

# Welcome to your 'Power Pack'

A pack for children

This pack is to help you to understand what is happening when there is a case about you at the court.

People who will come to see you:

A person called **the children's guardian** (the guardian) will come and see you. The guardian will help you to read through this pack. Another person called **your solicitor** will come and see you and can help you with reading this pack. You might like to read this pack with other adults who are special to you.

The pack has spaces for you to write down the name of the children's guardian and phone number. There is also a space to add your solicitor's name and phone number. Ask the children's guardian and your solicitor to help you to add their names and addresses and phone numbers to your pack if they are not there. You may want to add the names of other special people such as a social worker or children's rights officer. There is also room to add little cards with drawings or photographs of people such as the guardian or your solicitor.

Writing things down:

This pack has a **pen** and **notepaper** for you to write things down. You can get someone to help you do this. You might want to draw a picture about who you want to live with or about who you want to see.

There is a **calendar** for you to write down special dates. The children's guardian and your solicitor will tell you about some special dates.

There are 5 parts in your pack.

**Words and Meanings:** Tells you what some words mean.

**The Court:** Tells you about the court.

**The Children's Guardian:** Tells you about the children's guardian.

**Your Solicitor:** Tells you about your solicitor.

**Children's Rights:** Tells you about some of the rights that you have.

There is a feedback form at the back of your pack. If you want, you can tell us what you think about the pack by filling the form in and sending it back. You do not need a stamp. You can ask someone to help you fill this in.

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This pack has been made by the National Society for the Prevention of Cruelty to Children (NSPCC) and the Children and Family Court Advisory and Support Service (CAFCASS) with the Rights of Children (ROC) Group, Birmingham and Warwick Law School.



# Words and Meanings

huh?



Information  
for children

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Here are some words that you will find in your pack. You may hear people say these words whilst your case is at court.

**advocate:** someone who will help you to say what you want. A solicitor will be an advocate for you in the court.

**CAFCASS:** the people who run the children's guardian service.

**children's guardian:** a person who knows about children and their families and helps the judge or magistrate to make the best decision.

**children's rights:** agreements made by adults in our country and in other countries about the way children should be treated such as children having the right to be safe and protected from harm.

**children's rights officer:** someone who can help you to say what you want and can help you with meetings.

**court:** a building where people meet to sort out decisions about the law. Your case at court is about deciding who you will live with. It is not because you have done anything wrong.

**court order:** when the judge or magistrate have made a decision they will tell everyone and it will be written down for everyone to follow.

**judge:** a person who knows a lot about the law and is in charge at the court. He/she listens to what everyone says and then decides what should happen.

**law:** important rules for everyone to follow.

**Legal:** to do with the law.

**looked after:** if a child or young person is cared for by the local authority social services then they are 'looked after'.

**magistrate:** a person at the court who listens to what everyone says and then decides what should happen. The magistrate does not know as much about the law as the judge but will have another person, the court clerk, to help.

**social worker:** a person who helps children and their families.

**solicitor:** someone who helps children to understand what is happening at the court.

**wishes and feelings:** the children's guardian, your solicitor, and the people at the court all want to know what you want to happen, who you want to live with and who you want to see.

Other parts in your pack: The Court, The Children's Guardian, Your Solicitor, Children's Rights.



Registered Charity Number: 216401

# The Court

Information for children



This part is about the court. It has been written to help you understand what goes on at the court.

## What children say...

"The court is a place where they decide who you will live with."

"The judge is at the court and understands everything that is going on, that is what judges do."



*What is a court?  
Who is at court?  
Who decides?*

## The court

Courts are usually big buildings with lots of people in them. The building can look very old or it can be a new building.

There are different kinds of courts.

Your case will be at The Family Proceedings Court.

This is a family court because it is about your family.

It is not a criminal court because you have not done anything wrong.

## Who works at the court?

The people who work at the court and listen to the cases are judges or magistrates. They listen to what everyone says and then they make decisions about what should happen.

# Who will go to court about my case?

Your parents will go to the court to say what they want to happen. They will have a solicitor to help them in court.

A social worker or someone from social services will go to court. They will have a solicitor to help them in court.

The children's guardian will go to court. Your solicitor will help the children's guardian in court and will say what you want to happen.

If you want to go to the court then talk to the children's guardian and your solicitor about this.

Sometimes other people are asked to go to the court to say what they know. This might be your teacher or your doctor or other family or friends. People have to be asked to go to the court. If there is someone special who you want to be at the court then tell the children's guardian or your solicitor.



## What if I am unhappy about the decision made at the court?

If you are unhappy with what happened at the court then talk to your solicitor about this or tell the children's guardian, or contact a children's rights officer/ advocate (see the children's rights part). Your solicitor may decide to ask the people at court to look at your case again.

