

Crown Office and Procurator Fiscal Service

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Margaret Mitchell MSP
Convenor
Justice Committee
Scottish Parliament
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Dear Convenor

Crown Office & Procurator Fiscal Service's Draft Budget 2017-18

At the evidence session with the Committee on 20 December I promised to provide you with some further information.

Fines

The Committee asked about the amount of fines that were not collected. Fines are collected by the Scottish Courts & Tribunals Service (SCTS), who publish a quarterly fines report on their website. A link to their most recent report, dated October 2016, is below, together with a link to the accompanying news release. Rates of fines collection vary depending on how long people have had time to pay and also on the nature of the fine (different enforcement options are available for the higher end fine types).

<http://www.scotcourts.gov.uk/docs/default-source/aboutscs/reports-and-data/quarterly-fines-reports/qfr30/quarterly-fines-report-30---2016-17-q1.doc?sfvrsn=4>

<http://www.scotcourts.gov.uk/about-the-scottish-court-service/scs-news/2016/11/24/fines-dodgers-pay-up-after-cars-clamped>

While it may be a fair generalisation to say that around 20% of the total value of fines of all types imposed over the past three years remains outstanding to be collected at any given point in time, this varies by fine type and age - it is a rolling 20%, with collection happening and new outstanding fines being added. It is worth noting that enforcement action continues beyond the 3 year point so the outstanding fines are not written off.

I mentioned that I thought that fines collected were paid over to HM Treasury. I can confirm that that is the case except for a proportion that is retained by the SCTS to cover the costs of fines collection.

Budget Information by Function

The Committee asked about costs of each type of activity. We do not cost individual cases, as the effort involved would outweigh the potential benefit but we have in past years allocated costs to our main categories of work, including allocating central costs such as Human Resources, Information Technology and suchlike. The figures for 2013-14 and 2014-15 are below; these figures are running costs only and include both cash and non-cash expenditure (depreciation). Figures for later years are not currently available.

Category	2013-14 £m	2014-15 £m
High Court	30.3	32.1
Sheriff & Jury	24.5	25.2
Summary	32.2	35.1
Serious Casework/other	19.1	15.5
Total	106.1	107.9

Specialist Witnesses

The Committee has asked for data on the costs of specialist witnesses. Such witnesses are of two types, professional witnesses, who provide factual evidence of observations they are able to make in their professional capacity and expert witnesses, who provide an opinion based on facts or other evidence which he/she has investigated and who has been called into a case for that express purposes. Regulations define a professional witness as a person practicing as a

- dentist;
- vet;
- a member of the legal profession;
- an accountant; or
- a similarly qualified person.

Type of witness cost	2013-4 £	2014-15 £	2015-16 £
Professional Witnesses	196,294	199,250	151,125
Expert Witnesses	483,065	528,443	451,002
Total	679,359	727,693	602,127

Real Terms Budget

At the session the Committee asked about the real terms reduction in the COPFS budget. I can confirm that the actual real terms reduction in our cash running cost budget (Resource DEL) is around £1.4m. The £4m real terms reduction quoted in the budget document includes the impact on our capital budget and on the reduction in our non-cash Resource DEL budget (depreciation) but does not include the £1m to be transferred to us in-year for the Violence Against Women initiative.

I hope that the Committee finds this helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Harvie', written in a cursive style.

DAVID HARVIE
Crown Agent