



# Go to Court - Offer

Support Guide

10-20-2022

OFFICIAL  
INJURY  
CLAIM

# Go to Court - Offer

## Support Guide

There are a few different variations to the court stage at offer. This guide focusses on a claim where liability has been admitted in full and you are going to court over an offer dispute only. This will still follow a similar process to over scenarios when going to court at offer and this guide should still be able to offer some assistance when preparing for court in the portal.

Claim status (this shows what stage your claim is at. Click 'Continue' to open the claim).

My claim		New
Claimant name		h h
Accident date		07 August, 2021
Portal reference		OIC-01-22-4005
Claim reference		r
Status		Pending- ReviewOffer
<a href="#">Continue</a>		

Instruction text (this explains your next step in the process).

## What you need to do

The compensator has made you an offer for your claim, if you choose to accept this offer this will be the settlement of your claim.

View offer

To go to court over an offer, you will need to select 'Reject offer' and hit 'Continue'.

## Check offer

Note that all fields marked with \* are mandatory.

The compensator has made you an offer. You now have 3 options:

**Option 1:** Accept offer. The compensator will contact you to arrange payment.

**Option 2:** Reject offer, stating the reasons why. You can then send the compensator a counter offer or prepare for court proceedings.

**Option 3:** Wait out prognosis. Your claim will not progress until you return and confirm the following:

- proceed to offer (for example when you have recovered from your injury).
- you have not recovered by the end of the recovery prognosis period as stated in your medical report.

What would you like to do next? \*

- Accept offer
- Reject offer
- Wait out prognosis

**Compensator's offer**

**£615.00**

[View the offer summary](#)

**Fees offer**

**None**

Continue

Save and Exit

When rejecting an offer, you have the option to 'Go back to the compensator' and provide a counter offer or 'Go to court'. After you have made 3 counter offers, you will only have the option to go to court if you still want to dispute the offer.

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## Decide rejection options

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You have rejected the compensator's offer. You now have 2 options:

**Option 1:** Go back to the compensator. This means you go back to the compensator with your counter offer.

The compensator will:

- accept your counter offer, which will be final
- reject your counter offer. The compensator may choose to improve the offer, or send the same offer again.

**Option 2:** Go to court. Your claim will be closed, which means you will not be able to use the portal for court proceedings but you will be able to access your documents.

You should only go to court if you cannot reach an agreement with the compensator.

How would you like to proceed? \*

Go back to the compensator

Go to court

[Continue](#) [Save and Exit](#)

When you have chosen to go to court, you will first need to provide a valuation of how much you believe you should be offered. If you have already made a counter offer, this will be populated with the figures from your latest counter offer and this cannot be amended. If you have not already made a counter offer, you will need to click on the blue arrow for every section you have been offered on. From here you can provide a figure of how much you feel you should be offered for this section. For any losses, your valuation will default to the amount you have claimed for each loss.

### Go to court over offer

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**Offer summary**

	Compensator's offer	Counter offer
Losses before any liability deduction	£920.00	£0.00
Liability deductions	£0.00	£0.00
<b>Offer net of liability, before other deductions</b>	<b>£920.00</b>	<b>£0.00</b>
Other deductions	£0.00	£0.00
<b>NET OFFER</b>	<b>£920.00</b>	<b>£0.00</b>

You have rejected the compensator's offer and decided to go to court.

Select the relevant offer you disagree with below. Then on the next page tell us why.

In addition, you must add a valuation amount even if it is the same as displayed for "Tariff amount"; "Tariff uplift" and "Injury - non-tariff". Similarly, add a valuation amount against any deductions included by the compensator, if relevant. These figures will be used to calculate your total claim on the court form and to set the level of court fees.

▶ [What are tariff and non-tariff injuries](#)

<b>Tariff amount</b>	Valuation	Tariff amount £520.00	>
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<b>Tariff uplift</b>	Valuation	Compensator's offer £300.00	>
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<b>Injury - non-tariff</b>	Valuation	Compensator's offer £100.00	>
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<b>Losses before any liability deduction</b>	Compensator's offer	£920.00
	Counter offer	£0.00

<b>Liability deductions</b>	Compensator's offer	£0.00
	Counter offer	£0.00

<b>Other deductions</b>	Compensator's offer	£0.00
	Counter offer	£0.00

If you have a soft tissue injury (known as whiplash) as a result of the accident, the Compensator will have made you an offer using the whiplash tariff set by the Ministry of Justice. The Tariff sets the amount of compensation that should be offered for a whiplash injury based upon the time it is expected to recover from the injuries. You can only make a valuation using this same tariff. You will need to select what tariff you would like to use. Select 'Whiplash' for just a soft tissue injury. Select 'Whiplash and minor psychological' if you have a soft tissue injury and a minor psychological injury such as shock or anxiety. The type of injury you have will be specified in your medical report.