## Want to know more?

If you want to know more about the courts you can ask your solicitor, the children's guardian or your social worker about getting the free **Department of Health booklet - 'The Children Act and The Courts. A guide for children and young people.'** reference: CAG6.

Or ring **National Youth Advocacy Service (NYAS)**

0151 342 7852 or

**The Voice for the Child in Care (VCC)**

020 7833 5792 for advice.



[www.courtservice.gov.uk](http://www.courtservice.gov.uk)

is a court website

## The Children's Legal Centre Advice Line

01206 873 820

can help you with legal things

Other parts in your pack: The Children's Guardian, Your Solicitor, Children's Rights, Words and Meanings.



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# Judges and magistrates have to follow rules too!

This is the list called 'The welfare checklist' that the judge or magistrate has to think about when he or she is deciding about plans for you:

## 1. What are your wishes and feelings?

What do you think and feel about what is happening and the plans that are being made? This will be balanced with how old you are and how much you understand.

## 2. What do you need?

What you need to help you grow up okay. Things like; being looked after, loved and cared for and going to school.

## 3. What if something changed?

What would happen if anything changed for you, would things get better or worse or stay the same?

## 4. What are the special things that make you who you are?

The judge or magistrate must be told all the special things about you, how old you are, where you come from, who your family is, and anything else about you that is important.

## 5. Have you been hurt or harmed?

If you've been hurt or harmed by what has happened to you.

## 6. Can your parents manage?

Whether your parents can manage to look after you, or whether they need help to do this, or whether someone else should look after you.

## 7. What can the court do?

Is a court order necessary and if so, what type of order should this be.

# The Children's Guardian

Information  
for children



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This part is about the children's guardian. It has been written to help you understand how the children's guardian can help you.

## What children say...

"The children's guardian decides what is best for you."

"The job of the guardian is to write to the court about how you are feeling."

## What is a children's guardian?

Children's guardians are people who know a lot about what children need. They work with children and families.

## Why does a guardian want to see me?

Don't worry, this is not because you have done anything wrong. The judge or magistrate at the court needs to decide who you will live with and who you will see and they have asked the children's guardian to see everyone involved and write a report.



# Getting to know your guardian

The children's guardian will come to see you and will tell you his/her name, address at work and telephone number.

The guardian can help you write this in your pack if it is not there. He/she may bring your solicitor to see you (see the part 'Your Solicitor').

Talk to your guardian, your solicitor or your social worker if you are unhappy about your guardian. A change may be possible.



*we help to get the best for you?*

# Seeing your children's guardian

You can choose – to talk to your children's guardian on your own.

You can choose – to talk to your children's guardian with your solicitor or tell your guardian if you want someone else to be there.

If you have a brother or sister who is with you then they can see the children's guardian. You can see the children's guardian all together or on your own.

# Talking to the children's guardian

The guardian will listen to you about who you want to live with and who you want to see. He/she will also talk to your family and to other people important to you. Tell your guardian if there is someone special who you would like the guardian to meet. Write it down in the note pad in your pack to remind you.

## Keeping in touch

Talk to your guardian about coming to see you to tell you what is happening. Tell your guardian if you are unhappy that you are not seeing someone who you would like to see.

## What happens next?

The children's guardian will write a report for the people involved in your case at court to read. This will include your parents. You can see the report, if you want to, so talk to the guardian about this.

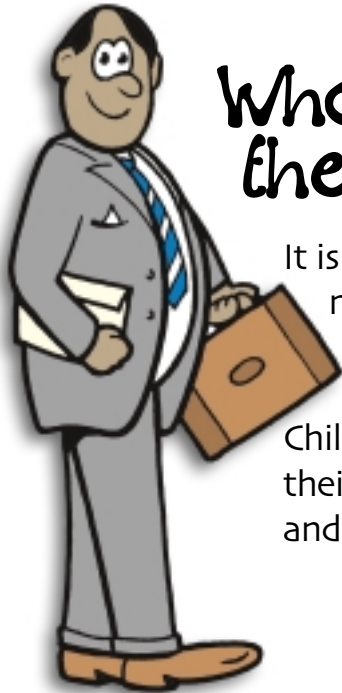
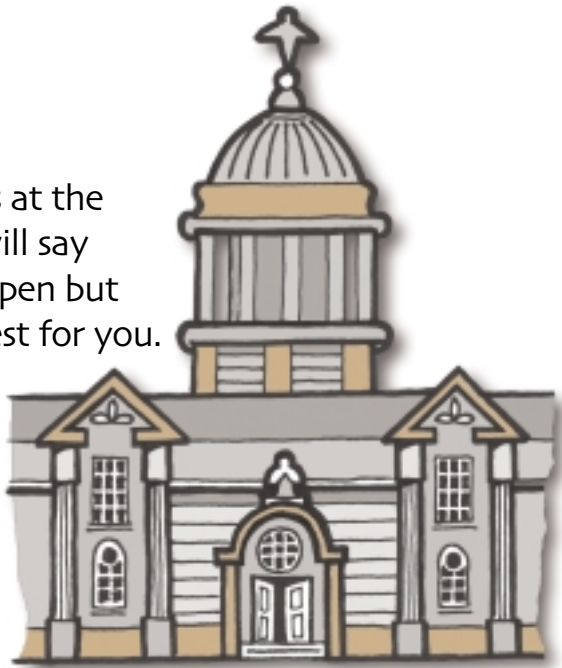


