

Quarterly Fines Report 53 – Quarter 4 2021/22

An Official Statistics Publication for Scotland





Fines and financial penalties imposed or registered up to 31 March 2022, as at 19 July 2022

This report presents information on fines and other financial penalties as at 19 July 2022. This report covers the financial years 2018/19, 2019/20, 2020/21 and 2021/22 Q1-Q4.

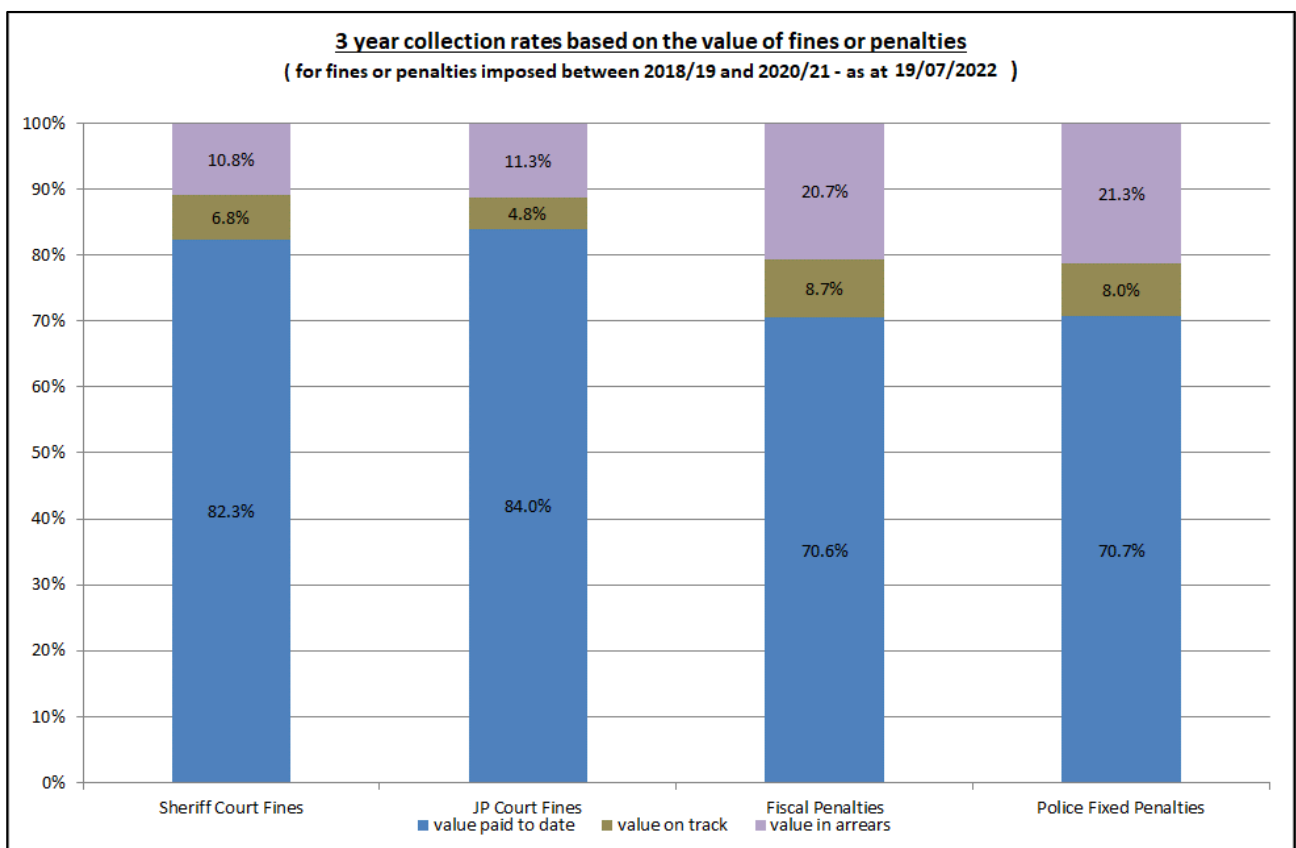
Three year collection rates

The Quarterly Fines Reporting series employs a rolling three year collection rate. Fines and financial penalties, 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.

