



**Quarterly Fines Report 45 – Quarter 4 2019/20**

An Official Statistics Publication for Scotland

**Impact of the COVID-19 pandemic on fines collection**

In order to keep court staff and court users safe, guidance from Public Health Scotland was followed which means that counter services remain suspended. A helpline has been introduced to support customers to use the SCTS 24/7 telephone and online payments systems, whilst postal payments continue as normal. See SCTS news <http://www.scotcourts.gov.uk/> and Public Health Scotland's latest guidance for non-healthcare organisations [covid-19-guidance-for-non-healthcare-settings.pdf](#)





**Fines and financial penalties imposed or registered up to 31 March 2020, as at 20 July 2020**

This report presents information on fines and other financial penalties as at 20 July 2020. The report covers the financial years 2016/17, 2017/18, 2018/19 and 2019/20.

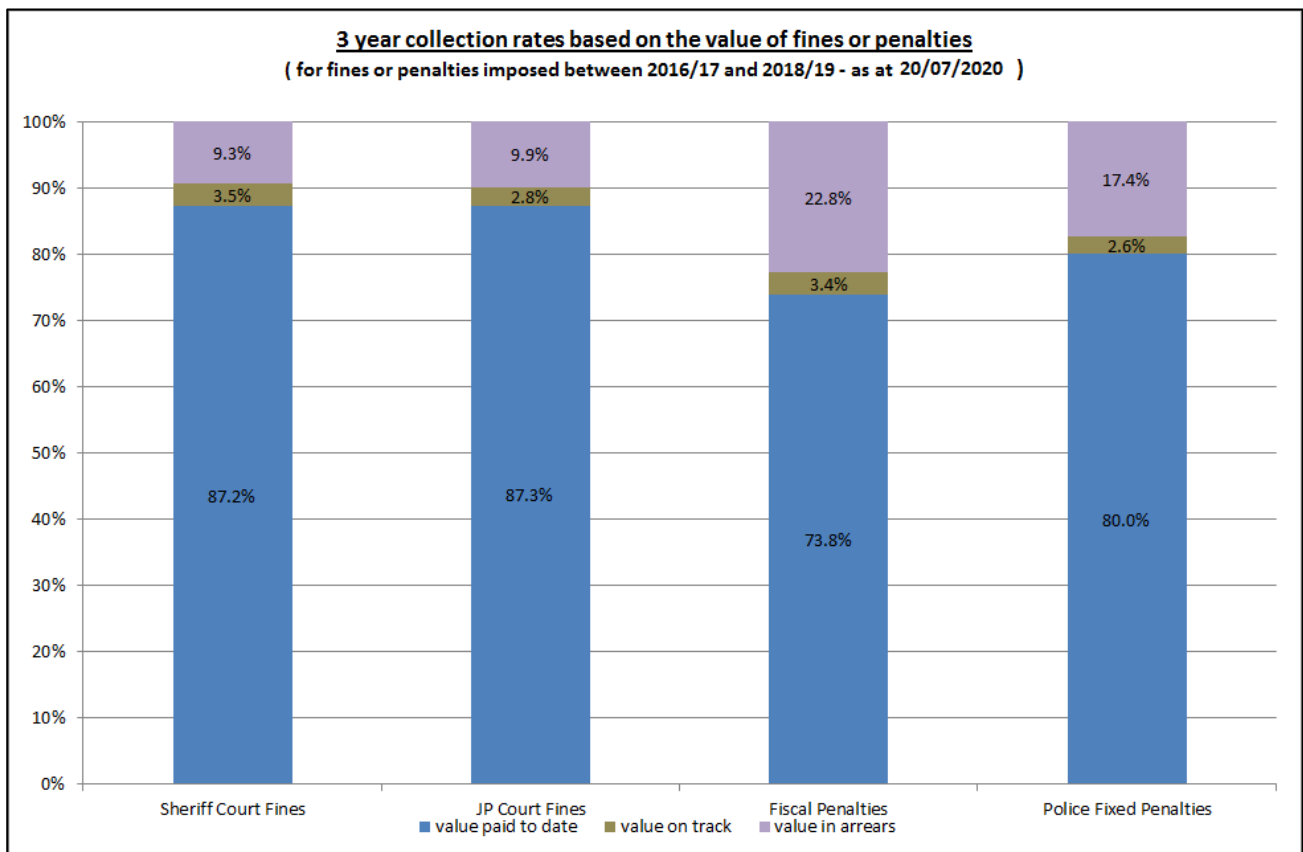
**Three year collection rates**

This Quarterly Fines Report series has employed a rolling three year collection rate for Sheriff Court fines since inception. Fines, by their nature, require time to pay and the latest full three year period contains older and newer fines thereby giving a more balanced view of collection rates. Three year rates have also been constructed for Justice of the Peace Court fines, Fiscal Direct penalties and Police Fixed penalties.

