

## FINES FOR LOW-LEVEL OFFENCES: THE IMPACT OF COURT FINES ON PEOPLE ON LOW INCOMES

### INTRODUCTION

Despite court fines being the most used sentence in the English and Welsh criminal justice system, it is rare that they feature in the discussion of justice reform engaged in by policymakers, academics and the third sector. To shine a light on this important, but under-examined, area of our justice system, the Centre has undertaken a research project looking specifically what is the impact of their use. It is the first of its kind to look at what ought to happen— and what actually does. As part of this project, we have reviewed the literature of court fines and financial impositions in the criminal courts of England and Wales. This is accompanied by our report, which brings together the findings of our review of publicly available data, and qualitative interviews with people in low-incomes who have received a fine.

### SUMMARY

Our rapid literature review found that the evidence base on court fines is sparse, and much of what does exist is dated. We identified a number of significant gaps, including on:

- **the courts' enforcement procedures and practices** within the last 24 years;
- **people's experiences of receiving a court fine** or financial imposition in criminal court;
- **characteristics of the court fine and financial impositions population**, which prohibits conclusions that we can make about the impact of court fines on specific societal groups.

While our literature review was unable to find recent data that could provide more detail on who gets fined, who pays and who doesn't (and why), we were able to find a number of studies on the experience of being fined. Our review explored:

- People's experiences of the court fine: The outdated evidence on people's experience of the court fines process suggests that people often struggled to understand the court process and their sentence;
- The impact of the fine on financial hardship: More recent evidence suggests fines serve to exacerbate pre-existing issues for people on low-incomes, particularly in relation to TV licence evasion fines and sex work;
- Court fine debts were becoming increasingly acute before the cost-of-living crisis: Some evidence shows that payment was becoming problematic prior to 2020.
- Enforcement of fines and bailiffs: Substantial literature shows how people experience significant emotional and financial distress following non-payment of government debt, and the involvement of bailiff firms.
- Fine non-payment and imprisonment: One recent study observed that imprisonment for court fine non-payment has become much less common over the last twenty years;
- Victim perspective: Two studies explored the victim perspectives on financial impositions, and found that the inefficiencies of the court enforcement process can undermine their reparative value.
- Reforming the system: Relevant literature explored the implementation and failure of two major reforms to the fines system trialled in England and Wales over the past twenty years.

## KEY QUESTIONS

We have conducted a rapid literature review on court fines and financial impositions in the criminal courts of England and Wales. In particular, we have focused on the following three key questions:

- What does the evidence base tell us about people who are receiving fines and financial impositions?
- What does the evidence base tell us about people's experiences of receiving a court fine or financial imposition in criminal court?
- What does the evidence base tell us about the impact of fines and financial impositions on people's lives?<sup>1</sup>

In the course of the literature review, we have also identified other evidence relevant to the overall project, including on the implementation and mechanisms of the fines and financial imposition collection and enforcement system; fines and victims of crime; and on alternative policies and practices to the current system.

## METHODOLOGY

We have conducted a rapid literature review comprising a semi-systematic search of key databases complemented by a hand search. This approach suits this under-researched area and allowed the literature review to be broad in scope, enabling us to survey different conceptualisations of court fines and their impact, and to consider the perspectives, methodologies and approaches adopted by different academic disciplines.<sup>2</sup> Our review sought to include both peer-reviewed and grey literature with a focus on meta-analyses and other review articles.

We searched the online database Google Scholar using a combination of 43 search terms, excluding articles that were published before 2000, and focusing on articles focused on England and Wales. From this search we found a total of 92 relevant results. We reviewed the search results and identified 49 articles that directly referenced court fines. We filtered this list again and focused on 39 articles that had substantive findings on court fines, which were either relevant to our research questions, or new themes that emerged from the search.

## LITERATURE OVERVIEW

Despite the persistently high use of fines in England and Wales, there is a paucity of research specifically examining the courts enforcement procedures and practices from the last 20 years. While we identified three research papers, which together give a comprehensive overview of court fines process and challenges around 2001-2003, just one article has been published on this topic since 2004. Our search also did not uncover any research on people's experiences of receiving a court fine or financial imposition in criminal court. The majority of the articles we identified explored the impact of court fines in the context of other social policy issues including problematic government debt and the welfare system, sex work and TV licence non-payment.

