



**Fines and financial penalties imposed up to end June 2010, as at 11 October 2010**

This Report presents information on fines and other financial penalties as at 11 October 2010. The previous Quarterly Reports have contained comparable information as at 6 July 2009, 5 October 2009, 11 January 2010, 9 Apr 2010 and 8 July 2010 respectively. See [www.scotcourts.gov.uk/payyourfine](http://www.scotcourts.gov.uk/payyourfine) and 'Quarterly Fines Report' link.

Figures for 'number imposed' and 'value imposed' in the commentary below relate to fines imposed after any court discharges have been deducted. See the section on "Guidance on Definitions and Data" for an explanation of what discharges are. The background data tables show the details of fines imposed before and after discharges.

Figures on fines and other financial penalties are presented by the Scottish Court Service (SCS) 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.

The previous five reports covered the financial years 2006/07, 2007/08 and 2008/09 plus any subsequent quarters. This report has discarded the 2006/07 data as there are now three full financial years' data for 2007/08, 2008/09 and 2009/10. 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.

**Sheriff Court Fines Summary (for period April 2007 to 31 March 2010)**

Reporting now on the most recent full three year period, as at 11 October 2010, 87% of the value of Sheriff Court fines imposed over the period 1 April 2007 to 31 March 2010 has either been paid fully or is on track to be paid through instalments. This is an increase of 0.6% on the value paid fully or is on track to be paid as at 08 July 2010.

Of the number of fines imposed over these three financial years, 72% have been fully paid as at 11 October 2010. This is an increase of 4.6% on these fines fully paid as at 08 July 2010.

For fines imposed in 2009/10, 64% has been paid fully as at 11 October 2010. This is an increase of 6 percentage points compared with the figure of 58% fully paid as at 08 July 2010.

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

For JP Court Fines imposed in the financial year 2008/09, 80% of the value has been paid or is on track to be paid by instalments as at 11 October 2010. This is an increase of around 1 percentage point compared with the previous value of 79% paid or on track to be paid as at 08 July 2010.

Of the number of JP Court Fines imposed in 2008/09, 71% have been fully paid as at 11 October 2010. This is an increase of around 2 percentage points compared with the figure of 69% fully paid as at 08 July 2010.

For JP Court Fines imposed in 2009/10, 65% of the value has been fully paid as at 11 October 2010. This is an increase of 5 percentage points compared with the figure of 60% fully paid as at 08 July 2010.

### **Fiscal Direct Penalties Summary**

For Fiscal direct penalties imposed in 2008/09, 74% of the value has been paid or is on track to be paid by instalments as at 11 October 2010. This is an increase of around 2 percentage points compared with the previous value of 72% paid or on track to be paid as at 08 July 2010.

Of the number of Fiscal direct penalties imposed in 2008/09, 60% have been fully paid as at 11 October 2010. This is an increase of around 5 percentage points compared with the figure of 55% fully paid as at 08 July 2010.

For the Fiscal direct penalties imposed in 2009/10, 48% of the value has been paid as at 11 October 2010. This is an increase of around 5 percentage points compared with the figure of 43% of the value paid as at 08 July 2010.

### **Police Antisocial Behaviour Fixed Penalties Summary**

For Police Antisocial Behaviour Fixed Penalties imposed in 2008/09 69% of the value has been paid or is on track to be paid by instalments as at 11 October 2010. This collection rate covers both payments made to the Police Fixed Penalty within the initial 28 day period and payments made once the unpaid Fixed Penalty becomes a registered fine, 50% higher than the original fixed penalty. Registered fines are enforced by the SCS. This 69% fully paid rate is an increase of around 1 percentage point on the previous value of 68% of the value of the fines paid as at 08 July 2010.

Of the number of Police Antisocial Behaviour Fixed Penalties imposed in 2008/09, 74% have been fully paid as at 11 October 2010. This is an increase of around 1 percentage point compared with the figure of 73% fully paid as at 08 July 2010.

For Police Antisocial Behaviour Fixed Penalties imposed in 2009/10, well over half of the value (59%) has already been paid as at 11 October 2010.

### **New Q1 2010/11 Summary (now with full Unification of all JP courts)**

As at 11 October 2010, 88% of the value of Sheriff Court fines imposed over the period 1 April 2010 to 30 June 2010 has either been paid fully or is on track to be paid through instalments. For this new quarter, the number of fines fully paid stands at 30%.

For JP Court Fines imposed in the financial year 2010/11 for the period 1 April 2010 to 30 June 2010, 79% of the value has been paid or is on track to be paid by instalments as at 11 October 2010. For this new quarter, the number of fines fully paid stands at 48%.

For Fiscal direct penalties imposed in 2010/11 for the period 1 April 2010 to 30 June 2010, 68% of the value has been paid or is on track to be paid by instalments as at 11 October 2010. For this new quarter, the number of fines fully paid stands at 24%.

