



**Children and Young People in  
Care Consultation for the  
Victorian Law Reform  
Commission**

**March 2010**

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## 1. CREATE Foundation

The CREATE Foundation is the peak body representing the voices of children and young people in out of home care. CREATE works to build a community with stakeholders in the child and family welfare sector to deliver a range of services and programs.

### Our Vision

All children and young people with a care experience have the opportunity to reach their full potential

### Our Mission

Creating a better life for children and young people in care

CREATE does this through:

- **Connecting** children and young people to each other, CREATE and their Community.
- **Empowering** children and young people to build self-confidence, self-esteem, and skills that enable them to have a voice and be heard.
- **Changing** the care system, in consultation with children and young people, through advocacy to improve policies, practices and services, and increase community awareness.

CREATE's core principles

- Participation is the cornerstone of best practice
- Openness and transparency
- Children and young people are valued, respected and cared for
- Staff are valued and supported to excel
- Strong independent advocacy, is informed by children and young people
- Partnerships with governments, organisations and individuals are pivotal to success, and
- Innovation, creativity, and fun.

Programs delivered by CREATE involve the participation of young people in the concept, design, delivery, monitoring and evaluation. All events delivered as part of the "CREATE Connections" project involved CREATE Young Consultants in the design and delivery of the events.

## 2. Aim of the project

In early 2010 the Victorian Law Reform Commission approached CREATE to conduct consultations with children and young people with an out of home care experience. The aim of the consultations was to hear about children and young people's direct experiences with the Children's court in Victoria. In addition the consultations were designed to assist the Victorian law reform Commission in examining the current operations of the court and to progress the development of what other models may work in order to better serve children and their families.

### 3. Methodology

The Victorian Law Reform Commission provided CREATE with a project outline. A CREATE Community Facilitator and CREATE Young Consultant designed the consultation outline which included questions that were appropriate for the 3 different age groups (under 13, 14 -17 and 18 years plus). Feedback was sought in a small group setting. The CREATE Community Facilitator also attended a residential care unit to enable a better cross section of age groups. Feedback was sought through an email questionnaire for those who could not attend the small group consultations.

Some of the topics discussed in the consultations include:

- experiences of the Children and Family Court
- understanding of what happens at the courts, and
- the facilities at court.

Type of participation	Number of Consultations	Number of Children and Young people consulted
Group consultations at CREATE office	3	8
Consulted in person at Placement	3	8
Consulted over the Phone	4	4
Participated via email	1	5
<b>Total</b>	<b>11</b>	<b>25</b>

## 4. Participants profile

### 4.1 Age of participants

Under 13	14-17	18 plus	TOTAL	
3 female	7 female	4 female	14 Female	25 Children and Young people
4 male	4 male	3male	11 Male	

### 4.2 Type of care

Residential Care	3
Foster Care	6
Lead Tenant	2
Kinship Care	4
Permanent Care	2
Adoption	1
Other	8

## 5. Summary of key themes from the consultation

### 5.1 Understanding of what court is?

Eighteen out of 25 young people consulted stated that they didn't have any idea about what going to court was going to be like, or even why they were attending. Those young people that did have an idea what court was going to be like only knew through either reading books, receiving letters, watching TV, or they had attended court so many times that they were familiar with the environment. Participants stated not knowing what to expect when attending court made the experience of attending more very confronting and scary.

### 5.2 Attending court

Twenty out of 25 young people had been asked to attend court. Most believed that it was their right to attend and have a say in their lives. Some young people thought that attending court at a young age had limited benefits for the young person due to the trauma associated with the experience.

### 5.3 Court is Scary

All 25 young people had a scary thought the first time they walked into court. The experiences range from being overwhelmed at the amount of people in the room to, 'have I done something wrong and will I be locked up'? All young people thought that the court building and court room needed to be young person friendly with bright colours on the walls and things to play with. An outdoor area where children could play and where children can be children was also a priority. Young people wanted to have time out on their own to digest what was happening or be able to spend time with family that they don't often get to see, in a private space.

Young people noted that they often had to compete for attention from lawyers or to get information and that this added to a negative experience and produced higher levels of anxiety.

#### **5.4 Court Is Confusing**

The majority of young people consulted found attending court a confusing and frustrating experience. The young people commented that if someone had explained the process before attending court or explained on the day about court, then their experience would have been less negative, with less anxiety. It also would have also helped the young people to feel more included in the process.

