




Speech By  
**Ray Stevens**

**MEMBER FOR MERMAID BEACH**

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

 **Mr STEVENS** (Mermaid Beach—LNP) (9.19 pm): I rise to speak to the bill, which aspires to address the spiralling debt levels of the State Penalties Enforcement Registry, or SPER, through modernising and improving the management of penalty debts. To be honest, the real acronym for this bill should be the ‘SPEAR Bill’, the ‘State Penalties Enforcement Act Registry Bill’ because spearing is exactly what is happening as a result of a system that has failed, as the chair pointed out, since 1999. When we were in government we had to deal with the same matter. It started at \$750 million, as I recall. As the shadow Treasurer has just pointed out, it rose to \$950 million when we left government and is now \$1.18 billion or close enough to \$1.2 billion.

What we have is a system in government that is failing the people of Queensland. It is failing for a lot of reasons. Whilst we recognise that what is recommended by the Treasurer today is trying to address the enforcement of the bill and assist in the collection of fines and penalties, it is a botched system that should be taken back to the drawing board to start again. We could not fix it, and this is an absolute bandaid solution that we are debating here tonight.

As the committee is well aware, when we investigated the bill there were people who came forward with a nightmare of bad stories. They are bad stories for disadvantaged people. There are bad stories for people who are good, honest citizens of Queensland—Queensland taxpayers—who are getting belted through the ‘SPEAR’ system in terms of the doubling or quadrupling of the initial fine of a toll to end up with thousands of dollars worth of debt. The system is broken.

Whilst we are supporting the passage of this bill, I would like to see the Treasurer and the government address the problem that is creating heartache for a lot of Queenslanders. We heard a lot of stories. I have one, in particular, in Mermaid Beach of a father with an autistic son who has been severely fined through the system. The digital age means that a notification is sent out to an address, but he has not lived at that particular address for some time. It happens to be his mother’s address, but there has been a family breakdown et cetera. I am not going to mention any names, but because there is a digital address he has copped a fine which has been escalating enormously until the son—an autistic kid—now owes thousands of dollars and the father has to stump up for the funding of it.

We had submissions from the good people of SPER saying that there were opportunities to have the debt waived on compassionate grounds, but they are not going to tell anyone because otherwise everyone will use it. That is the sort of mentality that is involved with this ‘SPEAR’ bill. As I said, the debt is currently approaching \$1.2 billion, affecting Queenslanders across our widespread communities. It is affecting those who can afford it the least, with a significant number of debtors unable to pay their penalty debts because they are experiencing genuine hardship. We were advised that 17 per cent of the SPER debt, which is approximately \$200 million, is owed by people who cannot pay. We had submissions from SPER representatives that there is a special category of customers in custody. It sounds like a reality TV show, but these people have no capacity whatsoever to pay, in some instances, \$20,000 worth of debt. They are in custody.

For other people affected by SPER, the debt has accumulated so much that their licence has been taken away. With no ability to drive, their job is taken away so they have no capacity to pay their SPER debt. What I am saying here clearly is thank you, Treasurer, for trying to address the matter through your WDO scheme and trying to put something in place that we could not do as a government. However, this needs to be looked at in a fulsome manner to reattack the SPER issue—the enforcement and the collection of debt in Queensland. I know there are contractual problems with the private sector on the matter. I know there are issues that have to be dealt with, but those people who are dodging fines need to pay and there are some deliberate people. We have one particular company which owes \$350,000. That is deliberate and it needs to be cracked down on hard. We are not going to cop that in terms of our system for all genuine taxpayers across Queensland paying their dues and paying their fair share of liability. When the system goes haywire so that a minor toll debt of a couple of dollars of someone who is severely disadvantaged turns into thousands of dollars of fees owed—as I pointed out previously in terms of the health issue of a person—then the system is broken. Whilst we support this bill going through, I would love to see the whole SPER issue addressed from a new blank page and start again.

