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Dear Ms McInnes

SCOTTISH PARLIAMENTARY QUESTIONS S4W-18201 to S4W-18205 and S4W-18207 to S4W-18211.

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

The Scottish Court Service has been publishing quarterly statistics on financial penalties since August 2009. The reports include penalties imposed since 1 April 2008 and can be viewed at the following location:

<http://www.scotcourts.gov.uk/about-the-scottish-court-service/reports-data>

S4W-18201 asks: *To ask the Scottish Government how many fixed penalty notices have been issued by the police under section 129 of the Antisocial Behaviour etc. (Scotland) Act 2004 in each year since May 2007.*

Please see the Scottish Court Service Quarterly Fines Reports.

S4W-18202 asks: *To ask the Scottish Government how many fixed penalty notices have been challenged by the recipient under section 131(3) of the Antisocial Behaviour etc. (Scotland) Act 2004 in each year since May 2007.*

Table 1

Financial Year	2008/09	2009/10	2010/11	2011/12	2012/13
The number of Antisocial Behaviour fixed Penalty notices challenged	112	236	275	248	270

S4W-18203 asks: *To ask the Scottish Government what percentage of fixed penalty notices has been paid before the 28-day period specified in the Antisocial Behaviour etc. (Scotland) Act 2004 in each year since May 2007.*

Table 2

Financial Year	2008/09	2009/10	2010/11	2011/12	2012/13
The percentage (%) of Antisocial Behaviour fixed penalty notices paid before the 28-day period	56%	48%	45%	42%	42%

S4W-18204 asks: *To ask the Scottish Government what percentage of fixed penalty notices has been registered as fines in terms of section 131(5) of the Antisocial Behaviour etc. (Scotland) Act 2004 in each year since May 2007.*

Table 3

Financial Year	2008/09	2009/10	2010/11	2011/12	2012/13
The percentage (%) of Antisocial Behaviour Fixed penalty notices registered as fines	43%	50%	53%	56%	56%

S4W-18205 asks: *To ask the Scottish Government how many fixed penalty notices issued under Part 11 of the Antisocial Behaviour etc. (Scotland) Act 2004 since May 2007 remain unpaid.*

Please see the Scottish Court Service Quarterly Fines Reports.

S4W-18207 asks: *To ask the Scottish Government how many fixed penalty notices have been issued under section 302 of the Criminal Procedure (Scotland) Act 1995 in each year since May 2007.*

Please see the Scottish Court Service Quarterly Fines Reports.

S4W-18208 asks: *To ask the Scottish Government how many fixed penalty notices have been challenged by the recipient under section 302(2)(ca) of the Criminal Procedure (Scotland) Act 1995 in each year since May 2007.*

Table 4

Financial Year	2008/09	2009/10	2010/11	2011/12	2012/13
The Number of Fiscal fixed penalty notices challenged	1,305	1,164	1,064	1,300	1,174

S4W-18209 asks: *To ask the Scottish Government in relation to what percentage of fixed penalty notices the recipient has sent a notice to the clerk of court as provided for in section 302(2)(ca) of the Criminal Procedure (Scotland) Act 1995 in each year since May 2007.*

Table 5

Financial Year	2008/09	2009/10	2010/11	2011/12	2012/13
The percentage (%) of Fiscal fixed penalty notices with a notice sent to the clerk of court	3%	3%	2%	3%	2%

S4W-18210 asks: *To ask the Scottish Government what percentage of fixed penalty notices has been treated as fines in terms of section 303 of the Criminal Procedure (Scotland) Act 1995 in each year since May 2007.*

Table 6

Financial Year	2008/09	2009/10	2010/11	2011/12	2012/13
The percentage (%) of Fiscal fixed penalty notices now treated as fines	59%	64%	64%	66%	68%

S4W-18211 asks: *To ask the Scottish Government how many fixed penalty notices issued under section 302 of the Criminal Procedure (Scotland) Act 1995 since May 2007 remain unpaid.*

Please see the Scottish Court Service Quarterly Fines Reports.

Notes for tables 1 to 3

Following court unification, the collection of Police Antisocial Behaviour fixed penalty notices became the responsibility of the Scottish Court Service on the following dates. Data for the financial year 2007/08 is not available:

Lothian and Borders	-	10 March 2008
Grampian, Highland and Islands	-	2 June 2008
Glasgow and Strathkelvin	-	8 December 2008
Tayside, Central and Fife	-	23 February 2009
North Strathclyde	-	14 December 2009
South Strathclyde, Dumfries & Galloway	-	22 February 2010

Notes for tables 4 to 6

The Scottish Court Service took over the responsibility for collection of Fiscal penalties in March 2008 from local authorities. Data for the financial year 2007/08 is not available.

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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