#### **5.5 Who is at court?**

All young people could tell us who they would normally find at court. For the children under the age of 13, seeing their families was what they most looked forward too and associated with going to court.

#### **5.6 Lawyers and young people**

When asked how they would treat young people if they were a lawyer, the young people stated that they would: get to know the young person by asking them how they are going and what they did yesterday; listen to the young people's stories and requests; respect the young people; and simply explain what is going to happen and the possible outcomes.

Young people stated they always found court less daunting when they knew who their lawyer was going to be beforehand and also if they trusted this person. Young people wanted to feel like they were not on trial for being bad and they weren't going to be put in jail.

#### **5.7 Judges and young people**

The young people in the consultation thought that judges were not respectful of the fact that they were determining decisions which impacted on the young people's lives.

*"They never speak with young people or look at them when talking like they don't exist. "*

When the judges sit up higher than everyone else does, this makes the young people feel intimidated and they expressed that they felt that all conversations should be conducted in a less formal environment, for example a round table.

Participants held strong views in relation to how the court room communications affect them. The young people felt that when the lawyers or judges use language that children and young people cannot understand or they do not having anyone who can explain what the judge says, this makes is difficult for the child or young person and adds to the unease of not having a say in their lives. Due to this, young people often walked away doubting the system in place to protect them.

## 6. Recommendations

### 6.1 Access to an independent person who can explain court prior to attending

Children and young people attending court should have the opportunity to meet with an independent person who can explain to them what happens at court. This would include:

- the roles of the people in the court room,
- services that they can access through the courts
- complaints procedures, and
- answering any questions they have in language which is easy to understand.

A resource similar to the *'Lex the Court Cat'* could be developed for the 'tween' age group of 15-18 years, so that they have the opportunity to be prepared for what happens in the court room.

### 6.2 Children under the age of 13 should not attend family court proceedings

Participants stated that children under the age of 13 years should not attend court and should meet with a lawyer in a place that is safe and familiar to them to ensure that they are involved in what is happening in their lives. The young people stated that, *'having young children attending court is traumatising and boring'*.

### 6.3 Familiar Lawyers

Where possible, the courts should ensure that children and young people are able to meet with the same lawyer. This would help to young people's ease anxiety and young people would be able to build trust and rapport with the same lawyer.

### 6.4 Include young people are able to understand and be part of the court process

Ensure that young people have an understanding of what to expect when attending court, what peoples roles are within the court room and what to expect after court. All lawyers and judges could speak in language that children and young people are able to understand. To help young people understand, they felt hat it would be good for people in the court room to see use words which young people use and use eye contact when decisions are being made. Judges and Lawyers need to work with the young people to ensure that the outcomes are reached are beneficial to all parties and that they ensure that the outcomes are properly explained to the child or young person.

### 6.5 Make the court building younger person friendly.

**Comments on how to make the court room more young person friendly included:**

- colour on the walls or murals
- accessible children and young people friendly literature
- things to do e.g. games, computer games, colouring in and toys for children to play with.
- an outdoor area which families can spend time together in (if appropriate). This would make the experience of sitting around less boring and offer a space for some quality time with each other.
- a map or description of where to access different things in the building, toilets, cafe etc.

### 6.6 Court room set up

Young people wanted to feel like they were a part of the decisions which are being made. Having the court room set up with the judge looking down on everyone makes children and young people feel intimidated. One suggestion was to have the room set up with a round table which everyone can sit around. The participants stated that this would allow young people to have more opportunities to be involved and feel empowered throughout the decision making and recommendation processes.

### **6.7 Appropriate representation of children and young people's wishes**

Children and young people have stated that they feel their desires or recommendations are not always heard or appropriately represented or acted upon by their lawyers. One suggestion was to allow an independent court support/ advocate to be present when children and young people give directions to their lawyers about their wishes. This independent person would be there to ensure that young people's views are heard and appropriately represented. (See the Queensland system of independent representatives)

## **7. Conclusion**

In conclusion the young people stated that, as human beings we want to be seen as normal and as a child or young person we want to fit in with our friends and feel safe and in control of our lives. Going to court is not a normal part of being a child or young person, and most of us associate going to court with having done something wrong. The young people expressed that they deserve to be part of a system that is informative, empowering and not scary. The young people stated that the courts need to listen to views of the young people and that the recommendations are taken seriously and that changes are made.