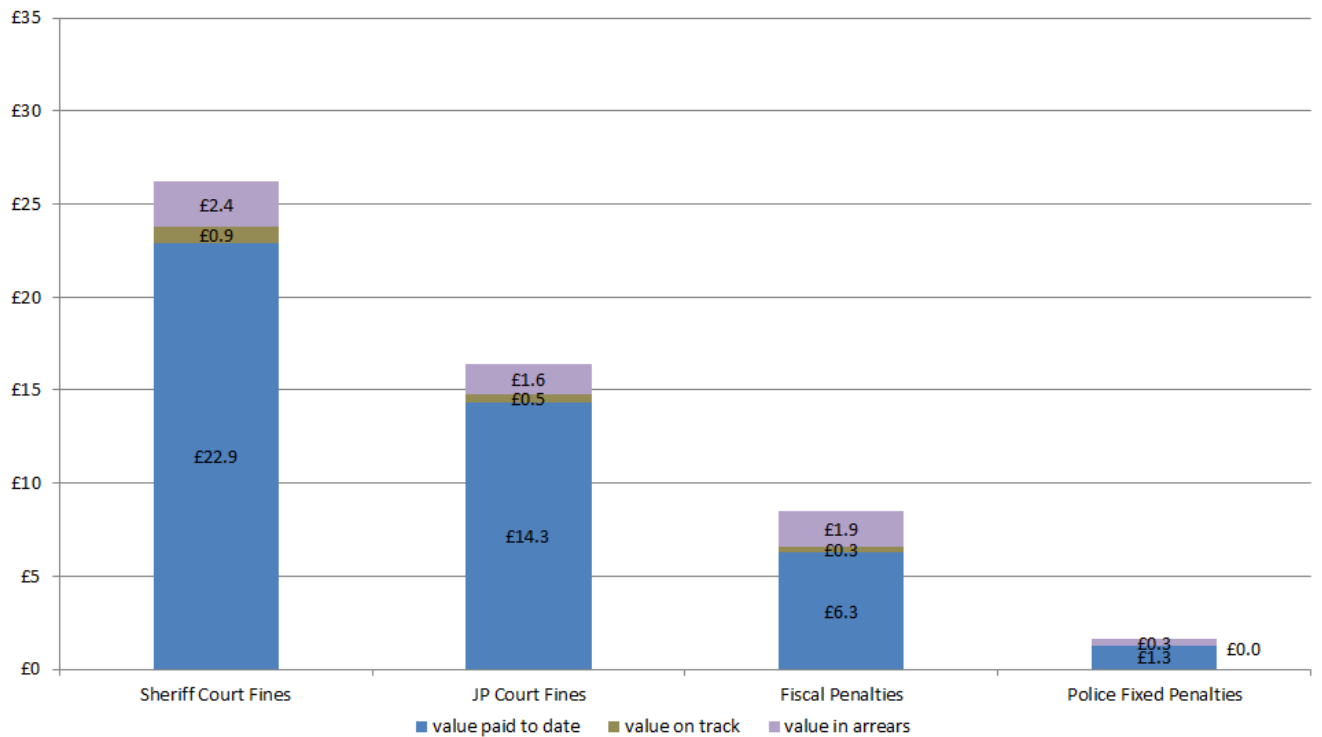
The tables and charts continue to show that Sheriff Court and JP Court fine types have a broadly comparable collection rate when the value of fines is examined but JP Court fines have a stronger collection rate than Sheriff Court fines when the number of fines paid is compared. Fiscal Direct penalties and Police Fixed penalties tend to be of low monetary value. The three year collection rates show no change (value of fines/penalties) and improvement (number of fines/penalties) when the figures as at 20 April 2020 are compared with 20 July 2020.

3 Year collection rate - the Value paid or 'on track' as a percentage of the value to be paid for fines or penalties imposed between 2016/17 and 2018/19	as at 20 April 2020	as at 20 July 2020	Change
Sheriff Court Fines	91%	91%	 No Change
JP Court Fines	90%	90%	 No Change
Fiscal Penalties	78%	77%	 1 percentage point
Police Fixed Penalties	83%	83%	 No Change

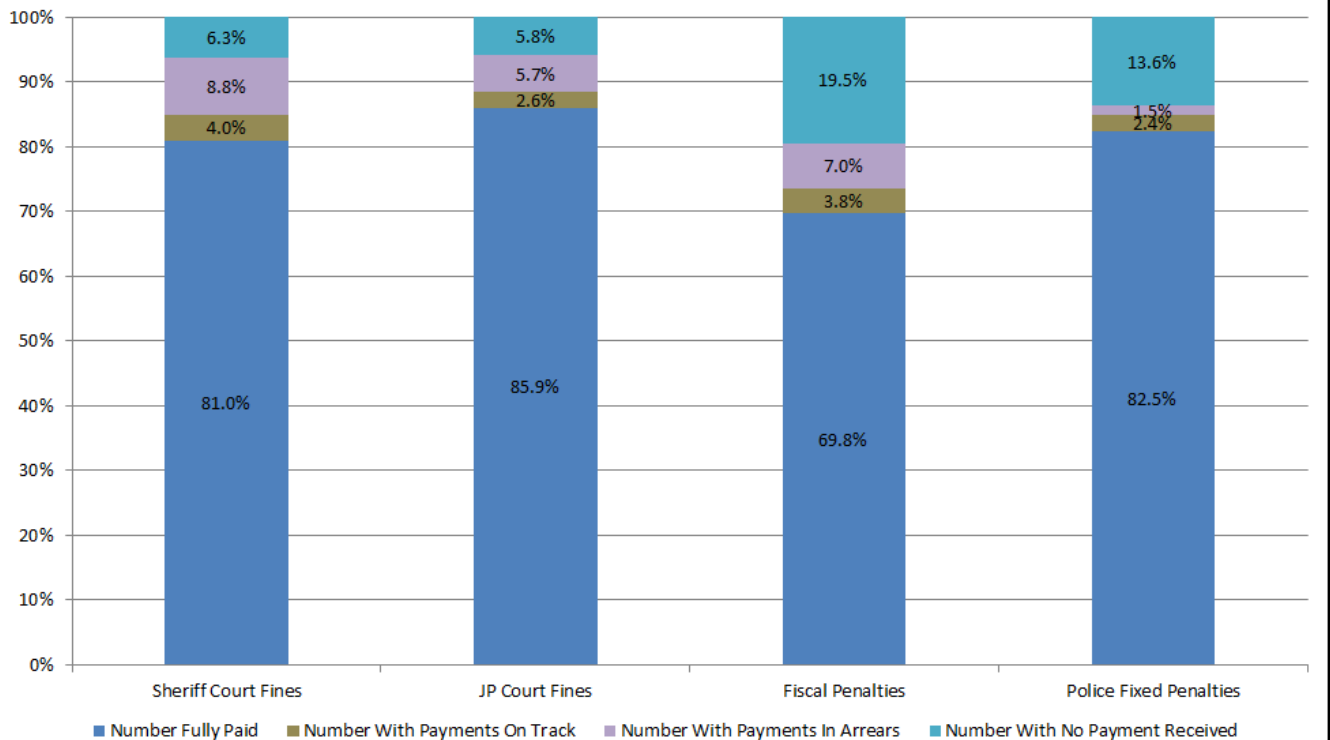
3 Year collection rates - the number fully paid as a percentage of the number to be paid for fines or penalties imposed between 2016/17 and 2018/19	as at 20 April 2020	as at 20 July 2020	Change
Sheriff Court Fines	79%	81%	↑ 2 percentage points
JP Court Fines	85%	86%	↑ 1 percentage point
Fiscal Penalties	67%	70%	↑ 3 percentage points
Police Fixed Penalties	81%	83%	↑ 2 percentage points



