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# being a witness

A BOOKLET FOR CHILDREN  
IN CRIMINAL PROCEEDINGS



# being a witness

A BOOKLET FOR CHILDREN  
IN CRIMINAL PROCEEDINGS



Special thanks to the children of Albert Primary School of Springburn  
and Glendale Primary School of Pollokshields.

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## introduction

You have been asked to be a witness.

**This booklet will help you.**

# what is a witness?

**A witness is someone who may know something important.**

You may have seen something or heard something.  
Or perhaps something has happened to you.

You may have spoken to the police or social worker or to  
a lawyer and told them what you know.

Now it is important to tell people in the court what you know.

**This is called being a witness.**



Some children don't know a lot about being a witness or going to court. Don't worry. There are lots of people who can help you.

Here are some things that other children have asked about.

**What happens at court?**

**Who will be at court?**

**Will I be on my own?**

**Who can help when I am a witness?**



This booklet tells you what you need to know.

## who can help you?

There are lots of people who can help you. You can talk to someone in your family or to someone at your school.

Here are some other people whose job it is to help you:

- **A social worker** can help you. A social worker is someone who works with people who need extra help.
- **The police** can help you to find out what's happening.
- **The lawyer** is the person who asked you to be a witness. They can also help you.
- **Victim Information and Advice (VIA)** has people to help some children who are witnesses.
- **The Witness Service** can also help you. People from the Witness Service work in the court.





## what happens before I go to court?

You may have spoken to a lawyer about being a witness. A lawyer is someone who makes the law work properly.

The lawyer will usually come and talk to you and ask you questions. There may be more than one lawyer who wants to ask you questions.

They can tell you about the court and show you what it looks like. Tell the lawyer if you want to visit the court to have a look around.

The lawyer will try to answer all your questions.



## what is a court?

A court is a place where a judge works. The judge is in charge of the court and their job is to listen to what you say. They may also ask you questions.

In some courts the judge is called a sheriff.

The court has to decide if someone has done something wrong and broken the law.

The law is like a set of rules that people must not break. Breaking the law is the same as committing a crime.

It is wrong to break the law.

Most courts are buildings with more than one room inside. The most important room is the courtroom.

# who is in the courtroom and what is their job?

- **The judge and the lawyers are always in the courtroom.** Their job is to make sure everything is fair.

Judges have other people to help them.

- **The clerk:** This is the person who looks after the judge's papers.
- **The court officer (sometimes called a macer):** This is the person who gets things for the judge and looks after the other people in the court.
- **The jury:** This is a group of people who listen to you and help the court decide if someone has broken the law.
- **The accused:** This is someone who may have broken the law. The accused will be able to see and listen to everything in the courtroom.
- **The public:** Sometimes other people sit in court just to watch. You can tell the judge or lawyer if you don't want other people to be there.
- **Police or security person:** Their job is to make sure everyone behaves.



# what is your job as a witness?

Your job is to tell the people at court what you know.

This can sometimes be hard. The judge and lawyers will understand if you are a bit worried. They know you are there to help them. And they will help you.

## **You will be asked questions.**

- The judge might ask you your name and how old you are.
- The lawyers will ask you questions about something you may have seen or heard.
- They might ask you about something that has happened to you.

You should tell the judge and lawyers everything you know.

It's ok to tell them even if some things are difficult to talk about.

It's ok to tell them a secret, as long as it's true.

You should not be scared to tell the truth.







## telling the court what you know

The judge and lawyers don't know what happened.  
You need to help them by telling the court what you know.

**It is very important to tell the truth about everything.**

Listen carefully to all the questions. Try to answer the questions. Remember to speak clearly and loudly.

The court wants to hear what **you** have to say. Nobody should tell you what to say.

Sometimes the lawyers use long and difficult words or ask confusing questions. If you don't understand a word or a question, it's ok to say 'I don't understand'.

You can put your hand up and say 'excuse me', just like you do at school.

You can ask them to use smaller words.

It is important that you don't guess about something.

If you do not know the answer or can't remember, it's ok to say so.

Don't be upset if you don't know the answer.

## seeing the person in the courtroom

Maybe you've already shown the police the person you have told them about. If you did, you may not need to do it again.

