

## Court fines

If you're taken to court in a criminal case and you're found guilty, the court may order you to pay a fine. Some common criminal cases are:

- theft
- assault
- drunk driving
- not having motor insurance
- failing to pay your TV licence.

It's very important not to get into debt with unpaid court fines because you can be sent to prison for not paying. This fact sheet tells you how you can avoid getting into debt with a court fine, and what you can do if you do if you do get into debt.

### Get advice about all your debts

You may have other debts as well as unpaid fines. If this is the case, get help from a specialist debt adviser. An adviser will help you to:

- deal with all your debts as a whole
- work out what order your debts should be paid in
- try to come to an agreement with the people you owe money to.

### Make sure the court knows your financial circumstances

When you go to court, make sure they know your financial circumstances before you are sentenced. If you're fined, this will help you avoid getting a fine which you can't afford to pay.

Give the court information about how much money you've got coming in, people who depend on you financially (for example your partner or children), your housing costs and anything else you have to pay out for. Sometimes you can plead guilty to a criminal case without going to court in person. If you do this, make sure you send in details of your financial circumstances when you send your court forms in by post.

### Come to an agreement with the court

If you think you can't afford to pay your fine straight away, you may be able to come to an agreement with the court. You can ask the court **to pay the fine off in instalments**. However, the court doesn't have to agree to this.

If you are allowed to pay in instalments but miss a payment, you will have to pay the whole fine in one go. You could be sent to prison if you don't pay up.

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If you can't afford to pay the fine straight away and don't want to pay by instalments, you can ask if the court will allow you **to pay the whole amount at a later date**. For example, you might want to pay after your next work pay day. The court doesn't have to agree to this.

If you do have to pay the fine straight away but you refuse, you could get sent to prison if the court thinks you're **deliberately withholding the money**.

### **If you are getting into difficulties with paying your fine – tell the court**

You could get into difficulties when you're paying a fine off by instalments, or because you've promised to pay on a certain date and can't pay on the date that it's due.

Write to the court, explaining why you have a problem paying up. Include **proof** of your financial circumstances. Depending on your circumstances, you may be able to ask:

- if you can pay by instalments, or
- if you can pay smaller instalments over a longer period, or
- if you can pay the rest of the fine by a certain date, or
- if you can pay the fine at a later date, or
- if the debt can be cancelled (**written off**).

The court may agree to let you do what you've asked, or they may ask you to come back to court and explain in person why you haven't paid. This is called a **means hearing**.

If you don't contact the court when you're getting into difficulties, you could be taken back to court. In some circumstances, you could even be **arrested** and taken back to court.

If you have to go back to court, the court will look at your financial circumstances and decide what should happen next. If you're in this situation, you should get a **solicitor** to go to court with you and present your case. You can apply to the court for help to pay for a solicitor. This is called **legal aid**.

Give the court full details and proof of your financial circumstances. You should try and come to an agreement about how to pay off your fine, or see if the court will agree to write it off.

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If you can't come to an agreement with the court, there are a number of things they can do to force you to pay up. These include:

- arranging for money to be taken from your earnings. This is called an **attachment of earnings order**
- arranging for money to be taken direct from your **benefits**, for example Income Support, Employment and Support Allowance or Jobseeker's Allowance
- ordering the **bailiffs** to go to your home and take away your possessions. These will be sold to pay off your fine.

They could also order you to do unpaid work, obey a curfew or go to an attendance centre.

If the court has tried everything it can to get you to pay up and failed, you can be sent to prison. This should only happen if you've got the money to pay but are deliberately withholding it.

If you think the court didn't look into your financial circumstances properly before sending you to prison, get legal advice.

If you have to go to prison for not paying a fine, the fine will be written off when you're released.

## Further help

### Citizens Advice Bureau

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#), or look under C in your phone book.

### Other fact sheets on Adviceguide which might help

- [Bailiffs](#)
- [Using a solicitor](#)
- [Help with legal costs](#)

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