



Hon Greg Smith SC MP

Attorney General
Minister for Justice

MEDIA RELEASE

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FINES SCHEME A HAND UP, NOT A HAND-OUT

The homeless, mentally ill and those with serious addictions will be given the chance to “work off” any unpaid fines under an expanded program announced today by the Attorney General, Greg Smith SC.

Mr Smith said the Work Development Orders program involved more than 220 organisations and health professionals, such as Mission Australia, Anglicare, the Matthew Talbot Hostel, Schizophrenia Fellowship and Youth Off The Streets.

“The NSW Government does not want to see vulnerable people losing their driver’s licence or ending up in jail as a result of escalating fine debt,” Mr Smith said.

“Work Development Orders give the very disadvantaged a chance to clear their fines by engaging in unpaid work or educational programs. They also give others a strong incentive to engage in mental health treatment and build their job skills.”

The Attorney-General said the preliminary results of a two-year trial, which concludes on July 10, had convinced him the scheme should be extended and made permanent. It showed:

- At April 30, more than 700 people had been issued with WDOs and reduced \$294,000 worth of their fine debt. A further \$1,933,755 worth of fine debt is now under management through WDOs.
- More than 80 per cent of participants had no further fines or penalties referred for enforcement.
- At least 200 people with mental illnesses participated.

The trial was open to the homeless, people with a mental illness, people with an intellectual or cognitive impairment and people experiencing acute financial hardship. It will now be accessible to people with serious addictions to alcohol, illicit drugs and other volatile substances.

“Drug and alcohol abuse are often closely linked to criminal behaviour and helping people overcome their addictions will have major benefits to the community,” Mr Smith said.

The NSW Government will also establish support teams through Legal Aid NSW and the Aboriginal Legal Service in regional areas and give approved organisations and health practitioners responsibility for assessing eligibility for WDOs.

Father Chris Riley, CEO and Founder of Youth Off The Streets, welcomed the extension of the program.

“This is a step in the right direction as we seek to break the cycle of poverty and abuse and work to reduce the chances of a young person ending up on the street again,” Father Riley said.

“We need to ensure that all young people needing assistance as a result of homelessness are given the support and the services needed for them to reach their full potential.

“It is not good enough that only one in five homeless young people who need support from services are able to access them. We need to do better.”

Mr Smith praised the commitment of organisations such as Youth Off The Streets.

“These good Samaritans have played a crucial role in the success of Work Development Orders, by operating the programs that have helped disadvantaged people clear their fines and make a positive contribution to society,” Mr Smith said.

FURTHER INFORMATION

The Department of Attorney General and Justice co-ordinated the evaluation of the Work Development Order trial with assistance from the State Debt Recovery Office (SDRO), the Bureau of Crime Statistics and the University of Wollongong.

In 2009, about 134,000 people in NSW committed offences that were serious enough to warrant formal charges and for the person to be brought before the Local Court. About 53,000 of those found guilty received a fine.

In the same year, more than 2.8 million people in NSW were issued with penalty notices for minor criminal infractions and regulatory offences (like speeding and parking offences, and riding a bicycle without a helmet).

If a person does not pay a court fine or a penalty notice, the SDRO can impose sanctions.

One of the most effective sanctions is driver licence and vehicle registration restrictions. In 2009, about 25% of all licence suspensions were for poor driver behaviour (i.e. demerit points) and more than 60% were for unpaid fines.

A participant told the University of Wollongong study:

“Right here today, for the first time in 20 years, I’m not on bail, or bond or on a charge. This is my last chance to be a cleanskin – it all balances on the WDO. It means my life.”

The same study interviewed mental health practitioners.

“When I say ‘I could help you get your licence back’, all of a sudden we’ve got engagement,” said one doctor. Everything else we offer seems like a compromise with side effects – the WDO is the most concrete and effective way of getting compliance with treatment I’ve seen. There is nothing else like it.”

Another said: “A WDO can easily be thought of as an early intervention for mental illness. If you can prevent and reduce symptoms of mental illness with a WDO and the treatment that it engages the clients in, this will reduce the cost to government down the track in a big way. Alcohol, smoking, violence anti-social behaviour - you name it.”

Impact on Aboriginal communities

At least 10 Aboriginal organisations have been approved to participate in the scheme, and at April 30 WDOs have been issued to 60 Indigenous people.

A report commissioned by the RTA found that 42 per cent of those in surveyed Aboriginal communities had outstanding debt to the SDRO, and many young Aboriginal people had accrued debts of \$5000 or more.

At a recent Aboriginal Jobs Forum, potential employers consistently identified the lack of driving licence as a significant barrier to employing more Aboriginal people. For example, in 2009, there were 365 people subject to licence sanctions in Boggabilla – 21 per cent for demerit points, 33 per cent for court disqualification and 47 per cent for fine default. The total population for Boggabilla is just over 1000.