## Tariff amount

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*Note that all fields marked with \* are mandatory.*

The compensator has selected this tariff: **Whiplash**

The compensator has used the following duration of whiplash injury when selecting your tariff amount. This information was contained in the medical report.

Duration of whiplash injury	Compensator tariff amount
<b>More than 3 months, but not more than 6 months</b>	<b>£495.00</b>

1st offer

**£495.00**

▶ [View reasons](#)

You need to provide a figure for the tariff amount, which will either be the compensator's figure or your own selection. The tariff amount is fixed dependent on the duration of your whiplash injuries. You can only challenge the compensator's figure if you disagree over the tariff the compensator has used, or the duration selected. If you need more help about tariff amounts, further details can be found on the [tariff amounts information page](#).

Based on the injuries suffered and the findings from the medical report select the tariff you want to use

Which tariff do you want to use? \*

Whiplash

Whiplash and minor psychological

Save and Continue

Cancel

You will then need to select the tariff you wish to use from 'Whiplash' or 'Whiplash and minor psychological' and the time period that it will take or has taken for your injuries to heal. This should be specified in your medical report.

Which tariff do you want to use? \*

Whiplash     Whiplash and minor psychological

Select duration of whiplash injury \*      Claimant tariff amount

Select--      **£0.00**

If you disagree with the compensator's valuation, provide a reason why, otherwise enter NA. \*

Remaining: 500 characters

**Save and Continue**    Cancel

For non-tariff injuries (any injuries other than whiplash), you will need to enter a figure for your valuation and your reasons for challenge the compensators offer in the box below. You can find extracts from the Judicial College Guidelines in the [Guide to Making a Claim](#). This will help you to understand how much compensation you can expect to receive for non-tariff injuries.

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## Injury - non-tariff

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*Note that all fields marked with \* are mandatory.*

You must add a valuation amount. If this is the same as the compensator's make sure this is the figure entered.

If relevant, provide additional evidence or expand on your reasons by selecting Upload an additional document. This can be found under "My Documents" on your claim overview page.

**1st offer**

**£0.00**

▶ [View reasons](#)

If you are not making a counter offer then put in the compensator's offer (Compensator's offer) as stated above

Valuation amount \*

£


If you disagree with the compensator's valuation, provide a reason why, otherwise enter NA. \*

Remaining: 500 characters

[Save and Continue](#) [Cancel](#)



You will then need to check your decision and ensure you are happy with your valuation. There is also some important information to take note of including details surrounding the court fees that will need to be paid. This includes some links that will take you to a page that provides a summary of the court fees that will need to be paid and a page where you can apply for help paying a court fee. If you are happy with your valuation and your decision to go to court, select 'Confirm' but please note that once you have done this you will **not** be able to change your decision to go to court.



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## Check your decision

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You have decided to go to court over the compensator's decision.

If this is correct select Confirm. If you want to make any changes go to the Change link next to the relevant items. Select Back if you want to change your decision to go to court.

You will not be able to change your decision to go to court once you select Confirm.

**Important information you should be aware of**

- You may need to pay a court fee to start court proceedings, but this should be repaid by the compensator at the end of the case. It is possible that you qualify for help paying a court fee, further details of which can be found on the [help paying a court fee page](#).
- Check the court fee on the [court fees page](#).
- The system will auto generate a notice that is required under section 152 (1) of the Road Traffic Act 1988.

### Summary

<b>Tariff amount</b>		<a href="#">Change</a>
Valuation	£895.00	
Compensator's offer	£840.00	
Reasons	Test	
<b>Tariff uplift</b>		<a href="#">Change</a>
Valuation	£100.00	
Compensator's offer	£0.00	
Reasons	Test	
<b>Injury - non-tariff</b>		<a href="#">Change</a>
Valuation	£400.00	
Compensator's offer	£200.00	
Reasons	Test	

Confirm
Save and Exit

If you are the owner of the vehicle you were in when the accident took place, you will be asked if you have any non-protocol vehicle costs (NVC) to include in your claim. NVC will be costs that have been paid for by your insurance company or another company. Anything that you or the compensator have paid for would not be classed as an NVC. You will need to speak to your insurance company or the company that have paid for these costs to find out if they would like you to include them at court. This guide will focus on the court journey without including any NVC. There is a separate guide that looks into what happens if 'Yes' is answered at this point.

