

Fines and Traffic Law Working Group Report to NLA – May 2016

The working group met on 25 May 2016. Key issues discussed included:

NSW Civil Law Strategy Project

Maureen Tangney provided an update on this Project outlining the four key outcomes being focused on:

1. access to data on civil law matters in the local court and NCAT;
2. designing simple pathways for people to get to the right service for their civil law needs;
3. establishing early dispute resolution options for civil law matters; and
4. reviewing civil law procedures within courts/tribunals regarding their accessibility.

Maureen also advised that there are positive discussions underway with SDR regarding current fines debt garnishee order procedures and how these can be improved.

Request to NLA Plenary - NSW Bicycle Laws and Fines

A letter was written and signed by the NLA Chair to the NSW Roads Minister regarding the new Bicycle Laws and Fines requesting a review of the regulations in order to make a differentiation between the prescribed penalties for adults and children. This would be consistent with other NSW offences such as ticketing for public transport. A copy is included in the meeting papers.

State Debt Recovery – Youth Engagement Strategy

The Working Group was advised that SDR is currently reviewing progress with this strategy but is now actively engaging with young people under 18 to discuss options for paying off their fines. Previously the policy was to organise an automatic stay on enforcement action until they reached 18 years. At which point the young person would find out they have a large fines debt and possibly RMS restrictions.

Police Mobile Drug Testing (MDT)

The Working Group agreed to find out more about the impact of the new MDT on courts and the prison population and discuss further at their next meeting.

Cross Border Traffic Law Issues

The Working Group was provided with information from the Hume Riverina CLC regarding this issue and work they have done in regards to Victorian/NSW traffic laws. They have asked the WG to discuss as a potential State-wide issue impacting on other borders as well.

The George Institute for Global Health Driving for Change Program Research Report

The Working Group was informed about the report 'Driver licensing: descriptive epidemiology of a social determinant of Aboriginal and Torres Strait Island Health' recently published in the Australian and NZ Journal of Public Health. This research found a strong association between driver licensing, education and employment.

The next meeting of the Fines and Traffic Law Working Group is 24 August 2016.

Nadine Miles

Chief Legal Officer, Aboriginal Legal Service (NSW/ACT)

Chair, NLA Fines and Traffic Law Working Group – 25 May 2016