



Queensland Public Interest Law Clearing House Incorporated Homeless Persons' Legal Clinic

SNAPSHOT: Responding to homelessness and disadvantage in the fines enforcement process in Queensland

The Homeless Persons' Legal Clinic (**HPLC**)¹ has released a Discussion Paper on the fines enforcement process in Queensland, together with ten recommendations.

The full paper is available on the QPILCH website: [SPER Discussion Paper](#).

The key points of the Discussion Paper are:

- The HPLC's casework indicates that at least 60% of people experiencing homelessness have fines registered with the State Penalties Enforcement Registry (**SPER**).
- The average amount of the debt of a homeless person to SPER is almost \$5,000.
- SPER has some appropriate compliance options to offer debtors experiencing homelessness and other forms of disadvantage. However, with almost 20,000 people experiencing homelessness in Queensland, SPER currently has no capacity to provide appropriate consideration to this demographic.
- SPER has no process to "flag" the disadvantage of a person whose fine has been lodged with SPER. Consequently, relatively few disadvantaged people receive the consideration they require. This ultimately costs SPER and the State of Queensland money. For example, the HPLC found that SPER could not recognise that an HPLC client was homeless with serious mental health issues; instead they referred the collection of the debt to a commercial debt collection agency.
- The HPLC calls for SPER to engage more effectively with the communities and agencies which support people experiencing disadvantage and homelessness. This will enable the disadvantage of the debtor to be efficiently recognised and addressed by SPER.
- The HPLC hopes to collaborate with SPER and homeless agencies so that more disadvantage debtors can do community work as credit against their fine debt. When offered in collaboration with a support agency, community orders can result in homeless people developing work skills, life skills and even gaining employment. These outcomes benefit the whole community and ultimately save the public purse.
- The HPLC recommends that the fine-credit scheme operating in New South Wales – Work and Development Orders – be considered in a Queensland context in consultation with community support agencies. Work and Development Orders have been thoroughly evaluated and found to reduce re-offending and alcohol and drug dependencies, increase the likelihood of debtors re-entering the workforce, and engage clients in appropriate treatment.

¹The **Homeless Persons' Legal Clinic** is a service of the Queensland Public Interest Law Clearing House Incorporated (**QPILCH**), a community legal centre. Over 350 pro bono lawyers from 23 firms provide outreach legal services to people experiencing homelessness at 14 community agencies in Queensland. The HPLC has assisted around 3800 clients with multiple legal problems.