

Scottish Courts and Tribunals Service



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Dear Mr Kerr

SCOTTISH PARLIAMENTARY QUESTION S5W-30677

The Cabinet Secretary in his response to the above PQ indicated that it related to operational matters within the responsibility of the Scottish Courts and Tribunals Service corporate body. I am now writing in response to the matter raised.

S5W-30677 asks: To ask the Scottish Government how the Scottish Courts and Tribunal Service is planning to recoup the £6.2 million in unpaid criminal fines, as set out in the Scottish Tribunal Service Quarterly Fines Report 44 – Quarter 3 2019/20.

Since the Scottish Courts and Tribunals Service (SCTS) took responsibility for the collection and enforcement of fines, rates have steadily improved. Our latest quarterly fines report (QFR 44) shows that of the penalties imposed in the three year period from 1 April 2016 to 31 March 2019.

- *91% of the value of Sheriff Court fines were either paid or on track to be paid (the corresponding rate at the same point last year was 90%)*
- *90% of the value of Justice of the Peace Court fines were either paid or on track to be paid (the corresponding rate at the same point last year was 90%)*
- *78% of the value of Fiscal fines were either paid or on track to be paid (the corresponding rate at the same point last year was 76%)*
- *83% of the value of Police fines were either paid or on track to be paid (the corresponding rate at the same point last year was 78%)*

The report also shows that more than £46.6 million (88%) of the value of all penalties due to be paid for the same three year period has been paid or is on track to be paid in instalments. These consistently strong and improving collection rates are the clearest indicator that our approach to administrative enforcement is working well.

Naturally, it takes time to collect fines as it is only when defaulters fail to make payment that enforcement measures are used and arrears ingathered, however as results demonstrate that certainly does not mean defaulters can escape payment.

The SCTS is committed to rigorously enforcing all penalties. Fines Enforcement Officers (FEOs) will decide on the most appropriate intervention taking account of the overall circumstances of those in default. The normal process for enforcement is as follows:

- *Issue of a warning letter when payment falls into arrears*
- *Telephone enforcement (allowing direct contact with the offender to discuss arrears and proposals for payment)*
- *Deployment of sanctions (which include benefit deductions, freezing bank accounts, arresting wages and seizing cars)*
- *Referral to court if arrears are not addressed*

We will assess the impact of the Coronavirus crisis on fines collection as part of our next and subsequent quarterly fines reports. The next report is due to be published on 20 August 2020.

I hope that this reply is helpful. A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Courts and Tribunals Service website.

Yours sincerely



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