

Review of Financial Impositions in the Criminal Courts

Terms of Reference

1. A review to consider the structure and purpose, of court-ordered financial impositions for offenders. It will consider how we currently impose costs and penalties on offenders, to seek to bring greater simplicity and clarity to the system in England and Wales, while ensuring that penalties are levied appropriately and offenders contribute to the costs of administering justice.
2. The review will make recommendations with a view to achieving three primary goals:
 - granting the judiciary greater discretion in setting financial impositions;
 - making financial penalties a more effective sentencing tool; and
 - ensuring that funds imposed through financial penalties plays an appropriate - and sustainable - role in meeting court running costs and reducing the burden on the taxpayer.
3. The review will produce a report focusing on:
 - The current framework of imposition arrangements, exemptions, discretion, accounting arrangements and legislative provision.
 - Evidence of known information about offenders' means and current payment arrangements.
 - Domestic and international evidence on the most effective form of financial penalties.
 - The scope to generate additional revenue and how current receipts are allocated.
 - Modernisation of enforcement services.
4. The review will be led by the Ministry of Justice, Justice and Courts Policy Group and supported by a Ministry of Justice working group made up of officials including analytical services, HMCTS enforcement and corporate finance. An SCS level board will oversee progress and provide strategic direction to the review. The review will regularly report progress to the Lord Chancellor & Secretary of State and the Minister for Courts & Legal Aid.