

This video explains what a Statement of Claim is and how you complete one.

What is a statement of claim?

A statement of claim is a document prepared by the plaintiff, that is, the person or company who is initiating the case in the court.

A statement of claim usually accompanies a writ or could be otherwise needed during the course of a proceeding.

The Statement of Claim states the nature and cause of the claim, and the relief or remedy sought in the proceeding.

How do I complete my Statement of Claim?

Using headings can assist the reader to understand your claim.

You should number each paragraph of your statement of claim.

This makes it simpler for you, the defendant and the judge to refer to a particular point.

Each paragraph should follow logically from the one before and be in chronological date order.

Write your statement of claim using simple everyday language.

What information should I include in my statement of claim?

- The Statement of claim should start by identifying the parties to the dispute and their relationship to each other.
- Include any relevant background facts.
- Explain how and in what way the defendant has wronged you according to law. This is the legal basis for your claim.

- State the essential facts which support the claim being made.
- End the statement of claim with clear statements of the orders that you want the Court to make.

What information should I leave out of my statement of claim?

Limit your statement of claim to things which are relevant to your case.

Do not include evidence - evidence is presented at the trial to prove the essential facts referred to in your Statement of Claim.

Leave out any detailed arguments about how the law applies to your case.

You may have an opportunity to make these legal arguments (called 'submissions') at the hearing of your case.

Put emotions about your dispute aside by not including your opinion or sharing what you think has happened. Stick to the facts.

Be aware...

If you include inappropriate or irrelevant material in a statement of claim, the other party may apply to have that material struck out or removed.

If the other party is successful in their application to have part or all of your claim struck out, the Court may order you to pay their legal costs in bringing that application.

Even if you have successfully applied for a fee waiver in the proceeding, these legal costs will still be payable.

I've finished writing my Statement of Claim, what do I do next?

You must file the document on RedCrest.

RedCrest will notify you **by email** when your Statement of Claim has been accepted

Please note, this does not mean that a judgment has been made in your favour.

Further steps are required before your case can be determined.

Download the sealed copy of the Statement of Claim from Redcrest

and serve the sealed copy on the defendant or defendants.

The Supreme Court publishes a range of Guides to assist Self-Represented Litigants work through all the steps involved in bringing a proceeding. These guides can be found in the 'Representing Yourself' section of the Court's website.

Should you require further information about court processes please visit our website or call our Registry.