

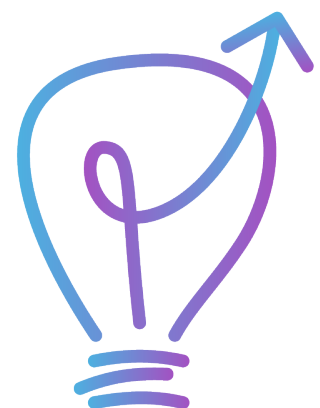


Single Justice Service Post Court Options Form

Partner Information Guide

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Introduction to SJS PCOF

Background and Key Information

Some **Single Justice Service (SJS)** cases are heard at a **Magistrates' Court**, to determine the outcome. This might happen if the defendant has not entered their plea (responded to their SJPN) or has entered a not-guilty plea.

If a defendant is unhappy with the decision made by the Magistrates' Court, there are various options they can pursue, like requesting a review of the fine amount or reopening a case. These are known as 'post-court' processes.

These processes are combined into a singular form, which allows the defendant to easily request action on their case.

This is a change to the way HM Courts and Tribunals Service (HMCTS) deals with people who are unhappy with a decision made in a Magistrates' Court, by aiming to provide the courts with better information and help them to deal with applications more effectively and quicker.

The Post Court Options Form (PCOF) is not available on gov.uk.

Defendants can only access the form once they have contacted CTSC who will then send the form as a link via email. The defendant can click on the link to access the form.

The Single Justice Procedure Notice (SJPN) will be emailed by CTSC when they issue the link to the form.

All referrals for this form will, be from CTSC, primarily via warm transfer.

The deadline for submitting a form is **21 days** of having found out the case was in court.

If 21 days have passed, the form can still be submitted but the defendant will need to state the reasons for the delay. The court will then decide if the application can still proceed.

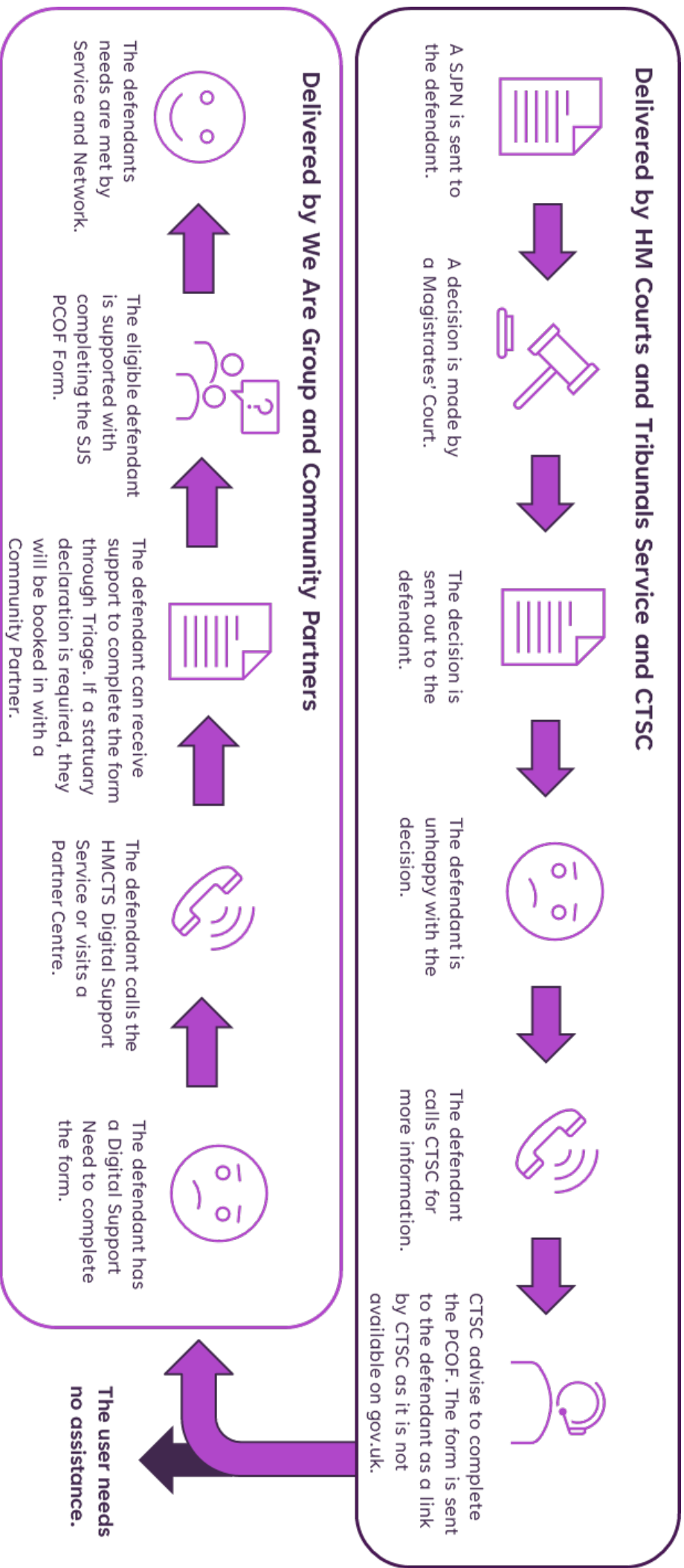
There is no log-in required to complete the form, but the defendant must have an email address they can use (this can be their own, or a family/friend/support worker), so the court can contact the defendant about their case.

