Question on Notice

No. 1063

Asked on Tuesday, 1 September 2009

MS MALE asked the Attorney-General and Minister for industrial Relations (Mr C R Dick) -

QUESTION:

Will the Attorney-General explain what steps are being taken by his department to ensure that offenders who incur a financial penalty for breaking a law actually pay that fine?

ANSWER:

The State Penalties Enforcement Registry (SPER), within the Department of Justice and Attorney-General, receives unpaid fines from a variety of government and non-government agencies. SPER is responsible for the collection and enforcement of these unpaid fines.

Enforcement is proactively undertaken through the use of licence suspension, warrants against property and fine collection notices issued to employers and banks.

Each year since it was established, SPER has improved its efficiency of collection techniques and other enforcement options, which has allowed SPER to maintain the integrity of fines without resorting to routine imprisonment of fine defaulters, which was commonplace before SPER was introduced.

SPER has an imprisonment warrant evaluation process in place for issuing warrants in some of the toughest cases. Through this process, SPER targets high value debtors who have consistently refused to pay up. Imprisonment is a last resort option and a rigorous assessment process is used to identify debtors who should be considered for impisonment.

SPER has a current clearance rate of 81% of all debts and in the first two months of this financial year has collected $27M in unpaid fines.

In 2008-09, SPER recovered close to $138M in unpaid fines - an average of $11.5M per month. $113M was recovered on behalf of the State, $13.5M for victims of crime and $11.3M for other agencies such as hospitals, universities, and local councils. SPER also returned over $6M in lodgement fees to the State Government.

SPER has in place 142,480 instalment plans covering $194M of outstanding fines. These instalment plans allow an offender to pay off their fines over an agreed period of time.

From 1 January 2010, SPER will commence a 12-month trial of wheel clamping vehicles, and seizing and selling assets of habitual and recalcitrant fine dodgers. SPER will initially target corporate debtors who thumb their nose at their responsibilities in paying fines.

The State Government will also give SPER the power to impose driver licence suspension to cover all fines not just motor vehicle related penalties.

These new measures, together with existing SPER powers, will enhance the current excellent performance of SPER in collecting unpaid fines.