



Quarterly Fines Report 32 – Quarter 3 2016/17

An Official Statistics Publication for Scotland

Fines and financial penalties imposed or registered up to 31 December 2016, as at 11 April 2017

This Report presents information on fines and other financial penalties as at 11 April 2017. The report covers the financial years - 2013/14, 2014/15 2015/16 and 2016/17.

Sheriff Court Fines Summary

Reporting on the most recent full three year period, as at 11 April 2017, 87% of the value of Sheriff Court fines imposed over the period 1 April 2013 to 31 March 2016 has either been paid or is on track to be paid through instalments.

For these fines imposed over these three financial years, 83% of the value has been paid as at 11 April 2017. This is an increase of 5 percentage points compared with 78% of the value paid as at 11 October 2016¹.

Of the number of fines imposed over these three financial years, 81% have been fully paid as at 11 April 2017. This is an increase of 6 percentage points on these fines fully paid for the same period as at 11 October 2016¹.

As at 11 April 2017, 82% of the value of Sheriff Court fines imposed over the period 1 April 2016 to 31 December 2016 has either been paid fully or is on track to be paid through instalments. For this same period, the number of fines fully paid is 47%.

For fines imposed in 2015/16, 80% of the value has been paid as at 11 April 2017. This is an increase of 3 percentage points compared with 77% of the value paid as at 11 January 2017.

For fines imposed in 2014/15, 77% of the value has been paid as at 11 April 2017. This is an increase of 3 percentage point compared with 74% of the value paid as at 11 October 2016¹.

For fines imposed in 2013/14, 93% of the value has been paid as at 11 April 2017. This is an increase of 1 percentage point compared with 92% of the value paid as at 11 January 2017.

Justice of the Peace (JP) Court Fines Summary

For JP Court Fines imposed in the financial year 2016/17 for the period 1 April 2016 to 31 December 2016, 80% of the value has been paid or is on track to be paid by instalments as at 11 April 2017. For this same period, the number of fines fully paid stands at 63%.

For JP Court Fines imposed in the financial year 2015/16, 82% of the value has been paid as at 11 April 2017. For this same period, the number of fines fully paid stands at 79%.

Note 1 – see 'Revisions and corrections' section

For JP Court Fines imposed in the financial year 2014/15, 89% of the value has been paid as at 11 April 2017. For this same period, the number of fines fully paid stands at 86%.

For JP Court Fines imposed in the financial year 2013/14, 93% of the value has been paid or is on track to be paid by instalments as at 11 April 2017. This is an increase of 1 percentage point compared with 92% of the value paid as at 11 January 2017.

Of the number of JP Court Fines imposed in 2013/14, 91% have been fully paid as at 11 April 2017. This is an increase of 1 percentage points on the rate as at 11 January 2017.

Fiscal Direct Penalties Summary

For Fiscal direct penalties registered in 2016/17 for the period 1 April 2016 to 31 December 2016, 61% of the value has been paid or is on track to be paid by instalments as at 11 April 2017. For this same period, the number of fines fully paid stands at 34%.

For Fiscal direct penalties registered in 2015/16, 60% of the value has been paid as at 11 April 2017. This is an increase of 4 percentage points compared with 56% of the value paid as at 11 January 2017.

For the Fiscal direct penalties registered in 2014/15, 72% of the value has been paid as at 11 April 2017. This is an increase of 2 percentage points compared with 70% of the value paid as at 11 January 2017.

For Fiscal direct penalties registered in 2013/14, 83% of the value has been paid or is on track to be paid by instalments as at 11 April 2017. This is an increase of 2 percentage points on the rate as at 11 January 2017.

Of the number of Fiscal direct penalties registered in 2013/14, 77% have been fully paid as at 11 April 2017. This is an increase of 3 percentage points on the rate as at 11 January 2017.

Police Antisocial Behaviour Fixed Penalties Summary

For Police Antisocial Behaviour Fixed Penalties registered in 2016/17 for the period 1 April 2016 to 31 December 2016, 60% of the value has been paid or is on track to be paid by instalments as at 11 April 2017. For the same period, the number of fines fully paid stands at 63%.

For Police Antisocial Behaviour Fixed Penalties registered in 2015/16, 65% of the value has been paid as at 11 April 2017. This is an increase of 2 percentage points compared with 63% of the value paid as at 11 January 2017.

For Police Antisocial Behaviour Fixed Penalties registered in 2014/15, 71% of the value has been paid as at 11 April 2017. This is an increase of 1 percentage points compared with 70% of the value paid as at 11 January 2017.

For Police Antisocial Behaviour Fixed Penalties registered in 2013/14, 82% of the value has been paid or is on track to be paid by instalments as at 11 April 2017. This is an increase of 2 percentage points on the rate as at 11 January 2017.

