




Speech By
Peter Russo

MEMBER FOR SUNNYBANK

Record of Proceedings, 10 May 2017

STATE PENALTIES ENFORCEMENT AMENDMENT BILL

 **Mr RUSSO** (Sunnybank—ALP) (9.13 pm): To fully understand what the State Penalties Enforcement Amendment Bill 2017 sets out to achieve, it assists to go back to 1999 and set out some of the aims of the bill which introduced to Queensland the State Penalties Enforcement Registry. In 1999, a bill was introduced in this House to establish the State Penalties Enforcement Registry. That body has come to be known as SPER. It was established to replace the previous methods of collection of fines owed to the state and restitution owed to victims of crime. The bill was to be the whole-of-government fine enforcement and collection system. SPER was to be responsible for the collection and civil enforcement of most penalty amounts due and owing to the state. The Treasurer should be congratulated for the innovative steps underpinning the bill introduced in the House. It is a step in the right direction and is intended to tackle an issue which had been left in the too-hard basket by the previous government.

In a previous life I worked as a public servant at the Southport Courthouse. I was the fines clerk and one of my responsibilities was for the collection of debts owed to the state from fines imposed by the magistrates of the day. It was a very challenging position because of many factors—the most challenging being time. The longer a debt remained outstanding the harder the debt was to collect. SPER was established first and foremost to ensure that more of the fines were able to be collected. The bill presented to the House in 1999 was designed to achieve three major efficiencies: (1) to reduce the cost of fine enforcement; (2) to increase the rate of payment prior to enforcement action; and (3) to minimise the number of fine defaulters being imprisoned. The bill, when passed, saw the expansion of fine options orders, which was an option that enhanced the objective of minimising the number of fine defaulters being imprisoned.

Previously I have outlined how SPER came into existence and some of its main functions. I will now turn my attention to the current bill before the House. The committee recommended that the State Penalties Enforcement Bill 2017 be passed. The current bill before the House is designed to expand the fine options orders regime which existed under the previous legislation to a regime which more greatly enhances sound social policy whilst still being fiscally responsible by the introduction of work development orders. In my chair's foreword to the report on the bill, I outlined the following: Queensland's State Penalties Enforcement Registry exists to enforce debts owed to the state. SPER performs its duties in accordance with the SPER charter, which requires SPER to maximise collection of fines and moneys before enforcement action is taken. It also envisages a reduction in the use of imprisonment for defaulters by encouraging alternative enforcement measures. Another function of SPER under its charter is to promote public education on the obligations of the offenders and the consequences of not satisfying the debts owed.

The 2017 bill will amend the charter to ensure that SPER promotes a philosophy that community service work is for the needy in the community and not an alternative to payment of a fine for those who can afford to pay the fine. This brings to fruition a view that was expressed back at the time of the 1999 bill. The 2017 bill will introduce work and development orders offering non-monetary opportunities for people who are suffering hardship in order to assist them to satisfy their SPER debt.

The current bill inserts a new part 3B providing for work and development orders which provide a range of non-monetary options for debtors in hardship to discharge their debt. Work and development orders are designed to increase the avenues currently available for non-monetary discharge by 'substantially increasing the number of organisations involved in supervising non-monetary debt discharge, and by including a broader range of activities that can be performed, in addition to unpaid work and ensure that access to opportunities is not reliant on the capacity of one service provider'.

The bill also provides that qualified and experienced professionals from not-for-profit community organisations, government agencies and health services will be able to register with SPER as approved sponsors for work development orders. The outcome will be the establishment of genuine partnerships between SPER and the community service sector. I commend the bill to the House.