



Disclaimer: the material in this fact sheet is intended as a general guide only. You should not act on the basis of the information in this fact sheet without first getting legal advice about your own particular reason. The information is based on the laws in Victoria as of July 2020

FINES FOR OVER 18S

If you are under 25 and you want to challenge the fine or if you want more information and advice about how to deal with an unpaid fine, [contact Youthlaw](#) for more information and advice.

It is usually best to get advice first, but you can also check out our [Fines Self-Help Kit](#) page for helpful information and tips on how to deal with fines yourself.

INCLUDED IN THIS FACT SHEET ARE:

Infringement Notices

Paying the fine

Write a letter requesting review, or apply to have the fine waived

Apply for a Work and Development Permit

Challenging the fine

Ignoring the fine

Court fines

Getting legal help

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:

- Pay the fine, ask for a payment plan or ask for more time to pay.
- Request a review of the fine or apply for the fine to be waived under the family violence scheme (more information below).
- Apply for a work and development permit.
- Elect to have the fine heard in Court (do not do this without getting legal advice first).
- Do nothing (not a good idea).

If you were fined for a vehicle offence and you were not driving, you can nominate another driver.

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. A payment plan is where you agree to pay back the fine by instalments (ie you pay a certain amount of money each month until the whole fine is paid off).

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 contact [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! Go to <https://online.fines.vic.gov.au> or call (03) 9200 8111.

Write a letter requesting review, or apply to have the fine waived

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 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.

Apply for a Work and Development Permit

A work and development permit (WDP) is an option for people who are vulnerable or disadvantaged. A WDP lets you work off your fine by participating in approved activities or treatment, like drug and alcohol counselling, financial counselling or being mentored.

To get a WDP, you need to already be engaged with a health practitioner or agency that is approved as a sponsor by Fines Victoria. The sponsor applies for the WDP on your behalf.

The WDP option is available for people who:

- have a mental or intellectual disability, disorder or illness;
- have an addiction to drugs, alcohol or a volatile substance;

- are experiencing homelessness;
- are experiencing acute financial hardship; and
- are the victim of family violence.

The types of activities that you can do under the WDP are:

- unpaid work;
- treatment given by a doctor, nurse or psychologist;
- courses, including educational, vocational or life skills courses;
- counselling, including financial or other types of counselling;
- drug and alcohol counselling; and
- mentoring – this option is only for a young people under 25 years of age.

If you want to get a WDP, you should speak to agencies or health practitioners you are currently engaged with and ask them to apply for a WDP on your behalf. If the application is approved, Fines Victoria will tell you what you need to do to complete the WDP. After that, you need to complete the activities or the treatment to work off your fine. While you are completing the WDP, no more action will be taken to recover your fine (unless your WDP is cancelled).

If you want to get a WDP, you should act quickly: a WDP is not an option if you have received a 7 day notice and the 7 days have expired, if you have been arrested, your property has been seized or if the fine is a Court fine.

You should contact Youthlaw if you want information on a WDP or if you are having trouble complying with your WDP.

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.

Ignoring 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:

- Pay the fine by the due date;
- Request more time to pay or to set up a payment plan; or
- 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) 9113 9500 (9am-5pm, Mon-Fri)

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

Victoria Legal Aid – Legal Help

For legal information, referrals or appointments Phone: 1300 792 387

Website: www.legalaid.vic.gov.au - see in particular: <https://www.legalaid.vic.gov.au/find-legal-answers/fines-and-infringements>

The Law Handbook

https://www.lawhandbook.org.au/2020_03_00_00_fines_infringements_and_criminal_law/

Federation of Community Legal Centres

To find your local community legal centre:

Phone: (03) 9652 1500

Website: 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/>

Visit our website: www.youthlaw.asn.au

Chat to us: 03 9113 9500

Email your questions: legal@youthlaw.asn.au

YOUTHLAW

Young Peoples Legal Rights Centre

Inc No A0041616E

ABN 12 794 935 230