

Thank you for agreeing to attend court and give evidence in this case of anti-social behaviour (ASB).

It is important that you attend court and give your evidence to the judge in person. Evidence from a first-hand witness, like you, can have an enormous effect on the judge because it comes from someone directly involved.

If this is your first time at a civil-court hearing, it can seem very formal. But we are here to support and assist you. We will keep you updated regularly and inform you about each step as we go along.

We can only succeed with your help. Your help is crucial in our campaign to end ASB.

What happens in the county court

County courts deal with civil (non-criminal) cases. Usually these cases arise when a person or a business believes their rights have been harmed. A district or circuit judge reads all the documents beforehand and hears the evidence in court.

In housing cases, the court's decision may be an Injunction or a Possession Order:

- An Injunction requires someone to do or not do something.
- A Possession Order allows the landlord to take back the property from the tenant, which ends their tenancy.

How we can help you before the court hearing

Directions to the court

We will provide you with all the details you need. These will include where the hearing will take place, directions, and how we can help to get you there.

Pre-hearing visit

If you have never attended court or are not sure what to expect, we will gladly take you for a pre-hearing visit a week or two beforehand. A prehearing visit can help you feel less nervous on the day of the hearing.

Your witness statement

We'll give you a copy of your witness statement, as well as copies of any other documents you have given us to support the case. We call this your evidence. The defendant (the person we think has done the ASB) and the judge will have read these papers too. Please read them again on the day before the hearing. Then, when you are in court, you will be familiar with what you have said before.

Victim Support

This is a free service. It is not part of the police, the courts or any other justice agency. We will give you details of how you can use this service.

Financial support

This is available if you have to take time off work. You will also be paid travel expenses to get to and from court.

Dates when you're away

You will need to give us details of dates when you will be away. We will try to give you an estimate of how long the hearing will last.

Support from a friend

If you feel it would help, you can bring a friend to support you. If the court is open to the public, they can come into court and sit in the gallery or at the back.

Help if you have a disability

Please tell us if there is anything we might be able to help you with in court, such as audio assistance if you are hard of hearing or details of how to access the court building.

Final check

We want to ensure you are still happy to give evidence at court. So please tell us if you have any other concerns and we will do our best to help. We also need to know if there is anything you may not have included in your statement – maybe something you have just remembered. Even if you think it is unimportant, please tell us so we can be fully prepared.

How the court hearing works

We will tell you the date and time when you have to be at the court, where we will meet you and who else you will be meeting. We will try to book a private room so that you can avoid having to sit near the defendant.

Before the trial begins, we will meet our lawyer who will explain your role and take you through your evidence (witness statement). This helps to ensure that you are clear about what your statement says and are ready to give evidence.

We can tell you how long we think the trial may last and when you may be asked to give evidence. Our lawyer will ask the court for you to give evidence as soon as possible.

Our opening statement

Our lawyer will make an opening statement. He or she will then need to question you; so you will be called to the stand, which is the area in court where you give your evidence. You will be asked to swear under oath or to affirm that the evidence you are about to give is yours and is true to the best of your belief and knowledge.

Cross-examination

The defendant or his or her representative can then cross-examine you (ask you questions about your evidence). The judge and our lawyer control the cross-examination, particularly if the defendant does not have a lawyer. This is to ensure they behave properly, for example not asking several questions at once. They are not allowed to harass or intimidate you and the court has to prevent that. Please remember that the defendant is on trial, not you!

Answering questions

Try to answer any questions clearly and calmly, without talking too quickly, so that notes can be taken. Please look at the judge when answering questions, as this will improve the quality of your evidence. You should address a district judge as 'sir' or 'madam' and a circuit judge as 'your honour'. This will be explained to you on the day. Don't be afraid to ask for questions to be repeated. If you don't know the answer, say that you don't know. If you need to refresh your memory or take a pause during questioning, you can ask to sit down or have a sip of water, which is available on the stand. If you feel that talking about your ASB experience in court might upset you, we can arrange for one of our staff or Victim Support to sit with you to provide support during the case.

When your questioning is completely over, the judge will discharge you as a witness. This just means you are free to go or to sit at the back and listen to the rest of the hearing. If you choose to go, we will tell you the outcome of the case as soon as the judge has made a decision.

The judge's decision

The judge has to consider all the evidence and all the facts of the case. In some cases judgment may be delayed. A delay may be frustrating for you but cannot be avoided. If this happens, we will tell you when the judgment will be given. If you wish, you can attend court again to hear the judgment.

What happens after the court hearing

Our lawyer and a member of our staff will explain the judge's decision to you. We will try to do this in a private consultation room. If we decide to appeal against a decision that goes against us, we will let you know. If we appeal, we may want you to give evidence in a higher court. We will take you through what that might involve and make sure you are happy to do it. We will give you the necessary support throughout. If the judge makes an order against the defendant, we will explain what that means and what will happen next. If the judge gives us a Possession Order, we can take back the person's home. This may not always happen immediately. We will have to apply for a warrant for possession, so it is important that you still make notes of any further ASB incidents during this period.

Thank you for taking a stand. Without your time, patience and effort in gathering evidence and repeating it before a judge, we would not be able to go to court. We want to thank you for doing this and assure you of our utmost help throughout.

If you have any questions, please contact us.

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