## Tell us about your non-protocol vehicle costs (NVC)

You need to tell us if any non-protocol vehicle costs should be included in your claim at court.

These are vehicle costs payable by you (the claimant) to one or more third-party organisations or business out of any damages you recover; and are not protocol vehicle costs.

Contact your insurer/another company to find out if any such pay-outs or costs need to be included in your claim at court. This covers the following:

- the cost of repairs to the vehicle you were travelling in
- the value if written off
- the cost of a temporary replacement vehicle
- storage and recovery

If they are, select yes. The next few screens will then guide you through what you can claim and who you need to contact.

Do you have any non-protocol vehicle costs to include in your claim? \*

Yes
  No

When selecting 'No' to including NVC you will need to review your answers and select 'Confirm and Send'.

## Check your non-protocol vehicle costs (NVC) answers

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Check and confirm that the details below are correct before selecting Confirm and Send. Once you have submitted these non-protocol vehicle costs answers, you will not be able to change them. If you want to make changes before submitting, select Change.

- › Tell us about your non-protocol vehicle costs (NVC) [Change](#)
- › Summary of non-protocol vehicle costs [Change](#)

Confirm and Send
Save and Exit

Alongside your court form, you will need to post all the evidence relating to the case to the court. During the steps in the portal, you will create a 'court pack' containing all of the evidence relating to the case. On the next screen you will see a list of documents that are required by the court for an offer dispute. You may not have all the documents listed here, but any that you do have should be included in your court pack. If you have any of these documents but have not yet uploaded them to the portal, choose 'Save and exit' and upload the documents from the 'My documents' section of the claim overview page before continuing through the court journey. When all the documents are uploaded to the portal, select 'Continue'.

## Preparing for court

The documents you require are listed in Table B (1).

Reason for going to court  
**Claim value dispute: liability not disputed; no NVC claim; includes uplift request**

**Table B (1) - value dispute, general**

**Documents and Evidence**

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The Small Claim Notification Form

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The Compensator's Response

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The Court Valuation Form

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The claimant's List of Losses

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All documents in support of the List of Losses

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The fixed cost medical report

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Any other medical report

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Any medical records or photographs of the injury

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Details of any challenge to a medical report and the response

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Invoices for any medical report and for any other disbursement, which the compensator has not already paid for

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Record of Offer and Acceptance Interim Payment

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The list of documents associated with the claim has been generated by:

- your own upload
- the compensator or a medical expert
- the portal

To view or upload further documents select Save and Exit and go to "My documents" on your claim overview page. Once you are satisfied that all required documents have been uploaded, come back to this page and select Continue.

Continue
Save and Exit

On the next screen you will be able to select the documents you wish to be included in your court pack. The documents are split into different categories. Click on 'Glossary of document terms and abbreviations used' to see a description of each category. Just below this you will see the categories and a blue arrow facing downwards to the left of each one. Click on the arrow to expand the section and view the documents that have been uploaded under that category. Tick the boxes next to the documents that you wish to include in your court pack. You will need to select at least one document from each category. It is important to note at this stage that you are selecting documents uploaded by yourself and the compensator to give an overview of the entire claim. Once you have selected the documents you wish to include, select 'Continue'.

## Documents for court

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Your Court Pack will be created from the documents you select for court.

Before you select Continue, you must upload any further evidence you want to use in court. The court may decide not to consider new evidence if it is provided after the start of court proceedings.

Make your document selection by selecting the category arrow and ticking the relevant documents. Once completed select Continue.

▶ [Glossary of document terms and abbreviations used](#)

Category

▼ **Court valuation form**

<input type="checkbox"/>	<a href="#">OIC-06-22-4270_CourtValuationForm_21-06-2022_12-31.pdf</a>	<small>Add date</small> 21 Jun 2022
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Category

▼ **Claimant's list of losses**

<input type="checkbox"/>	<a href="#">OIC-06-22-4270_ListOfLosses_21-06-2022_11-49.pdf</a>	<small>Add date</small> 21 Jun 2022
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Category

▼ **Medical report**

<input type="checkbox"/>	<a href="#">medical report</a>	<small>Add date</small> 21 Jun 2022
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Category

▼ **Compensator's response**

<input type="checkbox"/>	<a href="#">OIC-06-22-4270_CompensatorRespon se_21-06-2022_10-03.pdf</a>	<small>Add date</small> 21 Jun 2022
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Category

▼ **Small claim notification form**

<input type="checkbox"/>	<a href="#">OIC-06-22-4270_SCNF_21-06-2022_09-50.pdf</a>	<small>Add date</small> 21 Jun 2022
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Continue
Save and Exit

On the next screen you will need to review the documents you have selected. If you are happy with these, select 'Confirm and Send'. Please note that once this has been selected you will be unable to go back and change your documents.