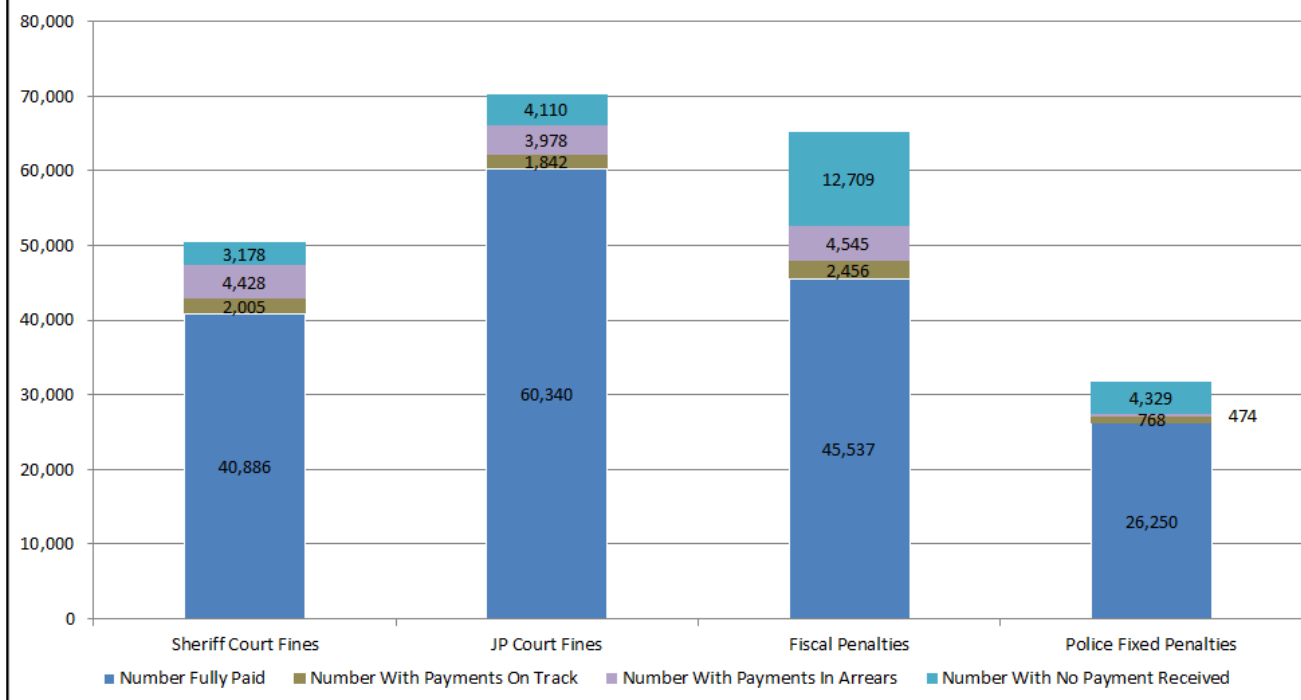
**3 year view of collection activity for the value of fines or penalties in £m**  
 (for fines or penalties imposed between 2016/17 and 2018/19 - as at 20/07/2020 )



**3 year collection rates based on the number of fines or penalties**  
 (for fines or penalties imposed between 2016/17 and 2018/19 - as at 20/07/2020 )



**3 year view of collection activity for the number of fines or penalties**  
 (for fines or penalties imposed between 2016/17 and 2018/19 - as at 20/07/2020 )



### Sheriff Court Fines Summary

As at 20 July 2020, 78% of the value of Sheriff Court fines imposed between 1 April 2019 and 31 March 2020 has either been paid fully or is on track to be paid through instalments. For this same period, the number of new fines fully paid is 45%.

For Sheriff Court fines imposed in 2018/19, 80% of the value has been paid as at 20 July 2020. This is an increase of 1 percentage point compared with 79% of the value paid as at 20 April 2020.

For Sheriff Court fines imposed in 2017/18, 87% of the value has been paid as at 20 July 2020. This is an increase of 1 percentage point compared with 86% of the value paid as at 20 April 2020.

For Sheriff Court fines imposed in 2016/17, 92% of the value has been paid as at 20 July 2020. This is comparable with the percentage value paid as at 20 April 2020.

Of the number of Sheriff Court fines imposed in 2016/17, 88% have been fully paid as at 20 July 2020. This is an increase of 1 percentage point on the rate as at 20 April 2020.

### Justice of the Peace (JP) Court Fines Summary

As at 20 July 2020, 76% of the value of JP Court fines imposed between 1 April 2019 and 31 March 2020 has either been paid fully or is on track to be paid through instalments. For this same period, the number of new fines fully paid is 61%.

For JP fines imposed in 2018/19, 81% of the value has been paid as at 20 July 2020. This is an increase of 1 percentage point compared with 80% of the value paid as at 20 April 2020.

For JP fines imposed in 2017/18, 87% of the value has been paid as at 20 July 2020. This is comparable with the percentage value paid as at 20 April 2020.

For JP fines imposed in 2016/17, 92% of the value has been paid as at 20 July 2020. This is comparable with the percentage value paid as at 20 April 2020.

Of the number of JP fines imposed in 2016/17, 92% have been fully paid as at 20 July 2020. This is an increase of 1 percentage point compared with 91% of the value paid as at 20 April 2020.

