



MEDIA RELEASE 9 January 2013

It's time to rethink fines

Results from a recent online survey of young people between 10 and 25 years highlight the inability of many young people to pay fines they have received, prompting calls from Youthlaw and other youth services for a Government review of its approach to fines.

Youthlaw, a specialist law centre for young people under 25 years, ran the fines survey in late 2012. Just under half of the 296 young people who completed the survey had received a fine, with over two thirds of these young people being between 19 and 24 years.

One quarter of the young people received 4 or more fines in the last year and 12% had 10 fines or more.

One quarter of the young people surveyed have at least \$1000 worth of fines with almost half of these having fines over \$5000.

Fines are not effective where a young person can't afford to pay

The survey highlighted that many of these young people cannot afford to pay the fines.

Young people with no or low income and limited parental financial support have to pay the same amount for fines as adults with disposable incomes. Exceptions only apply to under 18 year olds with public transport fines.

Almost half the young people fined said they could not pay the full fine, with most saying that having a fine added stress to their life, with nearly one quarter of the young people being left with a large debt they cannot pay off.

"It is unreasonable to expect young people to have the ability to pay such fines, particularly if they are on low income, homeless or disadvantaged," said Tiffany Overall, Youthlaw Advocacy and Human Rights Officer.

Unpaid fines are ineffective, wasting considerable court and government resources.

"However if fines were reduced to a sum proportionate to their income then young people are more likely to pay the fine", said Ms Overall.

This was backed up by nearly two thirds of the survey respondents saying they would be more likely to pay if the fine was reduced.

Warnings may be more effective than fines

There was recognition in the survey results that a warning from ticket inspectors, police or protective service officers would often be enough for deterrence or to de-escalate a situation, rather than issuing multiple fines.

However 3 out of 5 young people reported they did not receive a warning from the relevant officer.

“The recommendation flowing from the survey is that young people should be entitled to a warning from authorities for first offences or where it’s clear that discretion could be exercised”, said Ms Overall. “ An example is where a young person has a concession Myki, but the young person in school uniform can’t produce it at that moment for the officer” She went on to say: “ Ideally this protocol should be formalized in Victoria Police manuals and Department of Transport guidelines.”

As one young person said in their survey response:

“... the person [given a warning] will be really appreciative and respect the authority and see them as a keeper-in check and reminder to stay on track, not a punitive system, and reduce the behavior just as much as if they had received a fine--most likely more...”

Respectful treatment of young people by officers more likely to receive respectful response

Interestingly about half of the young people who had received a fine had a negative interaction (i.e. treated rudely and/or aggressively) with the enforcing officer, and the other half had a positive interaction (i.e. treated professionally or respectfully). Most of these fines were issued by public transport authorised officers, some by members of Victoria Police or Protective Service Officers.

“Given this mix of experiences and the high volume of interactions between ticket inspectors, police and young people, it seems highly relevant to recommend these enforcement officers receive training in working with young people to help promote consistent, respectful and fair treatment of all young people.”

As some respondents suggested in their surveys:

“While laying down the law, still think of the best interests of the person who has offended (e.g.. it is good that they learn natural consequences for their actions, however if it is done in an aggressive manner, allowing prejudices in the way, the young person may have trouble trusting those in authority and may feel as though authority is out to get them”

and

“...attempt to look past the appearances of young people (their dress, gender, race, way of speaking, etc.).”

For further comment please contact Tiffany Overall direct on 03 9611 2422, mobile 0400903034 or tiffany@youthlaw.asn.au

Young Peoples Legal Rights Centre
Inc No A0041616E
ABN 12 794 935 230
www.youthlaw.asn.au

Tel 9611 2412 Fax 9620 3622 Email info@youthlaw.asn.au
At Frontyard, 19 King Street, Melbourne VIC 3000