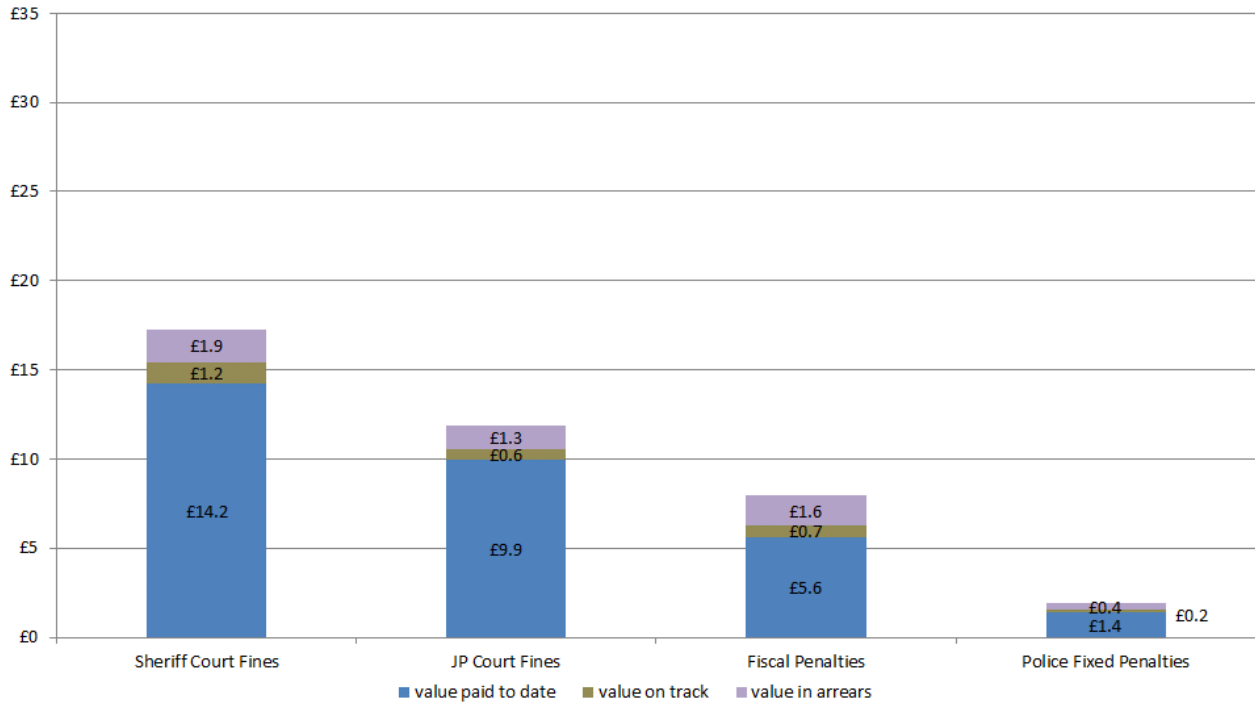
The tables and charts continue to show that Sheriff Court and JP Court fine types have a broadly comparable collection rate when the value of fines is examined but JP Court fines have a stronger collection rate than Sheriff Court fines when the number of fines paid is compared. Fiscal Direct penalties and Police Fixed penalties tend to be of low monetary value. The three year collection rates for all fine/penalty types show improvement for both value and number when the figures as at 25 April 2022 are compared with 19 July 2022, except for the value of Sheriff Court fines which show no change.

| 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 2018/19 and 2020/21 | as at 25 April 2022 | as at 19 July 2022 | Change |
|--|---------------------|--------------------|--|
| Sheriff Court Fines | 89% | 89% |  No Change |
| JP Court Fines | 88% | 89% |  1 percentage point |
| Fiscal Penalties | 78% | 79% |  1 percentage point |
| Police Fixed Penalties | 78% | 79% |  1 percentage point |

