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16 July 2012

Dear Ms Milne

**SCOTTISH PARLIAMENTARY QUESTION: S4W-08113:  
MORTGAGE REPOSSESSION ORDERS**

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

**S4W-08113:** *To ask how many mortgage repossession orders have been issued in each year since 2007, broken down by Sherriff Court.*

The number of mortgage repossession orders issued in each financial year since 2007 is set out in the table below:

Sheriff Court	2008-09	2009-10	2010-11
Aberdeen	167	185	110
Airdrie	416	351	267
Alloa	17	15	6
Ayr	226	205	126
Arbroath	41	71	37
Banff	30	15	20
Campbeltown	15	13	3
Cupar	69	39	41
Dingwall	22	13	10
Dornoch	4	11	6
Dumbarton	218	165	108
Dumfries	102	68	70
Dundee	166	100	87
Dunfermline	255	248	152
Dunoon	13	16	25
Duns	12	16	12
Edinburgh	680	661	398

(cont.)

Sheriff Court	2008-09	2009-10	2010-11
Elgin	45	42	32
Falkirk	197	239	127
Forfar	20	21	19
Fort William	14	21	10
Glasgow	1,102	1,095	624
Greenock	98	85	59
Haddington	118	118	62
Hamilton	713	527	389
Inverness	76	80	37
Jedburgh	29	26	26
Kilmarnock	418	362	251
Kirkcaldy	291	313	148
Kirkcudbright	15	14	8
Kirkwall	4	12	7
Lanark	95	103	88
Lerwick	3	3	4
Lochmaddy	3	2	5
Livingston	269	176	173
Oban	14	3	2
Paisley	459	371	242
Peebles	23	20	8
Perth	118	75	72
Peterhead	53	45	11
Portree	3	12	4
Rothesay	17	7	7
Selkirk	24	41	21
Stirling	109	63	40
Stonehaven	33	27	17
Stornoway	6	7	7
Stranraer	31	26	14
Tain	13	19	9
Wick	19	21	15
<b>National</b>	<b>6,885</b>	<b>6,168</b>	<b>4,016</b>

Notes:

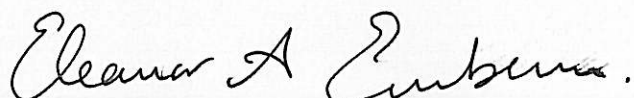
1. The Scottish Court Service uses a live operational case management system for the processing of court business. The information held on the system is structured for these operational needs, rather than for statistical reporting or research purposes. The information provided is based on the best information available from the case management system as at 21 June 2012.
2. A decree for repossession which has been issued does not necessarily result in an actual repossession or eviction.
3. Figures include actions to repossess a building or land where the borrower is in breach/default of a mortgage or loan secured on the property.
4. Figures for Livingston Sheriff Court include those actions raised at Linlithgow Sheriff Court prior to its closure in August 2009.

5. Any cases registered prior to 1 April 2008 under heritable conveyancing/feudal reform (ordinary and commercial procedure) and disposed of after 1 April 2008 will not be included in these figures as they are grouped within a category which does not exclusively relate to mortgage/loan lender repossessions.
6. Accurate data prior to 1 April 2008 is not available. Please see information on the Scottish Government website on the Review of Civil Judicial Statistics.
7. Repossession figures for 2010/11 were affected by at least two significant factors during the year, in addition to an existing overall downward trend in repossession orders. Firstly, new legislation relating to repossessions through the Home Owner and Debtor Protection (Scotland) Act 2010 was implemented from October 2010. There is evidence of some delay in cases being submitted to the courts ahead of the new legislation. In addition, the UK Supreme Court judgment in the RBS v Wilson case was issued on 24 November 2010. This resulted in existing repossession cases being withdrawn by lenders to allow for the minimum two month waiting period required by the judgment, ahead of cases being resubmitted to the courts.
8. 2011/12 figures on repossessions will be published by the Scottish Government in Autumn 2012.

I hope the above information is helpful.

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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Any cases registered prior to 1 April 2010 will be processed under the current procedure and disposed of by 1 April 2010. It will not be possible to transfer cases to the new procedure until 1 April 2010.

As a result of the above, the following information is provided:

1. The number of cases registered on the 1 April 2010 cut-off date.

2. The number of cases registered on the 1 April 2010 cut-off date which are currently being processed under the current procedure.

3. The number of cases registered on the 1 April 2010 cut-off date which are currently being processed under the new procedure.

4. The number of cases registered on the 1 April 2010 cut-off date which are currently being processed under the new procedure but which have not yet been assigned to a judge.

5. The number of cases registered on the 1 April 2010 cut-off date which are currently being processed under the new procedure but which have not yet been assigned to a judge and which are currently being processed under the current procedure.

6. The number of cases registered on the 1 April 2010 cut-off date which are currently being processed under the new procedure but which have not yet been assigned to a judge and which are currently being processed under the current procedure.

7. The number of cases registered on the 1 April 2010 cut-off date which are currently being processed under the new procedure but which have not yet been assigned to a judge and which are currently being processed under the current procedure.

8. The number of cases registered on the 1 April 2010 cut-off date which are currently being processed under the new procedure but which have not yet been assigned to a judge and which are currently being processed under the current procedure.

9. The number of cases registered on the 1 April 2010 cut-off date which are currently being processed under the new procedure but which have not yet been assigned to a judge and which are currently being processed under the current procedure.

10. The number of cases registered on the 1 April 2010 cut-off date which are currently being processed under the new procedure but which have not yet been assigned to a judge and which are currently being processed under the current procedure.

I hope the above information is helpful.

A copy of this letter will be placed in the British Parliament Information Centre and provided on the British Court only website.

Yours sincerely,



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