Justly Guide: How to Recover Money Through Small Claims in Guernsey

Justly Guernsey is here to help you understand and take action when someone owes you money — and won't pay. This guide will walk you through the process step by step.

What Is a Small Claim?

A **small claim** is a way to legally recover money (typically under £10,000) without hiring a lawyer. It's designed to be simpler and more affordable than other court actions.

You might use this if:

- Someone hasn't paid for work you did
- You loaned money and weren't repaid
- You've paid for goods or services that weren't delivered properly

Step 1: Try to Resolve It Informally

Before going to court:

- Send a clear written request for payment (letter, email, or message).
- Include:
  - What is owed
  - Why it's owed
  - A deadline to respond (e.g., 14 days)
- Keep a copy of this message — it's evidence.

Tip: Stay polite but firm. Try to resolve the issue without threats.

Step 2: Gather Your Evidence

Before filing a claim, collect:

- Invoices or receipts
- Contracts or agreements (even informal ones like text messages)
- Emails, screenshots, or messages
- Bank transfers or payment records
- Any communication about the dispute

The stronger your evidence, the stronger your claim.

Step 3: Write a 'Letter Before Action'

This is a final warning letter.

It should say:

- You intend to file a small claim if they don't pay
- How much is owed
- That you'll give them 7–14 days to settle
- That legal costs could increase the total if they ignore this

Use a calm tone and send by email and post if possible.

Step 4: File a Claim with the Petty Debts Court

If they still don't pay:

1. Download and fill out a Small Claims Form (available on Guernsey Legal Resources or from the court).
2. Submit the form to the Petty Debts Court, located at the Royal Court House.
3. Pay the small court fee (costs vary depending on the amount claimed).

The court will send your claim to the other party, who has a chance to respond.

Step 5: Prepare for a Hearing

If your case goes to court:

- Be ready to present your side clearly
- Bring copies of all your evidence
- Practice telling your story briefly and confidently
- Dress neatly and be respectful

You don't need a lawyer, but preparation is key.

Step 6: After the Court's Decision

If you win:

- The court may order the other person to pay immediately or in instalments
- If they don't pay, you may ask for enforcement options, such as:
  - Seizure of goods
  - Attachment of earnings

If you lose:

- You can ask the court to explain why
- In some cases, you can appeal

Helpful Notes

- The process is private — not a criminal matter.
- Many people settle once they see you're serious.
- Keep emotions out of it — focus on facts and fairness.
- Don't worry if English isn't your first language — you can bring a helper or interpreter.

Summary: What to Do Now

1. Try to resolve informally with a written request
2. Send a ‘Letter Before Action’
3. Collect all evidence
4. File your claim with the Petty Debts Court
5. Prepare for your hearing and stay calm
6. Enforce the decision if needed

Small claims aren't just for businesses — they're for everyone.

If someone owes you money, Justly can help you take the right steps — fairly and clearly.