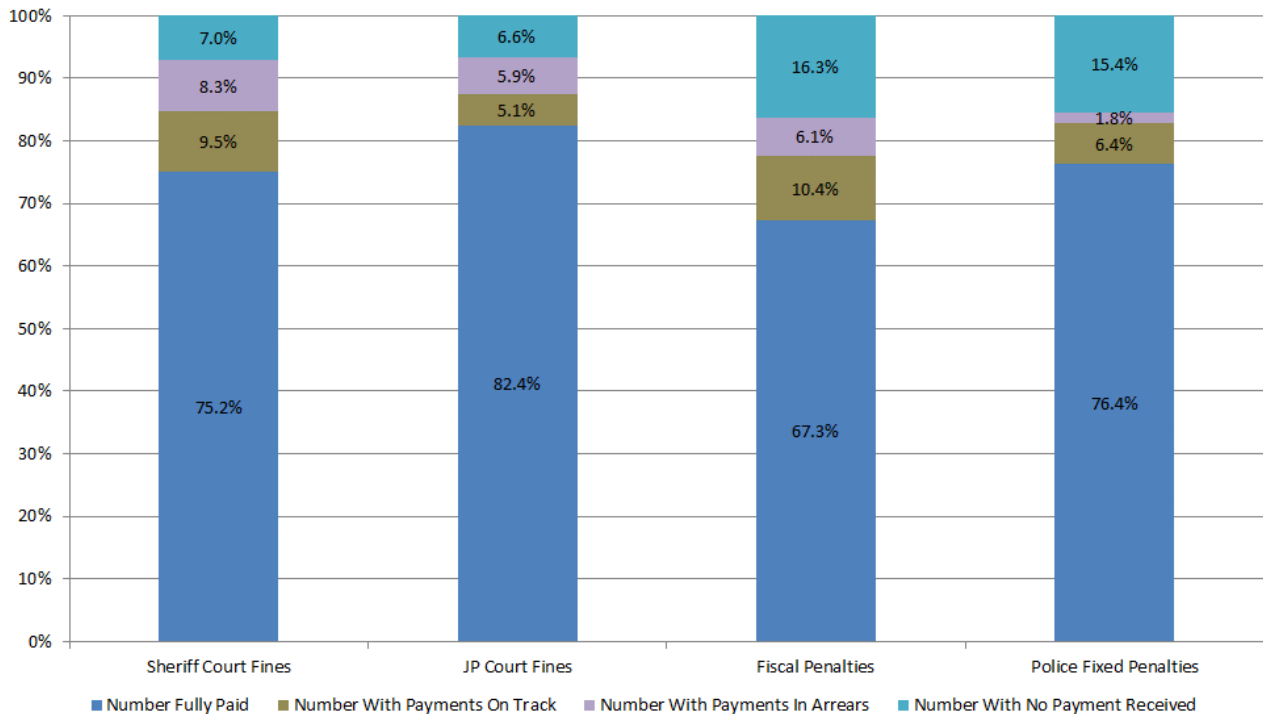
| 3 Year collection rates - the number fully paid as a percentage of the number to be paid for fines or penalties imposed between 2018/19 and 2020/21 | as at 25 April 2022 | as at 19 July 2022 | Change |
|---|---------------------|--------------------|-----------------------|
| Sheriff Court Fines | 74% | 75% | ↑ 1 percentage points |
| JP Court Fines | 81% | 82% | ↑ 1 percentage point |
| Fiscal Penalties | 65% | 67% | ↑ 2 percentage points |
| Police Fixed Penalties | 75% | 76% | ↑ 1 percentage point |



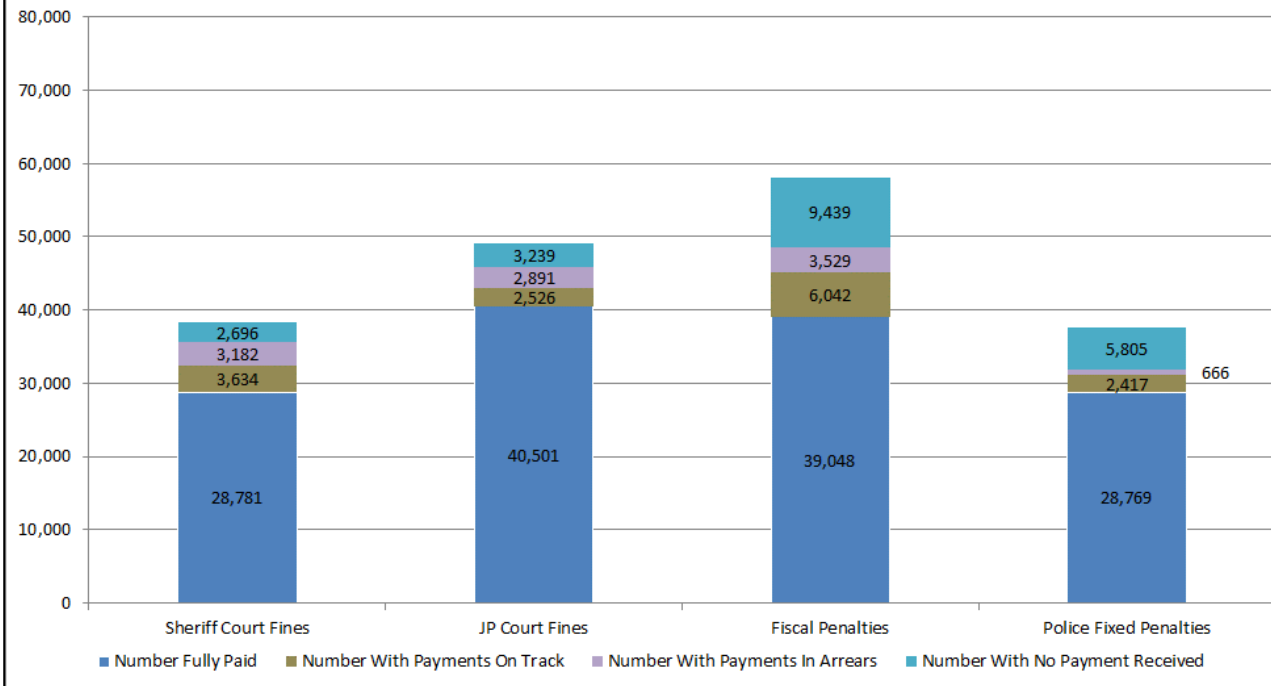
3 year view of collection activity for the value of fines or penalties in £m
 (for fines or penalties imposed between 2018/19 and 2020/21 - as at 19/07/2022)