### **Fiscal Direct Penalties Summary**

As at 20 July 2020, 51% of the value of Fiscal direct fines imposed between 1 April 2019 and 31 March 2020 has either been paid fully or is on track to be paid through instalments. For this same period, the number of new fines fully paid is 36%.

For Fiscal direct fines imposed in 2018/19, 65% of the value has been paid as at 20 July 2020. This is an increase of 3 percentage points compared with 62% of the value paid as at 20 April 2020.

For Fiscal direct fines imposed in 2017/18, 76% of the value has been paid as at 20 July 2020. This is an increase of 2 percentage points compared with 74% of the value paid as at 20 April 2020.

For Fiscal direct fines imposed in 2016/17, 80% of the value has been paid as at 20 July 2020. This is an increase of 1 percentage point compared with 79% of the value paid as at 20 April 2020.

Of the number of Fiscal direct penalties registered in 2016/17, 77% have been fully paid as at 20 July 2020. This is an increase of 1 percentage point on the rate as at 20 April 2020.

### **Police Fixed Penalties Summary**

As at 20 July 2020, 65% of the value of Police Fixed Penalties registered between 1 April 2019 and 31 March 2020 has either been paid fully or is on track to be paid through instalments. For this same period, the number of new fines fully paid is 66%.

For Police Fixed Penalties registered in 2018/19, 72% of the value has been paid as at 20 July 2020. This is an increase of 2 percentage points compared with 70% of the value paid as at 20 April 2020.

For Police Fixed Penalties registered in 2017/18, 78% of the value has been paid as at 20 July 2020. This is an increase of 1 percentage point compared with 77% of the value paid as at 20 April 2020.

For Police Fixed Penalties registered in 2016/17, 87% of the value has been paid as at 20 July 2020. This is an increase of 2 percentage points compared with 85% of the value paid as at 20 April 2020.

Of the number of Police Fixed Penalties registered in 2016/17, 88% have been fully paid as at 20 July 2020. This is an increase of 1 percentage point on the rate as at 20 April 2020.

## Enforcement Action

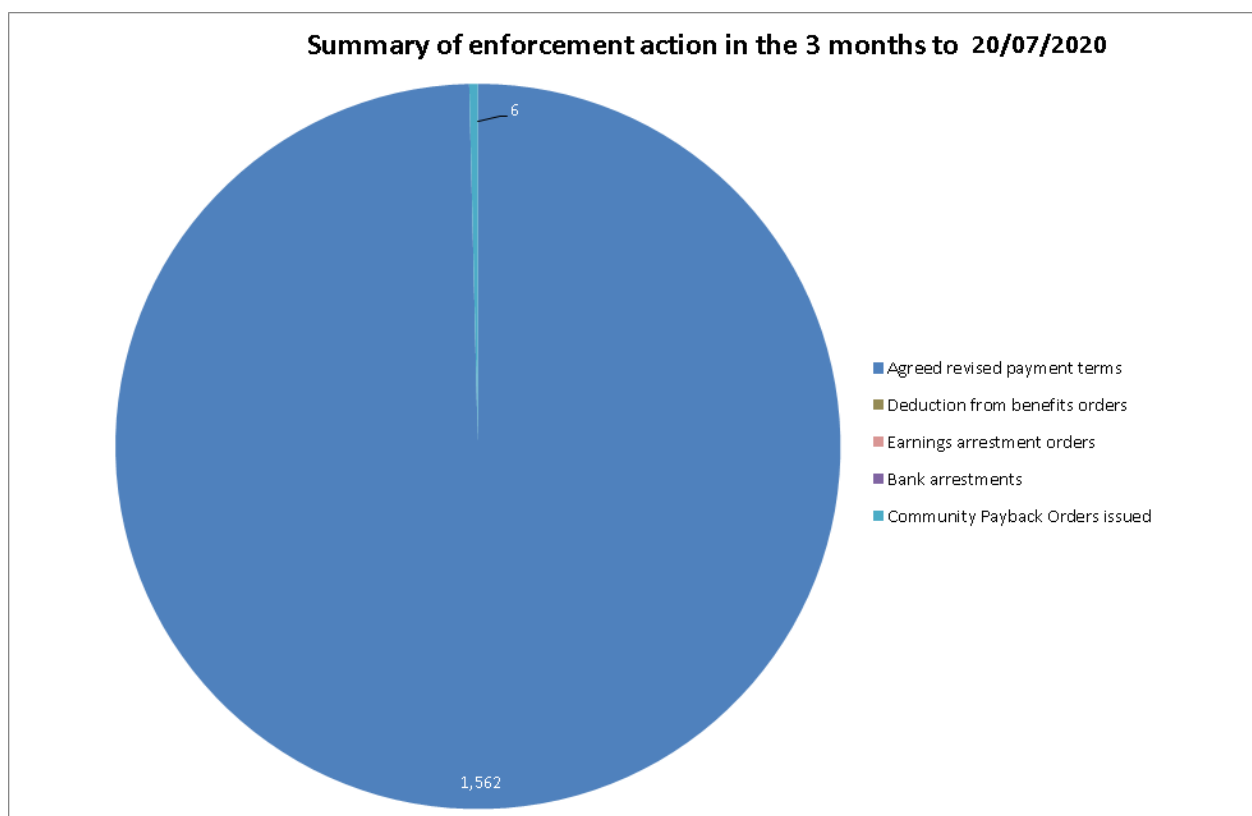
All outstanding fines and financial penalties for which SCTS is responsible are being pursued. Enhanced tracing facilities make it easier to use the full range of enforcement actions which include benefit deductions, freezing bank accounts, arresting wages and seizing cars. The information included in this report relates to financial penalties imposed or registered between **01 April 2016 and 31 March 2020**, with fines collection up to **20 July 2020**, although for some enforcement actions there may be a time lag between the enforcement action being applied and subsequent payments being received.