The evidence base we found was predominantly grey literature, making up 26 of the articles, while 13 were published in academic journals. In terms of research methodology, the majority of the articles used a qualitative method (15 out of 29), while only three used a quantitative method. 11 articles employed a mixed methods approach, and ten consisted of a policy report

or consultation response.

## FINDINGS

### Characteristics of people receiving court fines and financial impositions

Our literature review did not find a significant body of evidence that provide greater detail on specific characteristics of the court fine and financial impositions population. However, we did find well established links between financial hardship and criminal justice system involvement. Hoeve et al's 2016 multi-year cross-lagged panel analysis in 2016 found that chronic debt can cause people to commit crime to pay for essential needs, and contended that the stress associated with debt can lead to more impulsive decision making, which leads to offending.<sup>3</sup> These findings were replicated by Van Beek et al's 2021 meta-analysis, which found a strong association between debt and crime.<sup>4</sup>

It is therefore unsurprising that there are multiple studies which identify that people on low incomes are over-represented in our criminal justice system. For example, a 2009 Legal Services Research Centre report showed that people who had been arrested were more likely to have experienced homelessness and debt.<sup>5</sup> The Prison Reform Trust and UNLOCK estimated in 2010 that people in prison were 10 times more likely to have borrowed from a loan shark than the average UK household, a third did not have a bank account and half had been rejected for a bank loan.<sup>6</sup>

A significant data gap affects the conclusions that we can make about the impact of court fines on specific societal groups. We found only one reference to the potential impact of fines and financial imposition on ethnic minority communities. In a 2016 Prison Reform Trust Government consultation response on Community Sentences, Blake suggested that people from Black and Minority Ethnic groups are more likely to be negatively impacted by court fines, as criminal justice statistics show that they are more likely to be in a lower household income band, compared to people from White ethnic groups.<sup>7</sup>

### People's experiences of the court fine and financial imposition process

We found only limited evidence on people's experience of the court process and sentencing to a fine itself. The evidence that is available suggests that people who are in receipt of court fines often struggled to understand the court process and the sentence they had received, including the amount that needed to be paid, the payment deadlines and the consequences of non-payment.<sup>8</sup>

Mackie et al, in their 2003 multi-faceted study of 20 court sites, described how this particularly impacted people with communication and learning needs. The findings of interviews that were conducted with probation officers and solicitors suggested that court staff did not make sufficient adjustments to people attending fines enforcement court hearings with what they describe as 'welfare difficulties', such as learning disabilities, which impeded their ability to understand the instructions that were given out in court and fully comprehend the consequences of non-payment.<sup>9</sup> Mackie et al also asserted that the documentation provided to explain the fines payment process was written in legalistic terms and inappropriate formats for anyone with additional communication needs.<sup>10</sup>

### Impact of fines and financial impositions on people's lives

We identified extensive literature on the impact of court fines and financial impositions on

people's lives (although some studies conflate fine imposed criminal courts with monetary penalties imposed by a civil court).

There is substantial evidence that suggests fines and financial impositions serve to exacerbate pre-existing issues for people on low incomes, by straining overstretched budgets, increasing debt, and worsening their overall financial hardship and mental health.<sup>11</sup> We found that for people in this situation, a court fine becomes one of many debts that they cannot pay. A report by Staffordshire University and Citizens Advice in 2022 explored the consequences of the cost of living crisis, and found that people in financial hardship were being fined for not paying their TV licence, which added to their arrears and debt, often made up of unpaid utility bills, and left them without money for rent or day-to-day expenses.<sup>12</sup> Similarly, interviews conducted by Van Ginneken and Hayes in 2017, which sought out people's perceptions about their sentence, found that many respondents' financial difficulties had been worsened by a court fine, and caused them to default on other bills.<sup>13</sup> Moore's 2001 evaluative study described the enforcement process as counterproductive, serving only to drive up the fine to an unpayable amount that is never cleared.<sup>14</sup>

In a number of studies exploring the impact of using fines to enforce TV licence payment, we found that the imposition of a court fine often led people to incurring additional debts in order to pay off the fine. One interviewee stated that she was only able to get by from borrowing from family and friends, a cycle she described as "robbing Peter to pay Paul".<sup>15</sup> These findings are replicated in Jeffrey et al in 2022.<sup>16</sup> Several people who were interviewed about their engagement with an at-court advice service had taken out loans to pay a court fine, and subsequently had sought debt advice.

