

## LEGAL REPRESENTATION FOR CHILDREN AND YOUNG PEOPLE

Children and young people may need their own solicitor if they are involved in court proceedings. This might be a court action between their parents or other relatives, or Children's Hearings proceedings. See our Children's Hearings factsheet for more information about this topic. We can also assist with arrangements for financial support for young people.

### **What is a Child Welfare Hearing?**

Court actions concerning children and young people usually involve a Child Welfare Hearing (not to be confused with a Children's Hearing). A Child Welfare Hearing is conducted in court in private. All the adults involved must attend and this should be an opportunity for all issues about children to be discussed. Children do not usually attend.

It is usually at this stage that the court needs to consider how to find out what a child's wishes are, and whether the child needs his or her own solicitor. A child does not have to have their own solicitor in order to express a view to the court. Sometimes this is done by the court appointing an independent reporter to investigate and report to the court on the child's welfare and wishes. Sometimes it is done by the child filling in a form setting out his/her wishes.

A child aged 12 or more is assumed to be able to understand enough about the court process to instruct his/her own solicitor. The child can meet in private with a solicitor and instruct the solicitor to put forward the child's views to the court and seek court orders. Sometimes children younger than 12 are mature enough to do this too.

Our family lawyers are experienced at representing children in court. Some of them also regularly prepare reports for the courts and are experienced at assisting children to express their views and wishes.

If you are a parent, carer or someone working with a child or young person who is involved in court proceedings and wishes to have advice from a solicitor, make an appointment for the child to meet with one of our family lawyers and discuss this with us.

The majority of children and young people will be entitled to legal aid, though in some situations the financial circumstances of their parents may be taken into account in deciding whether they are financially eligible.

### **I am aged 16 or over – can I claim financial support from my parents?**

Parents have financial obligations to young people in appropriate full time education or training up to and including the age of twenty four. Between the ages of sixteen and eighteen financial support for a young person can be paid from one parent to the other or from the parent to the young person direct. Where the support is for a young person of eighteen and over the support is paid to the young person.

If you are a young person in full time education or training and wish to have advice from a solicitor, make an appointment with one of our family lawyers to discuss this.

The majority of children and young people will be entitled to legal aid, though in some situations the financial circumstances of their parents may be taken into account in deciding whether they are financially eligible.