Other enforcement measures include using tracing facilities to ensure that defaulters are identified quickly and to speed up enforcement action. The tracing facilities provide information on aliases, employment history, bank accounts, and credit cards. Sheriff Officers also help to target persistent defaulters who are ignoring payment demands. Deducting payments from benefits is now an automated process and a new online payment facility is increasing electronic payments. All these measures ensure that offenders cannot avoid the penalty and are encouraged to make prompt payment.

### Summary of enforcement action (covering Sheriff Court fines, Justice of the Peace (JP) Court fines, Fiscal penalties and Police Fixed Penalties:

- At 20 July 2020, **249,692** enforcement orders had been granted by the courts (**13,020** of these granted within the 3 months prior to 20 July 2020). This is the initial step required to pursue enforcement action.
- Fines Enforcement Officers have agreed revised payment terms in **39,425** accounts (**1,562** of these were agreed within the 3 months prior to 20 July 2020), helping individuals maintain payments.
- **47,645** benefit deduction orders have been granted, and **12,904** earnings arrestment orders have been issued to date (however **none** were granted or issued respectively within the 3 months prior to 20 July 2020).
- **67,854** bank arrestment orders have been applied to date (but **none** of these were applied within the 3 months prior to 20 July 2020).
- **2,059** Community Payback Orders have been issued as an alternative where people are unable to pay. (**6** of these were imposed within the 3 months prior to 20 July 2020).

Summary of enforcement action in the 3 months to 20/07/2020



## Explanation of Enforcement Actions

An Enforcement Order is an order made by the court setting out the payment rate of a fine, explaining what will happen if the fine isn't paid, and giving the Fines Enforcement Officer (FEO) the power to take action.

A Deduction from Benefits Order is an order made by the court which allows the Department of Work and Pensions (DWP) to deduct money from an offender's benefits and pay it directly towards their fine.

An Earnings Arrestment Order is an order made by the court instructing an employer to make regular deductions from an employee's wages which are paid directly towards the employee's fine.

Supervised Attendance Orders and Community Payback Orders are orders made by the Court for Sheriff or JP Court Fines as an alternative to imprisonment if the offender defaults in payment of their fine. The offender must attend a place of supervision and carry out instructions given by their Supervising Officer as part of a SAO or carry out other requirements, such as unpaid work, as specified by the Court as part of a CPO.

An Arrestment of Funds Order (Bank Arrestment) is an order issued by the Fines Enforcement Officer (FEO) to a bank or other financial institution instructing them to seize funds they hold which belong to a fines defaulter. The funds seized are subsequently released to the court and applied towards any outstanding fine.

## Victim Surcharge

A Victim Surcharge penalty was introduced by the Scottish Government at the end of 2019 on fines relating to offences committed on or after 25<sup>th</sup> November. Collected monies in respect of the Victim Surcharge penalty will be passed to the Scottish Government at regular intervals.

It is intended that greater detail will be provided about Victim Surcharge penalties in due course within this publication series but in the interim, the provisional 2019-20 Q3-4 collection rate is 67% of the Victim Surcharge penalty value and 66% of the number of penalties as at 20 July 2020. This is an increase of 1 percentage point on both these rates as at 20 April 2020.

### Provisional Interim Summary of Victim Surcharge Penalties as at 20 July 2020

2019-20 Q3-4*	Value to be paid	Number to be paid	Value paid	Number paid	Value in Arrears
Total	£33,205	1774	£22,355	1163	£10,300

\*Penalties to be paid on fines imposed between 25 November to 31 March 2020 relating to offences committed on or after 25th November 2019

<https://www.gov.scot/news/paying-the-cost-of-crime/>

## Value of Fines<sup>1</sup> (£m)

As at 20 July, 2020

		Total Value To Be Paid <sup>6</sup> (£m)	Value Paid To Date <sup>7</sup> (£m)	Value with Payments On Track <sup>7</sup> (£m)	Value In Arrears <sup>7</sup> (£m)
<b>3 Year Total</b>	<b>Sheriff Court Fines<sup>2</sup></b>	<b>26.3</b>	<b>22.9</b>	<b>0.9</b>	<b>2.4</b>
<b>FY 2016/17 to FY 2018/19</b>			<b>87.2%</b>	<b>3.5%</b>	<b>9.3%</b>
FY 2016/17	Sheriff Court Fines <sup>2</sup>	10.2	9.3 92.0%	0.2 1.7%	0.6 6.3%
FY 2017/18	Sheriff Court Fines <sup>2</sup>	9.6	8.3 86.6%	0.4 3.7%	0.9 9.8%
FY 2018/19	Sheriff Court Fines <sup>8</sup>	6.5	5.2 80.5%	0.4 6.1%	0.9 13.4%
FY 2019/20 Q1-4	Sheriff Court Fines <sup>8</sup>	6.6	3.9 59.0%	1.3 19.2%	1.4 21.8%
<b>3 Year Total</b>	<b>JP Court Fines<sup>3</sup></b>	<b>16.4</b>	<b>14.3</b>	<b>0.5</b>	<b>1.6</b>
<b>FY 2016/17 to FY 2018/19</b>			<b>87.3%</b>	<b>2.8%</b>	<b>9.9%</b>
FY 2016/17	JP Court Fines <sup>3</sup>	5.9	5.4 92.5%	0.1 1.3%	0.4 6.2%
FY 2017/18	JP Court Fines <sup>3</sup>	5.3	4.6 87.4%	0.1 2.7%	0.5 9.9%
FY 2018/19	JP Court Fines <sup>8</sup>	5.2	4.2 81.2%	0.2 4.5%	0.7 14.2%
FY 2019/20 Q1-4	JP Court Fines <sup>8</sup>	4.9	3.1 64.3%	0.6 12.2%	1.1 23.5%
<b>3 Year Total</b>	<b>Fiscal Direct Penalties<sup>4</sup></b>	<b>8.5</b>	<b>6.3</b>	<b>0.3</b>	<b>1.9</b>
<b>FY 2016/17 to FY 2018/19</b>			<b>73.8%</b>	<b>3.4%</b>	<b>22.8%</b>
FY 2016/17	Fiscal Direct Penalties <sup>4</sup>	2.8	2.2 80.5%	0.0 1.8%	0.5 17.7%
FY 2017/18	Fiscal Direct Penalties <sup>4</sup>	2.9	2.2 75.7%	0.1 3.1%	0.6 21.2%
FY 2018/19	Fiscal Direct Penalties <sup>4</sup>	2.8	1.8 65.2%	0.2 5.3%	0.8 29.5%
FY 2019/20 Q1-4	Fiscal Direct Penalties <sup>4</sup>	3.0	1.2 40.4%	0.3 10.3%	1.5 49.3%
<b>3 Year Total</b>	<b>Police Fixed Penalties<sup>5</sup></b>	<b>1.6</b>	<b>1.3</b>	<b>0.0</b>	<b>0.3</b>
<b>FY 2016/17 to FY 2018/19</b>			<b>80.0%</b>	<b>2.6%</b>	<b>17.4%</b>
FY 2016/17	Police Fixed Penalties <sup>5</sup>	0.7	0.6 86.5%	0.0 2.1%	0.1 11.5%
FY 2017/18	Police Fixed Penalties <sup>5</sup>	0.5	0.4 78.4%	0.0 2.6%	0.1 19.0%
FY 2018/19	Police Fixed Penalties <sup>5</sup>	0.4	0.3 71.5%	0.0 3.5%	0.1 24.7%
FY 2019/20 Q1-4	Police Fixed Penalties <sup>5</sup>	0.3	0.2 61.8%	0.0 3.2%	0.1 35.0%