We found some evidence that court fine payment is becoming problematic for a growing number of people. In 2015, Citizens Advice declared that they had witnessed an increase in demand for advice on court fines.<sup>17</sup> Christians against Poverty reported similar findings in 2019, and described a threefold increase in the average amount of priority debt owed by the clients of their advice service over the past decade.<sup>18</sup> These reports pre-date the current cost of living crisis, which is likely to have made paying court fines more challenging for many people.

We also found a significant number of articles looking at how the justice system responds to offences associated with sex work which explored the impact of fines.<sup>19</sup> Interviews conducted by Harvey et al in 2017 found poverty to be a prominent reason for engaging in sex work. Many of the women they spoke to had received a fine at court, which offset a cycle of engaging in further sex work to pay off the fine, only to return to court to receive another fine.<sup>20</sup> For those who wished to exit sex work, the fine was seen as a barrier preventing them from doing so.<sup>21</sup> While this does not reflect every sex worker's experience, a number of studies have also evidenced the impact of the fine in this way, particularly for people who had undertaken sex work due to financial deprivation.<sup>22</sup>

Beyond work focussing on fines, we also identified a wider body of research about debt owed by individuals to government – a category which includes court fines payment. Gregory's 2019 analysis of Christians against Poverty's client survey, and Fitzpatrick et al's mixed methods study in 2018, both show that government debt often constitutes the most problematic debt that is causing financial hardship, largely as a result of the greater powers awarded to public bodies to enforce this debt, which exceeds that of private companies.<sup>23</sup> For example, court fines are classed as 'priority debts', which carry greater consequences for non-payment. In the case of court fines the potential consequence is imprisonment. Payment for priority debts can be deducted straight from benefit entitlements. There is a wealth of research evidencing the

financial hardship this causes, particularly for people in receipt of Universal Credit,<sup>24</sup> who have reported feeling powerless, finding making payments stressful and budgeting difficult.<sup>25</sup> Barker et al's 2018 case study research noted that these challenges were worsened by the enforcement of this debt by different government agencies, who are each unaware of the total sum.<sup>26</sup>

We also found substantial literature in relation to people's experiences with bailiffs following non-payment of government debt (courts are empowered to instigate bailiff action to recover outstanding fines).<sup>27</sup> This research indicates significant emotional and financial distress caused by bailiff firms seizing property, particularly for people with complex needs and mental health issues.<sup>28</sup> The role of bailiffs is explored in Sakande and Casey's work into fines for TV licence non-payment, which found that often the enforcement process would very quickly escalate from being notified about the prosecution, to bailiffs showing up at the door to seize property, while the enforcement of a bailiff order by a private company made it difficult to pause repossessions or correct errors.<sup>29</sup> Blake argued in 2016 that the seizure of assets is likely to exacerbate the financial exclusion of people who receive a fine, making them even more likely to get into debt and rely on loan sharks.<sup>30</sup> The debt advice sector has long advocated for greater regulation of bailiff enforcement.<sup>31</sup>

In addition to being subjected to greater enforcement action, people who are unable to pay their fine also experience prolonged and intensified contact with the justice system. Treanor in her book on child poverty, and Sakande and Casey, in their response to a Government consultation on the decriminalisation of TV licence non-payment, both contended that responding to TV licence non-payment through greater financial punishment, makes people with limited financial means less able to pay their licence in the future, and puts them at risk of being sent to prison.<sup>32</sup> While it remains within the courts' powers to respond to fine non-payment with imprisonment, Gormley's 2022 review of court fine operation explains that this has become much less common over the last twenty years. Prison receptions data shows that the amount of people in prison for defaulting on a financial payment has decreased from 462 in 2015, to 118 in 2019 and 57 in 2020.<sup>33</sup> Yet, we did not find any research exploring the impact that the threat of imprisonment has on people who do not have the financial means to pay their fine.

