handy!

While you are waiting, you might feel a bit nervous. That's normal.

- ◆ Think about what you are going to do after court to relax and have some fun.
- ◆ Stand up and stretch!
- ◆ Take in a big, deep breath and let it out slowly like you are blowing out a lot of candles. It really helps!



*Do one more relaxing deep breath.
You can even pretend you're
a puppy and shake your fur!*

It feels good!



You and your Victim Services Worker will go into court together.
If you have a support person, he or she will come with you too.

Time to testify

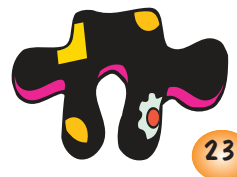
When it is your time to testify, someone will come and find you. Your Victim Services Worker will walk with you to the witness stand. It might just be a chair close to the Judge's desk. There is a microphone there. It won't make your voice loud in the courtroom. It is there to record your story. All witnesses are recorded.

If you are using a testimonial aid, you might not see the whole courtroom, but you will have a microphone. You will be treated the same as the other witnesses.

Before you start, the Court Clerk will make sure the recorder is working. The Judge or the Clerk might ask you some questions, such as your name and what town you are from. They will make sure you speak loudly enough for everyone to hear you.

Then the Clerk or the Judge will ask you to promise that you will tell the truth.

The truth is the most important thing. It is what court is all about.



Time to testify

The Crown Attorney will ask you questions first. Listen carefully to the question so you know what is being asked. You can take time to think before you answer.

Sometimes you might have to use words you don't like to say. It is okay to say these words in court if they are part of the truth. Speak clearly so you don't have to say things over again!

When the Crown Attorney is finished, the Defence Counsel will also ask you questions and go over what you said to the Crown Attorney. The Judge might also ask you some questions.

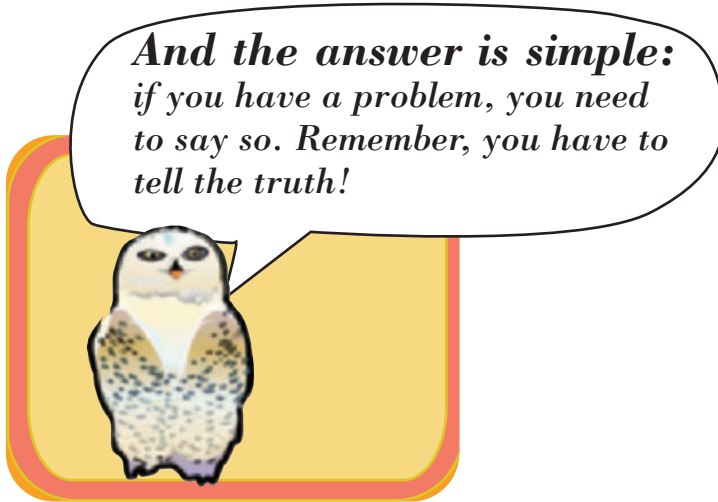
If you have a support person with you, they can't answer for you, or help you answer. They can't talk or hold your hand, but they are with you and thinking good things about you every second.

When the Judge says you are done, your support person can talk with you and you can leave the courtroom.

What if?

You might be wondering... what if I have a problem when I am on the witness stand? What if I don't understand? What if I need to go to the bathroom?

This is normal — all witnesses wonder about these things...



Let's look at problems you might have answering questions the lawyers ask. As long as you tell the truth, you will do just fine.

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

"I don't understand what you are asking me."

If you can't hear the question, you can say:

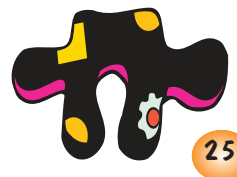
"I didn't hear you."

If you can't remember something, you can say:

"I don't remember."

If you don't know the answer to a question, you can say:

"I don't know."



What if?

If you need something personal, tell the Clerk who will try to help you. Let's see if you can figure out what to say to the Clerk. Match up the right pairs:

If I...

I can say:

If I need a drink

Can I have a tissue please?

If I need to go to the bathroom

Can I have a bathroom break please?

If I cry

Can I have a glass of water please?

If I feel sick

Can I take a break please?

Let's say you are feeling very upset and you want to take a short break.

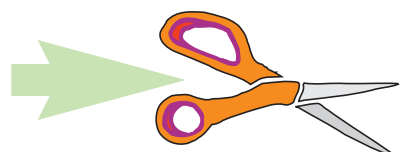
How would you say it to the Clerk?