3 year collection rates based on the number of fines or penalties
 (for fines or penalties imposed between 2018/19 and 2020/21 - as at 19/07/2022)



3 year view of collection activity for the number of fines or penalties
 (for fines or penalties imposed between 2018/19 and 2020/21 - as at 19/07/2022)



Sheriff Court Fines Summary

As at 19 July 2022, 82% of the value of Sheriff Court fines imposed between 1 April 2021 and 31 March 2022 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 41%.

For Sheriff Court fines imposed in 2020/21, 74% of the value has been paid as at 19 July 2022. This is an increase of 2 percentage points compared with 72% of the value paid as at 25 April 2022.

For Sheriff Court fines imposed in 2019/20, 81% of the value has been paid as at 19 July 2022. This is an increase of 1 percentage point compared with 80% of the value paid as at 25 April 2022.

For Sheriff Court fines imposed in 2018/19, 89% of the value has been paid as at 19 July 2022. This is an increase of 1 percentage point compared with 88% of the value paid as at 25 April 2022.

Of the number of Sheriff Court fines imposed in 2018/19, 85% have been fully paid as at 19 July 2022. This is comparable with the number paid as at 25 April 2022.

Justice of the Peace (JP) Court Fines Summary

As at 19 July 2022, 79% of the value of JP Court fines imposed between 1 April 2021 and 31 March 2022 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 54%.

For JP fines imposed in 2020/21, 73% of the value has been paid as at 19 July 2022. This is an increase of 2 percentage points compared with 71% of the value paid as at 25 April 2022.

For JP fines imposed in 2019/20, 83% of the value has been paid as at 19 July 2022. This is an increase of 1 percentage point compared with 82% of the value paid as at 25 April 2022.

For JP fines imposed in 2018/19, 89% of the value has been paid as at 19 July 2022. This is comparable with the value paid as at 25 April 2022.

Of the number of JP fines imposed in 2018/19, 88% have been fully paid as at 19 July 2022. This is an increase of 1 percentage point on the rate as at 25 April 2022.

Fiscal Direct Penalties Summary

As at 19 July 2022, 63% of the value of Fiscal direct fines imposed between 1 April 2021 and 31 March 2022 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 2020/21, 58% of the value has been paid as at 19 July 2022. This is an increase of 3 percentage points compared with 55% of the value paid as at 25 April 2022.

For Fiscal direct fines imposed in 2019/20, 71% of the value has been paid as at 19 July 2022. This is an increase of 2 percentage points compared with 69% of the value paid as at 25 April 2022.

For Fiscal direct fines imposed in 2018/19, 81% of the value has been paid as at 19 July 2022. This is an increase of 1 percentage point compared with 80% of the value paid as at 25 April 2022.

Of the number of Fiscal direct penalties registered in 2018/19, 78% have been fully paid as at 19 July 2022. This is an increase of 1 percentage point on the rate as at 25 April 2022.

Police Fixed Penalties Summary

As at 19 July 2022, 71% of the value of Police Fixed Penalties imposed between 1 April 2021 and 31 March 2022 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 67%

For Police Fixed Penalties registered in 2020/21, 64% of the value has been paid as at 19 July 2022. This is an increase of 2 percentage points compared with 62% of the value paid as at 25 April 2022.

For Police Fixed Penalties registered in 2019/20, 79% of the value has been paid as at 19 July 2022. This is an increase of 2 percentage points compared with 77% of the value paid as at 25 April 2022.

