

Putting things right

What happens if it is best to put
your complaint right by going to
court



**easy
read**

Contents

Page

Introduction	3
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Cases that should go to court	5
-------------------------------	---

If you can go to court	6
------------------------	---

For more information	10
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In this easy read document, difficult words are in **bold**. We explain what these words mean in the sentence after they have been used.



Some words are blue and underlined. These are links which will go to another website which has more information.

Introduction



The Public Services Ombudsman for Wales (PSOW) is an independent organisation that deals with complaints.



We deal with complaints about:

- public services - these are services provided by an organisation that is part of the government
- local councillors - these are people chosen to run a council
- public bodies - these are organisations that give services to the public. They get money from the government but are not part of it.





With some complaints, it is best to put things right by **going to court**. This document explains what happens if your case should go to court.



Going to court means using the law to put things right.



In court, a judge will decide the rights and wrongs of the case.



You would usually need a **solicitor** to help you go to court.

A **solicitor** is a lawyer who will help you in court.

Cases that should go to court



There are certain circumstances when you should go to court to put things right.

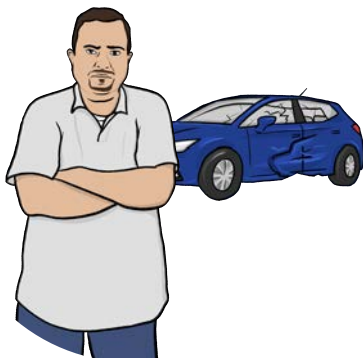


You should go to court if it is:

- **clinical negligence** - this is when a healthcare or medical professional has caused you harm by not giving you the proper treatment

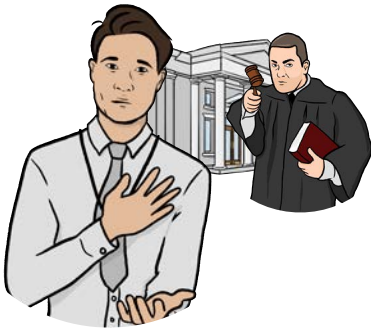


- a **breach of contract** - this is when a public body has not done something it is supposed to do



- a **claim for damages** - this is when a public body or someone working for them has damaged your property.

If you can go to court



The law says that if your case can be put right in court, then we shouldn't look into your complaint.

But even if a case could be put right in court, it is not fair to expect everyone to go to court.

Deciding if it is fair to expect you to go to court



If we think it is not fair to that you should have to take your case to court, we may be able to help you with your complaint instead.



To help us make a decision, we may need to ask you for some more information.



The information we may need to ask you about includes:

- your situation and why you think you can't go to court



- how you would like your complaint to be put right



- whether you have a solicitor



- whether you have **legal insurance** or **legal aid** - this is money you can get to help you pay for going to court.

Making a decision



We may decide that you should not have to take your case to court, and that we can deal with your complaint to help put things right.



For example, you might want:

- the public body to say sorry



- answers to your questions



- compensation - this is money paid to cover the cost of something that happened.



You can find more information about what we can ask public bodies to do to make your complaint right, here: www.ombudsman.wales/fact-sheets/remedies/



But we may decide that you should go to court, if we think the courts would put things right in the way you want.



For example, if you want to receive a large amount money to put things right, you should go to court.

For more information



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