

QUEENSLAND TREASURY

Domestic and family violence— Withdrawal of fine(s) process guide

State Penalties Enforcement Registry

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Contents

1.0	What is the domestic and family violence process?	1
2.0	Which debts are eligible for withdrawal under this DFVP?	1
3.0	Which debts are not eligible for withdrawal under this DFVP?	1
4.0	Who can apply?	2
5.0	Establishing an authority to act	2
6.0	Making an application and supporting document options	3
6.1	Where to find SPER Debt ID and infringement numbers	3
6.2	Supporting documentation	3
6.3	Applications where supporting documentation cannot be provided	3
7.0	Submitting the form	4
7.1	Telephone contact	4
7.2	Email contact	4
7.3	Acknowledgement of submission	4

1.0 What is the domestic and family violence process?

The State Penalties Enforcement Registry (SPER) is part of Queensland Revenue Office (QRO). QRO has implemented a domestic and family violence process (DFVP). The purpose of the DFVP is to ensure that Domestic and Family Violence (DFV) victims-survivors are not held liable for SPER debts for which they are not responsible and are provided with a single point of contact to resolve SPER debts where they are the registered operator of a vehicle and receive infringement notices for camera-detected or tolling offences, but the offence was committed by the perpetrator of DFV.

Prior to the DFVP there was no single or central point government agency from which a victim-survivor of DFV could seek assistance with, or resolution of, fine infringement notices. Consequently, a victim-survivor may have had to deal with multiple government agencies, including SPER, the Road Safety Camera Office (RSCO), Queensland Revenue Office (QRO) and the Department of Transport and Main Roads (DTMR). The victim-survivor may have also been subject to enforcement action by SPER, such as driver licence suspension, instead of the perpetrator who committed the offence.

2.0 Which debts are eligible for withdrawal under this DFVP?

Camera-detected infringements issued by DTMR, QRO and RSCO can be included in a DFVP application where the fines have been referred to SPER for collection.

3.0 Which debts are not eligible for withdrawal under this DFVP?

- Court-imposed fines
- Fines issued to a corporation
- Fines issued by an administrative authority that is not DTMR, QRO or RSCO, e.g. a council or a university
- Fines issued in person (e.g. a traffic infringement notice issued to the applicant in person by a Queensland police officer)

A victim-survivor whose fines are not eligible for withdrawal under this DFVP should contact SPER on 1300 365 635. Options to assist DFV victims-survivors resolve their fines include:

- debt deferrals
- affordable payment arrangements
- work and development orders.

Further information in relation to work and development orders is available at www.qld.gov.au/law/fines-and-penalties/overdue-fines/sper-work-order.

4.0 Who can apply?

A person can apply to have their fine(s) withdrawn through the DFVP if they received a camera-detected infringement fine that has been registered with SPER and, where practicable, it can be demonstrated that:

- they are a victim-survivor of DFV
- they are not culpable for the offending behaviour
- the perpetrator of DFV committed the offence for which the infringement was issued
- the DFV adversely impacted the person's ability to either
 - nominate the driver that committed the offence in a car registered to the victim-survivor or
 - reject a nomination for an infringement not incurred by the victim-survivor.

5.0 Establishing an authority to act

A third party can also apply for the fine(s) to be withdrawn on behalf of a person, for example an authorised professional, friend or family member.

Examples of an authorised professional include the following:

- a health practitioner, meaning a person registered under the Health Practitioner Regulation National Law to practice, other than as a student, in any of the following health professions
 - Aboriginal and Torres Strait Islander health practice
 - medical
 - midwifery
 - nursing
 - occupational therapy
 - psychology
- a person who is eligible for membership of the Australian Association of Social Workers
- a refuge or crisis worker
- a domestic and family violence support worker or case manager
- an accredited financial counsellor
- an Aboriginal and Torres Strait Islander medical service
- a solicitor.

A person with a SPER debt can establish an authority to act by accessing their case at online.sper.qld.gov.au and, once logged in, clicking on **Manage account** and selecting the **Authority to act** tab.

Alternatively, an Authority to Act form for the DFVP can be downloaded from www.publications.qld.gov.au/dataset/authority-to-act-sper and emailed to SPER at sper.clientsupport@treasury.qld.gov.au.

An authorised professional can provide SPER with a copy of an authority to act they have already established with the applicant rather than establishing a separate authority to act with SPER.

6.0 Making an application and supporting document options

The easiest way for a person to apply for the withdrawal of eligible fines is to complete a [Domestic and family violence \(DFV\)—Withdrawal of fine\(s\) application form](#).

Although each withdrawal of fine(s) application will be considered on a case-by-case basis, taking into account the DFV victim's-survivor's personal circumstances, typically all DFVP applications should:

- be in writing and on the approved [Domestic and family violence \(DFV\)—Withdrawal of fine\(s\) application form](#)
- where possible, identify the SPER debts to which the application relates or which should be excluded from the application, with SPER Debt ID(s) and/or infringement number(s) (see the following sub-section), or dates/periods during which the fines were incurred
- be supported by documentary evidence where practicable (see following sub-section).

6.1 Where to find SPER Debt ID and infringement numbers

The Debt ID and infringement number is on page 3 of each SPER enforcement order.

It is recognised that it may have been several years ago that the offence was committed and/or the victim-survivor may not have received or kept the actual infringement notices associated with the DFV.

If an applicant does not have a copy of the relevant enforcement order(s), please call 07 3013 4580 (the designated line for the DVFP). A DVF-trained, female officer will be able to assist, and can provide a schedule of outstanding SPER debts if appropriate.