### **Implementation of the fines and financial impositions system**

While our data review has already provided significant evidence on current patterns in the imposition, collection and enforcement of court fines, the literature review has identified a small number of studies from the early 2000s that looked at the issue in some depth. Two studies, Moore's in 2001 and Mackie et al in 2003, as well as the analysis of the operational and practice implications of Mackie et al's research conducted by Raine et al in 2004, builds a comprehensive and relevant picture of some of the key challenges affecting the implementation of court fines at the turn of millennium.

Mackie et al in 2003 described how high arrears of court fines were accumulating over long periods of time in magistrates' court across the country, which led to high numbers of uncollected fines being written off.<sup>34</sup> This study also found significant variation across the country. The collection rates of fines in the courts in their sample ranged from 28-98%.<sup>35</sup>

Both Mackie et al and Moore identified issues emerging at the sentencing hearing, and observed people receiving fines who were not in a financial position to pay them. Mackie et al described how many people who received a court fine were in poverty, did not have secure paid work, received state welfare and did not have a bank account.<sup>36</sup> Moore's research came

to similar conclusions, and described how court fines often became one of many unpaid debts accumulated by people on low-incomes. Moore reasoned that setting fines in these cases was simply unrealistic, and served only to push people further into financial hardship.<sup>37</sup>

Moore and Raine et al argued that people were often receiving a fine that they were unable to pay because the court was not sufficiently taking into account their ability to pay. Just five percent of the court sites in Mackie et al's study were consistently conducting a financial assessment before setting the fine amount.<sup>38</sup> Raine et al found that even when assessments were conducted, they were often inadequate, consisting of a few rushed questions about the person's income and significant outgoings, or a negotiation via their solicitor about what they could pay.<sup>39</sup> Courts also took the means information that was declared during the hearing at face value, and did not ask for evidence to verify its accuracy.<sup>40</sup> This meant that the fines were being set at an unrealistic amount. This echoes a more recent study that focused on the court fines process from 2009, when Raine and Dunstan tested how magistrates interpreted the sentencing guidelines on setting court fines in a number of controlled scenarios. They found magistrates' assessment of people's ability to pay the fine to be "infrequent and unrigorous".<sup>41</sup>

A number of issues were also found to be affecting courts' enforcement of unpaid fines. Mackie et al described how courts could lose the struggle to maintain contact with offenders with fine debts, effectively rendering them 'missing persons' as far as the court was concerned.<sup>42</sup> In some cases this was understood to be the result of administrative errors made by the police and court staff, who took down misspelled names and incorrect addresses.<sup>43</sup> In other cases, the person had moved address without supplying forwarding information. Further issues were presented by the number of cases proceedings in the magistrate's court without the defendant present. A number of minor offences can be resolved with the person just submitting a guilty plea in writing, who are informed about the sentencing outcome and how to pay by post. In these cases, courts were unable to determine if the letter was received, read and understood by the person it was intended for.<sup>44</sup> Raine et al identified further issues with the enforcement of fines through letters. They argued that the stern tone of official enforcement letters made it more likely for people in financial difficulty to panic and ignore the situation, instead of contacting the court to adjust the fine to an affordable amount.<sup>45</sup>

Raine et al did find that court staff expressed an awareness of the importance of engaging with people who owed money for outstanding fines them in a supportive rather than intimidating way, particularly given the power of the court to adjust the payments. Yet, Raine et al concluded that this awareness was not translating into practice.<sup>46</sup> In fact, they believed that the courts enforcement tactics were moving further away from engaging in a supportive manner, and were increasingly relying on bailiffs.<sup>47</sup> This is despite the fact that Mackie et al's research found no evidence to suggest that greater punitive enforcement action translated into more fines paid.<sup>48</sup>

In addition to these operational issues, Mackie et al and Raine et al believed that intentional evasion was also driving the low rates collection of court fines. Both studies acknowledged that some people who were able to pay their fine 'played the system', by providing false contact information to the court, ignoring letters instructing them to pay and evading the court enforcement officers who came to their door.<sup>49</sup> Nonetheless, Raine et al argued that wilful evasion was enabled by the inadequacies of the court's enforcement procedure.<sup>50</sup>