Source: Scottish Courts and Tribunals Service, Management Information & Analysis Team - COP2 Data Extraction.  
(See page 10 for the relevant footnotes)



# Number of Fines<sup>1</sup>

As at 20 July, 2020

		Number To Be Paid <sup>6</sup>	Number Fully Paid <sup>7</sup>	Number With Payments On Track <sup>7</sup>	Number With Payments In Arrears <sup>7</sup>	Number With No Payment Received <sup>7</sup>
<b>3 Year Total</b> FY 2016/17 to FY 2018/19	<b>Sheriff Court Fines<sup>2</sup></b>	<b>50,497</b>	<b>40,886</b> <b>81.0%</b>	<b>2,005</b> <b>4.0%</b>	<b>4,428</b> <b>8.8%</b>	<b>3,178</b> <b>6.3%</b>
FY 2016/17	Sheriff Court Fines <sup>2</sup>	18,594	16,332 87.8%	365 2.0%	1,122 6.0%	775 4.2%
FY 2017/18	Sheriff Court Fines <sup>2</sup>	17,223	13,961 81.1%	668 3.9%	1,520 8.8%	1,074 6.2%
FY 2018/19	Sheriff Court Fines <sup>8</sup>	14,680	10,593 72.2%	972 6.6%	1,786 12.2%	1,329 9.1%
FY 2019/20 Q1-4	Sheriff Court Fines <sup>8</sup>	14,610	6,582 45.1%	1,877 12.8%	2,866 19.6%	3,285 22.5%
<b>3 Year Total</b> FY 2016/17 to FY 2018/19	<b>JP Court Fines<sup>3</sup></b>	<b>70,270</b>	<b>60,340</b> <b>85.9%</b>	<b>1,842</b> <b>2.6%</b>	<b>3,978</b> <b>5.7%</b>	<b>4,110</b> <b>5.8%</b>
FY 2016/17	JP Court Fines <sup>3</sup>	25,956	23,765 91.6%	326 1.3%	1,000 3.9%	865 3.3%
FY 2017/18	JP Court Fines <sup>3</sup>	22,184	19,141 86.3%	524 2.4%	1,247 5.6%	1,272 5.7%
FY 2018/19	JP Court Fines <sup>8</sup>	22,130	17,434 78.8%	992 4.5%	1,731 7.8%	1,973 8.9%
FY 2019/20 Q1-4	JP Court Fines <sup>8</sup>	20,469	12,477 61.0%	1,333 6.5%	2,706 13.2%	3,953 19.3%
<b>3 Year Total</b> FY 2016/17 to FY 2018/19	<b>Fiscal Direct Penalties<sup>4</sup></b>	<b>65,247</b>	<b>45,537</b> <b>69.8%</b>	<b>2,456</b> <b>3.8%</b>	<b>4,545</b> <b>7.0%</b>	<b>12,709</b> <b>19.5%</b>
FY 2016/17	Fiscal Direct Penalties <sup>4</sup>	21,855	16,865 77.2%	448 2.0%	1,284 5.9%	3,258 14.9%
FY 2017/18	Fiscal Direct Penalties <sup>4</sup>	22,310	15,814 70.9%	773 3.5%	1,504 6.7%	4,219 18.9%
FY 2018/19	Fiscal Direct Penalties <sup>4</sup>	21,082	12,858 61.0%	1,235 5.9%	1,757 8.3%	5,232 24.8%
FY 2019/20 Q1-4	Fiscal Direct Penalties <sup>4</sup>	21,847	7,939 36.3%	1,367 6.3%	2,336 10.7%	10,205 46.7%
<b>3 Year Total</b> FY 2016/17 to FY 2018/19	<b>Police Fixed Penalties<sup>5</sup></b>	<b>31,821</b>	<b>26,250</b> <b>82.5%</b>	<b>768</b> <b>2.4%</b>	<b>474</b> <b>1.5%</b>	<b>4,329</b> <b>13.6%</b>
FY 2016/17	Police Fixed Penalties <sup>5</sup>	13,429	11,843 88.2%	245 1.8%	167 1.2%	1,174 8.7%
FY 2017/18	Police Fixed Penalties <sup>5</sup>	9,994	8,115 81.2%	243 2.4%	151 1.5%	1,485 14.9%
FY 2018/19	Police Fixed Penalties <sup>5</sup>	8,398	6,292 74.9%	280 3.3%	156 1.9%	1,670 19.9%
FY 2019/20 Q1-4	Police Fixed Penalties <sup>5</sup>	6,696	4,444 66.4%	192 2.9%	109 1.6%	1,951 29.1%

Source: Scottish Courts and Tribunals Service, Management Information & Analysis Team - COP2 Data Extraction.