6.2 Supporting documentation

Where practicable, applicants should include with the [application form](#) supporting documentation to demonstrate their eligibility for the withdrawal of the fine(s), such as:

- a domestic violence order
- a temporary protection order
- a police report
- a report from an authorised professional (see section 5 above for examples of an authorised professional)
- other evidence that supports the application where the above-listed documents are not available.

SPER may need to request additional information to progress an application.

6.3 Applications where supporting documentation cannot be provided

If you are not able to supply any supporting documents, please contact SPER on 07 3013 4580 and speak with a DFV-trained, female officer to discuss your situation.

Please note that all enquiries and applications are dealt with and assessed on a case-by-case basis. SPER will assist an applicant with the DFVP.

7.0 Submitting the form

The [Domestic and family violence \(DFV\)—Withdrawal of fine\(s\) application form](#) should be submitted by either:

- Email sper.clientsupport@treasury.qld.gov.au
- Mail State Penalties Enforcement Registry (SPER)
GPO Box 1387
Brisbane QLD 4001

Please note that the email address above is a designated address used only by DFVP officers and all DFVP application forms are sent directly to DVFP officers. Access to these emails and the application forms is limited to the DVFP officers in SPER.

7.1 Telephone contact

Victims-survivors of DFV and/or their authorised representative should contact SPER through (07 3013 4580), which is staffed by DFV-trained, female officers.

Where a person makes contact through the general SPER telephone line and makes statements which suggest that they may be eligible under the DFVP, they will be transferred to the dedicated DFV line with appropriate messaging.

DFVP officers will suspend activity on the victim's-survivor's SPER debt case and advise the applicant that no further enforcement action will occur until their matter is considered.

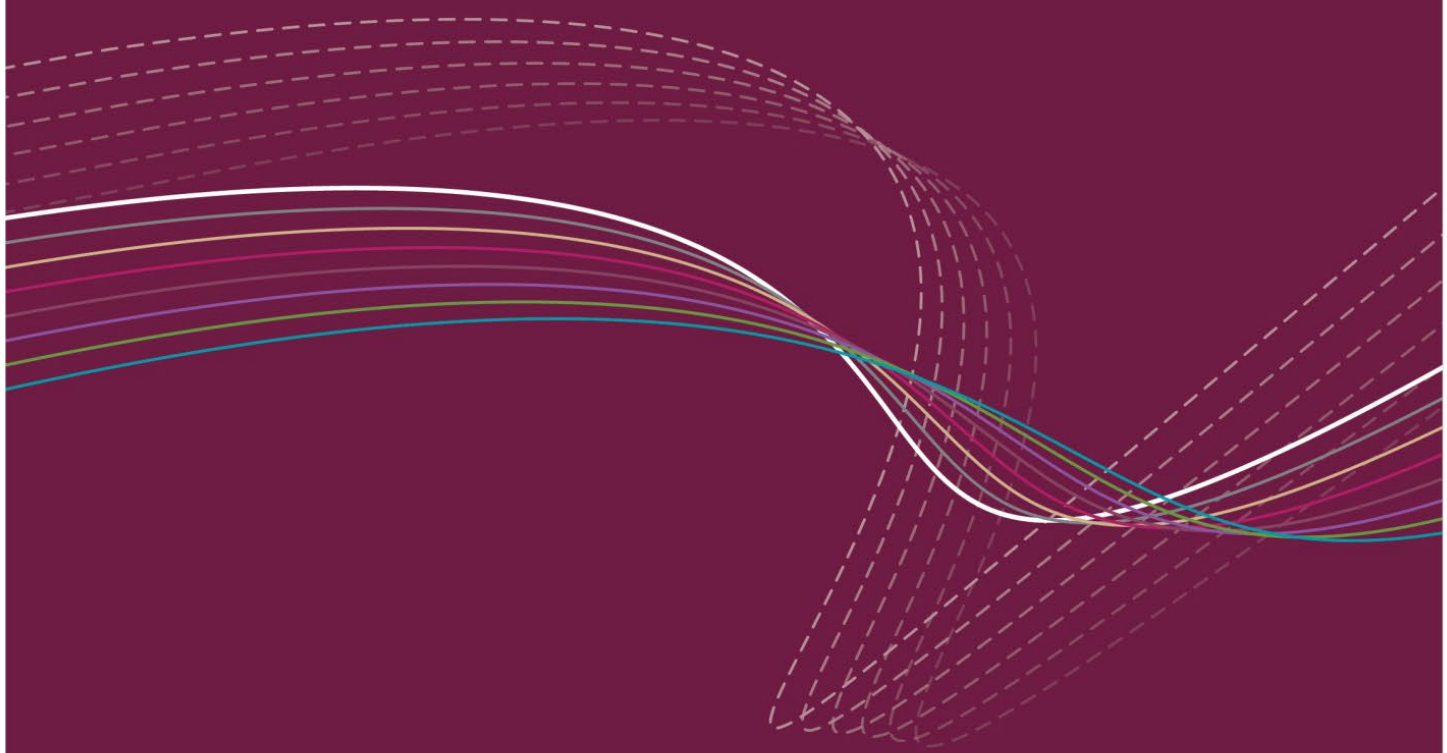
7.2 Email contact

All DFVP emails should be sent to sper.clientsupport@treasury.qld.gov.au. This is an email address used only for the DFVP.

Any email correspondence to other SPER email addresses that suggests that a person may be eligible under this DFVP will be referred to the dedicated email address.

7.3 Acknowledgement of submission

SPER will acknowledge receipt of a submitted application within one business day. The acknowledgement will be via the communication channel chosen by the applicant in the **Applicant details** section of the form.



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