### **Financial impositions and victims of crime**

We found two studies exploring the victim perspectives on financial impositions. Qualitative research conducted in 2011 by the Commissioner for Victims and Witnesses in England and

Wales found that some victims saw value in imposing financial impositions as part of the sentence, citing its punitive impact, potential to deter reoffending and its symbolic value redressing harm and righting a wrong made against them.<sup>51</sup>

However, the inefficiencies of the court enforcement process, and the low payment rate of compensation orders, suggests that this aim was not being achieved in practice. The 2003 Mackie et al study relayed how victims of crimes were often left waiting in limbo for months, or even years, for the payment of a compensation order to be complete.<sup>52</sup> A more recent article by Miers in 2010 found that the issues with the court process, previously discussed around people's lack of the means to pay and the court's inability to determine their means accurately, was delaying or blocking the payment of compensation orders.<sup>53</sup>

These findings are also mirrored in the findings of the Victim Commissioner's 2011 research. While some interviewees expressed understanding that it was necessary for the person to pay the owed amount back in small instalments, if they were unable to pay it back at once, many expressed frustration at the slow pace of payment. Others reported never receiving the money they were owed.<sup>54</sup> Interviewees were also extremely negative about their interaction with the court system, and expressed a lack of confidence in its ability to make sure that the order was paid and a diminished sense of justice being achieved.<sup>55</sup>

### **Alternative policies and practices**

Given that the second part of this project seeks to explore alternative practices and policies to improve how the court fines system works, we found literature on two major reforms trialled in England and Wales over the past twenty years relevant. Neither of these two reforms went beyond a pilot, and lessons from them may be highly relevant to this project.

In 1992, a system of 'unit fines' was introduced and abolished just seven months later. The pilot introduced an approach to fines commonplace in many European countries, where each fine is tailored to the person's ability to pay. It was introduced in the context of a rising prison population, and it was hoped that a more proportionate approach to setting fines could help reduce this. Courts calculated each fine in relation to the seriousness of the offence, and the person's disposable income. While they were able to reduce the amount in response to a person's income, they were not able to increase it for people on a high income. The outcomes of the pilot showed that the aims were largely met: Disparities between court fines imposed on those on low incomes significantly reduced; the proportion of fines paid on time increased; and the rate of imprisonment for fine default fell by 3%.<sup>56</sup>

Despite these positive outcomes, the national expansion out of this pilot was prevented in part by a lack of support from magistrates. Many magistrates opposed the rigidity of setting fines in this way, and claimed that it interfered with their judicial discretion. In light of the research from Raine et al in 2004, which showed how magistrates use this discretion to set widely different fine amounts,<sup>57</sup> day fines could have been an opportunity to implement a more standardised and fairer approach. Yet the evaluation of the pilot did also find that day fines failed to overcome the fundamental issue of obtaining accurate information on the person's income.

Moreover, Warner's 2012 essay concluded that the conflict between the principles of proportionality and equality is the primary reason that day fines did not take root in England and Wales. He highlighted how the media criticised the vastly different fine amounts people received for the same offence, and argued that it undermined the principle of equality under the law.<sup>58</sup> Yet, as Warner argued, a fine of the same amount to people of different means,

such as someone with significant inherited wealth and a homeless person, does not meet the principle of equality that they seek. While the pilot was discontinued, it did leave a legacy in the fines framework used today, which Mitsilegas and Mouzakiti in 2021 described as being ‘middle of the spectrum’ between fixed fines and unit fines.<sup>59</sup>

A second piloted approach explored alternatives to fines. The ‘fine payment work’ pilot ran in five courts in 2004, and an additional two in 2008, and enabled sentencers to convert the fine into an unpaid work order. An evaluation in 2010 found that half of the participants had achieved a satisfactory outcome, work placement supervisors largely responded enthusiastically to the programme, and many participants positively described their experience as giving back to the community. This supports the evidence on unpaid work orders, which shows that if placements are appropriately matched to the person, it can offer a rewarding and reparative response to offending behaviour.<sup>60</sup> Challenges identified by the evaluators included wide variation in the use of the order across the pilot areas, insufficient human resources, and high start-up costs.<sup>61</sup> Despite the authors of the evaluation recommending the roll out of the programme, no further order has been made since 2009 and the pilot was discontinued.<sup>62</sup>