## Check documents for court

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Check that all the documents required for the Court Pack have been included. Once you are satisfied select Confirm and Send. If you want to make amendments select Change.

▸ Documents for court [Change](#)

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### What happens next

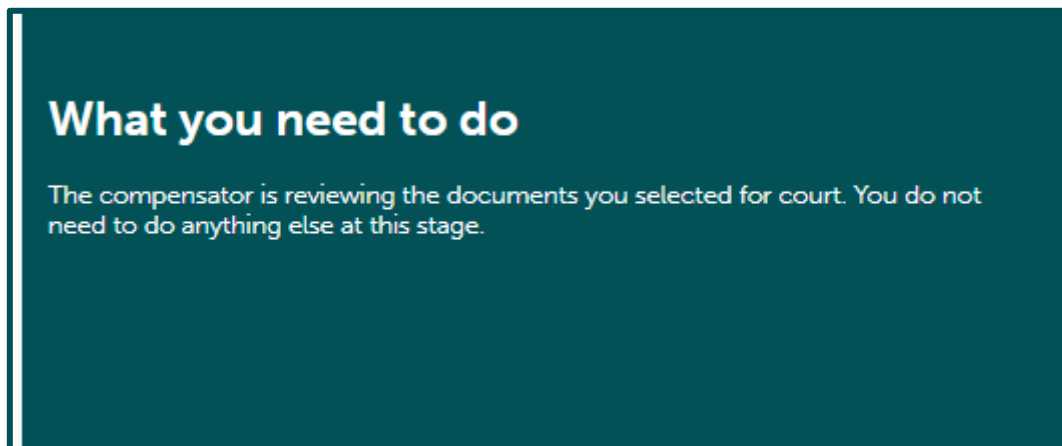
The compensator will review the selected documents and advise within 5 working days if any changes are required.

Select Confirm and Send to confirm you have:

- completed the Court Pack list
- that it contains all documents required by the court, as listed in Table B (1)

[Confirm and Send](#) [Save and Exit](#)

The claim will now go to the Compensator who will review the documents you have selected for court. The Compensator cannot remove any documents you have selected but can add additional documents that have been excluded.



Once the Compensator has reviewed the documents selected and made a decision the claim will return to you.

Claim status (this shows what stage your claim is at. Click 'Continue' to open the claim).

### My claim New

Claimant name	Test Test
Accident date	01 January, 2021
Portal reference	OIC-05-22-17
Claim reference	1234
Status	Pending- OfferListAccept

[Continue](#)

Instruction text (this explains your next step in the process).

## What you need to do

The compensator has reviewed your court documents. Select [View more details](#) and review their response.

[View more details](#)

On the next screen you will see the Compensator’s response after reviewing the documents you have selected for court. In the below screenshot the Compensator has agreed with the documents selected. If they have not agreed with the documents, you will be able to see the documents they have added but will not be able to dispute these. Either way, you will need to select ‘Continue’ where you will go on to answer some more questions to populate your court form.

## Confirmation of Court Pack list

The compensator has agreed with the documents you selected for the Court Pack.

### Court Pack list

5 documents

Court valuation form [OIC-06-22-4270\\_CourtValuationForm\\_21-06-2022 12-31.pdf](#)  
Claimant ✓

Claimant’s list of losses [OIC-06-22-4270\\_ListOfLosses\\_21-06-2022 11-49.pdf](#)  
Claimant ✓

Medical report [medical report](#)  
Claimant ✓

Compensator’s response [OIC-06-22-4270\\_CompensatorResponse\\_21-06-2022 10-03.pdf](#)  
Claimant ✓

Small claim notification form [OIC-06-22-4270\\_SCNF\\_21-06-2022 09-50.pdf](#)  
Claimant ✓

Select Continue to go to a series of questions that will be used to fill in your court form.