Throughout the consultation young people shared stories of success in court. These stories were most often heard from: young people who had the same lawyer every time they attend court; from young people who had the chance to have lunch with their family on days when they were in court; and from young people who were able to play with their family in a separate room. Other young people commented that they had a good experience in court when they were listened to and had been afforded the opportunity to develop rapport with their lawyers; and were able to understand the language used in the court room or that someone had been there to explain it to them.

## **Acknowledgements**

CREATE Foundation would like to acknowledge all the children and young people who participated in the consultations and all the carers and workers who supported the young people's involvement.

Thankyou



## Appendix 1 Consultation questions and answers

### 1. Have you been asked to go to the children's court before?

- Yes I have
- Yes I have every time I have need to go (7 times)
- No never- I didn't even know about going to court until I was 18 because I was a ward of the state from a young age
- Yes I have been in and out of care since I was 3 months and was made to go to court from the age of 5. DHS said that I always had to go to court unless I was really ill and in hospital
- It is better for young children to speak with a lawyer outside of the court and not attend
- As I got older I realised that I needed to attend court so that I didn't miss any information about my life
- Yes, I went because my brother and sister were part of a custody case
- Yes, I was asked to go because DHS were requesting a custody order at the age of 15
- Yes
- Yes, when I was six years old and then again when I was 10 years old for permanent care
- Yes, the one in Melbourne the really big one I the city
- Yes, for matters to do with my order
- Yes, when I was 14 and 15 years old
- Yes but there was no point I didn't get to go home
- Yes
- Yes
- Yes I first went when I was 7 and I was so scared, I should not have gone when I was so young. I had nightmares for ages.
- Yes, it so boring!
- Unfortunately yes
- Yes when I was 10 and I never want to go back
- Yes
- Yes, it's when I see my dad
- Yes
- Yes but not anymore it's too boring and no one listens to you anyway
- Yes

## 2. Who did you go with?

- I went with my DHS worker
- I went with my DHS worker and my mum
- The many times I went to court most of them were with resi workers but I have also been taken by family members and the police
- I was taken to court by me DHS case worker
- I had to meet my worker there as they weren't able to pick me up from school
- My mum and 2 lawyers
- The first time with my DHS worker and my siblings
- My mum, brother, caregiver, social worker and lawyer
- I went with m carer, DHS worker, parents, younger brother and uncle
- Legal aid and my workers
- I went with my carer
- My sister
- I went with my Aunty Jo
- I went with my parents
- Usually with DHS worker
- My worker and sometimes my friend comes to play with me while I wait
- My family
- One of my workers usually come with me
- I go with my worker and my family meets me there
- My 2 older brothers
- My carer and sister
- My lawyer and Mum
- I went with Dad the first time and but since then I go with my worker or carer
- I went with the resi unit staff
- I go with my workers, my family and lawyers

### 3. Did you have any idea what was going to happen when you arrived at court?

- Yes I did, I was sent a letter
- Yes but not before I was able to speak with my lawyer
- Vaguely, because I read a lot of books
- Some things that I didn't know are that I had to bow and to turn my phone off. "My phone rang and it was really embarrassing and everyone looked"
- No, I had no idea what to expect
- Not a clue, people talked then we left
- No, I had no idea what the whole process was and no one ever explained it to me
- I was sent a letter but it didn't prepare me really
- Yes my carer explained to me
- Not really but my lawyer explained to me
- There was lots of stuff I didn't know like your not allowed to talk
- Sort of
- No I thought everyone thought I was bad
- I thought they were going to lock me up all day until the judge had talked to my lawyer, like I have seen on tv
- No I didn't even know we were going to court the first time. For my permanent care order I know all about what was to happen
- Yes and no I have been there so many times I have now gotten used to it and as I have grown up I have learnt what might happen and what might not happen
- I didn't know exactly what would happen but my carer had told me what might happen throughout the day
- I had the idea that I was going to be locked in secure welfare forever
- I had some idea but not anything like it was
- Yes I had been with a friend before for something different
- No and I was so nervous because I had to meet my worker there
- I thought I did , but it was not as bad a I thought
- No I had nightmares for days before I went
- Yes
- I kind of new