But maybe the lawyer at the court will ask if you can see the person.

If you are asked, you should look around carefully.

If you see the person you should point to them.

If you don't see the person, you can say 'I can't see them'.

**If you are worried about seeing the person in court, you should tell someone who can help you.**

## helping you to be a witness

It is not always easy being a witness. Adults understand that you might be worried.

You will be told about different ways to help you be a witness. These ways can help you feel more comfortable.

The lawyer, social worker, VIA or the Witness Service will tell you about these special ways to be a witness.



## using a special television

**You can be a witness by using a special television without going into the courtroom.** This can help you if you are not sure about going into a courtroom full of people. You can use this television to speak to the judge and lawyers.

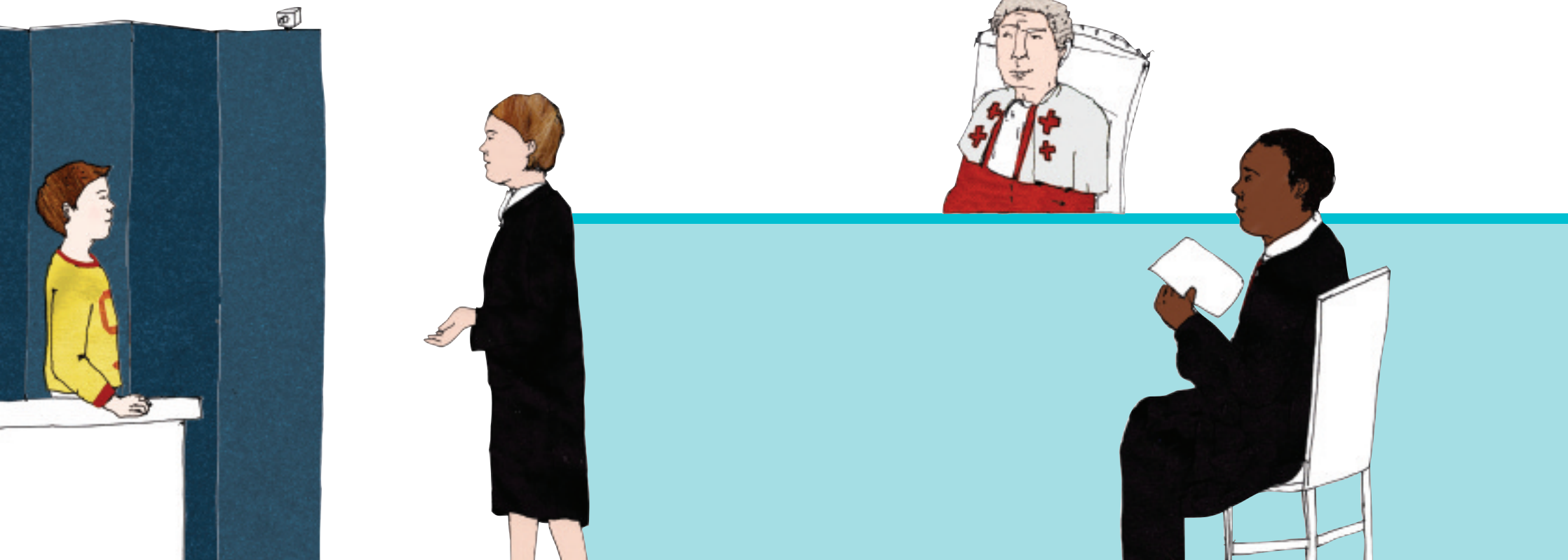
The television room might be in the same building as the courtroom.

Sometimes young children do not have to come into the court building at all. The television room might be in another building away from the court.

When the television is turned on, the people in the courtroom can see and hear you. You will be able to see the person asking you the questions on the television screen.

You should tell the judge if you can't hear the questions properly or if there is another problem.





## using a screen

You might want to go into the courtroom but you might be worried about seeing the person you've spoken about.

A screen can be put up in the courtroom so you don't have to look at that person.

The screen is like a curtain that divides the room.

You will still be able to see the judge, jury and lawyers and their helpers.



## using a support person

You can also have a grown-up person to be with you the whole time even when you are speaking to the judge or lawyers.