The debate on the suitability of exchanging a fine for a community sentence for people on low incomes predates the introduction of this scheme, and continues to this day. Moore in 2001 argued that although fines are the lowest tariff a court can give, if a person cannot pay it, it becomes a more severe disposal and more punitive outcome.<sup>63</sup> Blake in 2016 supported Moore’s observation, and suggested that community orders can offer a more effective response to low level offending as a result of its rehabilitative elements, and the access to support it can provide for people with financial problems and other needs.<sup>64</sup> On the other side of the argument are concerns that this approach effectively ‘uptariffs’ people to a more serious justice disposal, on the basis that they can’t afford to pay their fine. Van Ginneken and Hayes’ 2017 comparative study emphasised how community sentences come with more requirements to engage with justice services and comply with orders, which a breach of could lead to more severe penalties than if they had not paid their fine in the first place.<sup>65</sup>

We also found literature on a number of trials to improve the fine collection process. In 2008, the Treasury funded a Legal Services Research Centre study, which trialled different money advice outreach in pilot sites over three years in England and Wales. Four of these were delivered in a court setting, though it is unclear if the service continued after the funding came to end in 2011.<sup>66</sup> In 2013, the Cabinet Office and the HM Courts and Tribunals Service (HMCTS) ran a series of randomised trials testing the effectiveness of different fine collection strategies, and found that text messages from a judicial agency doubled the amount of fines paid within a week. The limitations of the study mirror the barriers identified by Mackie et al, Raine et al and Moore as hindering the enforcement of fines in the early 2000s; only half of the people in the study were reachable by text message, which was attributed to court staff failing to collect accurate contact information.<sup>67</sup>

## SUMMARY OF THE EVIDENCE GAPS

This literature review, in part, underlines the relevance of this project: despite court fines being the most used sentence in the English and Welsh criminal justice system, the amount of research on them is sparse, and much of what does exist is dated. For example, we only found out of date research on the operation of the court fine system (such as how court enforcement works etc).

We found only limited and dated evidence on people’s experience of the court process and sentencing to a fine itself, and no research which shed extra light on the court fines population



as a whole, nor on the impact of court fines on specific societal groups.

## Endnotes

<sup>1</sup> We are aware that 'impact' could include studies examining the link between fines and outcomes such as wellbeing, mental health condition, quality of life, income or recidivism. We will factor these measures into our searches.

<sup>2</sup> See this article for more information on literature review approaches:

<https://www.sciencedirect.com/science/article/pii/S0148296319304564>

<sup>3</sup> Hoeve M, Jak S, Stams GJJM, Meeus WHJ, (2016). 'Financial problems and delinquency in adolescents and young adults: A 6-year threewave study'. *Crime & Delinquency*, 62: 1488–1509.

<sup>4</sup> Gercoline van Beek, Vivienne de Vogel, Dike van de Mheen, (2020). The relationship between debt and crime: A systematic and scoping review. *European Journal of Probation*, 13(1), 41–71.

<https://doi.org/10.1177/2066220320964896>

<sup>5</sup> Pleasance, P, (2009). 'Criminal Offending, Social and Financial Exclusion and Civil Legal Aid', London: Legal Services Research Centre.

<sup>6</sup> Social Exclusion Unit, (2002). *Reducing re-offending by ex-prisoners*.

<https://www.bristol.ac.uk/poverty/downloads/keyofficialdocuments/Reducing%20Reoffending.pdf>

<sup>7</sup> Blake, (2016). *Effective community sentences*. Citing Table 34, Annex A in: [https://consult.justice.gov.uk/digital-communications/effective-community-services-1/supporting\\_documents/communitysentencesia.pdf](https://consult.justice.gov.uk/digital-communications/effective-community-services-1/supporting_documents/communitysentencesia.pdf)

<sup>8</sup> John Raine, Ellen Dunstan, A Mackie, (2004). 'Financial Penalties: Who Pays, Who Doesn't and Why Not?'. *Howard Journal of Criminal Justice*. 43:5, Pages: 518-538.