Introducing these debtors to an extensive variety of non-monetary options with increased access to those opportunities through a work and development order scheme supported by a network of approved organisations is a good idea at heart but—and there is always a loud ‘but’—there is a weak and illusory approach to the non-monetary debt finalisation options provided by this bill. I know through my experience in PCYC where the guys at Numinbah were doing a bit of work for us that it cost us more money at the PCYC to supervise and control them than it did to get value out of the work they were doing.

That was the question that I had. Non-government members put in a statement of reservation, which the House would be aware of, which alluded to the fact that it was not going to cost any money. That is like saying pigs might fly. The bottom line is that these schemes need managing. They need operation. As we have seen in New South Wales where it has been in place, they are now coming back to government for more money to fund some of these operational matters.

I recognise the objectives of this bill would be of benefit to all Queenslanders if—and only if—they were implemented with proper concern for the financial costs involved. Unfortunately, the Treasurer has already admitted that the likely impacts of things like Cyclone Debbie and the subsequent funding will be a \$2 billion hit on the budget affecting Queensland for the next two years, as I recall from this morning.

**Mr Pitt:** \$1.5 billion.

**Mr STEVENS:** Thank you very much, Treasurer, for the adjustment. This is in combination with the Queensland Council of Social Service’s comments surrounding accessibility to the WDO program and the explanatory notes accompanying the bill stating that any financial costs would be met from within existing funding allocations and agency resources. I question how the costs associated with implementing the bill—the Treasurer alluded to it in his opening remarks—could be accommodated within the existing government budgets. As I said, if there are matters to be catered for in terms of expenditure, then the budgeted money that they already have is too much. It is too much fat in their existing budgeted areas. If it is not going to be that way, if they are going to put money towards one program, then they are going to take it from another program so some other program will have to be cut. To say that it will cost nothing to government is a nothing in itself.

This leads to questions as to whether current government budgets are excessive or what government budgeted programs would need to be sacrificed to support the cost burden associated with the passing of this bill from enacting the enclosed duties. Further objectives of this bill, such as the case management of debtors where the payment compliance and enforcement history with SPER and the total owed amount will be considered, as well as an improved dispute management process, would be in place to support the WDO program outcomes. I make note that many of the submissions we received during the consultation process on this bill came from Queensland residents who had experienced frustration with how the SPER process was currently being managed and approached.

Positively, the bill does create an opportunity to reduce the workload of dispute management with debtors and the debt collection process for those who have undergone case management through the modernisation of the act with the ability to electronically serve some documents. I have already outlined how there are problems in the electronic world when you have real people with real problems in different situations such as broken homes, broken families et cetera. They are the people, unfortunately, who are involved more than the normal operators—the more fortunate people in society in terms of copping most of the SPER debt. Subject to the registrar’s approval, there are options to accept a payment plan through the online system portal.

However, without the proper financial analysis completed, and as I have previously stated in the second reading debate of the Farm Business Debt Mediation Bill, it is hard to reach a solution when we do not know exactly the extent of the problem. While the Farm Business Debt Mediation Bill passed with Finance and Administration committee suggested amendments earlier this year, included within its explanatory notes was an estimate of the expected costs to be incurred.

Additionally, in closing, as I have made note in the statement of reservations, I would like to draw to the attention of the House the divide we are seeing emerge between metropolitan and regional areas in accessing non-monetary solutions for debt resolutions. I quote from that statement—

It's a simple fact that SPER debtors living in areas like South-East Queensland will have more ability to successfully apply to work off their debt through the WDO scheme. The lack of services available in many regional areas will mean that access to this option will most likely be restricted. Organisations providing these services in regional locations will also find it more difficult to meet the costs of providing WDO services internally. The publicly available SPER debts highlight that the amount owed is spread right across Queensland, including in regional parts of the state.

I am sure in the good areas of Mulgrave there is a lot of SPER debt that the Treasurer should be very, very concerned about. The statement continued—

This is a gap in the system that will emerge and needs to be acknowledged.