The Process



The Process

At a high level, the Single Justice Service Post Court Options Form service can be delivered as follows:



The 5 Post Court Processes

1. Requesting a Statutory Declaration

Sometimes called 'ignorance of proceedings' or, more commonly, a 'Stat Dec', a defendant might apply for this if they have been issued a fine by the court but were unaware of the court proceedings. For example, if the original Single Justice Procedure Notice (SJPN) was sent to an old address.

2. Request to reopen a case

This is where the defendant can request for the court to look at new evidence and reconsider their decision

3. Request to appeal a verdict

If the defendant does not agree with the verdict reached by the Magistrates' court, they can request an appeal. These cases are then referred to the Crown Court.

4. Request for more time to pay

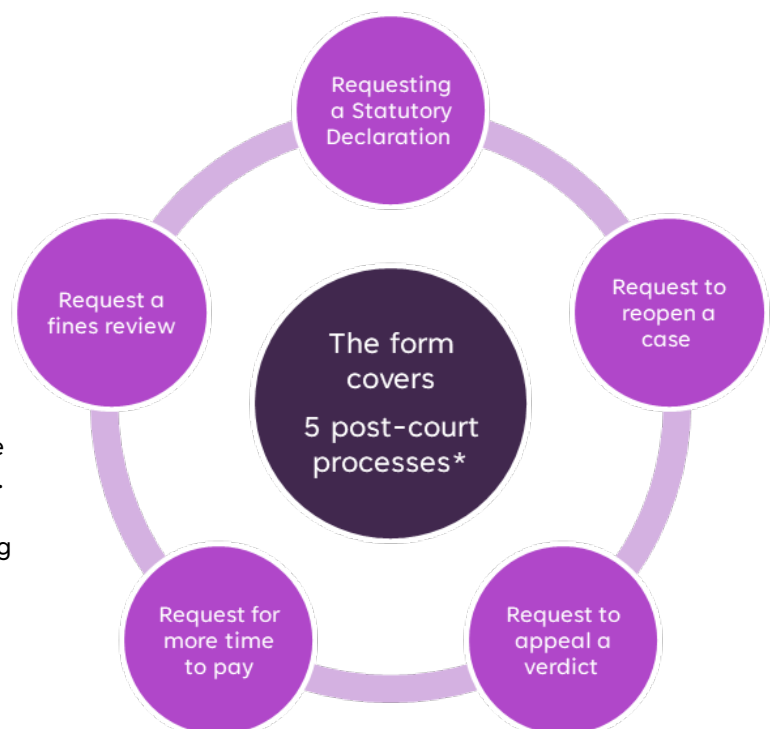
The defendant may request this option if they are unable to pay the fine amount in one go. They will normally request to pay this in instalments by uploading evidence to show their earnings.

