

## Quarterly Fines Report 37 – Quarter 4 2017/18

An Official Statistics Publication for Scotland

### **Fines and financial penalties imposed or registered up to 31 March 2018, as at 18 July 2018**

This Report presents information on fines and other financial penalties as at 18 July 2018. The report now covers the financial years - 2014/15, 2015/16, 2016/17, and 2017/18.

#### **Sheriff Court Fines Summary**

Reporting on the most recent full three year period, as at 18 July 2018, 87% of the value of Sheriff Court fines imposed over the period 1 April 2014 to 31 March 2017 has either been paid or is on track to be paid through instalments. This is an increase of 1 percentage point compared with the value paid or on track to be paid as at 10 April 2018.

For the fines imposed over these three financial years, 84% of the value has been paid as at 18 July 2018. This is an increase of 2 percentage points compared with 82% of the value paid as at 10 April 2018.

Of the number of fines imposed over these three financial years, 82% have been fully paid as at 18 July 2018. This is an increase of 2 percentage points on these fines fully paid for the same period as at 10 April 2018.

As at 18 July 2018, 82% of the value of Sheriff Court fines imposed over the period 1 April 2017 to 31 March 2018 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 51%.

For fines imposed in 2016/17, 83% of the value has been paid as at 18 July 2018. This is an increase of 2 percentage points compared with 81% of the value paid as at 10 April 2018.

For fines imposed in 2015/16, 88% of the value has been paid as at 18 July 2018. This is an increase of 1 percentage point compared with 87% of the value paid as at 10 April 2018.

For fines imposed in 2014/15, 81% of the value has been paid as at 18 July 2018. This is an increase of 1 percentage point compared with 80% of the value paid as at 10 April 2018.

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

For JP Court Fines imposed in the financial year 2017/18 for the period 1 April 2017 to 31 March 2018, 80% of the value has been paid or is on track to be paid by instalments as at 18 July 2018. For this same period, the number of fines fully paid stands at 64%.

For JP Court Fines imposed in the financial year 2016/17, 83% of the value has been paid as at 18 July 2018. For this same period, the number of fines fully paid stands at 81%.

For JP Court Fines imposed in the financial year 2015/16, 90% of the value has been paid as at 18 July 2018. For this same period, the number of fines fully paid stands at 87%.

For JP Court Fines imposed in the financial year 2014/15, 94% of the value has been paid or is on track to be paid by instalments as at 18 July 2018. This is consistent with the value paid or on track as at the 10<sup>th</sup> April 2018.

Of the number of JP Court Fines imposed in 2014/15, 91% have been fully paid as at 18 July 2018. This is an increase of 1 percentage point on the rate as at 10 April 2018.

### **Fiscal Direct Penalties Summary**

For Fiscal direct penalties registered in 2017/18 for the period 1 April 2017 to 31 March 2018, 58% of the value has been paid or is on track to be paid by instalments as at 18 July 2018. For this same period, the number of fines fully paid stands at 42%.

For Fiscal direct penalties registered in 2016/17, 64% of the value has been paid as at 18 July 2018. This is an increase of 4 percentage points compared with 60% of the value paid as at 10 April 2018.

For the Fiscal direct penalties registered in 2015/16, 73% of the value has been paid as at 18 July 2018. This is an increase of 2 percentage points compared with 71% of the value paid as at 10 April 2018.

For Fiscal direct penalties registered in 2014/15, 84% of the value has been paid or is on track to be paid by instalments as at 18 July 2018. This is an increase of 1 percentage point on the rate as at 10 April 2018.

Of the number of Fiscal direct penalties registered in 2014/15, 78% have been fully paid as at 18 July 2018. This is an increase of 2 percentage points on the rate as at 10 April 2018.

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

For Police Antisocial Behaviour Fixed Penalties registered in 2017/18 for the period 1 April 2017 to 31 March 2018, 64% of the value has been paid or is on track to be paid by instalments as at 18 July 2018. For the same period, the number of fines fully paid stands at 66%.

