

**Report to NSW Legal Assistance Forum – May 2015
Fines and Traffic Law Working Group**

1. Meeting of members of the NLA Forum Fines and Traffic Law Working Group

The following organisations are represented on the working group.

- Aboriginal Legal Service NSW / ACT
- CLCs
- NSW Department of Justice
- LawAccess NSW
- Legal Aid NSW
- Public Interest Advocacy Centre (PIAC)
- Roads and Maritime Services (RMS)
- Shopfront Youth Legal Centre
- Salvos Legal

The working group met on 30 April 2015.

2. Activities / outcomes

The objectives of the working group are set out in its Terms of Reference. This report outlines the progress of the group towards achieving these objectives:

3. *Term of Reference 1: Work with Legal Aid NSW, ALS and DAGJ to promote participation in the Work and Development Orders (WDO) program to key stakeholders and clarify referral pathways between them.*

Second Evaluation of the WDO Scheme

A draft report on the second evaluation of the WDO scheme has been completed. Overall the findings are positive, with sponsor organisations achieving high rate of compliance with the scheme's record keeping and reporting requirements. Detailed comments from the evaluation will be released once the report is finalised.

Enforcement of Victims Restitution Orders by State Debt Recovery

The working group has written to the Commissioner of Victims Services to express its concerns about the referral of restitution debt to State Debt Recovery. A meeting with the Commissioner is in the process of being arranged.

Work and Development Order Statistics

	Jan 2015	Aug 2014
Approved WDOs	27,462	22,155
Fine Debt Cleared	\$33.4m	\$26m
Fine Debt under Mgt	\$82.5m	\$56m
Sponsors	1404	1250

4. Terms of Reference 2 & 3: Explore practical and workable options for licensing non-licensed drivers and re-licensing disqualified drivers.

Drivers Licence Reform

A bill is being drafted to reflect the government's response to the Driver Licence Disqualification Reform. The new NSW Attorney General is aware of the reforms.

Birth Certificates

The issue of funding for birth certificates for disadvantaged people is still with the Department of Premier and Cabinet. The working group resolved to write to the Department of Premier and Cabinet to re-enliven the government's commitment to providing funding for the birth certificates for disadvantaged people.

Mandatory Alcohol Interlock Program

New mandatory alcohol interlock laws commenced on 1 February 2015. Under the new laws, stricter penalties will apply to drivers convicted of serious and repeat drink driving offences. The new penalties include a minimum licence disqualification period and a minimum 12 month period of participation in the interlock program.

The working group has contacted the NSW Centre for Road Safety to request a meeting to discuss the availability of the financial assistance scheme to disadvantaged clients.

5. Meeting with State Debt Recovery

Working group members met with State Debt Recovery (SDR) to provide input into their revised Youth Policy. SDR were interested in how best to engage with young people and had a particular interest in moving young people into the WDO scheme. Some of their proposals include, automatically enrolling young people into the WDO scheme, enlisting the help of parents to help young people manage their fines and engaging with local councils, youth workers and youth refuges as referral pathways for WDOs. Working group members were generally supportive of these measures.

6. Next meeting

Working group members noted the working group is in a wind-down phase and will reassess its ongoing viability at its next meeting.

The next working group meeting will be held in October 2015.

Andrew Taylor

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20 May 2015