#### 4. What was the first thing you remember about walking into court?

- That it was scary and there were lots of people
- The huge stairs and the angry man that was hitting the walls
- The free phone
- It was scary
- It is a really boring place but there is a beautiful outdoor area where everyone was smoking and kids area where they can run around
- Even as an adult I still find court very stressful, tip toeing around DHS
- Oh boy am I in trouble (It wasn't it was something to do with my custody order)
- Metal detectors and a lot of stairs. I remember thinking that this is a really big place and I don't even know what I am really meant to be doing here
- Freaking out at the amount of people in there
- When I walked through the electric doors there were heaps of seats in the big room
- All the questions
- The metal detectors and the buckets with the x-ray machine
- It reminded me of walking into an airport
- I remember it being quit confronting because when you first walk in there are metal detectors, x-ray machines and security
- All the scary people
- The big stairs
- Feeling like everyone was looking at me
- The metal detectors
- I remember looking for where they were might lock me up
- The man and woman yelling at each other
- How many people were there and I was trying to find my family
- How scary it was
- That it was big and dark
- My sister standing there with a big smile
- It was really scary

## 5. What did it look like?

- Big and ugly and scary
- Big and boring
- Cheap plastic toys
- The court room is white and has lots of seat
- Big, lots of seats, lots of court rooms and lots of people
- It was a room with one person up front higher than the rest, behind a panel and seats on either side facing the front. Also lots of seats behind (4 rows)
- It was a really big building that had metal detectors at the front and it was really intimidating
- It had high ceilings, grey carpet on the floor and was scary
- Big room, with a big desk where the judge sat and they all these other seats with tables sitting just in front of the judge
- It was grey and scary, intimidating and not young person friendly
- The airport security bit and just a basic office really
- It was big and scary
- Ugly and dark
- Grey carpet and seats like you have at church
- Boring
- The room had tables and people sitting near the judge typing things
- It wasn't very nice really dull and uninviting and it actually made me sad
- Lots of chairs and people and tables
- Scary the judge sits up higher than everyone else and makes you feel like you're in big trouble
- A boring building
- It looked something you would see on TV with metal detectors and security guards
- Really boring and blank , there was only like chairs and tables there
- The waiting area was really confusing with lots of people, but the court room just had people I know in it
- It had high ceilings I remember that
- Scary and old

**6. Can you name any of the people who would normally find at court?**

- My dad and lawyer
- Just my family and DHOS and my silly dad
- Lawyer
- Magistrate
- Court reporter (Clerk)
- DHS
- Children
- Judge
- Secretary
- Security
- The type writer lady that types every word said
- Family
- Red cross appeal giving you hot drinks
- Legal aid
- Jury depending on the court case
- My worker
- My sister

## 7. How did they treat you?

- I have the same two lawyers every time I go to court
- Going to court is ok because I get to muck around with my family
- Everyone treats me very nice
- The lawyer that I really liked always listened, did as I asked, advised me of what was likely to happen and told me how I should act
- The lawyer that I didn't like, didn't listen, didn't take in what I said, didn't represent me, represented DHS and made me read graphic police reports about my parents. She also didn't listen to what order I wanted to be on
- Like a little kid, like I had nothing to do with what was happening
- Well the judge was nice to me but my lawyer didn't make me feel like she was on my side and I believe that is what my lawyer is meant to do
- Like I wasn't there
- With respect and kindness
- Okay, I always thought that the judge was mean but now I understand
- Some of them treated me like I was stupid or not as smart as them, others ignored me and acted like I wasn't there
- The judge always scares me when he talks, his voice is deep and scary
- They treated good and even let me have lunch with mum
- They were really nice and explained stuff to me
- They could have listened to me
- The court staff treated me fine but the magistrate was intimidating being up so high looking down at me
- Like I was stupid and wouldn't know what I wanted
- They were all nice
- Like I had done something wrong
- They treated me ok, I wish they would tell the judge what I really wanted though
- Okay the judge is scary though because the judge sits up so high
- Ok, it was hard to get their attention when I wanted to say something
- They treated me like they knew what I wanted and was stupid
- They were all good
- They were ok, I was so nervous it didn't matter what they said