This person is called a supporter.

Think about who you would like to be your support person.

## other things that might help you

VIA or the lawyer may tell you about other special ways they can help you to be a witness.

Did the police make a video or a tape recording when you spoke to them? Did the police write down what you said?

The video or the tape can be played in the courtroom. Or the police notes might be read out.

If that happens, you might be asked to watch or listen. Then you might be asked questions about what you said.

The judge and lawyers usually wear wigs and gowns in court, like a uniform. Ask someone about this. If you do not want them to wear their wigs and gowns, tell someone.

**The court wants to know which way you would like to be a witness.**

**Don't be nervous to ask questions.**

**Someone will help you to choose which is best for you. If you change your mind, tell someone who can help you.**



## visiting the court

You might not have been to a court before.

It's a good idea to visit the court or the place where you are going to be a witness.

You can go with someone you know. Maybe someone from your family or your social worker or VIA.

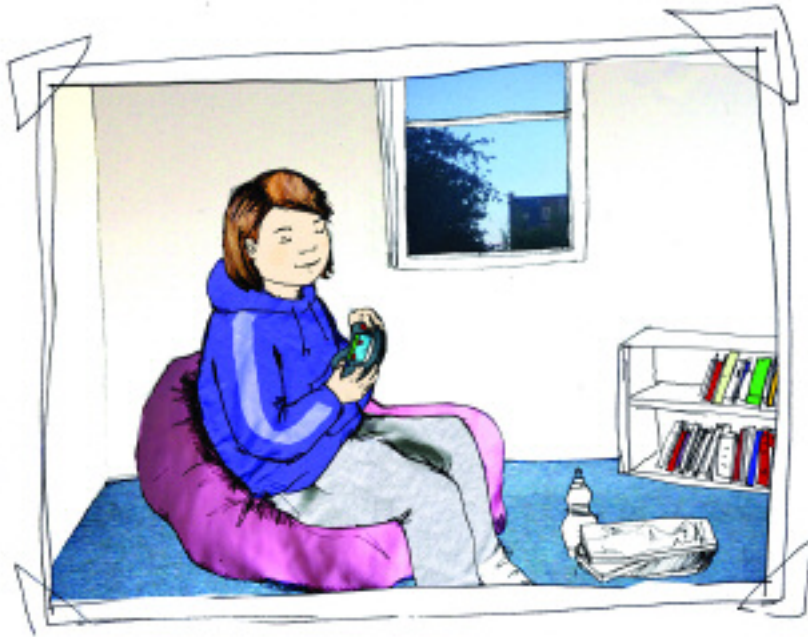
Someone at the Witness Service will be there to show you around and to help you.

You can look around and see where you will sit.

You can see the special television and screen. You can practise being a witness.

If you want to have fun, you can practise being a judge.

You may be able to see what a courtroom and the special ways look like on a CD ROM. You can ask about this.



## waiting to be a witness

Waiting to be a witness can take a long time.

Courts are busy places. You might have to wait. It can get a bit boring. **It is a good idea to bring a book or comic or one of your favourite toys.**

Ask the person who is coming with you to bring you something to eat and drink.

Sometimes you may have to go home and come back another day.

Sometimes you may have started to answer questions but have to come back another day to finish.

## what happens when you've finished?

After all the questions have been asked, and after you have told the court what you know, you will be finished.

You will have done a very important job.

When all the witnesses are finished the court will decide if someone has broken the law and about what to do next. Someone will tell you what the court decides.

**well done!**  
**thank you for being a witness.**

## things to remember

**You can ask for help when you are a witness.**



**It's ok to put your hand up to say 'excuse me'.**

**You might need to stop for a rest.**

**You might want a glass of water or to go to the toilet.**

**If you feel unwell or tired, the judge and lawyers will understand.**

**Everyone will try to help you.**





## questions?

You can write down any questions you have about being a witness.

Get someone to help you if you want.

**The lawyer, VIA or the Witness Service will try to answer all your questions.**

QUESTIONS?	ANSWER
Do I want to use a screen or a special television?	
Who could be my support person?	
Do I want to visit the court?	
What things am I worried about?	

**well done and thank you**

**your notes**