




Speech By  
**Linus Power**

**MEMBER FOR LOGAN**

---

Record of Proceedings, 10 May 2017

### **STATE PENALTIES ENFORCEMENT AMENDMENT BILL**

 **Mr POWER** (Logan—ALP) (9.32 pm): I rise to support the State Penalties Enforcement Amendment Bill 2017 and particularly the introduction of work and development orders. I note the committee received submissions and conducted public hearings. I would like to thank and commend the other members of the committee, especially the chair of the committee, Peter Russo, and our erstwhile deputy chair, the member for Mermaid Beach. The chair took up the task as hearings had to be cancelled because of the rain of Cyclone Debbie and when my participation was limited at those hearings by the flooding in my electorate of Logan. I also want to express my thanks to the other members of the committee.

We sometimes must levy a fee or a penalty on Queenslanders. Sometimes this is a tough penalty for wrongdoing, and we recognise that these must be paid. The amendment bill recognises that and is a significant reform undertaken by the Palaszczuk government. We know that people should pay their debts one way or another, and that includes non-monetary means. We also know that the collective level of debt to be collected by SPER has steadily increased, as was highlighted so well by the deputy chair. The bill introduces work and development orders, replacing the current fine option orders which are largely community service orders. SPER undertook consultation with key stakeholders during 2016 as part of the process of forming the policy on work and development orders.

I know that justice requires and the community expects—and even most who have done wrong recognise this—that those who have done the wrong thing must take responsibility for their offending behaviour. However, some people simply cannot afford to pay their fines due to hardship. I believe that work and development orders have the potential to make a real difference to the lives of these people but still do justice to the penalty that has been imposed upon them.

The reality is that the impact of a \$250 fine will be so much greater on people dependent on Centrelink benefits or living on a low income than on a person who is very well off. The Finnish government had legislation recognising this, and they actually increased the fines based on income. I am not suggesting this should be done for Queensland, but we should recognise that what for a wealthy person would be just an annoyance can become a crushing and depressing burden for those on limited incomes or earning capacity.

Work and development orders will give very low-income earners ways of clearing their debt by undertaking activities that ultimately will be of benefit to their local community. Work and development orders will also provide a good help for those with drug and alcohol problems to stick with their treatment programs as part of the process of resolving their debts. Sticking the course through a drug and alcohol treatment program does not just benefit the person with an addiction problem; it helps their family, their workplace and their community.

I note that approved organisations can partner with SPER to implement work and development orders. I hope local organisations in Logan get involved in transforming lives to see justice done and to see positive projects completed for Logan. The Logan non-government community service providers are already on the ground helping the vulnerable. They are well placed to assist SPER customers in hardship.

We also know that some see their debt as being too difficult for them to pay so, instead of knuckling down to deal with it, they ignore it and hope that it will go away. SPER debts of course do not simply go away. Indeed, if not paid promptly, they can increase. The earlier the debt is paid, the less cost there is to SPER. However, for those who ignore debts, they have to pay an extra fee which makes the large debt even harder to pay. This is a vicious cycle for those on low incomes and in the end is a profound penalty.

This bill makes this process simpler and fairer. Each time SPER is required to take further enforcement action, a single fee will be imposed rather than a fee for each debt previously incurred. This has the potential to reduce the fees payable and prevent the fee burden on debtors becoming far out of proportion to the original fine. I strive for a fair system of justice in Queensland that does not crush those who have little economic power. This bill is a step in the right direction of making this process fairer and providing more ways for debtors to pay back our society.

When I was campaigning the first time, I met a man who was a similar age to me. He told me that he had only had a licence for 10 years. He had gone through a process where he had driven unlicensed, he had been fined and prevented from having a licence and he had driven unlicensed again and again. He had built up a long series of fines which he had refused to pay and he continued to drive unlicensed. He said that he had to make a change, so he made the change and knuckled down. He did not drive during the period he was serving a restriction on the ability to have a licence. He then paid his fees steadily over quite a few years and was able to apply for a licence. He became regularised as a Queensland licensed driver and paid off his fees and changed his behaviour through that process. We want this to be a stepping stone for more and more Queenslanders to recognise the debt they owe and to begin to pay it back in a fair way that reflects the wrong they have done society. We commend those who pay their penalty and change their behaviour. We commend this bill because it gets people on a pathway to do that.