For Police Antisocial Behaviour Fixed Penalties imposed in 2010/11 for the period 1 April 2010 to 30 June 2010, 55% of the value has been paid or is on track to be paid by instalments as at 11 October 2010. For this new quarter, the number of fines fully paid stands at 58%.

## Enforcement Action

All outstanding fines and financial penalties for which it is responsible are being pursued by the SCS. New enforcement measures introduced in July 2009 are targeting persistent defaulters and enhanced tracing facilities make it easier to use the full range of enforcement actions which include benefit deductions, freezing of bank accounts, arresting wages and the seizure of cars. The information included in this report relates to fines collection up to 11 October 2010, however 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 tracing facilities to ensure that defaulters are identified quickly to speed up enforcement action by providing information on aliases, employment history, bank accounts and credit cards; the use of Sheriff Officers to target persistent defaulters who are ignoring payment demands; and working closely with the Department of Work and Pensions to speed up benefit deductions, so that offenders cannot avoid the penalty.

### **Enforcement Action (covering Sheriff Court fines imposed from 2007/08 to 2010/11, and Justice of the Peace (JP) Court fines, Fiscal penalties and Police Antisocial Behaviour Fixed Penalties imposed from 2008/09 to 2010/11)**

- At 11-Oct-10 over 223,000 enforcement orders had been granted by the courts (over 45,700 of these granted within the 3 months prior to 11-Oct-10). This is the initial step required to pursue enforcement action.
- Fines Enforcement Officers have agreed revised payment terms in almost 64,000 accounts (almost 11,000 of these agreed within the 3 months prior to 11-Oct-10), helping individuals maintain payments.
- Over 26,700 benefit deduction orders have been granted and over 4,700 earnings arrestment orders have been issued (including 5,324 granted and 1,264 issued respectively within the 3 months prior to 11-Oct-10).
- Where people are unable to pay, courts have imposed supervised attendance orders on over 5,900 people as an alternative punishment (where 786 of these were imposed within the 3 months prior to 11-Oct-10).

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.

A Supervised Attendance Order is an order 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.

Please note that the changes to fines enforcement brought about by Summary Justice Reform will be the subject of [independent evaluation](#).

**Value of Fines<sup>1</sup> (£m)**  
as at 11 OCT 2010

		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 2007/08 to 2009/10</b>	<b>Sheriff Court Fines<sup>2</sup></b>	<b>48.8</b>	<b>38.5</b> <b>78.8%</b>	<b>4.1</b> <b>8.4%</b>	<b>6.3</b> <b>12.8%</b>
<b>FY 2007/08</b>	Sheriff Court Fines <sup>2</sup>	17.1	15.4 90.1%	0.5 2.9%	1.2 7.0%
<b>FY 2008/09</b>	Sheriff Court Fines <sup>2</sup>	18.8	14.8 78.6%	1.6 8.5%	2.4 12.9%
<b>FY 2009/10</b>	Sheriff Court Fines <sup>2</sup>	12.9	8.3 64.1%	2.0 15.5%	2.6 20.3%
<b>FY 2010/11 Q1</b>	Sheriff Court Fines <sup>2</sup>	3.6	1.6 43.6%	1.6 44.2%	0.4 12.1%
<b>FY 2008/09</b>	JP Court Fines <sup>3</sup>	2.7	2.0 74.7%	0.1 5.0%	0.5 20.3%
	Fiscal Direct Penalties <sup>4</sup>	4.2	2.8 66.3%	0.3 8.1%	1.1 25.6%
	Police Antisocial Behaviour Penalties <sup>5</sup>	0.7	0.5 68.6%	0.0 1.0%	0.2 30.4%
<b>FY 2009/10</b>	JP Court Fines <sup>3</sup>	5.8	3.8 65.3%	0.6 10.8%	1.4 23.9%
	Fiscal Direct Penalties <sup>4</sup>	3.9	1.9 47.8%	0.4 10.6%	1.6 41.6%
	Police Antisocial Behaviour Penalties <sup>5</sup>	2.1	1.2 59.1%	0.0 1.7%	0.8 39.2%
<b>FY 2010/11 Q1</b>	JP Court Fines <sup>3</sup>	1.8	1.0 54.0%	0.5 25.1%	0.4 20.9%
	Fiscal Direct Penalties <sup>4</sup>	0.9	0.3 32.6%	0.3 35.3%	0.3 32.1%
	Police Antisocial Behaviour Penalties <sup>5</sup>	0.9	0.4 51.0%	0.0 3.6%	0.4 45.4%

Source: Scottish Court Service, Management Information & Statistics Team - COP2 Data Extraction.

Notes:

- 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.
- Includes Sheriff Court Fines, Compensation Orders and Confiscation Orders.
- Includes JP Court Fines and Compensation Orders.
- Includes Fiscal Fines, Fiscal Compensation Offers and the monetary amount of Fiscal Combined Offers.
- The Police Anti-social Behaviour Penalty figures include 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.
- 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.
- Percentages are presented as a proportion of "Total Value to be Paid".