# At court

There will be meetings at the court. The guardian will say what you want to happen but will also say what is best for you. Sometimes this is not the same as what you want.

You can discuss going to court with the children's guardian. Sometimes children

choose to go to the court. Sometimes children do not want to go to the court. The children's guardian will talk to you about this. You can ask your solicitor too.



## Who will tell me the decision?

It is the children's guardian's job to make sure that someone will come and tell you what decision has been made at the court.

Children have said that they want their guardian or solicitor to do this and to say goodbye to them.

# What if I am unhappy with the way the guardian treated me?

If you were unhappy with your guardian then talk to your solicitor, social worker, or contact your local children's rights officer/advocate (see the children's rights part). They can help you to decide if a complaint should be made to the manager at the CAFCASS office where the children's guardian works.

Other parts in your pack: Your Solicitor, Children's Rights, Words and Meanings, The Court.



Registered Charity Number: 216401

# Your Solicitor

Information for children



This part is about your solicitor. It has been written to help you understand how your solicitor can help you. 13

## What children say...

"I liked my solicitor, she came and listened to what I wanted."

"My solicitor, he talked for me in court."

## What is a solicitor?

Your solicitor is a person who knows about the law to do with children. Your solicitor works for you and will help you to understand what is happening at court. You have the right to your own solicitor.

## Why have I got a solicitor?

The people at court, the judge or the magistrate, need to decide who you will live with. Your solicitor will help you by talking to you about this and telling the judge or magistrate your wishes. Don't worry, this doesn't mean you have done anything wrong.

## Who is my solicitor?

The people working at the court or the guardian will choose your solicitor. Talk to your solicitor, the guardian or your social worker if you are unhappy about who your solicitor is. A change may be possible.

*We will help you*



# Getting to know your solicitor

Your solicitor will come to visit you. Your solicitor will tell you his or her name, address at work and telephone number. Your solicitor can help you to add this information to your pack if it is not written there.

# Seeing your solicitor

You can choose to talk to your solicitor on your own. You may have things you want to say without others being there. You can choose to talk to your solicitor with your guardian or you might want someone else to be there.

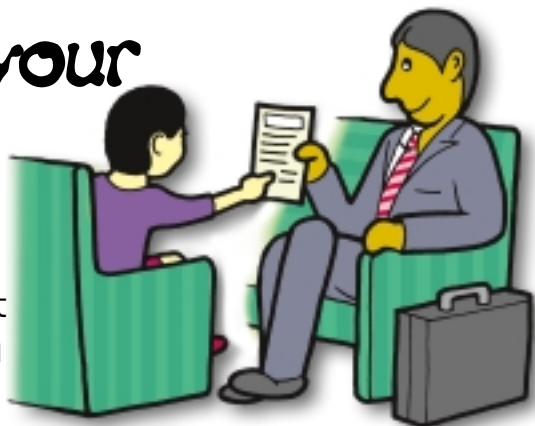
Talk to your solicitor about this.

If you have a brother or sister who is with you then they usually have the same solicitor. You can see your solicitor all together or on your own.



## Talking to your solicitor

The solicitor wants to listen to you about what you want, who you want to live with and who you want to see. There is a note pad and pen in your pack. You might like to write your wishes down or draw a picture about them.



## What if I do not understand?

If you do not understand what your solicitor is saying then ask your solicitor to explain or tell your guardian.

## Keeping in touch

You can ask your solicitor to write to you to tell you about what is going on. Your solicitor will come and visit you. Talk to your solicitor about this.