Of the number of penalties registered in 2013/14 83% have been fully paid as at 11 April 2017. This is an increase of 2 percentage points on the previous rate of 81% of the number of fines fully paid as at 11 January 2017.

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 fines collection up to 11 April 2017, 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 Antisocial Behaviour Fixed Penalties:

- At 11 April 2017 394,651 enforcement orders had been granted by the courts (16,618 of these granted within the 3 months prior to 11 April 2017). This is the initial step required to pursue enforcement action.
- Fines Enforcement Officers have agreed revised payment terms in 83,317 accounts (over 4,620 of these agreed within the 3 months prior to 11 April 2017), helping individuals maintain payments.
- Over 88,170 benefit deduction orders have been granted, and 22,213 earnings arrestment orders have been issued (including 4,610 granted and 1,337 issued respectively within the 3 months prior to 11 April 2017).
- Where people are unable to pay, courts have imposed supervised attendance orders on 267 people as an alternative punishment (where 1 of these was imposed within the 3 months prior to 11 April 2017).
- 4,368 Community Payback Orders have been issued as an alternative where people are unable to pay. (304 of these were imposed within the 3 months prior to 11 April 2017).

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.

Value of Fines¹ (£m)
as at 11 April 2017

		Total Value To Be Paid ⁶ (£m)	Value Paid To Date ⁷ (£m)	with Payments On Track ⁷ (£m)	Value In Arrears ⁷ (£m)
3 Year Total 2013/14 to 2015/16	Sheriff Court Fines²	32.3	26.8 83.0%	1.2 3.7%	4.3 13.3%
FY 2013/14	Sheriff Court Fines ²	10.0	9.2 92.8%	0.2 1.5%	0.6 5.6%
FY 2014/15	Sheriff Court Fines ²	11.7	9.0 77.2%	0.5 4.1%	2.2 18.7%
FY 2015/16	Sheriff Court Fines ²	10.6	8.5 80.3%	0.6 5.3%	1.5 14.5%
FY 2016/17 Q3	Sheriff Court Fines ²	7.7	4.9 63.0%	1.5 19.4%	1.4 17.6%
FY 2013/14	JP Court Fines ³	6.8	6.3 91.9%	0.1 1.1%	0.5 7.0%
	Fiscal Direct Penalties ⁴	4.0	3.3 81.2%	0.1 1.7%	0.7 17.1%
	Penalties ⁵	2.4	1.9 80.7%	0.0 1.2%	0.4 18.1%
FY 2014/15	JP Court Fines ³	7.6	6.7 88.5%	0.1 1.7%	0.7 9.8%
	Fiscal Direct Penalties ⁴	3.6	2.6 72.2%	0.1 2.9%	0.9 24.9%
	Penalties ⁵	1.9	1.4 71.2%	0.0 1.8%	0.5 27.0%
FY 2015/16	JP Court Fines ³	6.7	5.5 82.4%	0.3 4.0%	0.9 13.6%
	Fiscal Direct Penalties ⁴	3.8	2.3 60.1%	0.2 4.8%	1.3 35.1%
	Penalties ⁵	1.4	0.9 65.2%	0.0 1.6%	0.5 33.2%
FY 2016/17 Q3	JP Court Fines ³	4.6	3.1 66.9%	0.6 13.1%	0.9 20.0%
	Fiscal Direct Penalties ⁴	2.1	0.8 40.0%	0.4 20.6%	0.8 39.4%
	Penalties ⁵	0.6	0.4 57.8%	0.0 2.1%	0.3 40.2%

Source: Scottish Courts and Tribunals Service, Management Information & Analysis 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".

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.

