



TITLE **The Criminal Justice Act 2003 (Surcharge) (Amendment) Order 2020**

From: Victim and Witness Policy Unit

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This circular supersedes: Circular No. 2019/02: The Criminal Justice Act 2003 (Surcharge) (Amendment) Order 2019

This circular is for: Lord Chief Justice, Justices of the Supreme Court, Master of the Rolls, President of the Queen's Bench Division, Justices of Appeal, Senior Presiding Judge, High Court Judges, Crown Court Judges, District Judges (Magistrates' Courts), Chief Magistrate, Bench Chairmen, Clerks to the Justices, Chief Officers of Police, Chief Crown Prosecutors.
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The Purpose of this Circular

The purpose of this circular is to communicate changes to the Victim Surcharge which will come into effect for offences committed on or after 14 April 2020. The changes come into effect through The Criminal Justice Act 2003 (Surcharge) (Amendment) Order 2020 (“the 2020 Order”).

Background

The Victim Surcharge was introduced in 2007 as a flat rate of £15 for only those who received a fine. It has since then been expanded to apply to all sentences offenders receive from the courts, the amount varying depending on the severity of the sentence and the age of the offender. Its purpose is to ensure that offenders hold some responsibility towards the cost of supporting victims and witnesses.

Income from the Surcharge contributes to the Ministry of Justice’s Victim and Witness Budget (“the Budget”). The Budget grant funds Police and Crime Commissioners who commission local support services for victims in their communities. It also funds nationally commissioned support such as: 94 Rape Support centres across England and Wales, the Court Based Witness Service and the National Homicide Service.

Summary of Changes

The purpose of the 2020 Order is to increase the current surcharge levels by 5%, rounded to the nearest pound. This will increase the surcharge amounts paid by offenders by between £1 and £9, depending on the sentence.

The 2020 Order will replace the surcharge levels set out in The Criminal Justice Act 2003 (Surcharge) (Amendment) Order 2019. The new Surcharge levels are provided in the table below:

Sentence	New surcharge levels, as specified in the 2020 Order		
	Adults (18 +)	Youth (under 18 at time of offence)	Organisations
Conditional discharge	£22	£17	£22
Fine	10% of fine value, min £34 max £190	£22	10% of fine value, min £34 max £190
Community order	£95	£22	
Suspended sentence of imprisonment (6 months or less)	£128	£34	
Suspended sentence of imprisonment (over 6 months)	£156	£34	
Immediate custodial sentence (6 months or less)	£128	£34	

Immediate custodial sentence (more than 6 months – up to and including 2 years)	£156	£34	
Immediate custodial sentence (over 2 years – life)	£190	£34	
Youth rehabilitation order or referral order		£22	

Useful links

The Criminal Justice Act 2003 (Surcharge) Order 2012
www.legislation.gov.uk/uksi/2012/1696/contents/made

The Criminal Justice Act 2003 (Surcharge) (Amendment) Order 2020
<http://www.legislation.gov.uk/uksi/2020/310/contents/made>