<sup>9</sup> Mackie et al, (2003). *Clearing the Debts: The Enforcement of Financial Penalties in Magistrates' Courts*.

<https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=a229849f7ec7b96e13df3474a4f4e131a7cc1fc4>;

<sup>10</sup> Ibid

<sup>11</sup> Treanor, M, (2020). 'Ethnicity and disability'. In *Child Poverty: Aspiring to Survive* (pp. 137-158). Bristol University Press. doi:10.46692/9781447334675.009; Naima Sakande, Tara Casey, (2020). *Decriminalising TV Licence Non-Payment Consultation Response*.

[https://static1.squarespace.com/static/5537d8c5e4b095f8b43098ff/t/5e837385b3225608b872d70d/1585673094610/2020\\_03\\_31+TVL+Consultation+Response+%28final%29+.pdf](https://static1.squarespace.com/static/5537d8c5e4b095f8b43098ff/t/5e837385b3225608b872d70d/1585673094610/2020_03_31+TVL+Consultation+Response+%28final%29+.pdf); Rachel Gregory, (2019). *Powerless people: indebted and afraid*. <https://bynder.capuk.org/m/5b89bc5dfca494e0/original/Powerless-people.pdf>;

Mackie et al, (2003). *Clearing the Debts*; Raine et al, (2004). *Financial Penalties*.

<sup>12</sup> Professor David Etherington, Dr Luke Telford Professor Martin Jones, (2022). *The pending poverty catastrophe in Stoke-on-Trent: how benefit cuts and the cost-of-living crisis impacts on the poor*.

[https://eprints.staffs.ac.uk/7270/3/The\\_Pending\\_Poverty\\_Catastrophe\\_in\\_Stoke-on-Trent.pdf](https://eprints.staffs.ac.uk/7270/3/The_Pending_Poverty_Catastrophe_in_Stoke-on-Trent.pdf)

<sup>13</sup> Esther van Ginneken, David Hayes, (2017). 'Just' punishment? Offenders' views on the meaning and severity of punishment', *Criminology & Criminal Justice* Vol. 17(1) 62–78.

<https://journals.sagepub.com/doi/pdf/10.1177/1748895816654204>

<sup>14</sup> Robin James Moore, (2001). *The enforcement of financial penalties by magistrates' courts: an evaluative study*. <https://core.ac.uk/download/pdf/9552747.pdf>

<sup>15</sup> Professor David Etherington, Dr Luke Telford Professor Martin Jones, (2022). *The pending poverty catastrophe in Stoke-on-Trent: how benefit cuts and the cost-of-living crisis impacts on the poor*.

[https://eprints.staffs.ac.uk/7270/3/The\\_Pending\\_Poverty\\_Catastrophe\\_in\\_Stoke-on-Trent.pdf](https://eprints.staffs.ac.uk/7270/3/The_Pending_Poverty_Catastrophe_in_Stoke-on-Trent.pdf)

<sup>16</sup> Jeffrey et al, (2022). *Understanding and filling the gap in advice and support services for people with low level criminal justice system involvement*.

<https://justiceinnovation.org/sites/default/files/media/document/2022/1%20didnt%20know%20who%20to%20turn%20to%20%282%29.pdf>

<sup>17</sup> Citizens Advice Bureau, (2015). *Advice Trends: Quarterly statistics of the Citizens Advice service in England and Wales, 2014/15*. [https://www.citizensadvice.org.uk/Global/Public/Advice%20trends/Advice%20trends%202014-15/advice\\_trends\\_Q3\\_2014-15.pdf](https://www.citizensadvice.org.uk/Global/Public/Advice%20trends/Advice%20trends%202014-15/advice_trends_Q3_2014-15.pdf)

<sup>18</sup> Gregory, (2019). *Powerless people: indebted and afraid*.

<https://bynder.capuk.org/m/5b89bc5dfca494e0/original/Powerless-people.pdf>

<sup>19</sup> While sex work itself is not a criminal offence, many behaviours are criminalised, such as soliciting sex in a brothel and in a public place, which often results in a fine. See 'Prostitution in England and Wales'

<https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/26/2605.htm>

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<sup>21</sup> Ibid

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