

GUIDELINES FOR PARENTS

It is sometimes necessary for young people to go to court and testify. Some children and teenagers may have been a witness to a crime while others may have been a victim of a crime. Whatever their involvement, children need to be prepared for their experience in court by understanding their job as a “witness” and why it is so important. All children need lots of love and support so that they may be best able to tell their story and feel good about their special job as a witness.

A child’s reaction to the news that they will be going to court will vary. Some may be excited while others may be quite anxious and afraid. As a parent/caregiver, your reaction and presentation of the idea of going to court will be extremely important as to how your child will react and handle the situation. For example, if a parent is upset and angry, then the child may assume that there is something wrong or frightening about going to court. However, if a parent is calm, positive and reassuring, then the child will be more likely to feel safe and confident despite the normal apprehension of a new experience. In other words, your positive outlook, love and support is extremely important to your child.

It is natural that as a parent or caregiver you will have some concerns and questions. The Crown prosecutor will be prosecuting the case and will subpoena your child to testify in court. Feel free to contact the Crown prosecutor’s office for specific information about your child’s case.

The following are suggestions to help you support your child:

1. Try to find a quiet and relaxed time to tell the child that they will be going to court. Children should be advised early enough to allow for court preparation.
 - Present in a positive manner. For example, “Remember you spoke to the police officer/social worker about what you saw/what happened to you? It was good that you talked about it and I am really proud of you. You are safe now, however; we don’t want this to happen again to you or anyone else. So, sometimes people have to go to a special place called “court” where kids and adults can tell about what happened to them and a person called the judge can decide whether there is something that can be done to try to stop this from happening again. We will be going to court to help the judge understand what has happened and your job is to be a witness. It is a very important job. People called the Crown prosecutor, defence lawyer, and the judge will ask you questions and all you have to do is tell the truth. The Crown prosecutor might be able to meet with you so you can get to know him/her before going to court. There is nothing to be afraid of -- you have not done anything wrong. It is good for kids to go to court to help people understand what has happened. Together, we will learn more about court. I will be with you and I know that you will do a great job.
 - Children will sometimes have questions or concerns. Don’t worry if you do not know the answers. Write down the questions, advise your child that they have really good questions and you will find out the answers, then contact your Victims Services contact or talk to the court preparation facilitators.



Child Witness

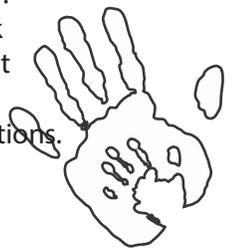
Court Preparation Program
and Court Accompaniment

CCAA .ORG

CANADIAN CHILD
ABUSE ASSOCIATION

GUIDELINES FOR PARENTS

2. Depending on the age of the child and his/her exposure to television programs about court, you may wish to ask your child what they have seen or heard about court. Children may need to understand that court TV is not like real court – no one screams in court, everyone is safe in the courtroom and court isn't funny like on Judge Judy. Real court is a very serious place where the judge wants to hear exactly what happened and every answer has to be the truth.
3. Don't be shy to ask questions about the court process and what to expect. Inquire as to whether the Crown prosecutor will be able to meet with your child prior to the court date. Also talk to the Crown Prosecutor's office or Public Assistance Unit to see if they anticipate if the CCTV room will be used for the child to testify.
4. It is sometimes advisable to meet/talk with the staff of Victim Services or your local court preparation program without your child present. This will allow for you to openly discuss concerns and understand the criminal justice process. Facilitators will explain the court process, how children are prepared for testifying in court, will provide you with information and if requested, referrals to community resources which may be of assistance to you and your family. This program recognizes the stress that families face during the court process and will try to support your family as much as possible.
5. Recognize that your child may need to talk about what has happened and their fears. Be sure that your child knows it is alright to talk to you if they wish. However, try to let the child guide the conversation as children can sometimes feel uncomfortable about their parents' persistence in talking about it. It is important that your child not feel pressured to talk about it with you yet feels comfortable to raise the subject if they wish.
 - It is not unusual for children to want to share their feelings and concerns. While it can be good for a child to be able to talk, it is extremely important for the parent/caregiver NOT to suggest ideas about what has happened nor shape their recollection/ideas and NOT to correct your child's vocabulary or presentation of the facts. DO NOT rehearse his/her story for court. To do any of the above may seriously jeopardize the outcome of the court case. It is crucial that no witness' evidence (child or adult) be influenced in any manner. In short it is best not to discuss your child's evidence with him at any point.
6. Always remind your child that the most important part of their job in court is to tell judge everything that happened and never be afraid to tell the truth. The child needs to know that you will always be proud of them and you want the child to tell the truth no matter what. The truth may make people feel sad but it is still important to tell everything – not just a bit of what happened.
7. Reassure the child that they are safe when you go to court and no one will hurt them. The security guard, Crown prosecutor, and judge will all make sure that everyone is safe in the courtroom.
8. Children need to feel self-confident so that they can tell their story to the best of their ability. Let your child know that you believe in them and know that it is sometimes very hard to talk about what has happened but it is very important for the accused person to understand that it was wrong. Abuse is not a child's fault. Children need to know that they have important information to share with the court and they will have answers to many of the lawyers' questions.



Child Witness

Court Preparation Program
and Court Accompaniment

CCAA .ORG

CANADIAN CHILD
ABUSE ASSOCIATION

GUIDELINES FOR PARENTS

9. Depending on the age of your child and the circumstances of the offense, some children may find it easier to testify without their parents present in the courtroom to hear their evidence. Some children may not feel comfortable enough to talk openly about what has happened, It is hard for anyone (child or adult), to talk about sensitive matters that may upset a loved one. If this is the case, you may wish to wait outside the courtroom and be there for support before and after your child has testified. Your child may wish to have another supportive adult present in the courtroom while testifying. It is important to respect your child's wishes if they choose not to have you in the courtroom. Do not pressure them into changing their minds.
10. Try to maintain the child's activity schedule as much as possible. Children need routine. Recognize that there may be some change in behaviour or upset related to the child having to remember the incidents and getting ready for court. This is normal. If you have any serious concerns, get help through your Victim Services Program, a counsellor or family doctor. A list of resources is provided in your package from the Child Witness Court Preparation Program.
11. Ensure that your child is well rested on the court day and has a good breakfast. Make sure that your child is dressed in clean, tidy and comfortable clothing. It could be a long wait, so be prepared and bring some quiet activities (crayons, books, games, and tablet or phone) and some healthy snacks and drinks.
12. Remember that children usually cope as well as their parents/caregivers appear to cope. It is normal that you may be upset and frustrated with the criminal justice system. It is best not to discuss your concerns with your child as it may upset the child and the child may feel somehow responsible. Rather than express your concerns to your child, find someone positive and supportive, for example, a friend, relative, Victim Services Program or seek support from a community agency. It is very important to look after yourself and your needs.



Child Witness

Court Preparation Program
and Court Accompaniment

CCAA .ORG

CANADIAN CHILD
ABUSE ASSOCIATION