For Police Antisocial Behaviour Fixed Penalties registered in 2016/17, 71% of the value has been paid as at 18 July 2018. This is an increase of 2 percentage points compared with 69% of the value paid as at 10 April 2018.

For Police Antisocial Behaviour Fixed Penalties registered in 2015/16, 73% of the value has been paid as at 18 July 2018. This is an increase of 1 percentage point compared with 72% of the value paid as at 10 April 2018.

For Police Antisocial Behaviour Fixed Penalties registered in 2014/15, 82% of the value has been paid or is on track to be paid by instalments as at 18 July 2018. This is an increase of 1 percentage point on the rate as at 10 April 2018.

Of the number of penalties registered in 2014/15 81% have been fully paid as at 18 July 2018. This is an increase of 1 percentage point on the previous rate of 80% of the number of fines fully paid as at 10 April 2018.

## 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 18 July 2018, 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 18 July 2018, **353,615** enforcement orders had been granted by the courts (**15,674** of these granted within the 3 months prior to 18 July 2018). This is the initial step required to pursue enforcement action.
- Fines Enforcement Officers have agreed revised payment terms in **66,921** accounts (**3,443** of these were agreed within the 3 months prior to 18 July 2018), helping individuals maintain payments.
- **67,634** benefit deduction orders have been granted, and **19,771** earnings arrestment orders have been issued (including **2,709** granted and **887** issued respectively within the 3 months prior to 18 July 2018).
- Where people are unable to pay, courts have imposed supervised attendance orders on **94** people as an alternative punishment (where another **1** of these was imposed within the 3 months prior to 18 July 2018).
- **3,973** Community Payback Orders have been issued as an alternative where people are unable to pay. (**206** of these were imposed within the 3 months prior to 18 July 2018).

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 Fines<sup>1</sup> (£m)

as at 18 July 2018

		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</b> <b>2014/15 to 2016/17</b>	<b>Sheriff Court Fines<sup>2</sup></b>	<b>32.3</b>	<b>27.1</b> <b>84.0%</b>	<b>1.0</b> <b>3.2%</b>	<b>4.1</b> <b>12.8%</b>
<b>FY 2014/15</b>	Sheriff Court Fines <sup>2</sup>	11.5	9.3 81.1%	0.2 1.7%	2.0 17.3%
<b>FY 2015/16</b>	Sheriff Court Fines <sup>2</sup>	10.5	9.2 88.0%	0.3 3.0%	0.9 9.0%
<b>FY 2016/17</b>	Sheriff Court Fines <sup>2</sup>	10.3	8.6 83.2%	0.5 5.1%	1.2 11.7%
<b>FY 2017/18</b>	Sheriff Court Fines <sup>2</sup>	10.4	6.7 64.1%	1.9 18.3%	1.8 17.6%
<b>FY 2014/15</b>	JP Court Fines <sup>3</sup>	7.5	7.0 92.9%	0.1 1.4%	0.4 5.7%
	Fiscal Direct Penalties <sup>4</sup>	3.4	2.8 81.5%	0.1 2.9%	0.5 15.6%
	Police Antisocial Behaviour Penalties <sup>5</sup>	1.8	1.4 78.9%	0.1 3.5%	0.3 17.6%
<b>FY 2015/16</b>	JP Court Fines <sup>3</sup>	6.6	6.0 90.0%	0.1 2.2%	0.5 7.8%
	Fiscal Direct Penalties <sup>4</sup>	3.6	2.6 73.1%	0.1 3.7%	0.8 23.2%
	Police Antisocial Behaviour Penalties <sup>5</sup>	1.3	1.0 73.3%	0.0 3.8%	0.3 22.9%
<b>FY 2016/17</b>	JP Court Fines <sup>3</sup>	6.0	5.0 83.0%	0.3 4.8%	0.7 12.2%
	Fiscal Direct Penalties <sup>4</sup>	2.9	1.9 63.8%	0.2 6.1%	0.9 30.1%
	Police Antisocial Behaviour Penalties <sup>5</sup>	0.7	0.5 71.2%	0.0 5.0%	0.2 23.8%
<b>FY 2017/18</b>	JP Court Fines <sup>3</sup>	5.4	3.6 67.6%	0.7 12.9%	1.1 19.6%
	Fiscal Direct Penalties <sup>4</sup>	3.1	1.4 46.9%	0.3 10.7%	1.3 42.4%
	Police Antisocial Behaviour Penalties <sup>5</sup>	0.5	0.3 61.0%	0.0 3.4%	0.2 35.6%

