

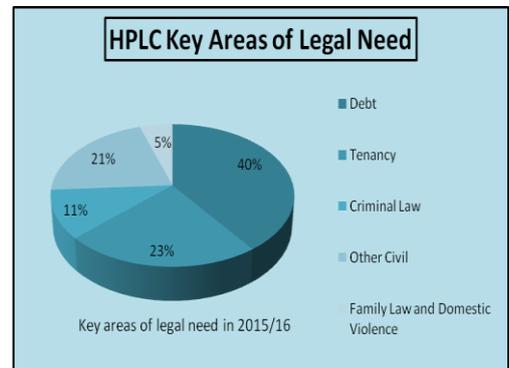


## QPILCH Homeless Persons' Legal Clinic

*Fair and flexible SPER fine options for vulnerable Queenslanders*

The QPILCH Homeless Persons' Legal Clinic (HPLC) provides pro bono legal representation to people experiencing homelessness and related vulnerabilities through 21 outreach legal clinics across Queensland.

**One of the key legal problems for marginalised Queenslanders involves unmanageable fines with the State Penalties Enforcement Registry (SPER).** SPER fine debts relate directly to the criminalisation of poverty, highlighting the justice system challenges faced by people suffering hardship, including the policing of public space, public transport and public amenities. Each year, the HPLC effectively addresses 1700 new client files, including over 40% involving debts related to circumstances of poverty.



**SPER debts can entrench the chronic disadvantage experienced by those most vulnerable in our community, creating a barrier to positive community and systems engagement, along with housing.** The HPLC supports the development of more fair and flexible SPER debt hardship options for Queenslanders with complex needs.

### Potential SPER Work and Development Order scheme

*"This SPER outcome means I can manage and I won't be bankrupt (thank god) by them taking anymore than I can cope with. Now I can continue a peaceful life and move on in a positive direction."*

HPLC client feedback

In June 2016, SPER released a consultation paper about the potential implementation of a Work and Development Order (WDO) scheme. Under the potential WDO scheme, those experiencing hardship may be able to address their SPER debts through a more appropriate range of non-monetary options, including unpaid work, health treatments, rehabilitation, social engagement programs and training courses. The potential scheme would run in collaboration with a network of sponsor organisations, professionals and services.

**The HPLC, Community Legal Centres Queensland and 13 other community sector stakeholders recently released a collaborative Response Paper, supporting the implementation of a well-resourced, fair and collaborative WDO scheme.** We hope that by offering fair and flexible opportunities to resolve SPER debts, the potential WDO scheme will make a real difference to the lives of Queenslanders facing marginalisation.

The *Response Paper* included **26 recommendations** about SPER and the potential WDO scheme, focusing on fairness and flexibility of WDO eligibility and SPER enforcement options.

**Read the full *Response Paper* through our Publications page at [www.qpilch.org.au](http://www.qpilch.org.au)**

**Eligibility:** The *Response Paper* calls for the potential WDO scheme to include broad, flexible and on-going eligibility criteria, including 'other special circumstances' for individuals who do not strictly meet defined eligibility criteria.

**Key factors:** The *Response Paper* outlines the following key factors for the potential WDO scheme:

- A strong network of well-resourced sponsor organisations, including in regional areas;
- A considerable range of available WDOs, including culturally appropriate activities;
- Suggested but flexible attendance thresholds, cut-off categories and caps on WDOs undertaken;
- A strong complaints and audit system to avoid any exploitation of unpaid workers;
- A clear process for clients to access and review their SPER debt schedules; and
- Ongoing collaboration between SPER, other key government agencies and the community sector.

**Advocacy opportunities:** The potential WDO scheme also offers an advocacy platform in relation to the transparency of SPER's general decision making processes and the availability of review options.

**For more information:** Please contact the HPLC on (07) 3846 6317 or at [hplcadmin@qpilch.org.au](mailto:hplcadmin@qpilch.org.au).