Number of Fines¹
as at 11 April 2017

		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 2013/14 to 2015/16	Sheriff Court Fines²	58,367	47,319 81.1%	972 1.7%	6,365 10.9%	3,711 6.4%
FY 2013/14	Sheriff Court Fines ²	18,864	16,899 89.6%	156 0.8%	1,196 6.3%	613 3.2%
FY 2014/15	Sheriff Court Fines ²	19,624	16,404 83.6%	264 1.3%	1,881 9.6%	1,075 5.5%
FY 2015/16	Sheriff Court Fines ²	19,879	14,016 70.5%	552 2.8%	3,288 16.5%	2,023 10.2%
FY 2016/17 Q3	Sheriff Court Fines ²	14,836	7,016 47.3%	1,585 10.7%	3,300 22.2%	2,935 19.8%
FY 2013/14	JP Court Fines ³	36,693	33,265 90.7%	227 0.6%	1,658 4.5%	1,543 4.2%
	Fiscal Direct Penalties ⁴	39,692	30,723 77.4%	565 1.4%	2,681 6.8%	5,722 14.4%
	Police Antisocial Behaviour Penalties ⁵	47,220	39,019 82.6%	444 0.9%	1,173 2.5%	6,583 13.9%
FY 2014/15	JP Court Fines ³	36,979	31,641 85.6%	349 0.9%	2,795 7.6%	2,194 5.9%
	Fiscal Direct Penalties ⁴	33,883	22,717 67.0%	729 2.2%	3,183 9.4%	7,254 21.4%
	Police Antisocial Behaviour Penalties ⁵	38,535	28,708 74.5%	540 1.4%	1,142 3.0%	8,145 21.1%
FY 2015/16	JP Court Fines ³	30,892	24,299 78.7%	603 2.0%	3,235 10.5%	2,755 8.9%
	Fiscal Direct Penalties ⁴	33,410	18,160 54.4%	943 2.8%	4,311 12.9%	9,996 29.9%
	Police Antisocial Behaviour Penalties ⁵	27,528	19,200 69.7%	332 1.2%	758 2.8%	7,238 26.3%
FY 2016/17 Q3	JP Court Fines ³	20,649	12,911 62.5%	1,089 5.3%	2,870 13.9%	3,779 18.3%
	Fiscal Direct Penalties ⁴	17,276	5,858 33.9%	1,044 6.0%	2,658 15.4%	7,716 44.7%
	Police Antisocial Behaviour Penalties ⁵	12,300	7,788 63.3%	180 1.5%	321 2.6%	4,011 32.6%

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

Notes:

- 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.
- 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. "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.
- 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.
- Percentages are presented as a proportion of "Number to be Paid".

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

Data Tables

This link [QFR 32 Tables](#) provides an Excel workbook showing the value and number tables as at 11 April 2017

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/about-the-scottish-court-service/reports-data>.

Revisions and corrections

In May 2017, during the production of QFR 32, it was discovered that a data corruption had occurred during the data import stage when producing QFR 31 affecting the figures relating to Sheriff Court fines imposed in 2014/15 as at 11th January 2017. This meant that a number of fines had not been included in the import. Due to activity on fine accounts, it is not possible to recreate the data import as at 11th January 2017. Seven places in QFR 31's report were affected and in order to ensure that users do not use inaccurate figures, these sections have been redacted. This type of data import error has never happened before in the history of QFR production. It was having the three data points of QFR 30, 31 and 32 that brought the issue to light. The QFR is produced under rigorous conditions but there is always room for improvement so the QFR's quality assurance procedures have been enhanced.

The lack of accurate figures as at 11th January 2017 for Sheriff Court fines imposed in 2014/15 meant that it was not possible to compare the three year collection rate between QFR 31 and 32. It was not possible to compare the collection rates for Sheriff Court fines imposed in 2014/15 between QFR 31 and 32 for the same reason. In the commentary, comparison has been made between QFR30 and 32 instead.

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

Shaping Scotland's Court Services

As part of [Shaping Scotland's Court Services](#) work, a number of courts closed with relevant live business transferring to receiving courts.

For fines accounts, this has meant the transfer only of accounts requiring further payments or action, as opposed to transferring all accounts including those fully paid and closed requiring no action or payment. This may have an impact on the reported fine collection rates of the receiving courts but will have no impact on Sheriffdom or National rates.

Footnotes have been added to all background tables to indicate closing and receiving courts.

Closed Court	Receiving Court
End of November 2013	
Annan JP Court Cumbernauld JP Court Dornoch Sheriff and JP Court Irvine JP Court Kirkcudbright Sheriff and JP Court Motherwell JP Court Portree JP Court Rothesay Sheriff Court Stornoway JP Court Wick JP Court	Dumfries JP Court Coatbridge JP Court Tain Sheriff and JP Court Kilmarnock JP Court Dumfries Sheriff and JP Court Hamilton JP Court Portree Sheriff Court Greenock Sheriff and JP Court Stornoway Sheriff Court Wick Sheriff Court
End of May 2014	
Arbroath Sheriff and JP Court Cupar Sheriff and JP Court Stonehaven Sheriff and JP Court	Forfar Sheriff and JP Court Dundee Sheriff and JP Court Aberdeen Sheriff and JP Court
End of April 2015	
Dingwall Sheriff and JP Court Duns Sheriff and JP Court Haddington Sheriff and JP Court Peebles Sheriff and JP Court	Inverness Sheriff and JP Court Jedburgh Sheriff and JP Court Edinburgh Sheriff and JP Court Selkirk Sheriff and JP Court

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 Antisocial Behaviour 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

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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
Head of Courts, Judicial Appointments Policy and Central Authority Team, Scottish Government
Policy Implementation Manager, Criminal Justice Division, Scottish Government

The next quarterly fines report will be published in August 2017. 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.