



Ministry
of Justice

The Right Honourable
Robert Buckland QC MP
Lord Chancellor & Secretary of
State for Justice

Sir Robert Neill MP
Houses of Parliament
Westminster
London
SW1A 0AA

7 July 2020

Dear Bob,

THE IMPACT OF COVID-19 ON CRIMINAL ENFORCEMENT

I want to update you on the current situation in relation to the enforcement of criminal penalties given your interest in this area.

HMCTS is responsible for the collection and enforcement of financial impositions imposed by Crown and Magistrates' Courts. These impositions include fines, compensation, victim surcharge, costs and confiscation orders. During the Covid-19 lock down period HMCTS has continued to process payments from individuals who are complying with their court order, and where payments have been received, to compensates. Applications to extend existing payment arrangements from individuals who are already in the system and who are impacted financially by the current situation are being dealt with sympathetically.

On 24th March 2020, a decision was taken to temporarily suspend proactive enforcement action as a result of the pandemic on cases where a defendant has defaulted on their payment terms. HMCTS is now proposing to recommence proactive enforcement in the week commencing 29th June 2020. Enforcement activity can include a deduction of benefits order, attachment of earnings order, a time to pay arrangement or ultimately a warrant of control (a court order that allows for goods to be seized to satisfy outstanding debt) or a warrant of arrest for non-payment.

We are mindful that so many people will have been adversely impacted by the pandemic and the circumstances of so many will have changed and we will continue to deal with requests to extend/amend payment terms sympathetically. In practice, warrants of control are not being executed because of the restrictions in The Taking Control of Goods and Certification of Enforcement Agents (Amendment) (Coronavirus) Regulations 2020 which came into force on 25th April 2020. These measures prevent all door-steeping activity by Bailiffs/Approved Enforcement Agents/Civilian Enforcement Officers during the period the coronavirus restrictions remain in place. Proactive enforcement will not therefore include the execution of warrants of control as a measure until those restrictions have been lifted

Our approach is focussed on the need to collect and enforce court orders, including orders for compensation, whilst mitigating the effect of our actions for individuals who have been impacted by Covid-19.

Yours ever

RT HON ROBERT BUCKLAND QC MP