

Disclaimer: The material in this fact sheet is intended as a general guide only. You should not act on the basis of this information in this fact sheet without first getting legal advice about your own particular situation. This information sheet details laws and processes for dealing with fines in Victoria as at November 2017.

There are two types of fines:

1. Infringement notices: for example, infringement notices in the mail, 'on-the-spot' fines or parking tickets
2. Court fines: when you are found guilty of a criminal offence in court and a Magistrate or a Judge fines you as punishment

## Infringement notices

If you get an infringement notice, you can:

1. Pay the fine, ask for a payment plan or ask for more time to pay.
2. Request a review of the fine or apply for the fines to be waived under the new family violence scheme
3. Elect to have the fine heard in Court (do not do this without getting legal advice first)
4. Do nothing (generally not a good idea).

### 1. Paying the fine

If you want to pay the fine but you don't have the money, you can call the agency listed on your notice for more time to pay or to arrange a payment plan.

If you are on a Centrelink benefit, you can organise payment through Centrepay. You should take action before the due date on the fine. If you miss the due date, more fees may be added to your fine.

You can also ring [Fines Victoria](#) and apply for one payment arrangement rather than lots of payment plans with separate agencies. Make sure you don't try to pay the fines off too quickly as you might not have money left over for your rent and bills!

### 2. Write a letter requesting review

If you disagree that you have broken the law or if you are unable to pay the fine, you can write to the agency that gave you the fine and ask them to review their decision.

You should contact Youthlaw for more information and advice before you make a request for review. You only get one chance to do an internal review so it's best to have a lawyer assist you.

There are new laws in place to deal with fines incurred as a result of family violence.

There are also laws that can be used if you received a fine as a result of special circumstances (such as homelessness, a mental or intellectual disability, or serious addiction to drugs or alcohol).

There is also the potential to argue for your individual exceptional circumstances.

The laws can be a bit tricky to navigate. We strongly recommend you contact us to assist you.

You can also use Youthlaw's self help kit to assist you in writing a review letter.

### **3. Challenging the fine**

You can elect to have your fine heard in the Magistrate's Court as a charge and summons.

CAUTION: You may end up with a criminal record if you take this option so you should [contact Youthlaw](#) for advice first.

### **4. Challenging the fine**

If you try to ignore your fines they generally get worse.

There will potentially be further fees and charges added to your fine.

You can also face sanctions such as losing your license, having money taken from your wages, or being compelled to attend Court.

If you have ignored your fines and have received letters threatening sanctions contact Youthlaw immediately.

## **Court fines**

If you are found guilty of a criminal offence in court and a Magistrate or Judge orders you to pay a fine, your options are to:

1. Pay the fine by the due date;
2. Request more time to pay or to set up a payment plan; or
3. Request community work instead of a fine.

If you do not pay the fine, set up a payment plan or request an order to do community work from the court before the due date, the court will issue a warrant for your arrest.

The Sheriff will then come to your house with a warrant and they can take you back to court if you do not pay. The court can then order you pay by instalments, do community work, serve time in prison or order the seizure and sale of your property.

## **Getting legal help**

### **Youthlaw**

If you are under 25, you can get free and confidential legal advice.

Phone: (03) 9611 2412 (9am-5pm, Mon-Fri) ☎

Website: <http://youthlaw.asn.au/>

Drop in: 2-5pm, Monday, Tuesday, Thursday and Friday at 19 King Street, Melbourne

### **Victoria Legal Aid - Legal Help**

For legal information, referrals or appointments

Phone: 1300 792 387

Website: [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)

### **Federation of Community Legal Centres**

To find your local community legal centre:

Phone: (03) 9652 1500

Website: [www.fclc.org.au](http://www.fclc.org.au)

### **Money Help**

Money Help is a service run by the Financial Counselling and Consumer Rights Service.

Money Help can find a financial counsellor near you who can help you manage overdue fines and other debts.

Phone: 1800 007 007

Website: <http://www.moneyhelp.org.au/>

*This page was last updated 21/06/2018*