



## Information Sheet – Children’s Court of WA

The Children’s Court hears matters where the accused was under the age of 18 years when the alleged offences were committed. Some charges will be heard before a Magistrate and others before the President of the Children’s Court (Judge). After the accused has been charged a date will be set for his or her First Hearing.

### First Hearing

When an accused attends the Children’s Court for the first time the Magistrate considers bail conditions. For example, that the accused does not make contact with the witness. The accused does not have to enter a plea of guilty or not guilty at this time. The accused is advised to seek legal representation if they have not already done so. The matter is then remanded for a Mention.

### Mention

An accused may attend a number of Mentions before being remanded to the next stage of the court process. At a Mention the Magistrate will review the case.

### 19B Mention

The Magistrate will confirm that the WA Police Force (Police) has provided disclosure of evidence to both the Prosecution and Defence Lawyer. Once confirmed, the matter may be listed for a Trial (heard before a Magistrate) or to a Status Conference (heard before a Judge).

### Status Conference

At a Status Conference the Prosecutor and the Defence Lawyer are asked questions about the progress of the case by the Judge. There may be more than one Status Conference. At the final Status Conference a Trial date is set. After the Trial date has been set the Director of Public Prosecutions Office (DPP) will issue a summons for each witness.

### Trial

The Trial is when all of the evidence is presented to the court by witnesses and a decision is made on whether the accused is guilty or not guilty. When all evidence has been placed before the court, the Magistrate/Judge will consider their verdict. The verdict can be given at the completion of the Trial or order a reserved decision and remand the matter to another date. The decision must be based upon the requirement that the Prosecutor has proven the accused is guilty beyond reasonable doubt.

If the Magistrate/Judge considers that doubt exists the accused will be acquitted and the matter finalised. If the Magistrate/Judge finds the accused guilty, the accused may be sentenced on the day of the hearing or the matter may be adjourned to another day.

### Sentencing

The matter will progress to Sentencing if an accused enters a plea of guilty or is found guilty by the Magistrate/Judge. This can occur at any stage of the court process. Both the Prosecutor and Defence Lawyer may make submissions to the Magistrate/Judge as to their positions regarding sentencing. A Victim Impact Statement can be submitted at this stage. The Judge will take all the information into consideration when passing sentence.