

# Fines and Domestic Violence

## Your Rights and Responsibilities

### *What's in this Factsheet?*

- I have lots of fines, I can't pay them and feed me and the kids – what can I do?
- I have lost my licence because of my fines – can I get it back?
- Is there anyone who can help me sort out my fines?

To contact the **State Penalties Enforcement Registry (SPER)** call: **1300 365 635**

An infringement notice is one type of fine. If it is unpaid it will become an enforcement order, with an additional fee which is added to the fine.

### **I have lots of fines, I can't pay them and feed me and the kids – what can I do?**

- The first thing to do is to find out how many unpaid fines you have.
- To check what unpaid fines you have:
  - contact SPER; and
  - if you have court fines, contact the Court Registry of your local court.
- The next thing to do is to look at your budget – can you manage to pay the fines?
- If you can pay off the fines – contact the SPER or the Court Registry and make arrangements to pay off the fines.
- If you can't pay off the fines – if you are struggling to meet your living costs such as housing, food, medicines and clothing, there are ways to deal with the fines:
  - you can arrange to pay by instalments by contacting the SPER or the Court Registry;
  - if you are unable to make regular repayments you might be eligible to work off your fine/s doing unpaid community service.
  - in some cases, you can apply to have the fine/s written off because of financial hardship caused by domestic violence, illness, homelessness, carer's responsibilities etc. You will need to show that you do not have sufficient savings or income to pay for basic things like rent, food, clothing and medicines.

**With fines, there are important time limits so it is a good idea to seek legal assistance as soon as possible.**

Fines will not go away – you need to act as soon as possible, or it will only cost you more!

See below for people who can help.

### **I have lost my licence because of my fines – can I get my licence back?**

- Firstly, you cannot drive any vehicle while your licence is suspended.
- Restrictions can be lifted immediately if you pay all the enforcement orders in full.
- But if you don't have the money to do this, you should enter an instalment plan with SPER – you need to contact the office on 1300 365 635
- Once you have an instalment plan the restrictions on your licence can be lifted.
- If you have had previous instalment plans and have defaulted payments, you may be required to make an upfront part payment and make a new instalment plan before licence restrictions can be lifted.
- You can arrange for instalment plans to be paid by direct debit or directly from your Centrelink payment using Centrepay\*.



Remember there are serious penalties, including going to jail if you drive your car while your licence is suspended.

### Is there anyone who can help me sort out my fines?

- Often you are very stressed and find it difficult to let government agencies, such as the SPER, know what is happening.
- Financial Counsellors offer a free service – they can help you plan your finances. In relation to your fine/s they can negotiate with SPER or they can help you arrange with Centrepay\* for payments to be made from your pension or benefit.
- To contact Financial Counsellors call 1300 370 255 or 1800 007 007 for financial advice and information.
- You may also want to talk your support worker, Legal Aid or someone at your local community legal centre for advice, or to see if they can contact the SPER for you or provide you with further legal advice.

If you need the contact details for your local community legal centre or legal aid office, contact:

- For community legal centre (CLC) (07) 3392 0062 or go to [www.qails.org.au](http://www.qails.org.au)
- For Legal Aid call 1300 65 11 88 or go to [www.legalaid.qld.gov.au](http://www.legalaid.qld.gov.au)

\*Centrepay is a free direct bill-paying service offered to customers receiving payments from Centrelink.

Always remember there are charities and organisations in your area that offer emergency relief. For example, you can get vouchers to help with electricity bills, gas bills, phone bills and buying food. Talk to your support worker or your local council for the names of these organisations.



**Please note:** This factsheet contains general information only. It does not constitute legal advice. If you need legal advice, please contact a solicitor. **Acknowledgement:** This resource was adapted by the Women's Legal Service in QLD. Originally developed by the National Association of Community Legal Centres, Community Legal Centres NSW and a number of community legal centres with the assistance of an Australian Human Rights Framework – Education Grant from the Australian Government. The flower artwork has been kindly provided by Sista Girl Yarnz Group in Campbelltown, New South Wales; a group of Aboriginal women who seek to support and empower women affected by domestic or family violence. **Last updated:** June 2014.



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