



Mr Lewis Macdonald MSP
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Dear Mr Macdonald

**SCOTTISH PARLIAMENTARY QUESTION S4W-15741, S4W-15742, S4W15743
and S4W-15744
RETAINED FINES INCOME**

The Cabinet Secretary in his response to the above PQ indicated that it relates to operational matters within the responsibility of the Scottish Court Service corporate body. I am now writing to you in response to the matter you have raised.

S4W-15741 asks: how much income (a) Justice of the Peace court fines, (b) fiscal direct penalties and (c) police antisocial behaviour penalties generated for the Scottish Court Service in 2012-13 and are expected to generate in 2013-14.

The breakdown in fine retention levels is provided in the table below:

Fine Income Retention Values	2012/13 (£000)
Justice of the Peace Court	947
Fiscal Direct Penalties	3,126
Police Antisocial Behavior Fixed Penalties	1,882
Total	5,956

The value remitted to HM Treasury during the 2012/13 financial year was £30M.

The impact of court closures on fines retention levels is expected to be neutral, however our overall planning assumptions are that there will be an increase of around £200k in the overall level of income retained in 2013-14. This upwards trend is in line with shared justice system assumptions and our on-going continuous improvement activities in relation to our fines collection and enforcement processes.

S4W-15742 asks: how the income generated for the Scottish Court Service by (a) fiscal direct penalties and (b) police antisocial behaviour penalties is calculated

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An element of fines imposed by justice of the peace courts, police and the Crown Office are retained in line with a Designated Receipts Order issued by HM Treasury. The retention rates that apply to fiscal direct penalties and police antisocial behaviour fixed penalties are set out in the table below.

Fine Income	
Retention Rates	%
Fiscal Direct Penalties	
Fiscal Fines	100%
Combined Offer (Part fine/Part Compensation)*	100%
Conditional Offer of Fixed Penalty	10%
Police Fixed Penalties	
Antisocial Behaviour Fixed Penalty Notices	100%

*retention rate applies to the fine element of a fiscal combined offer

S4W-15743 asks: how much of the Scottish Court Service's anticipated income from (a) fiscal direct penalties and (b) police antisocial behaviour penalties in 2013-14 will be lost as a result of the closure of 16 Justice of the Peace courts.

Please see response to **S4W-15741**.

S4W-15744 asks: whether and, if so, how it has calculated any reduction in the Scottish Court Service's anticipated income from (a) fiscal direct penalties and (b) police antisocial behaviour penalties in 2013-14 as a result of the closure of 16 Justice of the Peace courts

Please see response to **S4W-15741**.

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Court Service website.

Yours sincerely



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The Scottish Court Service is responsible for the administration of Scottish courts and the Office of the Public Guardian.