NB: 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.

**Number of Fines<sup>1</sup>**  
as at 11 OCT 2010

		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 2007/08 to 2009/10</b>	<b>Sheriff Court Fines<sup>2</sup></b>	<b>100,945</b>	<b>72,672 72.0%</b>	<b>6,062 6.0%</b>	<b>14,383 14.2%</b>	<b>7,828 7.8%</b>
<b>FY 2007/08</b>	Sheriff Court Fines <sup>2</sup>	39,137	34,171 87.3%	954 2.4%	2,634 6.7%	1,378 3.5%
<b>FY 2008/09</b>	Sheriff Court Fines <sup>2</sup>	33,131	23,401 70.6%	1,876 5.7%	5,181 15.6%	2,673 8.1%
<b>FY 2009/10</b>	Sheriff Court Fines <sup>2</sup>	28,677	15,100 52.7%	3,232 11.3%	6,568 22.9%	3,777 13.2%
<b>FY 2010/11 Q1</b>	Sheriff Court Fines <sup>2</sup>	6,935	2,051 29.6%	1,481 21.4%	1,875 27.0%	1,528 22.0%
<b>FY 2008/09</b>	JP Court Fines <sup>3</sup>	15,179	10,711 70.6%	472 3.1%	1,888 12.4%	2,108 13.9%
	Fiscal Direct Penalties <sup>4</sup>	40,280	24,237 60.2%	2,603 6.5%	5,186 12.9%	8,254 20.5%
	Police Antisocial Behaviour Penalties <sup>5</sup>	13,530	9,997 73.9%	105 0.8%	242 1.8%	3,186 23.5%
<b>FY 2009/10</b>	JP Court Fines <sup>3</sup>	32,879	19,886 60.5%	1,812 5.5%	5,290 16.1%	5,891 17.9%
	Fiscal Direct Penalties <sup>4</sup>	39,242	15,618 39.8%	2,805 7.1%	6,412 16.3%	14,407 36.7%
	Police Antisocial Behaviour Penalties <sup>5</sup>	41,720	27,121 65.0%	520 1.2%	874 2.1%	13,205 31.7%
<b>FY 2010/11 Q1</b>	JP Court Fines <sup>3</sup>	10,241	4,951 48.3%	1,019 10.0%	1,893 18.5%	2,378 23.2%
	Fiscal Direct Penalties <sup>4</sup>	8,623	2,055 23.8%	1,320 15.3%	1,390 16.1%	3,858 44.7%
	Police Antisocial Behaviour Penalties <sup>5</sup>	17,117	9,843 57.5%	444 2.6%	321 1.9%	6,509 38.0%

Source: Scottish Court Service, Management Information & Statistics Team - COP2 Data Extraction.

Notes:

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. The Police Anti-social Behaviour Penalty figures include 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".

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

## Data Tables

This link [QFR 6 Tables](#) provides an Excel workbook showing the value and number tables as at 11 October 2010.

**The next quarterly report will be published on 25th February 2011.**

We would welcome any feedback on the presentation or content of this publication so that we can better meet users' needs. Please send any comments to [foi@scotcourts.gov.uk](mailto:foi@scotcourts.gov.uk)

## **BACKGROUND**

This is the sixth in a series of quarterly reports on fines collection.

### **Fines Collection Process**

The Scottish Court Service (SCS) is responsible for collecting Sheriff Court Fines, Justice of the Peace Court Fines, Fiscal penalties and Antisocial Behaviour 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 SCS Fines Enforcement Officer, who will seek an enforcement order from the court.

Antisocial Behaviour Fixed Penalty Notices are issued by each police force in Scotland and the money is due within 28 days and is collected by the SCS. 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 SCS Fines Enforcement Officers, who will seek an enforcement order from the court. Figures for value and number of Police Antisocial Behaviour Fixed Penalty Notices paid therefore include both payments made to original police fines and payments made to registered fines.

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

### **Changes in Responsibility for Fines Collection**

The SCS took over the responsibility for collection of fiscal penalties in March 2008 from local authorities.

Collection of Justice of the Peace Court Fines and Police Antisocial Behaviour Fixed Penalty Notices became the responsibility of the SCS on completion of the unification of courts administration in each Sheriffdom and applicable dates are:

Lothian and Borders – 10 March 2008

Grampian, Highland and Islands – 2 June 2008

Glasgow and Strathkelvin – 8 December 2008

Tayside, Central and Fife – 23 February 2009

North Strathclyde – 14 December 2009

South Strathclyde, Dumfries & Galloway – 22 February 2010

## **GUIDANCE ON DEFINITIONS AND DATA**

The data source is a management information data extract from COP2 (the SCS 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.

Explanation of categories:

<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.
<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.