## 8. Did you understand what people were talking about?

- Yes because I had read lots of law books and new the phrases that they typically use
- No and I didn't really listen
- Not a clue
- No, majority of the time everything was in very formal language and I had no idea what was being said. It was never explained to me
- No, I didn't understand anything at all
- Not really, I had no idea what was happening and all everyone was saying was don't worry. I didn't know what I was not to worry about
- No not always
- Sometimes I understood but most of the time people spoke too quickly and used technical language
- Not really
- No I did not understand the legal jargon
- Some of it
- Not really so I just tuned out
- No it was really confusing
- I would have if someone translated for me
- I had no idea, it was really hard to follow
- I wish I did or that someone had explained it to me
- My worker tried to explain it but I was still confused
- No I didn't
- At times I did, but they were talking so formally
- No it was like they were talking in another language sometimes
- No I left confused
- No not all
- Most of the time I did
- I understood some it but my little brother didn't understand at all, I tried to explain as much as I could
- It would have been good if I did, but didn't and found it really intimidating



## 9. Did anyone explain what was happening?

- The lawyer would sometimes lean back and explain what was being said
- Yes, my lawyer but only parts of what was happening
- No one explained anything to me
- No when the judge asked me if I understood what the terms of the custody order were I said "I wasn't bad and please don't put me in prison"
- Not until I was old enough to understand better. But for the first few years I didn't even attend court when my orders were due to be renewed. I just had to speak with a solicitor and really rely on my foster carer to explain what was happening to me
- Yes, my lawyer. We get along really well
- No one explained to me what was happening throughout the whole day but my carer was able to answer some of the questions that I had
- Kind of but they didn't let me have anything to do with it
- No, no one explained what was happening on the day
- My worker explained a bit of it
- No and I still thought I was in trouble or they were doing this because I was bad
- No one explained anything on the day
- My resi worker explained what a custody order was when I got home
- My lawyer explained some stuff
- No I think they just thought I knew what was happening
- No but were I got older I started to understand
- No they didn't I was really angry
- No I wish they had of because I went home really sad and confused
- No and it made me really anxious
- My lawyer tried to explain but I still didn't really get it
- My lawyer explained some stuff, but the judge was still really confusing
- No and I remember asking the judge to let me go home and live with mum and I promised to be good
- No not really
- No one explained anything to me until I got home
- No I felt really stupid

## 10. Did you find anything confusing? How so?

- Lots of it, when my lawyer and judge were talking I didn't understand any of it
- I found everything confusing. I was confused about why my lawyer wouldn't listen to what I wanted and try to fight for what I wanted. I didn't understand what was happening in the actual court room. I was confused about what was happening throughout the whole process
- The whole thing. In 5 years of my original custody order I only went to court once. I don't understand why I had to attend at all when decisions had been made about me for so long without my presence
- Why we were going there at all, it was really confusing
- A lot of words that they used because they didn't explain to me what they meant or what they were meant to enforce
- Not knowing where I was going next
- I did find it confusing because I didn't understand the legal jargon
- It was all confusing especially when we in the court room and the lawyer and judge were talking
- Yes I don't know why I had to go because no one really said what I wanted to happen
- Yes I was confused about who I was going to live with
- Yeah I was confused why I had to be there at all, it was scary and no one explained it
- It was all confusing I wish that I had not gone , but my worker said I had to
- The way they were talking was really confusing
- I was confused why my lawyer wouldn't listen to me and wouldn't fight for me isn't that their job?
- Yes , I thought I would get live with my brother and I didn't
- I was confused about what was going to happen to my sisters and my mum
- It was confusing in the court room
- I don't know why they made me go, I hated it
- I don't understand why my lawyer didn't tell the judge what I had said and that I wanted to go home
- I was confused about the whole thing
- I was confused why everyone thought they knew what I wanted and didn't really care what I said I wanted
- Yes I didn't understand why the judge wouldn't let me stay with Dad
- I don't know why I had to go
- The judge and lawyer confused me because I couldn't understand what they were saying and why the lawyer said the stuff he did
- Yes I was confused why I had to be there, I had already spoken to my lawyer he knew what I wanted