(See page 10 for the relevant footnotes)

## Notes on Value of Fines:

1. Figures include fines against both persons and companies. The figures relate to the value of fine accounts. An account may contain more than one fine if an offender receives more than one fine on a single day.
2. Includes Sheriff Court Fines, Compensation Orders and Confiscation Orders.
3. Includes JP Court Fines and Compensation Orders.
4. Includes Fiscal Fines, Fiscal Compensation Offers and the monetary amount of Fiscal Combined Offers.
5. Includes Police Antisocial Behavior Penalties. The Police Fines and those that, if unpaid, become Registered Fines. "Total Value to be paid" is consequently the sum of Police Fines paid (£40 each) and Registered Fines (£60 each), minus discharges. The payment percentages relate to proportions of "Total Value to be Paid". "Total Value to be Paid" and "Value Paid To Date" also sum payments received from both Police Fines and Registered Fines.
6. This figure is the total fines imposed minus any discharges. Fines may be discharged for a number of reasons. These include a sheriff or JP imposed alternative sentence, imprisonment or death of a defaulter. Discharges include both full discharges and fines which have been discharged following part-payment. The values of unpaid £40 Police Fines are discharged when they become £60 Registered Fines to avoid double counting.
7. Percentages are presented as a proportion of "Total Value to be Paid".
8. For all fines imposed after 01-April 2018 that are outwith the scope of the SCTS fines collection process or are statistical outliers have been removed. These exclusions are:
  - All Confiscation Order Fine accounts
  - Large Fines over £50k
  - European Union fines collected on behalf of other European courts.
  - Non-Scottish fines collected on behalf of other British courts.
  - Compensation penalties managed under Community Payback Orders.

Other notes: Values and percentages may not add up to their constituent subtotals and totals due to rounding.

Values of £0.0m in the table denote values of less than £50,000 that have been rounded down.

Please refer to the **data tables** linked on page 11 for the expanded detail at court level.

## Notes on Numbers of Fines:

1. Figures include fines against both persons and companies. The figures relate to the number of fine accounts. An account may contain more than one fine if an offender receives more than one fine on a single day.
2. Includes Sheriff Court Fines, Compensation Orders and Confiscation Orders.
3. Includes JP Court Fines and Compensation Orders.
4. Includes Fiscal Fines, Fiscal Compensation Offers and the monetary amount of Fiscal Combined Offers.
5. Includes Police Antisocial Behaviour Penalties. The Police Fines and those that, if unpaid, become Registered Fines. "Number to be Paid" is consequently the sum of Police Fines paid (£40 each) and Registered Fines (£60 each), minus discharges. The payment percentages relate to proportions of "Number to be Paid". "Number to be Paid" and "Number Fully Paid" also sum payments received from both Police Fines and Registered Fines.
6. This figure is the total fines imposed minus any discharges. Fines may be discharged for a number of reasons. These include a sheriff or JP imposed alternative sentence, imprisonment or death of a defaulter. Discharges include both full discharges and fines which have been discharged following part-payment. The numbers of unpaid £40 Police Fines are discharged when they become £60 Registered Fines to avoid double counting.
7. Percentages are presented as a proportion of "Number to be Paid".
8. For all fines imposed after 01-April 2018 that are outwith the scope of the SCTS fines collection process or are statistical outliers have been removed. These exclusions are:
  - All Confiscation Order Fine accounts
  - Large Fines over £50k
  - European Union fines collected on behalf of other European courts.
  - Non-Scottish fines collected on behalf of other British courts.
  - Compensation penalties managed under Community Payback Orders.

Other notes: Numbers and percentages may not add up to their constituent subtotals and totals due to rounding.

Please refer to the **data tables** linked on page 11 for the expanded detail at court level.

## **Data Tables**

This link [QFR 45 Tables](#) will provide an Excel workbook for the tables listed below:

Sheriff Court Fines 2016-17 as at 20 July 2020

Sheriff Court Fines 2017-18 as at 20 July 2020

Sheriff Court Fines 2018-19 as at 20 July 2020

Sheriff Court Fines 2019-20 Q1-4 as at 20 July 2020

Justice of the Peace Court Fines 2016-17 as at 20 July 2020

Justice of the Peace Court Fines 2017-18 as at 20 July 2020

Justice of the Peace Court Fines 2018-19 as at 20 July 2020

Justice of the Peace Court Fines 2019-20 Q1-4 as at 20 July 2020

Fiscal Direct Penalties 2016-17 as at 20 July 2020

Fiscal Direct Penalties 2017-18 as at 20 July 2020

Fiscal Direct Penalties 2018-19 as at 20 July 2020

Fiscal Direct Penalties 2019-20 Q1-4 as at 20 July 2020

Police Fixed Penalties 2016-17 as at 20 July 2020

Police Fixed Penalties 2017-18 as at 20 July 2020

Police Fixed Penalties 2018-19 as at 20 July 2020

Police Fixed Penalties 2019-20 Q1-4 as at 20 July 2020

## **Background**

This is the latest in a series of quarterly reports on fines collection. Previous quarterly reports can be viewed within the 'Statistics' section of webpage <http://www.scotcourts.gov.uk/official-statistics>

## **Revisions and corrections**

There are no revisions or corrections.

## **Data enhancements**

In order to improve the precision of the collection rates, a significant development has been made for fines imposed in 2018/19 quarter 1 onwards. Fines or penalties that are out with the scope of the SCTS fines collection process or are statistical outliers have been removed.

For all fines imposed after 01-April 2018 the exclusions are:

- All Confiscation Order Fine accounts.
- Large Fines over £50k.
- European Union fines collected on behalf of other European courts.
- Non-Scottish fines collected on behalf of other British courts.
- Compensation penalties managed under Community Payback Orders.

