

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME } SENTENCE INFORMATION SHEET

This is one of a series of basic factual information sheets relating to the main sentences imposed by the courts. It is not specific to the precise details of your sentence, and any further information that you need will be contained in our letter.

FINES AND OTHER ORDERS TO PAY MONEY

When you are ordered to pay money by the court, it is likely to be one of the following:

- A Fine
- Compensation
- “Surcharge”
- Prosecution Costs

To you, what matters is the total amount imposed, since all of these payments are made to the Court and they divide up the money administratively and they send it to whoever is meant to receive it.

The court should have set payment terms (usually so much per week or month; or perhaps to pay all the money by a certain date) and the payment will be collected by the Magistrates’ Court. This is the same even if the payment was ordered in a Crown Court case – it is always the Magistrates’ Court which receives the payments.

They have many ways of accepting payments and it is important to contact the Court to find out what is most convenient for you. This can include direct debit, payment cards or deductions from benefit etc.

If you do not make payments, enforcement can include eventually imposing a prison sentence for non-payment or seizing your vehicle or sending the bailiffs to your home address to seize other personal property. The Court can also contact your employer to deduct money from wages. There are some other options as well, but those are the most common.

It is very likely that an unpaid debt will be sent out to bailiffs. If they turn up, not only can it cause huge distress and anxiety (especially where other members of family live at your address) but also they add on fees and charges which can increase the bill by several hundreds of pounds – perhaps doubling (or even more) the original amount.

It is therefore vital that you contact the fines office at the Magistrates’ Court and ensure that you set up your arrangement to pay. If you do nothing, they may not contact you but the fine or other charges will not have been forgotten. You may just find that the bailiffs turn up at your door after a few weeks.

If you discover that you cannot keep up with the payments (for example if your income changes) then again you must always contact the fines office at the Magistrates’ Court. They will normally be able to discuss making changes with you and if all else fails, you can ask to have the matter further heard in Court. Again, if you just leave it then the outcome can be very serious in the same way as mentioned above. All of the serious enforcement powers remain the same, even if you started paying the money to begin with.

What are these different orders?

A fine – simply a punishment for the offence itself.

Compensation – a payment to compensate another person for loss, damage or injury.

Prosecution costs – this is a payment of a contribution towards the public cost of your case having been taken to court. It is nothing to do with your own legal fees or any legal aid that you may have for your defence. It is a payment that ends up going to the budget of the Crown Prosecution Service or any other prosecuting authority.

Surcharge – the precise amount depends on the actual sentence imposed but it is usually between £30 and £130. It applies to people even when sent to prison and will be enforced upon release. It was originally supposed to pay for victim support services, but in reality it is now a form of government tax or levy on all sentences imposed by the Courts to raise more money for public finances.