## 11. Were you surprised by any decisions that the judge made?

- Not at all the DHOS worker had walked me through all of the outcomes
- That I got to go home once
- At the time I never understood the decisions that the judge made but looking back now I understand why decisions were made for me as I was a ward of the state
- The judge often changed decisions that DHS had made
- The judge ordered checks of family members that DHS had already completed. This meant that I was moved around before decisions were made
- The judge overruled DHS and said that I could have lunch with my family on the days that we were at court
- No, because my lawyer said that I had agreed to the custody order even though I didn't
- Yes, I was surprised that the judge gave my mum custody of my brother and sister
- I was surprised that the judge said I couldn't live with my family but my brothers could
- Yes that judge said I could go visit mum
- Not really
- Yes, that I didn't have to go to jail
- That I couldn't go home
- I was surprised that the judge made the decision when my lawyer didn't really say what I wanted
- Not really I knew I wasn't going home
- Yes, but I didn't understand any of it
- I don't know, I never stayed in the court room very long
- Yes, it wasn't what I thought because DHS told me something different
- Yes, horrified really
- No I wasn't surprised
- I was surprised that I didn't get to live with my Dad
- Not really my worker had explained what was probably going to happen
- Yes It was horrible when he said I was going somewhere new to live
- Not really I was expecting it
- Yes that he thought it was better for me to live away from my family

**12. If you were able to design a court house (building) what are three things that you would make sure it had?**

- Court is court, it's boring but that's just how it is
- There should be entertainment (pool and trampoline)
- It's good that there is a room that you can talk with your family and have fun
- Cosy (more homely)- not looking like a court room
- Round tables that all parties can sit around so that nobody is superior
- TV with children's shows
- More toys and games (toy room)
- More rooms for private conversations and to be able to have time alone. "when you're at court your business is everyone else's, nothing is private"
- More seats so everyone can sit
- Posters of services of like kids help line and CREAT on the walls
- Playground, lots of judges and comfortable seats
- Kid friendly workers
- Someone who would sit and explain to the child what was going to happen and what was happening while they were in the court house
- Someone on a neutral playing field for children and young people to talk to about the process
- People that speak young people friendly language
- Something for children and young people to do while we wait
- Comfortable chairs, bright lights and colours
- Free food, a recreation room that was suitable for all ages and some youth workers that are nice
- More seats, more food areas and young person friendly
- Chairs and a good judge like the ones you see on TV
- A playground for children, disability access and where the magistrate sits would be lower
- More Chairs and books and flyers that explain the process
- A friendlier court room where everyone sat around the same table
- Stuff that young people can do, play games and watch TV
- More rooms where you can hang out with your family and more colour on the walls

### 13. Where would you like your court house to be?

- It's fine in the city
- It would be good if it was down the road
- Every region should have a court house. "It is unfair for people who live in rural towns to have to travel so far to attend court. Their parents might not attend because they can't get there"
- The Moorabbin court is much easier to get to than the city
- Somewhere that is not too far from home, meaning they need more than one and it needs to be in a safe environment
- I wouldn't have a court house if only dealing with DHS cases unless they are really big fights for the welfare of a child. If it's like my case that it was just to renew an order and I would like to meet with the judge via video phone at the DHS building just to go over the legal sagas so that the child feels more comfortable and not daunted by the court setting
- Footscray, next to where I live so that I don't have to travel far
- Close to where I was living
- Somewhere that has a place that young people can go outside and throw a ball and have a play because it is a long day and it gets very boring
- My courthouse would be located in the city
- Closer to a train station so I can get there if no one can take me
- In the city is ok
- In my town, I live about 2 hours from the city
- It doesn't really matter
- They should have one in each region
- Not in the city
- Near DHS
- Anywhere just as long as it's easy to get to
- In the city
- In Moorabbin, that's a good place to have a court house
- The city is ok
- I guess where they need them to be, but there should be a few around and not just in the city
- Close to home
- The city
- In my suburb

#### 14. Have you been to any court house other than the one in the city?

- Yes I have been to the Moorabbin one and I think that they are both boring because all you do is sit and wait all day
- No, only the one in the city
- Yes Moorabbin, its much smaller, you can find a seat to sit on and there aren't as many people
- Moorabbin is far less stressful
- The court in the city is "like a jungle", trying to fight to find the person you need to speak with
- No
- Nope
- Yes, Morwell
- Yes, Mildura
- I have been to Werribee and Sunshine courts
- Broadmeadows magistrates court
- I have been to the Dandenong court
- No just the city
- Only the city court
- I have been to Morwell and then I moved and went Moorabbin
- Yes I went to one I don't know where it was though
- Yes I went to Moorabbin
- No just the city
- Just the city
- I have only been to the city
- No other ones
- I didn't know I could go to a different one
- No
- I have been to Mildura
- Only in the city