5. Request a fines review

If the defendant believes that the court did not consider their financial and/ or earnings situation when determining the fine, the defendant can provide evidence to show, for example, that they are unable to pay the amount and request for the Judge to look at this again.



*A defendant can only choose one of these options per form. Whilst they can apply for another process by completing a new form they will only be able to have **one active** webform per case.



The background features several thick, flowing curved lines in shades of purple and blue. One line starts from the top left and curves downwards. Another line starts from the top right, loops around, and extends towards the bottom right. A third line starts from the middle left and curves towards the bottom right, intersecting the other lines.

Next Steps

Next Steps

Once the form is submitted

Once you have supported the defendant with their form submission, the defendant will receive an email confirmation informing them their form has been received, followed by being contacted by an agent from CTSC to confirm the next steps within **48 hours** after the form has been submitted.

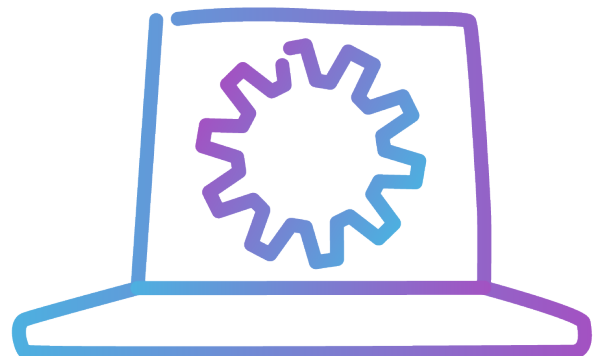
If you are dealing with cases in the Midlands area or any traffic cases, form submissions will be sent to CTSC legal triage. Other applications which do not fit the above criteria are sent to the appropriate court to be dealt with.

If the form relates to a **More time to pay** application, then after the form has been submitted, they are sent directly to Enforcement teams to process.

The next steps might involve providing additional evidence or answering some clarifying questions. This will depend on the individual case.

In the event Bailiffs are involved with a defendant's case or a '**further steps notice**' has been issued, CTSC can tell the caller that once they have submitted their online form, they can request the enforcement team to place a hold on the account, so no further money is requested.

The CTSC tell applicants that it might take up to 2 days for this request to be made, and we can't guarantee that the account will be placed on hold in all situations (such as where their employer or DWP have already been asked to take payments from wages/benefits).



Service User Vulnerabilities



Potential Service User Vulnerabilities

If a case has been dealt with and the person who is accused doesn't find out about it until they have been convicted, this can be confusing and worrying.

Sometimes a case can be reopened, this would likely involve the user sending a request by email.

Fines

It is possible that the fine or court costs the defendant is liable for could be taken from their pay or benefits, although this step is taken as a last resort. For some people this could be distressing, and they may need help to access support.

Penalties

Users may be liable to receive points for motoring offences, which could mean that they lose their license if they already have 9 or more points. For people who rely on the use of their vehicle to work, the prospect of losing their license could be very concerning.

Notices

Most Single Justice Procedure Notices are for non-recordable offences, meaning that they are not normally recorded on the Police National Computer or disclosed on criminal record checks. However, some are, and this could worry some users about long-term consequences.

Knowledge and Understanding

Users are rarely able to access free legal advice when they receive a Single Justice Procedural Notice (SJPN), so they may be **confused, anxious or frustrated**.

Partner Best Practices



Partner Best Practices

How to respond

When delivering this service, all users should be treated fairly and equally. **There is no situation in which the user has been found guilty of an offence through this process that should affect in any way the service that they receive.**

Please note: users cannot be given suggestions on what they should do, but they can be given explanations of different options and additional information, so they can make an informed choice.



Be Patient



Listen Carefully



Show Compassion



Recognise Distress



Refer and Signpost Appropriately

In the event additional support is needed, please do not hesitate to email network@wearegroup.com.

