



# Appearing in the Children's Court

## Rights and responsibilities of parents

Parents have an important job when their child goes to court. They can support their child and give information to the court.

They should talk to a lawyer as soon as possible. When a child goes before the court, parents should tell the police or court staff if they want to speak to the court.

If the court wants a report on the child from the youth justice officer, the parents should also go to the interview so they know what is happening.

Our staff want to help parents with their child's ongoing development and will seek parents' help in carrying out court orders.

## Contact details

For more information contact court staff on 9218 0100 or youth justice on 9218 0190.

## CONTACT

**Children's Court of WA**  
Department of the Attorney General  
160 Pier Street  
PERTH WA 6000  
**Phone** 9218 0100  
**Fax** 9221 1705  
**Email** [childrencourt@justice.wa.gov.au](mailto:childrencourt@justice.wa.gov.au)

**Legal Aid (Protection Services)**  
c/- Children's Court of Western Australia  
Department of the Attorney General  
Interview Rooms 1-3  
160 Pier Street  
PERTH WA 6000  
**Phone** 9218 0160, 9218 0159  
or 9218 0158

**Legal Aid WA**  
55 St Georges Terrace  
PERTH WA 6000  
**Phone** 1300 650 579  
**Fax** 9325 5430

**Department of the Attorney General**  
**Phone** 13 67 57  
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Court and Tribunal Services Division  
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## Appearing in the Children's Court

A young person aged from 10 up to 18 can be brought to the Children's Court in three ways.

He or she:

- can be arrested by the police and kept in a remand centre until going to court.
- can be arrested and released on bail. This means you can go home but you must first sign papers promising to attend court when asked.
- may be given a notice to attend court by a police officer. This gives the date and time when you must go to court. A copy should also be given to the person who looks after you, such as mum or dad or grandparent.

## Your court day

- Come to court in good, clean clothes. Check with court staff to see if your name is on the court list.
- If you are being held in a remand centre, your parents will need to let court staff and the court orderly know that they are in court. Your parents will also be called when it's your turn to appear.
- If you haven't already seen a lawyer, arrive early and ask to see the duty lawyer. You will need your court papers and any papers given to you by police when you were arrested.

Most courts provide free legal advice from the Legal Aid Commission and the Aboriginal Legal Service. You may be entitled to that advice. The lawyer will represent you (talk for you), and may want to speak to your parents.

## What happens in court?

- Wait for your name to be called before going into court. It is sometimes difficult to know how long you'll have to wait. You will be shown where to go and where to stand when your case comes up.

- The charge is what the police say you did. The magistrate will read the charge to you. Listen carefully. You will be asked if you understand the charge.
- The magistrate will ask whether you are guilty or not guilty to the charge. You must answer this question.  
If you say 'guilty' it means yes, I did do it.  
If you say 'not guilty' it means no, I didn't do it.

Appearing in court is a serious matter and if you don't understand the charge or any other aspect of what is happening to this point, make sure you say so.

If you say guilty (the lawyer's words are 'plead guilty'), the prosecutor will read details of your offence. Listen carefully and tell your lawyer, or the magistrate, if you do not think what they are saying is correct.

Your lawyer will speak to the court for you. The magistrate may ask to hear from a youth justice officer to see if there is any information they have for the court. Your parents may be asked to speak. If you have committed previous offences, your history will be handed to the court.

## If you plead not guilty

If you plead not guilty you must come back to court on another day. Talk to a lawyer before your next court appearance. If you say you are not guilty, a date for a trial will then be set.

## If you plead or are found guilty

The magistrate or judge will consider the appropriate punishment or penalty. They will consider not only the crime but you as an individual.

The decision may not be made the same day. You may have to come back if a report about you is required from the youth justice officer.

You may be held in custody in a remand (detention) centre, or you may be released on bail.

Information on remand, detention centres and bail is available from the Children's Court.

If you are granted bail, you will need to have an adult family member or adult friend who is prepared to act as a responsible adult before you can be released on bail.

If you are granted bail, you will be given a telephone number and you must contact the youth justice officer within two days to arrange an interview so the report can be completed.

The report prepared by the youth justice officer will contain a brief history about you. The officer will also explain the punishment being considered by the court.

It is important for your parent or guardian (the adult who looks after you) to attend the interview.

## Possible penalties

If you say you are guilty or the court finds you are guilty at trial, the court has a number of options which include:

- no punishment with no conditions
- no punishment with conditions
- referral to a youth justice team
- good behaviour bond
- fines and costs, restitution and compensation
- youth community-based order
- intensive youth supervision order, with or without detention
- custodial sentence – detention/imprisonment
- adult community-based order (if over 17 years of age)
- responsible adult bonds.

The court will not view any crime lightly, but it will consider you as an individual and it will be fair.