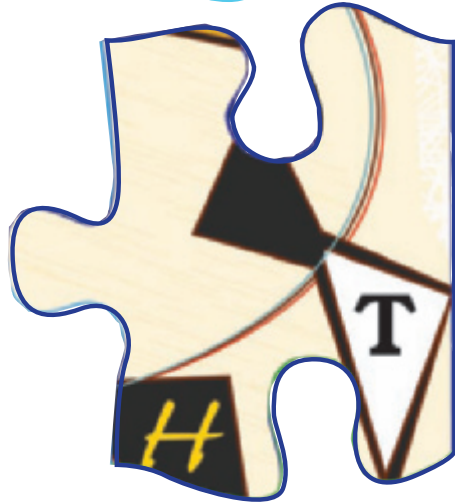
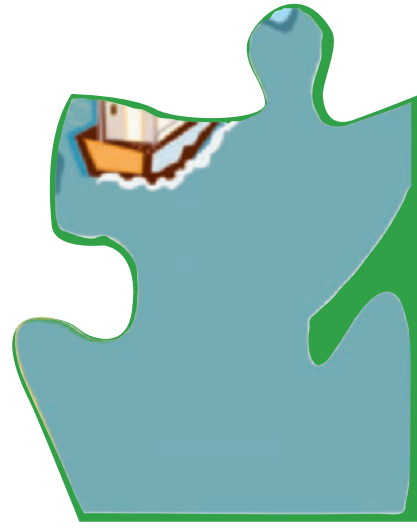
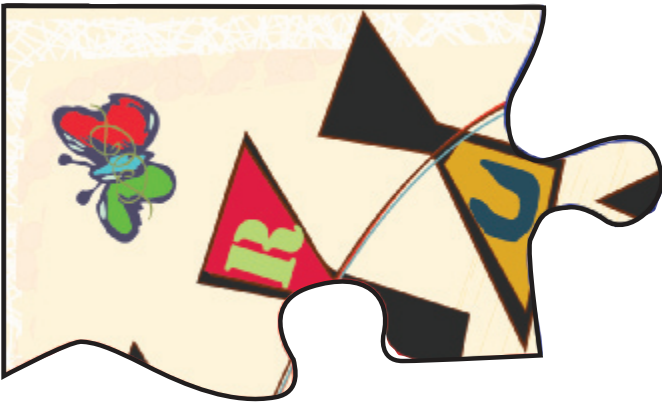
Your story is like one piece of a puzzle the Judge has to put together!

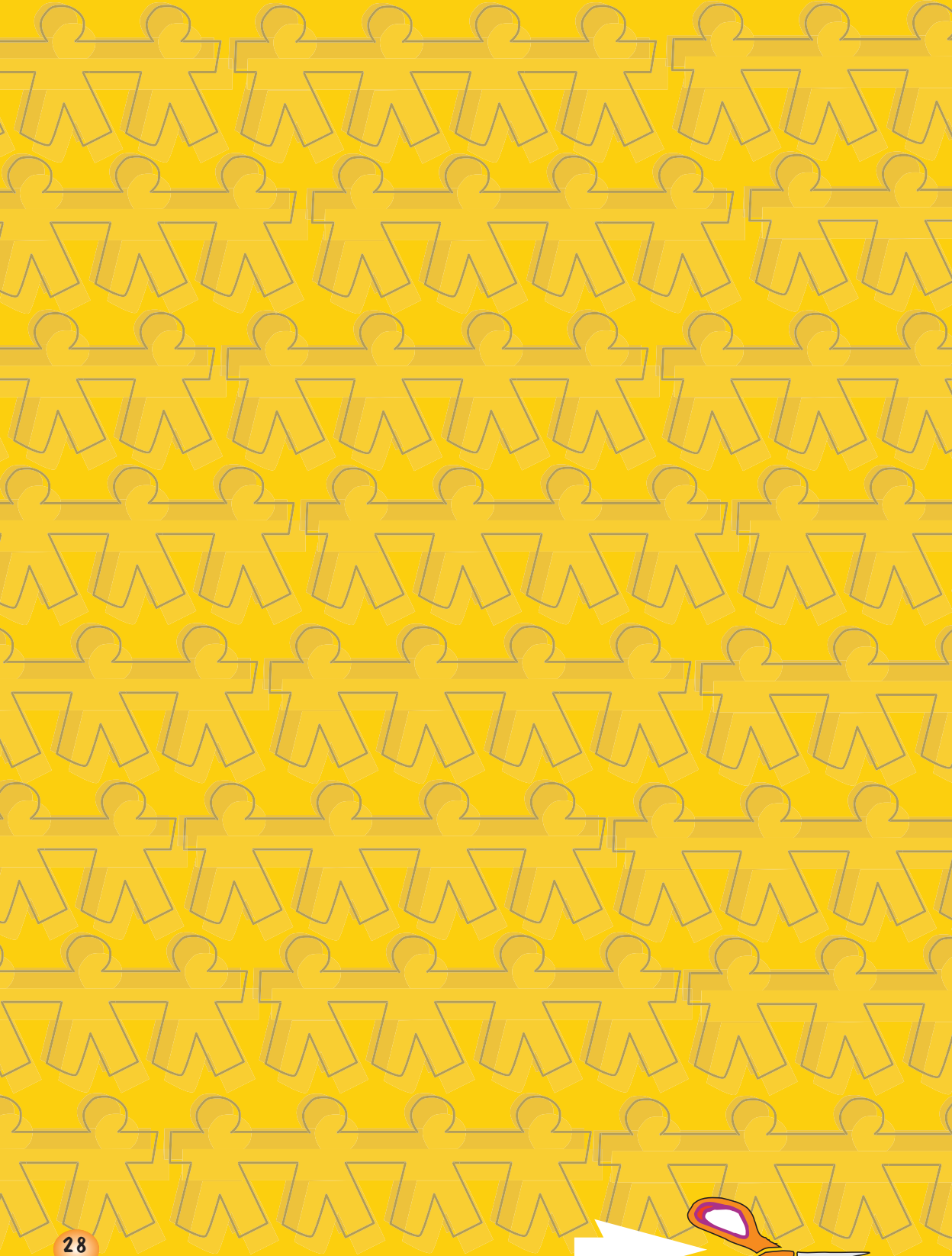
Cut out these pieces and put them together.

