

Overview

This standard is about receiving appeals against decisions made in courts and tribunals, preparing relevant documentation and notifying parties regarding a pending appeal. It includes identifying whether the case can be appealed.

Cases can be either criminal or civil in courts, tribunals or prosecutions.

Performance criteria

You must be able to:

1. review documentation received regarding appeals in line with organisational requirements
2. check correct fees are tendered and processed in line with organisational requirements
3. address incomplete documentation in line with organisational and legislative requirements
4. check validity of grounds given for appeal in line with legislative requirements
5. notify parties of invalid grounds for appeal in line with organisational requirements
6. notify internal and external parties of appeals lodged in line with organisational and legislative requirements
7. update files, highlighting that an appeal is pending in line with organisational requirements
8. process cases to appeal in line with organisational and legislative requirements
9. obtain papers, in line with organisational requirements, including:
 - 9.1 transcripts of the initial case
10. prepare information required by officials who will consider appeals in line with organisational requirements
11. monitor and record responses from internal and external parties in line with organisational requirements
12. determine whether fines are payable according to initial rulings in line with organisational requirements and;
 - 12.1 check whether fines have been paid in part or in full ahead of appeals
 - 12.2 determine the impact on appeals
13. notify authorities in line with organisational requirements
14. maintain records in line with organisational requirements
15. keep information secure in line with organisational and legislative requirements

Knowledge and understanding

You need to know and understand:

1. current organisational procedures for processing appeals
2. current organisational requirements and procedures for preparing papers for appeal cases
3. types of appeal for which fees are payable
4. grounds for appeals
5. timescales for lodging appeals
6. parties to be notified of cases going to appeal and how to do this
7. levels of authority and responsibility and who to refer to should these be exceeded
8. procedures for obtaining reports from presiding officials regarding decisions on cases going to appeal including the rationale for decisions which are the subject of appeals
9. how to establish whether fines have been paid, in part or in full, ahead of appeals
10. the impact of payments on outcomes of appeals
11. the importance of ensuring information is distributed correctly and how to do this
12. the importance of ensuring files are maintained and up to date and how to do this
13. the importance of keeping information confidential and how to do this

Process appeals in courts and tribunals

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Suite Courts, Tribunals and Prosecution

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