**15. If you were a judge how would you make a child feel comfortable when they went to court?**

- I would say that the child can go home
- The judge should talk to the children not act like they aren't there
- I would prefer that the children speak themselves ( "I spoke once telling the lawyer that they had said something wrong and the judge and lawyer apologised to me and then the lawyer corrected himself")
- Dress more casual so that children and parents don't feel intimidated
- Just wear a shirt not a tie and jacket
- Don't sit up higher than everyone looking down
- Remember that the child hasn't done anything wrong
- Speak a little less legally
- When you are speaking about a child look at them and acknowledge that they are in the room
- Acknowledge the parents so that they feel like part of the decision
- I would come down to their level and speak with them. Have general conversation about how they are today etc and speak in young person friendly language
- I would have everyone sitting on the same level
- Talk to the child before the worker, and maybe a kind smile, also a reassuring word to make sure the child knows that they aren't here because they are in trouble and that you are here to help them
- As a judge I would make sure that there weren't too many people in the room that didn't need to be there
- Make sure the child has someone they know around them
- Talk to them about their day and have a conversation just to break the ice and try to let them know that you're not the bad person
- I would ask them how they are feeling and if they needed anything to make them more comfortable and I would talk to them like they are just as equal as me because they are human beings just like me
- I would make sure the young person understands what is happening
- Letting the young person have a say about their situation
- I would meet with the child beforehand and ask them if they knew why they were here and they explain how the court works and what will be happening on the day
- I would make it less formal, like the court room set up, the way they talk and not everyone in suits
- I would look the young person in the eyes
- I use language they would understand
- I would make sure they had a support person they trusted sitting with them
- I would talk directly to the kid instead of the lawyer

**16. If you were a lawyer how would you make a child feel comfortable when they were at court?**

- Use the exact words that the child says
- Ask them if they want to go home
- Dress so that you're not confronting and intimidating
- Don't speak in law talk, make it so that young people can understand
- Explain what the role of the lawyer is and how we can all work together
- Explain the process of the court and what might happen
- Translate the court language
- Explain the role of everyone at court
- If the young kid wants to go home tell the judge that
- Make sure you use the young people's words when you are in the court room
- The most important thing that a lawyer can do is translate exactly what the children say
- Make sure that the child sits with their family
- First I would make sure that the child had an understanding of what was going on. Explain that there will be a lot of talking going on that will resolve in an agreement
- I would talk to them about general stuff first to build rapport then I would explain the whole process and ask for their opinion about what was happening and ask them what they would like me to do for them within the court process
- Make sure the child has someone they know around them
- I would explain more
- Make sure I was really representing what they want
- Depending on the individual maybe some affection
- I would explain to the young person exactly what was happening, I would use language that the young person would understand, and I would then explain any words that they did not understand
- Explain how the court works, likely outcomes and what would be happening on the day
- Be more friendly
- I would allow them to have a support with them
- I would really listen to the young person
- Explain the court process
- Make sure the young person understands what the lawyer is going say and explain why
- I tell the judge exactly what the young person says



## 17. If you had to go to court next week what information would you like to have?

- How I can work out things to go home and live with my dad
- I would like to have longer to prepare than a week before I have to go to court. Sometimes I have organised with friends to do things and then I have to say I can't because I have to go to court.
- Why I'm going to court
- Possible outcomes
- What will happen after court
- What they think will happen, will I have to move again?
- I would like to know who I can contact for support
- What I need to go to court for
- What the process is going to be like
- How to contact my lawyer
- Who is going to be taking me
- Who will be there
- Who will be there with me
- What is going to be discussed
- Will I get to talk and what kind of questions would be asked of me? I would like to talk as it is my future
- What happens before I go into court
- Why I was going, what DHS were going to say, and if anything was wrong that I didn't know about. Also who was going to be there
- Why I have to go
- Why am I here, who is here to support and listen and who are the good and bad people
- What was happening, what I had to go for, where I had to go when I first got to court and a letter with all the information so that I knew I wouldn't forget it if I was anxious
- I would like to know why I was going to court in the first place
- Set out of the court house and court room, how the court operates and anything that I should expect on the day in court
- Who will be there, like will my parents be there
- When my I can talk to my lawyer
- What will happen at court