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 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 Fines<sup>1</sup>**  
as at 18 July 2018

		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 2014/15 to 2016/17</b>	<b>Sheriff Court Fines<sup>2</sup></b>	<b>57,661</b>	<b>47,308 82.0%</b>	<b>2,233 3.9%</b>	<b>4,718 8.2%</b>	<b>3,402 5.9%</b>
<b>FY 2014/15</b>	Sheriff Court Fines <sup>2</sup>	19,057	17,235 90.4%	313 1.6%	922 4.8%	587 3.1%
<b>FY 2015/16</b>	Sheriff Court Fines <sup>2</sup>	19,263	16,051 83.3%	603 3.1%	1,574 8.2%	1,035 5.4%
<b>FY 2016/17</b>	Sheriff Court Fines <sup>2</sup>	19,341	14,022 72.5%	1,317 6.8%	2,222 11.5%	1,780 9.2%
<b>FY 2017/18</b>	Sheriff Court Fines <sup>2</sup>	18,002	9,175 51.0%	2,380 13.2%	3,295 18.3%	3,152 17.5%
<b>FY 2014/15</b>	JP Court Fines <sup>3</sup>	36,153	32,961 91.2%	449 1.2%	1,533 4.2%	1,210 3.3%
	Fiscal Direct Penalties <sup>4</sup>	31,716	24,697 77.9%	1,031 3.3%	1,706 5.4%	4,282 13.5%
	Police Antisocial Behaviour Penalties <sup>5</sup>	36,589	29,802 81.5%	1,120 3.1%	664 1.8%	5,003 13.7%
<b>FY 2015/16</b>	JP Court Fines <sup>3</sup>	30,327	26,497 87.4%	657 2.2%	1,754 5.8%	1,419 4.7%
	Fiscal Direct Penalties <sup>4</sup>	31,709	21,681 68.4%	1,206 3.8%	2,381 7.5%	6,441 20.3%
	Police Antisocial Behaviour Penalties <sup>5</sup>	26,502	20,381 76.9%	862 3.3%	483 1.8%	4,776 18.0%
<b>FY 2016/17</b>	JP Court Fines <sup>3</sup>	26,564	21,445 80.7%	1,051 4.0%	1,922 7.2%	2,146 8.1%
	Fiscal Direct Penalties <sup>4</sup>	23,392	13,719 58.6%	1,420 6.1%	2,216 9.5%	6,037 25.8%
	Police Antisocial Behaviour Penalties <sup>5</sup>	14,313	10,734 75.0%	610 4.3%	262 1.8%	2,707 18.9%
<b>FY 2017/18</b>	JP Court Fines <sup>3</sup>	22,672	14,600 64.4%	1,612 7.1%	2,810 12.4%	3,650 16.1%
	Fiscal Direct Penalties <sup>4</sup>	23,958	9,948 41.5%	1,818 7.6%	2,507 10.5%	9,685 40.4%
	Police Antisocial Behaviour Penalties <sup>5</sup>	10,655	7,069 66.3%	290 2.7%	198 1.9%	3,098 29.1%

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 37 Tables](#) provides an Excel workbook showing the value and number tables as at 18 July 2018

## **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**

There are no revisions to report.

## **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.

<b>Closed Court</b>	<b>Receiving Court</b>
<b>End of November 2013</b>	
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
<b>End of May 2014</b>	
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
<b>End of July 2015</b>	
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:

<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 after any court discharges have been deducted.
<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.

## 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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Other enquiries about these statistics should be directed to the Management Information Analysis Team of the Scottish Courts and Tribunals Service:

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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

Policy Implementation Manager, Criminal Justice Division, Scottish Government

The next quarterly fines report will be published in November 2018. 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.