For Police Fixed Penalties registered in 2018/19, 83% of the value has been paid as at 19 July 2022. This is an increase of 1 percentage point compared with 82% of the value paid as at 25 April 2022.

Of the number of Police Fixed Penalties registered in 2018/19, 85% have been fully paid as at 19 July 2022. This is an increase of 1 percentage point on the rate as at 25 April 2022.

There was significant media and policy interest in Police Fixed Penalty Notices (FPN) issued in relation to Coronavirus regulations so a development was undertaken for QFR46 to provide the national figures for FPNs split into Covid and Non-Covid business. This information has been updated for QFR53. Please see the relevant part of the QFR workbook of tables.

The figures show that, as at 19 July 2022, 65% of the value of Covid Police Fixed Penalties imposed between 26 March 2020 and 31 March 2022 has been paid fully. For this same period, the number of Covid FPN fines fully paid is 75%.

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 November 2019. Collected monies in respect of the Victim Surcharge penalty will be passed to the Scottish Government at regular intervals.

A development was undertaken for QFR45 to provide the national figures for Victim Surcharge. This information has been split into financial year of imposition and updated in the QFR workbook of tables for QFR53.

The figures show that, as at 19 July 2022, 79% of the value of Victim Surcharges imposed between 25 November 2019 and 31 March 2022 has been paid. For this same period, the number of Victim Surcharges fully paid is 77%.

Of these Victim Surcharges imposed between 25 November 2019 and 31 March 2022, £547,562 has been paid.

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

Confiscation Orders

When an individual is convicted of a crime where they have benefited financially from their illegal actions, this is classed as *Proceeds of Crime* and the Crown Office and Procurator Fiscal Service can apply to the Court for a Confiscation Order which details how much must be repaid. Where an individual is either unable or unwilling to repay a Confiscation Order, the Court can appoint an Enforcement Administrator to take control and realise assets in order to repay any sums due under the Confiscation Order.

Confiscation Orders have always been outwith the scope of the Quarterly Fines Reporting series which covers fines and financial penalties that come under the SCTS fines enforcement process. In order to provide efficient and orderly provision of this information to SCTS stakeholders, a development was undertaken for QFR49 to provide the national data. Please see the relevant part of the QFR workbook of tables.

Using a three-year collection rate methodology (as applied to the rest of the quarterly fines report), as at 19 July 2022, 85% of the value of Confiscation Orders imposed between 1 April 2018 and 31 March 2021 has been paid. For this same period, the number fully paid is 84%.

<http://www.scotcourts.gov.uk/the-courts/more/the-accountant-of-court/poc-administrators>

