



Social Work Basic Court Skills: What you need to know

Preparation

I can't stress how important this is! What do I mean by preparation? Essentially this is everything from good quality court statements to what you wear on the day of court.

A good quality statement will save you hours of cross examination in the witness box. Done well, your statement will allow you to respond to all questions you're asked with 'Could I refer you to my statement at page x where I have answered that issue'. You will leave little room for a lawyer to try and pull apart your assessments and analysis on behalf of a parent or guardian.

Once you've got your court paperwork right, the next thing to do is make sure you re-read it before you go into court. It doesn't matter what sort of hearing you are attending; in the current climate it is not out of the bounds of possibility a judge could ask you to give evidence on any given point. You need to make sure you know what you have already said.

Dress

First impressions really do count. And this is as true in the court room as it is in a job interview.

Many social workers tend to wear comfortable clothing. You don't want to be in a suit and tie driving for miles or going into clients homes or even sitting at your desk all day. That is wholly understandable.

Part of the reason I love child protection work is that no two days are the same. Being a children's social worker means that on any given day you may have to go to court.

Court etiquette dictates we all need to look smart.

Now, I'm not saying you need to be as suited and booted as some of the lawyers you will know. What it does mean is you don't turn up in jeans or t-shirt emblazoned with a naughty logo. I have seen this happen!

Make sure you have court attire somewhere if your go to work attire is more casual. Try and make sure your shoes are clean and you have a jacket which matches your outfit.

Discussions

Once at court, be aware of who you are talking to.

Remember, some lawyers will try and cross exam you outside of the court room. You think they are just being friendly.... Then you get into court to be confronted with: 'the social worker has told me outside of court that....' and your own lawyer turns around to you and stares angrily at you for this 'hijacking'.

If in doubt, simply say hello and leave it at that.

Body Language

We've all been there. A witness is giving evidence or an advocate is addressing the judge and you don't agree with what they are saying. Parents can often get annoyed and shout across the court or huff and puff.

Inside the court room, watch your body language and facial expressions. These are as powerful and telling as any huff or puff you may make.

The judge or magistrates will see everything you do. Keep it poker!

Addressing the court

There are so many tiers within the family court it can be difficult to remember what to call the judge.

Essentially, you address the judges as follows:

- Magistrates: Your Worships
- District Judge: Sir or Ma'am
- Circuit Judge: Your Honour
- High Court Judge: My Lord

If in doubt – promote! It will raise a smile and you may earn some brownie points!

Giving Evidence

Finally, I wanted to share with you some tips on giving evidence.

Giving evidence is a skill in itself and I can't possible cover it all in this blog.

However, here are my top 5 tips you can apply every time you are talking to a judge or magistrate:

1. Be polite – they are human after all. Whilst it may not seem like it from their manner or tone you must always be respectful and polite.
2. Always address the judge. They may not have asked you the question but you direct your answer to them.
3. Don't rush your answers. To help, watch their pen as you are talking. Give them time to write Down what you are saying and everyone else chance to hear what you are saying.
4. Give yourself a moment before you answer a question. Make sure you understand the question and can answer it calmly.
5. Answer the question you have been asked – not the question you think you have been asked. This is a really skill and one worth mastering. Get in touch for training for your team.