If you have not provided an address for the defendant (the driver you feel was responsible for the accident) already, you will be asked if you have it on the next screen. If you do you will be asked to provide it.

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## Defendant's details

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Note that all fields marked with \* are mandatory.

The defendant's address has not been provided. If this is not available, the court form will show the compensator as the defendant instead and give their address.

Do you have the defendant's address? \*

Yes  No

Postcode \*

or [Enter address manually](#)

If you do not have the address, the paperwork produced for court will show the defendant as the compensator rather than the responsible driver.

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## Defendant's details

[Back](#)

Note that all fields marked with \* are mandatory.

The defendant's address has not been provided. If this is not available, the court form will show the compensator as the defendant instead and give their address.

Do you have the defendant's address? \*

Yes  No


The paperwork produced for your court claim will now show the defendant as:

**OIC Compensator**

If you have already provided the responsible drivers address, you will not be asked this question and will move on to the next question instead.



You will need to confirm where your preferred county court hearing centre would be. This will be the court that you would like the hearing to take place at. You can use [this link](#) to find your local court. You will also be asked if you have already started court proceedings using the RTA Small Claims Protocol. Only select yes if you have already been to court for this specific claim. It does not matter if you have been to court for a different claim in the past and you will not be required to provide any details about that. If you do select yes, you will be asked for the court claim number from when you have previously been to court. You can also indicate if there is any additional support you would need from the listed options. It is important to list any support you require as this will help the court to find a suitable centre for your needs.



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## Going to court

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*Note that all fields marked with \* are mandatory.*

All court claims must be started at the County Court Money Claims Centre.

Your court claim will then be processed and sent out to the local court that will hold your hearing.

You can specify your preferred local hearing centre.

What is your preferred county court hearing centre? \*

Salford

Have you already started court proceedings using the RTA Small Claims Protocol? \*

Yes
  No

If you have already started a court claim for this accident, give the court claim number that the court allocated for that claim.

What is the court claim number of your existing claim? \*

Select any support you would need for a court hearing:

- Disabled access
- Hearing loop
- Sign language interpreter
- Language interpreter
- Other support

Continue

Save and Exit

On the next screen you will need to select any witnesses that will be giving evidence on your behalf. You will automatically have been added as a witness.

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## Select your witnesses

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Note that all fields marked with \* are mandatory.

You must select all those witnesses who will give evidence on your behalf.

This always includes you.

Add additional witnesses by selecting Add witness. You will be able to add witness statements after you select Continue.

You will need permission from the court for any additional witnesses before the hearing.

**Your details:**

Title	Mr.	First name	Test
Middle name	--	Last name	Test

**Select witnesses you want to include**

Besides you, no witnesses have been added to the claim yet.

### Key information

▶ How do I select witnesses?

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If you would like to select anyone else, select 'Add witness' and provide their name. You can add as many witnesses as you like.

### Select witnesses you want to include

Besides you, no witnesses have been added to the claim yet.

### Additional witnesses you want to include

Name of the witness \*

[Remove](#)

---

On the next screen, you will be asked if you have included in the court pack all the evidence you wish to rely on. This relates to the evidence you selected to provide to the court earlier on in the process. If everything has already been included, select 'Yes' and 'Continue'.

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## Court pack evidence

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*Note that all fields marked with \* are mandatory.*

You have selected the documents that you want to include in the Court Pack.

You must select No if you want to include any additional documents.

You must add witness statements for any new witnesses.

Have you included in the Court Pack all evidence that you wish to rely on? \*

Yes  No

[Continue](#) [Save and Exit](#)

### Key information

- ▶ How do I check for any missing court documents?
- ▶ What is the court pack?

If you wish to include some additional evidence, you will need to select 'No'. You will be asked if you are attaching new evidence to the form. This means you will be providing the additional evidence alongside your court form and current list of documents for court. You will also need to provide reasoning for why the evidence was not produced previously and give a summary of the evidence. It is important to note that as this evidence has been added after the list of documents for court has been completed, the court will consider whether to give you permission to use the additional evidence.

Have you included in the Court Pack all evidence that you wish to rely on? \*

Yes  No

As you wish to rely on evidence not in the Court Pack, you now need to tell us what that new evidence is, and attach the evidence, if you have it, to the court form.

The court will then consider whether to give you permission to use this evidence.