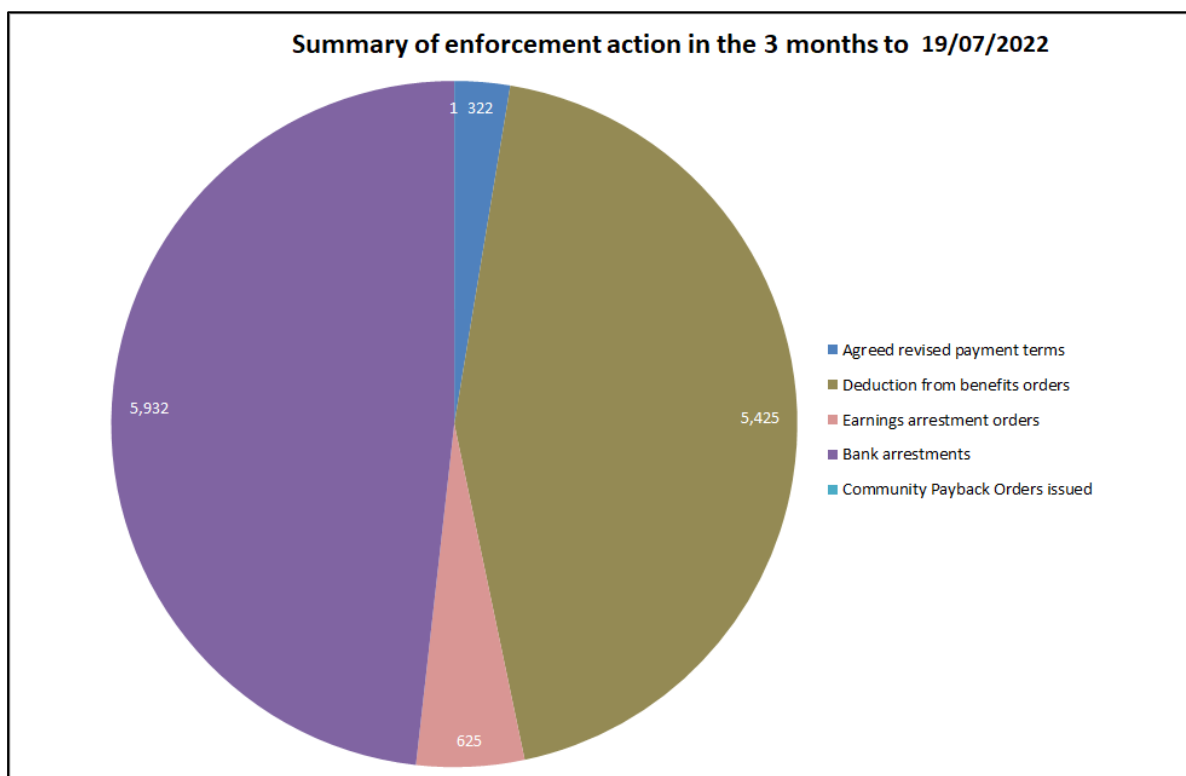
Enforcement Action

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 2018 and 31 March 2022**, with fines collection up to **19 July 2022**, 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 19 July 2022, **195,880** enforcement orders had been granted by the courts (**10,312** of these granted within the 3 months prior to 19 July 2022). This is the initial step required to pursue enforcement action.
- Fines Enforcement Officers have agreed revised payment terms in **22,171** accounts (**322** of these were agreed within the 3 months prior to 19 July 2022), helping individuals maintain payments.
- **68,455** benefit deduction orders have been granted, and **8,422** earnings arrestment orders have been issued to date (**5,425** were granted and **625** issued respectively within the 3 months prior to 19 July 2022).
- **55,570** bank arrestment orders have been applied to date (**5,932** of these were applied within the 3 months prior to 17 July 2022).
- **443** Community Payback Orders have been issued as an alternative where people are unable to pay. (**1** of these were imposed within the 3 months prior to 17 July 2022).



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.

Value of Fines¹ (£m)
As at 19 July 2022

| | | Total Value To Be Paid ⁶ (£m) | Value Paid To Date ⁷ (£m) | Value with Payments On Track ⁷ (£m) | Value In Arrears ⁷ (£m) |
|-------------------------|--|--|--------------------------------------|--|------------------------------------|
| 3 Year Total | Sheriff Court Fines^{2,8} | 17.3 | 14.2 | 1.2 | 1.9 |
| | FY 2018/19 to FY 2020/21 | | 82.3% | 6.8% | 10.8% |
| FY 2018/19 | Sheriff Court Fines ⁸ | 6.5 | 5.7 | 0.2 | 0.5 |
| | | | 88.8% | 2.7% | 8.5% |
| FY 2019/20 | Sheriff Court Fines ⁸ | 6.5 | 5.3 | 0.4 | 0.8 |
| | | | 81.4% | 6.8% | 11.8% |
| FY 2020/21 | Sheriff Court Fines ⁸ | 4.4 | 3.2 | 0.6 | 0.6 |
| | | | 74.1% | 13.0% | 12.9% |
| FY 2021/22 Q1-Q4 | Sheriff Court Fines ⁸ | 6.8 | 3.9 | 1.7 | 1.3 |
| | | | 57.4% | 24.1% | 18.5% |
| 3 Year Total | JP Court Fines^{3,8} | 11.8 | 9.9 | 0.6 | 1.3 |
| | FY 2018/19 to FY 2020/21 | | 84.0% | 4.8% | 11.3% |
| FY 2018/19 | JP Court Fines ⁸ | 5.2 | 4.6 | 0.1 | 0.5 |
| | | | 89.1% | 2.0% | 8.9% |
| FY 2019/20 | JP Court Fines ⁸ | 4.8 | 4.0 | 0.2 | 0.6 |
| | | | 82.7% | 5.0% | 12.3% |
| FY 2020/21 | JP Court Fines ⁸ | 1.9 | 1.4 | 0.2 | 0.3 |
| | | | 73.0% | 12.0% | 15.0% |
| FY 2021/22 Q1-Q4 | JP Court Fines ⁸ | 3.2 | 1.9 | 0.7 | 0.7 |
| | | | 57.5% | 21.7% | 20.9% |
| 3 Year Total | Fiscal Direct Penalties⁴ | 7.9 | 5.6 | 0.7 | 1.6 |
| | FY 2018/19 to FY 2020/21 | | 70.6% | 8.7% | 20.7% |
| FY 2018/19 | Fiscal Direct Penalties ⁴ | 2.8 | 2.2 | 0.1 | 0.5 |
| | | | 80.7% | 2.8% | 16.5% |
| FY 2019/20 | Fiscal Direct Penalties ⁴ | 3.0 | 2.1 | 0.2 | 0.7 |
| | | | 70.5% | 7.3% | 22.2% |
| FY 2020/21 | Fiscal Direct Penalties ⁴ | 2.2 | 1.3 | 0.4 | 0.5 |
| | | | 58.1% | 18.0% | 23.9% |
| FY 2021/22 Q1-Q4 | Fiscal Direct Penalties ⁴ | 2.0 | 0.8 | 0.5 | 0.8 |
| | | | 38.5% | 24.3% | 37.1% |
| 3 Year Total | Police Fixed Penalties⁵ | 1.95 | 1.38 | 0.16 | 0.42 |
| | FY 2018/19 to FY 2020/21 | | 70.7% | 8.0% | 21.3% |
| FY 2018/19 | Police Fixed Penalties ⁵ | 0.42 | 0.35 | 0.01 | 0.06 |
| | | | 83.3% | 3.1% | 13.6% |
| FY 2019/20 | Police Fixed Penalties ⁵ | 0.33 | 0.26 | 0.02 | 0.05 |
| | | | 78.6% | 4.8% | 16.3% |
| FY 2020/21 | Police Fixed Penalties ⁵ | 1.20 | 0.77 | 0.13 | 0.30 |
| | | | 64.0% | 10.7% | 25.4% |
| FY 2021/22 Q1-Q4 | Police Fixed Penalties ⁵ | 0.50 | 0.30 | 0.06 | 0.15 |
| | | | 59.4% | 11.4% | 29.1% |

