

Have your say on proposed changes to SPER

The Queensland Government has introduced a Bill into Parliament that impacts upon how vulnerable Queenslanders interact with State Penalties Enforcement Registry (SPER).

What are the proposed changes?

Work and Development Orders (WDOs)

- WDOs are non-monetary ways an individual can finalise their debt.
- People who are eligible for WDOs are individuals who have a SPER debt but are unable pay because they:
 - Experience financial hardship
 - Have a mental illness
 - Have a cognitive or intellectual disability
 - Are homeless
 - Have a substance use disorder
 - Are experiencing domestic and family violence
- WDOs cannot be used to pay a debt that has been ordered as compensation or restitution (eg. victim's compensation)
- WDOs require the eligible person to undertake certain activities instead of paying the debt including:
 - Unpaid work
 - Medical or mental health treatment
 - Educational or vocational or life skills course
 - Financial or other counselling
 - Drug or alcohol treatment
 - Mentoring program (if the person is under 25 years)
 - Culturally appropriate program (if the person is Aboriginal or Torres Strait Islander)
- These activities or programs must be with an 'approved sponsor'. An approved sponsor includes health practitioners and community-based organisations.
- The approved sponsor undertakes an eligibility assessment for a WDO before making an application on behalf of the individual for a WDO.
- The registrar is responsible for making the WDO and there is an appeal to QCAT if the Registrar refuses to make the order.
- Unpaid work under a WDO must be performed cumulatively with any other community service the individual may have to perform.
- Debt enforcement action will not be taken during a WDO.
- With the agreement of the individual, an approved sponsor can apply to SPER to change the order.

Debtor Case management

- Collection strategies will take into account the debtor's compliance and enforcement history with SPER, including the introduction of payment plans.
- If a person incurs new debts during a payment plan the new amounts can be added to the plan.
- Full discharge (monetary and non-monetary options) of a debt is necessary to lift driver's licence suspension or vehicle immobilisation (wheel clamping).

Fees

- Fees will be added to a debtor's overall balance rather than to each debt and applied consistently across all debts and enforcement activities.

Implementation

- There are a range of implementation issues with these changes which are not usually included in a Bill.
- CLCQ recommends that the Queensland government establish a working group of key stakeholders from government and the community sector to design the implementation of the changes in the Bill, particularly the WDO aspect.
- Implementation issues of the Bill include details about:
 - the process of approving sponsors and their relationship with SPER
 - the quantum of debt and the amount of WDO activities required to off-set a debt
 - regional access to WDO opportunities
 - impact on resources in the community
 - ensuring that information about WDOs is available to the community

How do I have my say?

The Finance and Administration Committee has called for submissions on the draft Bill. [Here](#) is a link to the Queensland Parliament website that outlines the committee process.

Submissions can be emailed to fac@parliament.qld.gov.au

Addressed to:

Research Director
Finance and Administration Committee
Parliament House
George Street
Brisbane Qld 4000

Submissions should include:

- the author's name
- your organisation
- mail and email addresses
- day-time telephone number

Submissions close on Friday 24th March 2017 at 4pm.

What should I say in my submission?

Submissions do not have to be long. You can include information like:

- Why you or your organisation are interested in this Bill
- What types of people you work with who will benefit from the changes
- Client stories! Client stories! Client stories!
- Any concerns you have about the changes.

Community Legal Centres Queensland can help you. Contact Rosslyn Monro, Sector Sustainability Coordinator, sector@communitylegalqld.org.au or (07) 3392 0092