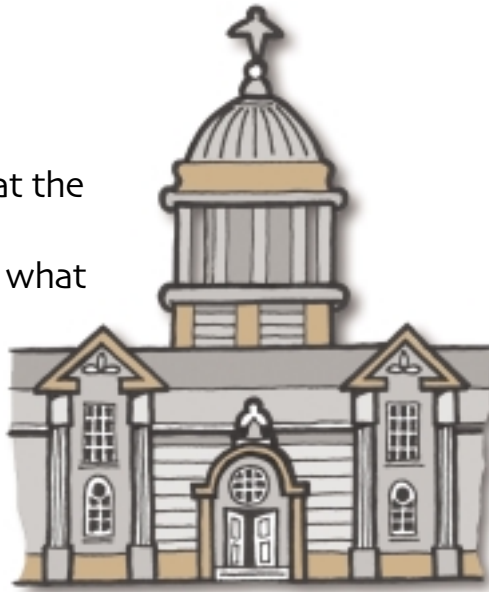
Tell your solicitor if you are not seeing someone that you want to see.

## What happens next?

Your wishes will be written down in the children's guardian report for all those involved with your case at court to read. This includes your parents. You can ask your solicitor about what has been written.

# At court

There will be meetings at the court and the judge or magistrate will listen to what everyone has to say, and will want to know what you want to happen, before making a decision. This may not always be the same as what you want but it will be what the judge or magistrate think is the best decision for you.



Sometimes children choose to go to see the court. Sometimes children do not want to go to court. Tell your solicitor if you want to go and see the court.



## Who will tell me the decision?

You have a right to know the decisions made at the court. If you are not at the court then the guardian will decide who will come and tell you what has happened and when they are coming. Ask your guardian and your solicitor about this.

## What if I am unhappy about the way my solicitor treated me?

If you were unhappy with your solicitor then talk to your guardian, social worker or contact a children's rights officer/ advocate (see the children's rights part). They can help you decide if a complaint should be made to the place where the solicitor works.

There is a website for children like you:

[www.carelaw.org.uk](http://www.carelaw.org.uk)

Other parts in your pack: Children's Rights, Words and Meanings, The Court, and The Children's Guardian.



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# Children's Rights



Information for  
children



This part is about the rights that children have  
when there is a case about them at court.

## What children say...

"I have a right to be listened to  
about what I want"

"I have a right to my own solicitor"

## What are children's rights?

Children have rights. These are agreements made by adults in lots of different countries about how children should be treated. These agreements are written down and called Conventions- details are in the pack.

This part tells you about some of your rights when there is a case at court.

## The children's guardian

You have the right to see the children's guardian who will listen to you about what you want to happen and ask you about who you want to live with and who you want to see.





## Your solicitor

You have the right to have your own solicitor who needs to see you and hear what you want. Tell your solicitor who you want to live with and who you want to see. Tell your solicitor if there is someone you are not seeing but want to see. Your solicitor will speak up for you in court about this.

## The court

Some children want to go and see the court building. Some children want to meet the judge or magistrate. Some children do not want to go and see the court building. Some children do not want to see the judge or magistrate.

You can say what you want. It is your right to say this. You do not have to go to court if you do not want to go. Talk to your solicitor and the guardian about what you want.

## What is written down?

The guardian will write down what everyone tells them about what they want to happen. If you want to read this then tell the guardian or tell your solicitor.



# Knowing what is going on with my case

You have the right to be kept informed about what is going on with your case. Both the guardian and your solicitor should tell you.



# Knowing what has been decided

You have the right to know the decision made about you by the judge or magistrate. The guardian must make sure that you know what happened. You can also ask your solicitor about this. You should be told the decision that is made at the court as soon as possible.

# What if what has been decided does not happen?

Even though the court case is over, you can still contact your solicitor, or ask an adult friend to help you contact your solicitor. Tell your solicitor if what has been decided by the court does not happen. Your solicitor may be able to get your case taken back to the court.

# What if I think I have a right to something and others are saying no?

Talk to the guardian or to your solicitor about what is bothering you and how you feel. If you still feel that you need help then ask your social worker if there is a children's rights officer working in your area and ask for a visit. If there is not one then ring/get someone to ring one of the telephone numbers at the end of this part to ask about help.



# Other children and young people:

Children and young people have said that it is helpful to talk to other young people who have had experience of such court cases. If you do not know other children like this then ask your social worker to give you an address for your local children's rights officer or advocate or ring The NSPCC, CROA, NYAS, or VCC below.

**The NSPCC** runs a free help line 0808 800 5000 and can tell you about children's rights officers.

**Children's Rights Officers' Association** (CROA) on 0208 748 7413 can give you local details of children's rights officers.

**National Youth Advocacy Service** (NYAS) 0151 342 7852 can help you find someone to support you.

**The Voice for the Child in Care** (VCC) 020 7833 5792 will give advice and can help you find someone to support you.

Other parts in your pack: Words and Meanings, The Court, The Children's Guardian, Your Solicitor.



Registered Charity Number: 216401







# Your 'Power Pack' Calendar

2006

January

Date:

Time:

Who with

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