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

(See page 11 for the relevant footnotes)

Number of Fines¹
As at 19 July 2022

| | | Number To Be Paid ⁶ | Number Fully Paid ⁷ | Number With Payments On Track ⁷ | Number With Payments In Arrears ⁷ | Number With No Payment Received ⁷ |
|---------------------------------|--|--------------------------------|--------------------------------|--|--|--|
| 3 Year Total | Sheriff Court Fines^{2,8} | 38,293 | 28,781 | 3,634 | 3,182 | 2,696 |
| FY 2018/19 to FY 2020/21 | | | 75.2% | 9.5% | 8.3% | 7.0% |
| FY 2018/19 | Sheriff Court Fines ⁸ | 14,452 | 12,320 85.2% | 474 3.3% | 984 6.8% | 674 4.7% |
| FY 2019/20 | Sheriff Court Fines ⁸ | 14,264 | 10,658 74.7% | 1,312 9.2% | 1,297 9.1% | 997 7.0% |
| FY 2020/21 | Sheriff Court Fines ⁸ | 9,577 | 5,803 60.6% | 1,848 19.3% | 901 9.4% | 1,025 10.7% |
| FY 2021/22 Q1-Q4 | Sheriff Court Fines ⁸ | 14,324 | 5,908 41.2% | 3,603 25.2% | 2,315 16.2% | 2,498 17.4% |
| 3 Year Total | JP Court Fines^{3,8} | 49,157 | 40,501 | 2,526 | 2,891 | 3,239 |
| FY 2018/19 to FY 2020/21 | | | 82.4% | 5.1% | 5.9% | 6.6% |
| FY 2018/19 | JP Court Fines ⁸ | 21,968 | 19,257 87.7% | 494 2.2% | 1,146 5.2% | 1,071 4.9% |
| FY 2019/20 | JP Court Fines ⁸ | 20,300 | 16,446 81.0% | 1,141 5.6% | 1,250 6.2% | 1,463 7.2% |
| FY 2020/21 | JP Court Fines ⁸ | 6,889 | 4,798 69.6% | 891 12.9% | 495 7.2% | 705 10.2% |
| FY 2021/22 Q1-Q4 | JP Court Fines ⁸ | 12,266 | 6,590 53.7% | 1,921 15.7% | 1,642 13.4% | 2,113 17.2% |
| 3 Year Total | Fiscal Direct Penalties⁴ | 58,058 | 39,048 | 6,042 | 3,529 | 9,439 |
| FY 2018/19 to FY 2020/21 | | | 67.3% | 10.4% | 6.1% | 16.3% |
| FY 2018/19 | Fiscal Direct Penalties ⁴ | 20,719 | 16,226 78.3% | 735 3.5% | 1,171 5.7% | 2,587 12.5% |
| FY 2019/20 | Fiscal Direct Penalties ⁴ | 21,225 | 14,202 66.9% | 1,965 9.3% | 1,432 6.7% | 3,626 17.1% |
| FY 2020/21 | Fiscal Direct Penalties ⁴ | 16,114 | 8,620 53.5% | 3,342 20.7% | 926 5.7% | 3,226 20.0% |
| FY 2021/22 Q1-Q4 | Fiscal Direct Penalties ⁴ | 14,254 | 5,114 35.9% | 2,920 20.5% | 1,011 7.1% | 5,209 36.5% |
| 3 Year Total | Police Fixed Penalties⁵ | 37,657 | 28,769 | 2,417 | 666 | 5,805 |
| FY 2018/19 to FY 2020/21 | | | 76.4% | 6.4% | 1.8% | 15.4% |
| FY 2018/19 | Police Fixed Penalties ⁵ | 8,301 | 7,047 84.9% | 236 2.8% | 130 1.6% | 888 10.7% |
| FY 2019/20 | Police Fixed Penalties ⁵ | 6,597 | 5,323 80.7% | 315 4.8% | 109 1.7% | 850 12.9% |
| FY 2020/21 | Police Fixed Penalties ⁵ | 22,759 | 16,399 72.1% | 1,866 8.2% | 427 1.9% | 4,067 17.9% |
| FY 2021/22 Q1-Q4 | Police Fixed Penalties ⁵ | 9,402 | 6,283 66.8% | 881 9.4% | 103 1.1% | 2,135 22.7% |