## **Fines Collection Process**

The Scottish Courts and Tribunals Service (SCTS) is responsible for collecting Sheriff Court Fines, Justice of the Peace Court Fines, Fiscal penalties and Fixed Penalty Notices.

Court imposed fines are either due for payment immediately or by agreed terms at the point of imposition. The majority of fines imposed include an enforcement order which tells the offender how the fine should be paid and what will happen if it is not paid. The enforcement order allows the Fines Enforcement Officer to implement a range of sanctions including deduction from benefit, arrestment of earnings and bank accounts and seizure of vehicles.

Fiscal direct penalties are issued by the Crown Office and Procurator Fiscal Service (COPFS), in the form of a conditional offer. The alleged offender may refuse the offer within 28 days in recognition that prosecution will be the next likely stage. Alternatively, the alleged offender can accept the offer by making payment. If the conditional offer is ignored and payment not made, the responsibility for enforcement passes to the SCTS Fines Enforcement Officer, who will seek an enforcement order from the court.

Fixed Penalty Notices are issued by each police force in Scotland and the money is due within 28 days and is collected by the SCTS. If the penalty is not paid within 28 days, the amount due is increased by 50 per cent and the penalty is converted to a registered fine with responsibility for enforcement passing to the SCTS Fines Enforcement Officers, who will seek an enforcement order from the court. Figures for value and number of Police Fixed Penalty Notices paid therefore include both payments made to original police fines and payments made to registered fines.

Money collected by the SCTS for criminalised parking fines is subject to different procedures and is not covered in this publication.

## Guidance on definitions and data

The data source is a management information data extract from COP2 (the SCTS operational system used in all Sheriff and Justice of the Peace Courts).

Data may subsequently change over time due to additions or modifications to cases on COP2.

The 'as at' date used throughout the report is the date the fines data is extracted and used to calculate totals for arrears, payments and discharges made, etc.

Figures on fines and other financial penalties are presented on a three financial-year basis to reflect payment cycles and enforcement action taken. This recognises that penalties are levied throughout each year and that arranged instalment payments or enforcement action can mean some may take two or more financial years to be fully paid.

Payment rates for recent years will therefore initially be lower than those for previous years. Estimates of in-year payment figures indicate a broadly consistent collection pattern over time.

Collection rates for Police Fixed Penalties cover both payments for the Police Fixed Penalty within the initial 28 day period and payments made once the unpaid Fixed Penalty becomes a registered fine with a value 50% higher than the original fixed penalty. Registered fines are enforced by the SCTS.

Explanation of categories used in this report:

<b>Value of Fines Imposed</b>	The value of fines imposed within the periods specified.
<b>Value Discharged</b>	This is the value of fines which have been discharged (the value which is <u>not</u> now payable). This can arise in a variety of ways for example where a fine is discharged by a subsequent penalty of a Supervised Attendance Order or Imprisonment, or where the accused dies. Also for Fiscal Penalties it covers instances where the Fiscal Penalty is refused, recalled or withdrawn.
<b>Total Value to be Paid</b>	This is the total value of fines imposed minus the value discharged, and so is the total value of fines which are payable.
<b>Value of Fines Paid to Date</b>	This is the total amount which has been paid to date, and will relate to both fully-paid and part-paid fines.
<b>Value with Payments On Track</b>	This is the total amount which has not been paid as yet, but for which future instalments are on track to be paid (the fine is not in arrears).
<b>Value in Arrears</b>	This is the total amount which has not been paid as yet and for which the fine is in arrears. A fine is in arrears if a payment date has been missed.
<b>Number of Fines Imposed</b>	The number of fines imposed within the periods specified after any court discharges have been deducted.
<b>Number Discharged</b>	This is the number of fines which have been discharged (i.e. the fine is <u>not</u> now payable). This can arise in a variety of ways, for example where a fine is discharged by a subsequent penalty of a Supervised Attendance Order or Imprisonment, or where the accused dies. Also, for Fiscal Penalties, it covers instances where the Fiscal Penalty is refused, recalled or withdrawn.
<b>Number to be Paid</b>	This is the total number of fines imposed minus the number discharged, and so is the total number of fines which are payable.
<b>Number Fully Paid</b>	This is the number of fines which have been fully paid.
<b>Number With Payments On Track</b>	This is the number of fines which are being paid in instalments and are not in arrears.
<b>Number With Payments In Arrears</b>	This is the number of fines which are being paid in instalments and are currently in arrears.
<b>Number With No Payments Received</b>	This is the number of fines which have had no payment received and are currently in arrears.

Notes: The 'value' categories do not directly correspond to the 'number' categories. This is because a single fine can have a portion of its value which has been paid and a portion which has not. In this instance, the values would be split between two value categories, however, the fine itself would only be counted once within a number category.

The discharge categories cover situations where there has been no payment prior to discharge, and also instances where there has been a part-payment prior to discharge.

## Contacts

Press enquiries on the contents of this bulletin should be directed to the Scottish Courts and Tribunals Service communications office.

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Other enquiries about these statistics should be directed to the Management Information Analysis Team of the Scottish Courts and Tribunals Service:

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Further information about Official and National Statistics in Scotland is available from <http://www.gov.scot/Topics/Statistics/producingstats>

Access to official statistics in their final form before they are published is restricted. The following list details who received pre-release access to the statistics in their final form within the maximum period of 5 working days before publication:

Chief Operations Officer, Court and OPG Operations, SCTS

Chief Finance Officer, Corporate Services, SCTS

Head of Corporate Communications, SCTS

Media Officer, Corporate Communications, SCTS

National Fines Enforcement Manager, SCTS

Web developer, Information Technology Unit, SCTS

Policy Implementation Manager, Criminal Justice Division, Scottish Government

The next quarterly fines report will be published in November 2020. The exact date of the report will be announced via the Scottish Government's Forthcoming Publications Schedule - <http://www.gov.scot/Topics/Statistics/ForthcomingPubs> at least 4 weeks in advance, and on the SCTS Official Statistics page - <http://www.scotcourts.gov.uk/official-statistics>