Are you attaching the new evidence to the court form? \*

Yes  No

The reason that the evidence was not produced previously is as follows: \*

Remaining: 1080 characters

How do you summarise the evidence? \*

Remaining: 1080 characters

[Continue](#) [Save and Exit](#)

If you answer 'No' to 'Are you attaching the new evidence to the court form?' you will need to give reasoning for why you cannot attach the evidence to the form.

Are you attaching the new evidence to the court form? \*

Yes  No

The reason that the evidence was not produced previously is as follows: \*

Remaining: 1080 characters

How do you summarise the evidence? \*

Remaining: 1080 characters

I cannot attach the evidence to this form because: \*

Remaining: 1080 characters

[Continue](#) [Save and Exit](#)

The next screen will confirm the total amount you are claiming which will determine the court fee you need to pay. This is based off the valuation you have previously made on your claim and cannot be amended.

## Court fee payable

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*Note that all fields marked with \* are mandatory.*

The court fee payable is for a claim value of up to **£3,000**.

This is based on the total amount claimed:

Non-protocol vehicle costs	£0.00
Other protocol damages	£0.00
Damages for injury	£2,895.00
<b>Losses before deductions</b>	<b>£2,895.00</b>
Deductions	£0.00
<b>Total amount claimed</b>	<b>£2,895.00</b>

Check the tickbox before selecting Continue

I believe that: \*

- my claim for damages for injury is not worth more than £5,000, and
- my overall claim (including damages for injury) is not worth more than £10,000

**Important information you should be aware of**

i If you believe your claim for damages for injury is worth more than £5,000, or your overall claim (including damages for injury) is worth more than £10,000, you should not continue your claim through this portal. You will need to notify the compensator of this but you may want to seek advice first.

You will then need to check the answers you have provided. Select 'Confirm and Send' if you are happy with them.

## Check your answers

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Confirm that the following information is correct.

If you want to change anything, select the [Change](#) link.

Once you are satisfied, select [Confirm and Send](#) and your court form will be created.

This information will be shown on your court form together with information from earlier parts of your claim.

- ▶ [Defendant's details](#) [Change](#)
- ▶ [Going to court](#) [Change](#)
- ▶ [Select your witnesses](#) [Change](#)
- ▶ [Court Pack evidence](#) [Change](#)
- ▶ [Court fee payable](#) [Change](#)

**Important information you should be aware of**

- The portal will automatically complete the sections that are relevant to your claim only.
- Some sections will not contain any information because it is not relevant to your claim. You should not add anything by hand or otherwise to those sections.

[Confirm and Send](#) [Save and Exit](#)

You will then be provided with a summary of the steps you will need to take to issue your court proceedings. Once you have clicked 'Return to Claim overview' this list will disappear. However, the instructions will be listed on the last page of your court form.

## Your client is ready to start court proceedings

The court form has now been created.

### What happens next

- print off the court form which must be signed with a Statement of Truth
- print off the List of Documents for Court and the documents to be included in the Court Pack
- put together the printed Court Pack, with the List of Documents for Court at the front and the other documents in the same order as listed
- check the court fee due for the "Amount claimed" on the [court fees page](#) and write this in the "Court fee" box on the front of the court form, or you can apply for help with fees via the [help paying a court fee page](#).
- write the reference from the help paying a court fee page in the "Help with Fees Ref no." box on the front of the court form. You may still have to pay a reduced fee, which you must write in the "Court fee" box on the form.

You will be able to download and print all court-related documents by visiting the "My documents" area on the "Claim overview" page.

The signed court form and the Court Pack must be sent with the appropriate court fee, if required, to the Civil National Business Centre to start proceedings:

Civil National Business Centre  
St Katherine's House  
Northampton  
NN1 2LH  
DX: 702885 Northampton 7



By heading to the 'My documents' section on the claim overview page you will be able to download the court form, list of documents for court and evidence that is required by the court. This is what will need to be posted to the court to start your proceedings.

## Documents

# Documents added

[OIC-08-22-10028\\_CourtFormRTASCQ\\_18-01-2023 16-41.pdf](#)  
Court form  
Uploaded by Official Injury Claim 18/01/2023

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[OIC-08-22-10028\\_ListOfDocumentsForCourt\\_18-01-2023 16-41.pdf](#)  
List of documents for court  
Uploaded by Official Injury Claim 18/01/2023

Your claim will now be closed and will need to be settled outside of the portal.

## What you need to do

You decided to go to court because you disagree with the compensator's offer. The claim, any court proceedings and payments will be dealt with outside of this portal. You can still access your documentation via the My document link below.