Source: Scottish Courts and Tribunals Service, Management Information & Analysis Team - COP2 Data Extraction.
(See page 11 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.
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 12 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 and Compensation 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 12 for the expanded detail at court level.

Data Tables

This link [QFR 53 Tables](#) provides an Excel workbook showing the value and number tables as at 19 July 2022.

Understanding these statistics

| Fines imposed in: | Length of time that these fines have had to pay: |
|-------------------|---|
| 2018-19 |  |
| 2019-20 |  |
| 2020-21 |  |
| 2021-22 Q1-Q4 |  |

The fines that are imposed in each financial year form a distinct cohort or group. The Quarterly Fines Report series shows the collection rate for each distinct cohort over time.

The reason that the collection rate for the 2018-19 cohort is higher than the collection rate for 2019-20 or 2020-21 or 2021-22 Q1-Q4 cohorts is that the fines imposed in 2018-19 have had a much longer time to be paid.

Put another way, the 2018-19 fines are 'older' fines and the 2021-22 fines are 'younger' fines. A 'three year collection rate' is provided in this bulletin and contains older and younger fines to provide a statistically robust collection rate.

Background

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

Revisions and corrections

None

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:

| | |
|---|--|
| Value of Fines Imposed | The value of fines imposed within the periods specified. |
| Value Discharged | 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. |
| Total Value to be Paid | This is the total value of fines imposed minus the value discharged, and so is the total value of fines which are payable. |
| Value of Fines Paid to Date | This is the total amount which has been paid to date, and will relate to both fully-paid and part-paid fines. |
| Value with Payments On Track | 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). |
| Value in Arrears | 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. |
| Number of Fines Imposed | The number of fines imposed within the periods specified after any court discharges have been deducted. |
| Number Discharged | 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. |
| Number to be Paid | This is the total number of fines imposed minus the number discharged, and so is the total number of fines which are payable. |
| Number Fully Paid | This is the number of fines which have been fully paid. |
| Number With Payments On Track | This is the number of fines which are being paid in instalments and are not in arrears. |
| Number With Payments In Arrears | This is the number of fines which are being paid in instalments and are currently in arrears. |
| Number With No Payments Received | 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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Further information about Official and National Statistics in Scotland is available from [Producing official statistics - gov.scot \(www.gov.scot\)](http://www.gov.scot/Producing-official-statistics)

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
Director of Corporate Communications, SCTS
Media Officer, Corporate Communications, SCTS
National Fines Enforcement Manager, SCTS
Head of Operations Delivery Business Unit, SCTS
Web developer, Change & Digital Innovation Unit, SCTS
Policy Implementation Manager, Criminal Justice Division, Scottish Government
Policy Manager, Victim Surcharge Team, Scottish Government
Policy Manager, Safer Communities, Scottish Government
Policy Manager, Proceeds of Crime Unit, Crown Office and Procurator Fiscal Service
Policy Manager, Criminal Justice, Police Scotland

The next quarterly fines report 54 will be published in November 2022. 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>