

Collection of fines: lawyers must play their part

By Lindy McNamara

For the past decade, the collection of fines in South Australia has been the responsibility of the Courts Administration Authority (CAA). Whether it is a parking fine, court fine, police or fisheries fine, the CAA is charged with the task of collecting outstanding monies – or taking further action.

In general, more than 40% of fines are paid or a payment plan is in place within 28 days. However, the CAA also issues 300 warrants every month to fine defaulters who continue to ignore requests for payment.

With a review of the payments unit currently under way, the CAA says it is timely to remind members of the legal profession that they also play an important role in ensuring their clients pay their fines.

As Director of Court Services Ruth Ambler explains, the simple message to clients should be that “we will chase absolutely every fine”.

“People are not going to get away without paying. This is a criminal penalty and people ought to be reminded of that.”

Ms Ambler says lawyers can assist by

encouraging their clients who receive a fine to immediately go to the front counter of the Magistrates Court and enter into some payment arrangement, if paying the full amount within 28 days is not an option.

“We would also ask lawyers to inform the Court before sentencing of any outstanding fines their clients may have.”

The CAA is aware that not everyone is in the position to pay their fine within 28 days and several options are available for flexible payments such as Centrepay (a direct debit from Centrelink payments).

“We are trying to make it as easy as possible for them.”

Lawyers need to make it clear to their clients that if they choose to ignore their fines things will only get worse.

“They need to know that the fines are going to get bigger if there is no attempt at payment, as fees are added along the way.”

As part of the review of collection procedures, anyone now receiving a first reminder for the non-payment of their fine will also be issued with a notice of intention to suspend their driver's licence in 21 days.



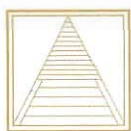
Ruth Ambler: CAA will chase absolutely every fine.

By doing this, the CAA will trim 116 days off the previous time which elapsed between the fine being imposed or enforced and the final step of issuing a warrant.

Ms Ambler adds that once a warrant is issued, the CAA will begin to seize goods such as cars and televisions or garnish the wages of the offender.

“We don't want to get to that point, but we will if we have to.”

Outstanding fines are a big issue for the CAA. As of January, there were \$195 million in outstanding fines, however, 43% of these were not yet due or payment arrangements had been entered into, and 23% of the offenders were unlocatable. B



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