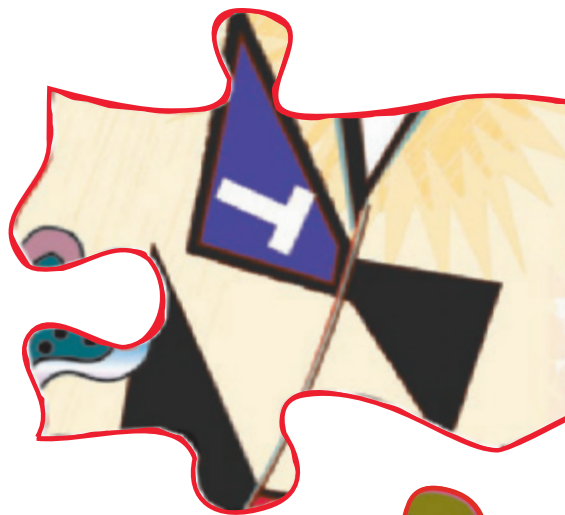
Is everything there? Can you tell what the picture is?

If something is missing, look through your book...













The Judge decides



Your story is one piece of a puzzle that the Judge has to put together. Other **witnesses**, like Police Officers, give their pieces by telling what they know to the **Judge**, too.

After a **trial**, the Judge decides if the accused person is guilty or not guilty.

The Law says that Judges have to decide with **facts**, not with their feelings. If the Judge says “**not guilty**” it doesn’t mean he or she didn’t believe you, or didn’t like you.

If there are not enough pieces of the puzzle the Judge has to say “**not guilty**”.



The Judge decides

The Judge's decision may take some time. It does not always happen the same day as you go to court. Victim Services can tell you when there is a decision.

At a preliminary inquiry, the Judge is trying to find out if there should be a trial or not. If the decision is **"Yes"** to hold a trial, you will have to go to court one more time. Victim Services can tell you when. It probably won't be for a while.

What happens to the accused person?

If the Judge decides the accused person is not guilty, nothing happens to the person.

If the Judge decides the accused person is guilty, the person goes back to court to find out what the Judge says will happen next. You don't have to go. Victim Services can tell you what happened.

The accused person may have to see a Probation Officer. Their job is to help the accused person follow the orders and conditions the Judge places on them. The accused person might have to see a Counsellor.

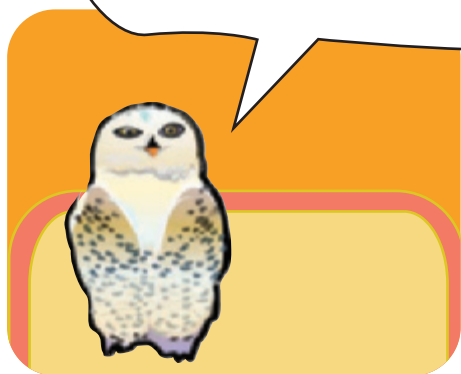
The Judge might send the accused person to jail. If that happens it is because the Judge believes it was the right thing to do.

Victim Impact Statement

You might be asked if you want to write a letter to the Judge saying how you feel about what happened. Your Victim Services Worker can help you write your letter.

*It's called a **Victim Impact Statement**.*

It might feel okay to put those feelings in an envelope and send them away!



It's over!

Making an after-court plan to celebrate gives you something to look forward to.

What could it be?...

A favourite dinner with loved ones?

A funny movie?

Dancing? or sport?

An outing?



What will your plan be?

Remember, when it is all over,

Congratulate Yourself!

My notebook



Police Officer: _____

Phone number: _____

Victim Services Worker: _____

Phone number: _____

Crown Attorney: _____

Phone number: _____

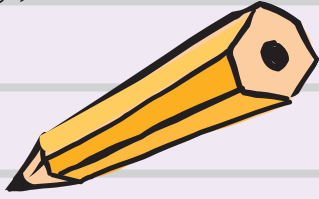
Social Worker: _____

Phone number: _____

I go to court on: _____

Dear Diary,

Today I...



Dear Diary,

Tomorrow is a new day for me.

I will....





*Brave one, fly high and soar
Like a butterfly set free
Believe in yourself as you go
A brighter day there will be*

Cindy Molloy-Butt

Notes

A series of 20 horizontal dashed orange lines for writing notes.